conceded that such admissions or confessions, if deliberate and voluntary and clearly proved, are among the most effectual proofs in the law; and the degree of credit to be given to them to be estimated by the judge or jury according to the particular circumstances of each case. See Taylor on Evidence, 10th ed., sec. 865.

The authorities are not at all in accord as to what degree of weight is to be given to such an admission. The Court of Appeal for Lower Canada in Reg. v. Creamer, 10 L.C.R. 404, composed of five Judges, held unanimously that the admission of the first marriage by the prisoner, unsupported by other testimony, was sufficient to support a conviction. To the same effect is a unanimous judgment of the Supreme Court of the United States in Miles v. United States (1880), 103 U.S. 404. In Regina v. Simmonsto, 1 C. & K. 165, (same case reported as Regina v. Newton, 2 Mood. & Rob. 503), Wightman, J., after consultation with Cresswell, J., it being the case that the only evidence of the first marriage in New York was the admissions of the defendant, instructed the jury that if they believed the witnesses and that there was a legal marriage they might find the prisoner guilty.

There are also a number of other cases in which such admissions have been received without, however, relying upon them exclusively as in the foregoing.

[Reference to Truman's Case, 1 East. P.C. 470; Regina v. Upton, 1 Russell on Crimes, 7th ed., at p. 983; Regina v. Flaherty, 2 C. & K. 782; Regina v. Johnston, 103 L.T. Journal at p. 109.]

On the other hand, it was held at nisi prius by Lush, J., in Regina v. Savage, 13 Cox C.C. 178, that the admission by the prisoner that he had married his first wife in Scotland was not evidence of a legal marriage, and he directed an acquittal. This case was followed by a Divisional Court in our own province in Regina v. Ray, 20 O.R. 176, and still later in England by Lawson, J., in Rex v. Lindsay, 18 Times L.R. 761. The report in Regina v. Savage, supra, can scarcely be an exact one as Lush, J., is credited with saying, when Regina v. Newton, supra, was cited to him, "that he could not act upon that case as it was at variance with the law; and he should therefore overrule it."

In Regina v. Griffin, 4 L.R. Ir. Common Law, at p. 516, Barry, J., who formed one of the majority in a reserved bigamy case, says that he had spoken to Mr. Justice Lush about the Savage case, who said that he never intended to overrule Regina v. Newton, and all that he decided in the Savage case was that