

## INDEX

- Abassines, severe lent of the, ii. 64  
 Abbots and bishops, election of, ii. 240  
 Accusations in different governments,  
 i. 80  
 some requiring particular modera-  
 tion and prudence, i. 187  
 Accusers, false, branded at Rome, i. 199  
 Actions, set form of, how introduced,  
 i. 76  
 Adoption among the Germans, i. 289  
 Adulteress, permitted to be accused by  
 her children or the children of her  
 husband, ii. 60  
 condemned to the ordeal by water  
 among the Germans, ii. 111  
 Adultery, public accusations of, under  
 the Roman law, its beneficial ef-  
 fects, i. 48, 103  
 law of the Visigoths, ii. 76  
 why differently regarded in the hus-  
 band and in the wife, ii. 65  
 Adymantes, why spared from death, i.  
 84  
 Africa, state of people of, i. 332  
 the circuit of, i. 349  
 Hanno's voyages, i. 351, 352  
 Agobard, letter of, ii. 98, 99  
 Agrarian laws regarded by Cicero as  
 unjust, ii. 73  
 Agriculture a servile profession among  
 the Greeks, i. 38  
 honored in China and Persia, i. 227  
 Alcibiades, praise of, i. 42  
 Alemans, laws of the, i. 232, 244  
 Alexander, his career, i. 143  
 comparison between him and Cæsar,  
 i. 146  
 his conquests, i. 341  
 ironical remarks, ii. 211  
 Alexander VI divides the new worlds  
 between the Spaniards and the  
 Portuguese, i. 367  
 other nations refuse to abide by  
 this, i. 367  
 Alexandria, foundation of, i. 343 and  
 note  
 Allodial lands, law relating to, i. 283  
 how changed into fiefs, ii. 230  
 estates, ii. 192  
 Ambassadors, reason for the privileges  
 of, ii. 78  
 America, discovery of, i. 366  
 its consequences, i. 369  
 consequences to Spain, i. 370  
 soil of its productiveness, i. 275  
 its populousness, i. 275  
 Amphictyon, law of, not prudent, ii. 158  
 Amymones, the irresponsible magis-  
 trates, among the Guidians, i. 158  
 and note  
 Anastasius, his clemency a mistake, i.  
 93
- Ancestors, particular notions of our, ii.  
 109  
 Ancients, a paradox of the, i. 37  
 had not a clear idea of monarchy,  
 i. 162  
 commerce of the, i. 334  
 Anius Asellus appoints his daughter  
 his sole heir and executrix, ii. 87  
 Verres corruptly sets this aside, ii.  
 87  
 Annuitants, public, why they receive  
 special protection, i. 395  
 Anonymous letters, i. 202  
 Anthropophagi, the, i. 350  
 Antipater, his voting law, i. 15  
 Antrustions, or vassals, ii. 190  
 their property, ii. 190  
 composition for the death of, ii. 213  
 Appeal or default of justice, ii. 142  
 149  
 Appeal of false judgment, ii. 125  
 condemned by St. Louis, ii. 125  
 its danger, ii. 126  
 remarks, ii. 136  
 Appius the decemvir, i. 80  
 Arabia and the Indies, commerce of  
 the Romans with, i. 359  
 Arabs, liberty of the, i. 279  
 annual truce, ii. 37  
 in Barbary, order of succession  
 among the, ii. 62  
 drink of the, i. 228  
 Areopagus, the, its members chosen for  
 life, i. 48  
 examples of its judgments, i. 70  
 a court appeal, i. 77  
 Argives, cruelty of the, i. 84, 85  
 Ariana, a desert region, i. 342  
 Aristippus, anecdote of, i. 277  
 Aristocracy, its constitution, i. 13  
 abuses of, i. 13  
 the best and the worst kinds of,  
 i. 15  
 virtue not absolutely requisite in  
 an, i. 22  
 moderation its virtue, i. 49  
 two principal sources of disorder,  
 i. 49  
 corruption of its principle, i. 112  
 hereditary aristocracy, i. 112  
 Aristodemus, the tyrant of Cumæ, i.  
