

It will be noticed that the Act of 1896 does not expressly revive any portion of s. 167 of the Act of 1892, and according to the Imperial Act 13 & 14 Vict., c. 21, s. 5, commonly called Lord Brougham's Act, where an Act repealing in whole or in part a former Act, is itself repealed, the last repeal does not revive the Act or provision before repealed, unless words be added reviving them. Does this rule apply to a repeal by implication? *Mirfin v. Atwood*, L.R. 4 Q.B. 333, is an authority that it does. It was there held that the statute of Gloster had been repealed by the restrictive sections in the former County Courts Act, and that 13 & 14 Vict., s. 5, above referred to, prevented the statute of Gloster reviving on the repeal of those enactments by 30 & 31 Vict., c. 142.

Again in *Mount v. Taylor*, L.R. 3 C.P. 645, the judges in effect held that the above rule applied in such cases by holding that it does not apply when the first Act is only modified by the second by the addition of conditions, and the enactment which imposes these was itself afterward repealed, and that in such a case the original enactment would revive. Smith, J., in his judgment says, "Assuming Lord Brougham's Act to apply to cases of implied repeal, it brings us back to the question whether the 13 & 14 Vict., c. 61, did repeal the statutes of Gloster as regards the class of cases within which the present one falls."

It would appear, therefore, that neither that portion of s. 167, relating to personation, nor s. 210 is now in force. No doubt the legislature intended to revive the repealed portion of s. 167, but it is doubtful if it has done so, and it is therefore doubtful if a conviction could now be made, or sustained if made under this section for the offence of personation.

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