

The right of holding property of their own, which the country people of these parts enjoy, could not of itself prevent these states, which exist entirely by agriculture, from decay; because the extraordinary fruitfulness of the women would in time require such a partition of property, as would not leave enough to each farmer to buy beds for his children. I believe therefore that it is the emigrations, joined with this, that are to solve the phenomenon I am endeavouring to explain. Though Suabia is the most populous country in all Germany, there is no one the inhabitants of which migrate in such large quantities.

These emigrants are of two kinds. The major part are an idle set, who sell their property to furnish themselves with money to travel into foreign countries, in search of imaginary projects of fortune. The others are young men, who go out to try their fortune as mechanics, and when they succeed, part with their land to their other brothers for a small consideration. By these causes no greater load is thrown upon agriculture than it is able to bear; and it is well that there is not; for the sole resources of such small districts as those we are now speaking of, are in their agriculture. For the limits of their luxury are too narrow to admit of that variety of employments, and ways of gain, which diversify the callings of men so infinitely in other countries; nor is it possible that manufactures should thrive among them, whilst they are circumstanced as they are; that is, surrounded by powerful princes, who lay great duties on their imports, in order to protect their own establishments, and situated in a country which supplies them with few, if any, of the prime materials for work. They must therefore depend entirely on their agriculture, and they do so. I do not however mean to say, that, cultivated as it is, this country is not susceptible of a much greater degree of improvement. It certainly is; and much more might be done.

Still, what has been done is surprising; nor is the cause less worthy of admiration. For it is owing to a steady administration of justice, and a set of political regulations which are to be met with in the smallest parts of the country, and which raised my wonder as often as I had occasion to consider them. We not only hear nothing here of the oppressions of private individuals, but there are instances in which causes have been given against the petty lords of the country in their own courts. Indeed they have need to be careful; for no man who is not strong enough to bring a force in the field against the emperor, to whom there is always an appeal, would be suffered to go on long with impunity. It is but a few years since, that redress was obtained against a petty prince of Suabia, who was going to drive his subjects out of their possessions, in order to make way for his stags and wild boars. But it must be owned, that such extreme remedies as these are seldom necessary. There is an integrity still adherent to the German character, and a kind of jovial humour about them, which makes the princes of the country start from the acts of wanton oppression and cruelty, which, with the same powers, would no doubt be exercised in Spain, Italy, and even in France. Give a German prince but room and food for his dogs and horses (for about the welfare of these he is uncommonly solicitous) and you have little to fear from him in other respects; that is as an individual, for in the gross they will clip you as close as they can.

There is, however, one object in which there is great need of reformation, and that is the administration of criminal justice. The torture is not yet abolished in these countries, and they still behead, hang, break upon the wheel, and impale *secundum praecepta legis Carolinae*. It is not very long since they burned a woman for being a witch; but that I believe is over. The civil law too, is not yet reduced to that perfect state which might be desirable. Not that I am for getting rid of all forms, with your modern philosophers, and leaving every thing to the wisdom of the judge, under the pretence that