 141  
 Aristotle, on democratic constitutions,  
 i. 8  
 on slaves, i. 33  
 on monarchy, i. 164  
 his philosophy carried to the west,  
 i. 364  
 on the number of children, ii. 11  
 remark on, ii. 170  
 Artaxerxes puts all his children to  
 death, i. 61

Artisans little esteemed in the Greek republics, i. 38  
Arts, number of inhabitants with relation to the, ii. 9  
Asia, climate of, i. 264  
consequences resulting therefrom, i. 267  
a country of great empires, i. 268  
Asilian law, its provisions, i. 87  
Assemblies, public, their number why fixed, i. 9  
Asylums, Mosaic law of, ii. 47  
Athenians, the, lenient to their slaves, i. 244  
commerce of the, i. 339  
Athenians and Lacedæmonians, the, contrasted, i. 295  
Athens, division of the people by Solon, i. 13  
military strength of, i. 21  
marriage law at, i. 43  
Athletic arts, their tendency, i. 39  
Athualpa, unhappy state of the Ynca, ii. 78  
Attainder, bills of, in England, i. 199; ii. 59  
Augustus, offence given by, to the Romans, i. 293  
exhorts them to marriage, ii. 13  
his law on succession and legacies, ii. 18  
this softened by succeeding emperors, ii. 18  
his reforms, ii. 37  
Aulus Fulvius put to death by his father, i. 49, note  
Aurengzebe, saying of, ii. 25  
Austria, fortune of the House of, i. 367  
Bactrians, horrid custom of the, suppressed by Alexander, i. 137  
Baetis, the silver mountains of, i. 354  
Banker, his gains, i. 387  
assistance the state may derive from the, i. 393  
Bankrupt, Philip II of Spain, i. 369  
Bankrupts, French law regarding, ii. 167  
Barbarians, commerce of the Romans with, i. 359  
laws of the, all personal, ii. 94  
how these laws came to be lost, ii. 102  
Barbarous nations, why easily converted, ii. 45  
revolution of their laws, ii. 104  
Barbary, order of succession among the Arabs in, ii. 62  
Basil, the emperor, inconsistent conduct of, i. 90  
Bastards in different governments, ii. 4  
disabilities of, ii. 4  
Bastons the only weapon allowed to villeins, ii. 117  
Bathing, ii. 43  
Bayle, Mr., a paradox of, ii. 27  
another, ii. 31  
Beaumanoir, his era, ii. 120  
on judicial combats, ii. 116  
Beggars, have many children, ii. 7  
Believe, the President de, his reply to Louis XIII, i. 78  
Benefice, what, ii. 255  
Bernard, King of Italy, his barbarous treatment, ii. 247

Bishops exempt from military service, ii. 191  
their complaints on the subject, ii. 191  
election of, ii. 240  
Blind man, strange incapacity of, at Rome, ii. 167  
Blows, scale of compensation for, ii. 117  
Bondmen, when enfranchised, ii. 153  
rated to the census, ii. 187  
Bos, Abbé du, his financial theories, ii. 96, 178, 182, 190, 193  
general idea of his book, on the establishment of the French monarchy in Gaul, ii. 207  
ironical remarks on it, ii. 211  
Boulainvilliers, an error of the Count de, ii. 177  
reaking on the wheel, introduction of the punishment of, i. 83  
Brother and sister, marriage of, why permitted, ii. 70  
Brothers and sisters in law, marriage of, ii. 71  
why permitted in some countries, ii. 72  
Brunchaut, execution of, ii. 218  
Brutes, their state as contrasted with that of man, i. 2  
Burgundians, laws of the, ii. 93, 97  
Cæsar, confiscation of goods introduced by, i. 88  
his law against hoarding money, ii. 158  
his account of the Germans, ii. 171, 200  
Calvinists, ravages of the, ii. 235  
Cambyses, avails himself of the superstition of the Egyptians, ii. 64  
Canon law, the, not applicable to civil causes, ii. 64  
Cape of Good Hope doubled by the Portuguese, i. 366  
Capet, Hugh, becomes king of France, ii. 260  
Capital of an empire, choice of the, i. 270  
Capital crimes, the only two among the Germans, ii. 196  
Capitularies (or Capitularies), their origin, ii. 102  
Carthage, destruction of, i. 22  
praised by Aristotle as a well-regulated republic, i. 119  
dissensions in, i. 138  
the senate, i. 177  
extraordinary policy of, i. 351, 368  
voyages of Hanno, i. 351, 352  
Carthaginians, their ingratitude to Hannibal, i. 22  
compelled to abandon the sacrifice of children by Gelon, i. 137  
their foreign settlements, i. 351  
Carvilius Ruga, the case of, i. 262  
Caspian Sea, little known to the ancients, i. 346  
Cassiterides, Himilco sent to make a settlement in the, i. 354  
