

tually be, is supposed to be where the man has his domicile, not where he resides. In the case where his domicile does not correspond with his residence; and therefore his succession opens there and is governed by the law which prevails there. Yet the French courts will not renounce jurisdiction over these matters, but they will apply the law which prevails where the domicile exists, as they did in the case of Forgo. In that case, by the French law, the collateral relatives did not succeed to a natural child where by the Bavarian law they did.

Weiss, in his work on Private International Law (1), says that in France, jurisprudence sets out from the idea that French tribunals are incompetent to decide contestations between strangers in personal and moveable matters; but that it considers that it may give sufficient satisfaction to the interests of justice and of practice by numerous exceptions which it brings to that principle. Then follow the arguments upon which that principle is sustained. Now one of these exceptions relates to the matter of foreigners admitted to domicile, and it is considered upon p. 317 of the work where the author says:

“The first exception is that in which foreigners benefit by being permitted to fix their domicile in France by a decree of the Chief of the State conformably to art. 13 of the Civil Code; that by this privilege foreigners enjoy all the privileges, rights, even those which only belong to Frenchmen. They are entirely assimilated to these latter, from the point of view of the competence of the tribunal”.

There is then no doubt that legal domicile cannot be acquired in France except by state authorization. The

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(1) Vol. 15, p. 314.