to reside there for years, and returned there after a brief and unhappy residence in Chicago. The husband had gone to Chicago to get work, he gave up his job to wait upon the death of his father in Ontario, and he remained there in charge of property he then acquired, and was actually residing there when the divorce proceedings were commenced, going to Chicago for the purpose of being served with the papers which initiated the proceedings. Five days after the divorce was granted, the divorcee married again, and a few months later the divorced husband also married a woman he had met before the divorce. Middleton, J., said there was no proof of "collusion"; it can hardly be said there was no proof of mutual "accommodation." Middleton, J., also said: "There is much to lead to the conclusion that the husband never in fact changed his domicile of origin (Ontario). He seems to have been a rolling stone moving in the line of least resistance, making his abode where it was easiest to obtain a living." That language seems to very exactly describe the facts, yet, the Judge found that a domicile in Chicago had been acquired, and a domicile is required to be "permanent," "bonâ fide," "real" and "existing," to use the language of the ruling cases, in order to give jurisdiction which English Courts will recognise.

The question of reversion to the domicile of origin was not dealt with by Middleton, J., except that he says: "The temporary absence of the *married pair* in Ontario, without intention of abandoning the Chicago residence, did not, I think, defeat the jurisdiction and beyond this, the offences or injuries complained of were committed in the State whilst both resided there." This seems misleading, for the wife "left him" in Chicago, and went to Ontario and they did not live together again until he came to Ontario. When she did return to Chicago, it was temporarily, for the sole purpose of getting a divorce. Furthermore, reversion to domicile of origin would result from the husband's abandonment of the Chicago domicile of choice, and while the fact that the offence was created in Chicago whilst the married pair resided there would give statutory jurisdiction to the Chicago Court to decree a divorce (see 2), English law does not recognise jurisdiction based on anything else than "domicile," within the English meaning of that word. The Judge therefore mixed two matters, in the words just quoted.

What the intention of the husband was in leaving Chicago, or what intention he had formed as to domicile, prior to the application for divorce, should be gathered from his acts and surrounding circumstances, and not from his own evidence, since the manifest necessity he was under of justifying his own conduct made his evidence untrustworthy (per Cairns, C., in *Bell v. Kennedy*, (1868) L.R. 1 Sc. & Div. 313). Middleton, J., says: "The husband inherited some property upon his father's death (February), and stayed in Ontario to manage it, and abandoned his intention of returning to Chicago. Divorce proceedings were instituted in March. Afterwards he lived some years in Ontario." The fact that the decision to remain in Ontario was caused by the need of caring for the property acquired in February, establishes almost conclusively that the intention to abandon the Chicago domicile was formed before the divorce proceedings were commenced in March. If so, the domicile of origin (Ontario) had revived, and English law would not recognise any jurisdiction in the Chicago Courts to decree the