Catholic religion, the, most agreeable to a monarchy, ii. 30  
zeal of its believers, its cause, ii. 45  
Celibacy, reflections on, ii. 21, 32, 48  
Censors, under what governments necessary, i. 69  
Censorship, the Roman, i. 119; ii. 14

Census, the, among the barbarians, ii. 186  
raised only on the bondmen and not on the freemen, ii. 187  
Cerne, Carthaginians settlements as far as, i. 351  
Chaindasuinthus proscribes the Roman law, ii. 100  
Champions in legal duels, ii. 124, note  
Charlemagne, his Capitularies, ii. 102 and note  
fall into neglect, ii. 103  
his promise as to church lands, ii. 236  
establishes tithes, ii. 237  
his gifts to the clergy, ii. 239  
restrains the nobility, ii. 244  
his character, ii. 245  
bishops in Germany, ii. 246  
how the empire was transferred from his family, ii. 262  
Charles the Bald, edict of, ii. 98  
calls on the church to support the state, ii. 251  
Martel, an oppressor of the clergy, ii. 233  
state of Europe in his time, ii. 235  
hisiefs, ii. 240  
Charles II, anecdote of, i. 90  
Charles V, grandeur of, i. 367  
Charles VII, causes local customs to be reduced to writing, ii. 154  
Charles IX, why declared of age at fourteen, ii. 167  
Charles XII of Sweden, anecdote of, i. 58  
his character, i. 141  
Charmed, his preference for poverty, i. 109  
Charondas first established penalties against false witnesses, i. 184  
Childeric, expulsion of, i. 287  
Children usually follow the condition of their father, ii. 2  
limitation of the number of, ii. 11  
exposing of, Roman policy regarding, ii. 21  
not practiced by the Germans, ii. 22  
obliged to provide for their fathers at Athens, except in certain cases, ii. 61  
China, luxury of, i. 99  
its fatal consequence, i. 100  
the missionary pictures of, contradicted by other travellers, i. 122  
wisdom of its ancient emperors, i. 274  
unchanging character of the people, i. 298  
aims of its legislators, i. 301  
Christianity, i. 302  
paternal authority, i. 303  
explanation of a paradox, i. 304  
succession to the throne, ii. 62  
Chivalry, rise of, ii. 119  
Choice, suffrage by, i. 11  
Christianity, almost impossible to be established in China, i. 302  
an enemy to despotic power, ii. 30  
has established a law of nations, ii. 30  
its effect on the Roman jurisprudence, ii. 19  
why so odious in Japan, ii. 56  
Church lands, how converted into fiefs, ii. 232

Churches, jurisdiction of the, ii. 203  
regulated by Clotharius II, ii. 204  
Cicero on secret suffrage, i. 12  
on the Roman tribunes, i. 57  
on Tiberius Gracchus, i. 172  
on commerce, i. 318  
on usury, i. 398, 401  
Cilonian seditions, the, i. 271  
Cincinnatus prevails over the tribunes, i. 118  
Cinq-Mars, M. de, charged with high treason, i. 191  
Civil government in France, reformed, ii. 221  
law among the Tartars, and the German nations, i. 281  
corrects false religions, ii. 37  
not applicable to matters of canon law, ii. 64  
or to the law of nations, ii. 77  
Clemency of the prince, i. 92, 93  
sometimes a mistake, i. 94  
Clergy, power of the, dangerous in a republic, but favorable to monarchy, i. 16  
a barrier against arbitrary power, i. 16  
their authority under the first race of the Frankish kings, i. 290  
in a free state, i. 313  
bounds to be set to their riches, ii. 49  
riches of the, ii. 234  
favored by Pepin, but oppressed by his son, ii. 234  
ravages of the Calvinists, ii. 235  
tithes, ii. 237  
Climate, laws in relation to, i. 221  
effects of cold and warm, i. 222, 223  
laws, i. 225  
agriculture, i. 226  
monkery, i. 226  
sobriety, i. 227  
distempers, i. 229, 230  
climate of England, i. 231  
seems to prescribe the bounds of religions, ii. 43  
Clotharius II, limit imposed on compositions for offences by, ii. 199  
his concessions, ii. 222  
Clovis, sanguinary temper of, i. 290  
Coal-pits, advantage of, ii. 8  
Coin, debasement of, under the Roman emperors, i. 392  
coining treated as high treason, i. 191  
discovery of the art, i. 375, note  
Cold, effect of, on man, i. 221  
Colonies, trade of, how regulated, i. 367  
Columbus, Christopher, his discovery of America, i. 366  
Commerce to be carried on by the community, not by individuals, i. 36  
thought to corrupt the state, i. 36  
forbidden to the Venetian nobles, i. 51  
to be tolerated in monarchies, i. 54  
