he did not think the evidence of the first marriage sufficient to warrant a conviction. Barry, J., adds: "I see no reason why a man's admission that he has been married should not be evidence against him as well as his admission that he had committed murder. If the admission be not evidence of a legal marriage, no man should be allowed to plead guilty to a charge of bigamy."

Besides the admission in this case there was received the testimony of witnesses from Macedonia who were present at the marriage of the accused, including the best man, who was married in the same Greek church by the same priest, and who swore that the marriage was similar to all the other marriages in that village. These witnesses spoke of the custom. The only one of them who claimed to have knowledge of the Macedonian law on the subject was Nassau Johnson, who said that he was able to speak of the "law and rites and customs" regarding marriage in Macedonia. He had studied these in the Greek school and Servian college. There was no written law; but the priest knew the law. He was only 16 when he left college and came to this country.

If it were necessary to prove the Macedonian law as to marriage I do not think the testimony of these witnesses would be sufficient for that purpose. The leading authority on the subject is the Sussex Peerage Case, 11 Cl. & F. 134. It was there laid down that although it was not necessary that one should be a professional lawyer to prove the foreign law, it must be one who was *peritus virtute officii*. Bishop Wiseman, who had held a quasi-judicial position at Rome, was held qualified to prove the canon law as to marriage, which was in force in that city. In this case the House of Lords overruled the decision of Wightman, J., in Regina v. Dent, 1 C. & K. 97, who accepted in the case of a Scotch marriage the testimony of a non-professional witness who had no special knowledge as to the law of Scotland.

The best evidence on such a point is that of a foreign Judge, or of a barrister or solicitor practising in the courts of his own country. In addition, the following have been held to be competent; a colonial Attorney-General, who was not a lawyer, as to the law of the colony: Sussex Peerage Case, supra, at p. 124; a Governor-General of Hong Kong, as to the marriage law there: Cooper v. Cooper, [1900] P. 65; an English barrister, who had been employed by the Colonial office, as to marriage questions in Malta, although he had never practised there as to Maltese law: Wilson v. Wilson, [1903] P. 153; a Persian ambassador as to the law of his country, which he is required officially to know: