Court, delivered by Meredith, J.A., it is said: "There is nothing, in the decree or otherwise, to shew that the question of domicile was considered in the Ohio Court, or that the jurisdiction of that Court, to pronounce such decree, at all depended upon domicile; and, if there had been, I am far from thinking that such facts would have precluded the Courts of this province from inquiry into the fact, or from dealing with the rights of the parties upon their own findings respecting it.'

It follows from the jealous care which English Courts have always shewn for the parties to English marriages, from the slow growth of the rule which now recognizes dissolution by foreign Courts of such marriages, from the insistence that "domicile" shall not be confounded with "residence," but shall be construed in the English sense, and that it shall be "real," "*bonâ fide*," "permanent" and "existing" when the proceedings for divorce are taken, that the burden of proof upon one who asserts the validity of a foreign divorce is a heavy one, and that if doubt exists, it should be resolved against the divorce. *Wilson* v. *Wilson*, 2 P. 435; *Bell* v. *Kennedy*, 1 Sc. App. 307; *Wadsworth* v. *McCord*, 12 Can. S.C.R. 469; *Manning* v. *Manning*, L.R. 2 P. 223.

Residence alone is not sufficient for domicile. There must be the necessary *animus manendi*. The change of domicile must be with an intention to make the place the main and permanent establishment *sine animo revertendi*. *Hadlane* v. *Eckford*, L.R. 8 Eq. 631; *Hoskins* v. *Matthews*, 8 De G. M. & G. 13; *Atty.-Gen.* v. *Dunn*, 6 M. & W. 511; *Re Capdeville*, 2 H. & G. 985; *O'Meara* v. *O'Meara*, 49 Que. S.C. 334; *Adams* v. *Adams*, 11 W.L.R. 358.

Neither length of time nor intention, taken separately, will do to establish a change of domicile, although the two taken together may work a change. The residence of a travelling salesman for the period of one year and a month, coupled with his affidavit of his intention as to permanent residence, does not establish a sufficient change of domicile for jurisdictional purposes in a divorce proceeding. *Walcott* v. *Walcott* (1915), 23 D.L.R. 261, 48 N.S.R. 522.

In *Adams* v. *Adams*, 14 B.C.R. 301, the petitioner, in 1895, when aged about 19, came from Ontario to British Columbia, where he spent some 3 or 4 years in different places. In 1899 he married, and at once removed to the Northwest Territories. In 1907, satisfied of his wife's infidelity, he made her leave for New York. In autumn, 1908, he returned to Vancouver, and took a position in a mercantile house. In January, 1909, he filed a petition for divorce, alleging domicile in British Columbia. It was held that no domicile was acquired to enable him to sue for divorce.

Retaining property in the domicile of origin, or attending and managing the paternal estate therein, shews an intention not to abandon it. In *Lord* v. *Colvin*, 4 Drew 366, a person born in Scotland, resided many years in India, returned to Scotland and lived in his paternal estate for 6 years; then resided in France for 6 years. He was said to have preferred France, and to have been annoyed by his neighbours in Scotland. He had handsomely furnished apartments in Paris. He never let his paternal estate, and attended to the management of it. It was held that he had not abandoned his Scotch domicile. See also *Maxwell* v. *M'Clure*, 3 Macq. H.L. 852.