softens the manners, i. 316  
its spirit, i. 317  
in different governments, i. 318  
economical commerce, i. 319  
example of Marseilles, i. 319  
Holland, England, i. 320  
restraints and prohibitions, i. 321  
banks, i. 322

- Commerce, free ports and freedom of commerce, i. 323  
judges, i. 325  
nobles should not engage in, i. 326  
to what nations commerce is prejudicial, i. 328  
difference between ancient and modern, i. 333  
after the destruction of the Western Empire, i. 362, 364  
in the East, i. 363  
breaks through the barbarism of Europe, i. 363  
Companions, afterwards vassals, ii. 190  
Composition for murder, its scale, ii. 95  
Composition among the barbarous nations, ii. 196  
limit imposed by Clotharius, ii. 199  
Condition of children, ii. 2  
Confederate republics, i. 128  
Confidence in the people, difference of the laws regarding, i. 233  
Confiscations useful in despotic governments, but in no others, i. 63  
of goods introduced by Cæsar, i. 88  
of merchandise, i. 213, 324  
Conquest, right of, i. 134  
modes of dealing with the conquered, i. 135  
some advantages of the conquered, i. 136  
conquests made by a republic and by a monarchy, i. 139  
new methods of preserving a conquest, i. 146  
the Roman mode, i. 147  
Conrad, the emperor, his law as to fiefs, ii. 259  
Conspiracies, revealing of, i. 197  
Constantine, marriage laws of, ii. 17, 66  
other laws of his, ii. 19, 41  
Ducas, an impostor, i. 89  
Consuls, the Roman, i. 173  
Contemplation, its effect, ii. 33  
Contingency, public, i. 101  
Copper, its proportional value to silver, i. 378  
Corinth, commerce of, i. 340  
Coriolanus, impeachment of, its result, i. 170, 175  
Cornelian laws, the, i. 88  
Costs in law proceedings, ii. 139  
Couce, Lord of, his remark on the English, i. 131  
Countries raised by industry of man, i. 273  
Counts and dukes, ii. 194  
Courage of the Northern people, i. 264  
Credit, public, necessary to be supported, i. 396  
Crete, singular institution in, i. 116  
love of country in, i. 117  
Crillon, his sense of honor, i. 31  
Crimes, four sorts of, i. 185  
inexpiable, ii. 34  
Cromwell, character of, i. 20  
Cross, judgment of, ii. 115  
Crown of France transferred to the Capets, ii. 261  
Crusades, the, bring the leprosy to Europe, i. 229  
Cultivation, best, in proportion to the liberty of the country, i. 272  
Customs, local, ii. 104  
farming of the, i. 324  
Cyrus, a law of, i. 141  
Dagobert, reign of, ii. 225  
Darius sends an expedition to the Indus, i. 342  
Daughters, rights of, ii. 62  
Debtors, cruel laws in respect of, i. 200  
at Rome, i. 201  
merchant debtors, i. 324  
Debts, public, i. 394  
payment of, i. 395  
advantages of a sinking fund, i. 395  
Decemvirs, cruelty of their laws, i. 87  
these fall into disuse, i. 88  
Decretals, judiciary forms borrowed from the, ii. 147  
Defensive force of states in general, i. 129  
relative force, i. 132  
Defontaines, the oldest French law writer, ii. 145  
Delos, ruin of, i. 357  
Demesne, or crown lands, ii. 74  
should not be alienable, ii. 74  
Democracy, love of the republic in a, i. 41  
frugality, i. 45  
equality may be suppressed in, for the good of the state, i. 45  
methods of favoring the democratic principle, i. 47, 57, note  
its corruption, i. 109  
example of Syracuse, i. 111  
extreme equality, i. 111  
corruption of the people, i. 111  
Depositary of the laws necessary in a monarchy, i. 17  
the prince's council unfit for the office, i. 17  
not known to despotic governments, i. 18  
Despotic governments, relation of laws to the nature of, i. 18  
a vizier essential, i. 18  
no great share of probity necessary, i. 19  
honor not their principle, i. 25  
fear takes its place, i. 27, 57  
education, i. 32  
an emblem of them, i. 57  
picture of a despotic monarchy, i. 58  
of a despotic state, its insecurity and misery, i. 59, 60  
communication of power, i. 64  
presents, i. 65  
rewards, i. 66  
corruption of its principle, i. 116  
its distinctive properties, i. 122  
how it provides for its security, i. 129  
conquest made, i. 147  
some mixture of liberty proper, i. 205  
the taxes ought to be light, i. 212  
customs and manners, i. 297  
Dictators at Rome, i. 14  
created by the senate, i. 172  
Divorce, forcible, ii. 60  
