

may be invoked for the purpose of regulating the rights of the parties. We know very well that succession and distribution depend upon the law of the domicile. Domicile therefore is an idea of law. It is the relation which the law creates between an individual and a particular locality or country. To every adult person the law ascribes a domicile, and that domicile remains his fixed attribute until a new and different attribute usurps its place." (Lord Westbury, in *Bell v. Kennedy* (1868), L.R., 1 S. & D.A. 320.)

"Such," says Mr. Westlake, "is domicile in its modern and particularly in its English aspect" (p. 311).

Domiciles are of three kinds:—

1. Of birth or origin.
2. By operation of law.
3. Of choice.

It is proposed in this article to deal chiefly with the present state of English law in regard to the third of these.

II. *Domicile of Origin.*

English law attributes to every one at birth a domicile which is called a domicile of origin. This domicile may be changed, and a new domicil, which is called a domicil of choice, acquired; but the two kinds of domicile differ in the following respects:— The domicil of origin is received by operation of law at birth; the domicile of choice is acquired at a later date by the act of an individual.

The domicil of origin is retained until the acquisition of a domicile of choice, and cannot be divested by mere abandonment; the domicile of choice is lost by abandonment.

The domicile of origin is never destroyed but only remains in abeyance during the continuance of a domicile of choice; the domicile of choice, when it is once lost, is destroyed for every purpose. (*Laws of England VI., sec. 281.*)

The law attributes to every child, as soon as he is born, the domicile of his father if the child be legitimate; of his mother, if the child be illegitimate.