

Mr. Westlake argues that "a careful study of the speeches of the noble lords will shew that it was the civil and not the political society of the adopted territory, with which they required that the person who established a domicile of choice should desire to incorporate himself."

The following are the quotations referred to:—

Lord Cranworth, "For all or some or one of these motives he quitted Clippens, he went first to Berne, where he sent his children to school at Hoffwyl for a few months, and went to Paris, and eventually established himself in a house or apartments which he took unfurnished, and for which he got expensive furniture, meaning (if you please) to live there always, but then *that* does not change the domicile.

"In order to acquire a new domicile, according to an expression which I believe I used on a former occasion, and which I shall not shrink on that account from repeating, because I think it is correct statement of the law, a man must intend *quatenus in illo exuere patriam*.

"It is not enough that you merely mean to take another house in some other place, and that on account of your health or for some other reason you think it tolerably certain that you had better remain there all the days of your life, that does not signify. You do not lose your domicile of origin or your resumed domicile merely because you go to some other place that suits your health better, unless indeed you mean either on account of your health or for some other motive to cease to be a Scotchman and become an Englishman or a Frenchman or a German. In that case if you give up everything you leave behind you, and establish yourself elsewhere, you may change your domicile, but it would be a most dangerous thing in this age when persons are so much in the habit of going to a better climate on account of health or to another country for a variety of reasons, for the education of their children, or from caprice, or for enjoyment, to say that by going and living elsewhere, still retaining all your possessions here and keeping up your house in the country as this gentleman kept up his house at