and repudiation, i. 260  
among the Romans, i. 261  
Doctrines, use or abuse of, ii. 38  
D'Olgorucky, Prince, put to death for disrespectful words, i. 193  
Domestic government, its influence on the political, i. 300  
tribunal, the, among the Romans, i. 103  
its fall, i. 104

- Domestic government, revived by Tiberius, i. 106  
Dorte, Viscount, his reply to Charles IX about the Huguenots, i. 31  
Dowries of women, i. 104, 105  
Dream, Marsyas put to death for a, i. 193  
East, principle on which the morals of the, are founded, i. 256  
domestic government, i. 259  
people of the, believe all religions indifferent, ii. 57  
Eastern countries, cause of the immutability of their manners and customs, i. 224  
Ecclesiastic and temporal jurisdiction, flux and reflux of the, ii. 148  
Education, laws of, i. 29, 30  
in monarchies, i. 29, 30  
in a despotic government, i. 32  
difference between the effects of ancient and modern, i. 33  
in a republican government, i. 33  
Egyptian sultans, their power, i. 363  
Egyptians, their laws covering leprosy, copied by the Jews, i. 229  
not a commercial people, i. 336  
trade with India, i. 361  
Election of the bishops and abbots, ii. 240  
of the kings of the second French race, ii. 243  
Empire of Charlemagne, how broken up, ii. 262  
Employments, public, i. 67  
division into civil and military, i. 68  
sale of, i. 69  
England, the function of juries in, i. 75  
the constitution of, i. 151  
the climate, i. 231  
commerce, i. 320  
credit, i. 395  
complaint of the diminution of population, ii. 8  
law with regard to witnesses, ii. 161  
English, the steps taken by, to favor their liberty, i. 17  
their failure to establish a democracy, i. 20  
their proneness to suicide, i. 231  
Ephori, the real kings of Sparta, i. 53  
Epicurus on riches, i. 117  
Epidamnians, their rule as to commerce, i. 36  
Equality, how established in a democracy, i. 42  
true, not extreme, i. 111  
Escheatage, and shipwrecks, ridiculous rights of, their origin, i. 363  
Essenes, the, ii. 32  
Establishment of the French Monarchy. See Bos, Abbé du  
Ethiopia, influence of Christianity in, ii. 29  
Eucherius, St., vision of, ii. 235  
Eunuchs intrusted with the magistracy in Tonquin, i. 249  
have wives, i. 249  
Europe, its states of moderate extent, i. 269  
consequence of this, i. 269  
changes in the number of its inhabitants, ii. 23  
Euxine and Caspian seas, project for joining the, i. 335  
Exchange, example of Holland, i. 381,  
382 and note  
a constraint on despotic power, i. 392  
Exclusion from the succession to the throne, ii. 243  
Executive power, the, its functions, i. 160  
at Rome, i. 172  
Exposing the children, ii. 21  
Fadia deprived of her estate by the Voconian law, ii. 88  
Falcidian law, its purpose, ii. 168  
False religions sometimes corrected by civil laws, ii. 36  
Farmers of the revenues, i. 220  
Father, his consent to marriage, on what founded, ii. 5  
obliged, among the Romans, to give his daughter a marriage portion, ii. 16  
See Paternal Authority  
Fear, causes mankind to associate, i. 4  
the support of despotic governments, i. 26  
Female succession, right of, established in France, ii. 264  
Fertile countries, monarchy favored, i. 271  
Festivals, inconvenience of too many, ii. 41  
Feudal laws, ii. 171  
their source, ii. 171  
lords, or vassals, ii. 190  
lords led in the field by the king, ii. 192  
lead their vassals and rear-vassals with them, ii. 192  
Fiefs, feudal, at first precarious and resumable at will, ii. 191 and note  
at length given for life, ii. 191 and note  
changes in the, ii. 255, 256, 257  
their nature afterwards, ii. 258  
some consequences of their perpetuity, ii. 262  
of resumption, ii. 232  
Fire, ordeal by, ii. 110  
Firearms, bearing of, a capital crime at Venice, ii. 79  
First race of French kings reform the Salic and Ripuarian laws, ii. 93  
their humiliation, ii. 228  
Fiscal, goods, what, ii. 190  
Flanders, Earl of, his dispute with the people of Gaunt, ii. 133  
Joan, Countess of, case of, ii. 132,  
note  
Foe, disciples of, draw a frightful consequence from a sacred doctrine, ii. 39 and note  
Fontenay, battle of, ii. 254  
Force, offensive, i. 133  
Formosa, marriage custom of, ii. 2  
another custom of, ii. 10  
singular belief of, ii. 36  
