

its provisions, expires or falls upon a holiday, the time so limited shall extend to, and such thing may be done on, the day next following which is not a holiday." This sub-section was first enacted in 1887, and therefore after the decision in *McLean v. Pinkerton*, above referred to. Similarly Con. Rule 345 declares that "Where the time for doing any act or taking any proceeding expires on a Sunday, or other day on which the offices are closed, the act or proceeding, so far as regards the time of doing or taking the same may be duly done or taken, on the next juridical day." The English Marginal Rule 963 is to the same effect. And section 31 (h) of "The Dominion Interpretation Act" also provides that "if the time limited by any Act for any proceeding, or the doing of any thing under its provisions, expires or falls upon a holiday, the time so limited shall be extended to, and such thing may be done on the next day following which is not a holiday."

In *Hamel v. Leduc* (1898), 29 S.C.R. 178, it was held under the last mentioned Act, that when the time limited for presenting a petition against the return of a member of the House of Commons of Canada expires on a holiday, such petition may be effectively filed upon the day next following which is not a holiday. A somewhat similar question had previously come before the Privy Council in 1894, in the case of *Dechene v. City of Montreal*, 64 L.J. P.C. 14. A statute of the Province of Quebec authorized the city to make an annual appropriation to meet municipal expenses, and a subsequent Act provided that any municipal elector might petition the Superior Court to obtain the annulment of any appropriation within three months of such appropriation. The Code of Civil Procedure of that Province provides that "if the day on which anything ought to be done in pursuance of law is a non-juridical day, such thing may be done with like effect on the next following juridical day." It was held, affirming the judgment of the Court of Queen's Bench, that the provision of the Code refers to things which the law directs to be done in the course of a suit, and not to the title of a person to present a petition, as had been done in this case, on the day following a non-juridical day, which latter was the last day of the three