France, its capital happily placed, i. 130  
cause of its increase in power, i. 328  
population, ii. 23 and note  
law with regard to witnesses, ii. 160, 161 and note  
and receivers and thieves, ii. 162  
the first race of kings, ii. 93  
the second race, ii. 241  
the mayor of the palace, ii. 218

- France, the crown transferred to the Capets, ii. 261  
Franks, the change in their customs in favor of daughters, i. 282  
regal ornaments among the, i. 286  
marriages of the kings, i. 286  
when they became of age, i. 287  
their sanguinary temper, i. 290  
national assemblies, i. 290  
their treatment of the subject Romans, ii. 96  
the feudal laws, ii. 171  
conquests of the, ii. 174  
taxes paid by the Romans and Gauls, ii. 184  
an ancient usage, ii. 196  
Fredegonda, regency of, ii. 221  
Freedom defined, ii. 199  
in favor of the judge, ii. 201  
a price for his protection, ii. 201  
not levied everywhere, ii. 206  
Freemen, military, service of, ii. 191  
rendered capable of holding fiefs, ii. 252  
Free nations, their characteristics, i. 315  
Free ports, where to be established, i. 323  
Freedmen and eunuchs, i. 249  
French, the, why often driven out of Italy, i. 141  
origin and revolutions of the civil laws among them, ii. 92  
Frisians, a law of the, ii. 196  
Frugality sometimes mistaken for avarice, i. 21  
Funerals, expensive, to be discouraged, ii. 51  
Gabinian law, the, i. 400  
its provisions, i. 401  
Gage, Thomas, on the Spaniards in the West Indies, ii. 5  
Gallantry, spirit of, little known to the ancients, ii. 120  
Ganges, sanctifying the virtue of the waters of the, ii. 36  
Gaul invaded by German nations, ii. 174  
the Romans there not reduced to slavery, ii. 178  
Gaul, South, independent of the Visigoths, ii. 100 and note  
Gauls, laws of the, ii. 43  
Gelon, King of Syracuse, his treaty with the Carthaginians, i. 137  
Geneva, admirable law of, i. 325  
Genoa, Bank of St. George at, i. 13  
act of indemnity, i. 139  
Germans, the different character of their laws, ii. 92  
single combat among them, ii. 109  
Cæsar's account of them, ii. 172  
account of Tacitus, i. 161, 163, 281, 283, 317; ii. 110, 118  
Globe, depopulation of the, ii. 11  
means to remedy the, ii. 24  
Gold Coast, not visited by the Carthaginians, i. 351  
Gold and silver, quantity of, i. 377  
relative to scarcity, i. 380  
Good subjects not necessarily good men, i. 24  
Gothic government the best species of constitution, i. 163  
Goths in Spain, their laws regarding slaves, i. 243  
See also Visigoths  
Government, the kind of, most conformable to nature, i. 6  
difference between the nature and principle of, i. 19  
domestic, i. 300  
Governments, three species of, i. 8  
See Despotic Government, Monarchical Government, Republican Government  
Gracchi, the, change the Roman constitution, i. 172  
Grand Seigneur, why held by the cadis not obliged to keep his word, i. 26  
Grecian kings, commerce of the, i. 344  
Greece, and the number of its inhabitants, ii. 10  
kings of the heroic times of, i. 164  
Greek colonies not molested by Alexander, i. 356  
magistrates, embarrassment of the, i. 38  
Greeks, reflections on some institutions of the, i. 34  
in what cases of service, i. 37  
commerce of the, i. 339  
contrast of the ancient and the modern, i. 21  
Gregory III, his embassy to Charles Martel, ii. 235  
Guardianship, right of, i. 305  
Gundebald, King, of Burgundy, unwise law of, ii. 60  
other laws of, ii. 99, 110  
Gymnic art, its relation to military affairs, i. 117 and note  
its effect on the manners, i. 39, 117  
Hannibal, complaints of the Carthaginians against, i. 22  
his opponents, i. 138  
Hanno, the opponent of Hannibal, i. 138  
voyages of, i. 351, 352  
Harrington, his defective idea of liberty, i. 162; ii. 170  
Habo, a slave, made Archbishop of Rheims, ii. 215  
Helotes, wretched condition of the, i. 241  
Henry II, of France, unreasonable law of, ii. 60  
Henry VIII, his physicians in danger from his law of high treason, i. 192  
peers, how condemned by, i. 202  
hospitals destroyed, ii. 25  
laws of his contrary to the laws of nature, ii. 59  
Hereditary aristocracy leads to oligarchy, i. 112  
High treason, trivial acts treated as, in China, i. 190  
and under the Roman emperors, i. 191  
Himilco sent to make a settlement in the Cassiterides, i. 354  
Hobbes not correct in his idea of the natural state of mankind, i. 4  
Holland, the republic of, i. 127  
its commerce, i. 320  
course of exchange, i. 381, note  
Homage of vassals, ii. 265, 266  
Honest men not favored by Cardinal Richelieu, i. 24  
Honorary rights of churches, ii. 241  
Honor the spring of monarchical government, i. 24

- Honor, not the principle of a despotic one, i. 25  
its supreme law, i. 32  
point of, ii. 117  
among the Germans, ii. 118  
Hospitality among the Germans, i. 317  
law of the Burgundians, i. 317  
Hospitals, ii. 25  
Hundreds, establishment of, ii. 191  
Hungarian nobility, conduct of the, to the House of Austria, i. 115  
Ichthyophagi, the, i. 343  
Immortality of the soul, the doctrine of the, ii. 39  
Immunities, ii. 207  
Incest, ii. 70  
Indians, confidence in the people shown in the laws of the, i. 234  
ignorance of the women, i. 296  
their abstinence from flesh not unreasonable, ii. 42  
Indies, commerce of the, i. 331  
navigation of the, i. 347  
Roman trade with, i. 359  
Egyptian trade, i. 361  
Individual, property of the, not to suffer for the public good, ii. 73  
Industry, encouragement of, i. 227, 274  
Informers, honors paid to, under Tiberius, their ill effect, i. 114 and note  
Inhabitants, laws in relation to the number of, i. 402  
Inheritance, custom of despotic governments, i. 59  
French law of, ii. 267  
Inquisition, the, insupportable under all governments, ii. 67  
had its origin in the laws of the Visigoths, ii. 93  
Inquisitors, a Jew's remonstrance with the, ii. 54  
Interest and usury confounded, i. 364  
interest, how lowered, i. 378  
lending on, i. 396  
various rates of, among the Romans, i. 397-400  
Irish linen manufacture, the, i. 227  
Iroquois, law of nations among the, i. 5  
Isaac Angelus, his clemency a mistake, i. 93  
Islanders, fondness of, for liberty, i. 273  
Italian republics, no real liberty in, i. 152, 153  
Italy, bad laws in some parts of, i. 393  
James I, of Aragon, sumptuary laws of, i. 99  
Japan, insufficiency of the laws of the, i. 85  
their cruelty, i. 86  
their execution hindered thereby, i. 87  
indecency of their punishments, i. 195  
the laws repose no confidence in the people, i. 233  
the Christian religion, why so odious there, ii. 56  
Jaxartes, course of the, changed, i. 335  
Jealousy, two kinds of, i. 259  
Jenghiz Khan, his contempt for mosques, ii. 46  
Jesuits, their rule in Paraguay, i. 35  
Jew, a, his remonstrance with the inquisitors, ii. 54  
Jews, the, under Ahasuerus, i. 28  
superstition of the, ii. 64  
persecution of the, i. 364, 365 and note  
invent letters of exchange, i. 365  
banished from Russia, i. 392  
John, King, his tyranny to the Jews, i. 364  
Judge, the prince may be a, in despotic countries, but not in monarchies, i. 77, 78  
Judges, when they ought to determine according to the express letter of the law, i. 75  
how chosen at Rome, i. 117  
Judgment, different modes of passing, i. 75  
Judicial combats, how the custom gained ground, ii. 111  
Judiciary powers, by whom to be exercised, i. 152  
at Rome, i. 174  
Julian, ill-judged edict of, i. 379  
commendation of, ii. 33  
law, the, its purpose, i. 104, 105, 106  
other laws of the same name, ii. 13  
Jurisdiction, how exercised by the feudal chiefs, ii. 195, 199  
the fredum, ii. 201  
patrimonial, in France, its origin, ii. 202  
of the churches, ii. 203  
Jurisdictions, the various, when established, ii. 205  
Justice, antecedent to positive law, i. 2  
Justinian abrogates the marriage law of Constantine, ii. 18, 20  
his law of divorce, ii. 66  
establishes a new right of succession, ii. 91  
discovery of his Digest, ii. 149  
King's court in France, why no appeal from, ii. 129  
vassals, privileges of the, ii. 231  
Kings of the heroic times of Greece, i. 164  
of Rome, their government, i. 166  
their laws cruel, i. 87  
Knights, the Roman, a middle order uniting the people to the senate, i. 178  
Lacedæmonians, their public assemblies, i. 9  
their laws, i. 34  
obliged to submit to the Macedonians, i. 35. See Sparta  
Land, different ways of dividing the, ii. 175  
application of the Visigoth laws, ii. 176  
Law in general defined, i. 6  
Law, civil, defined, i. 6  
among the Tartars and German nation, i. 281  
Law, politic, defined, i. 6  
this not applicable to the civil law, ii. 72  
may become destructive to a state, ii. 78  
Law, proceedings at, how they became secret, ii. 138  
Law, Mr., a promoter of arbitrary power, i. 17  
Laws, definition of, i. 1

- Laws, their relation to different beings, i. 1  
positive, i. 5  
of nations, i. 5  
civil, i. 6, 71  
criminal, i. 73  
in relation to manners and customs, i. 304  
their effect on national character, i. 307  
should be concise, ii. 165  
ought not to be subtle, ii. 166  
should not be needlessly altered, ii. 166  
useless laws, ii. 168  
bad method of giving, ii. 169  
idea of uniformity, ii. 169  
apparently contradictory, ii. 75  
divine and human, ii. 58  
fall into disuse for want of writing, ii. 104  
customs take their place, ii. 104  
of nomadic nations, i. 276  
their political state, i. 277  
the sacred, at Rome, i. 169
- Legal, duels, reasons for, ii. 110  
used in case of debt, ii. 116  
how managed, ii. 117, 119  
code of laws, ii. 120  
established rules, ii. 121  
bounds prescribed to the custom, ii. 122  
combat of one of the parties of a witness, ii. 124  
combat of one of the parties and one of the lords peers, ii. 125
- Legislative body should assemble frequently, i. 156  
its powers, i. 157  
power at Rome, i. 172
- Legislator, spirit of a, ii. 156  
laws apparently contrary to his views, ii. 157  
laws really so, ii. 157  
fancies of imaginary legislators, ii. 170
- Lending by contract, i. 397
- Leprosy, laws in relation to, i. 229
- Leudes, or vassals, ii. 190
- Levita, Benedicta, censured, ii. 101
- Libanius on a law of the Athenians, i. 9
- Libellers and poets, capital punishment denounced against, i. 87
- Liberty, different significations of the word, i. 149  
in what it consists, i. 150  
how weakened in monarchies, i. 201
- Lidus, what, ii. 95
- Lombards, law of the, concerning slaves, i. 242  
the Roman law also keeps its ground, ii. 100
- Long robe, dignity of the, in France, i. 327
- Lot, suffrage by, i. 11
- Louis the Debonnaire, his treatment of the Saxons, i. 136  
his barbarity to his nephew, ii. 247  
his weakness regarding his family, ii. 248  
alienates the crown demesnes, ii. 249
- Louis, St., his excess of zeal as a law-giver, i. 185, note  
abolishes judicial combats, ii. 133  
his institutions fall into oblivion, ii. 142
- Louis XIII, anecdote of, i. 78  
consents to the slavery of the negroes in the hope of their conversion, i. 238
- Louis XIV, grandeur of France under, i. 132  
gives rewards for large families, ii. 24
- Love of country peculiar to democracies, i. 34  
in Crete, i. 116
- Lucca, brief tenure of office at, i. 15
- Luxury, in proportion to the inequality of fortunes, i. 94  
in towns, i. 95 and note  
in China, its fatal effects, i. 99  
Roman laws against, i. 106
- Lycian republic, the, i. 128
- Lycurgus, remarks on the laws of, i. 34, 301  
Mr. Penn compared with him, i. 35  
his senators, i. 48, note
- Lydians, the, conquered by Cyrus, i. 141
- Lysander, anecdote of, i. 84
- Machiavel on the loss of liberty of Florence, i. 76  
remark on, ii. 170
- Machinery, to abridge labor not always useful, ii. 9
- Magic, charge of, i. 187
- Magistrate, a single, only suited to a despotic monarchy, i. 80
- Mahommedans, the facility of their conquests explained, i. 217
- Mahomet, his prohibition of wine, i. 228  
his direction as to wives, i. 259  
the son of Miriveis, i. 27
- Malacca, fury of the people of, ii. 38
- Malea, Cape, danger of its navigation, i. 340
- Males and females, number of, in different countries, ii. 7
- Man as a physical and as an intelligent being, i. 3  
in a state of nature, i. 3
- Mankind, general spirit of, i. 293  
should be observed by legislators, i. 293
- Manners and customs of a nation, natural means of changing, i. 298  
mistakes of some legislators, i. 300
- Marculfus, his date, ii. 229  
his formularies, ii. 230
- Marriage, ii. 2  
several orders of lawful wives, ii. 3  
father's consent to, ii. 5  
the Roman laws, ii. 12  
to be regulated by the civil law, ii. 67  
the Papian law, ii. 68  
marriages between relatives, ii. 68  
prohibitions, ii. 70  
laws at Athens and at Sparta, i. 43, 44  
at Rome, i. 50  
restrictions, i. 91
- Married men, privileges of, among the Romans, ii. 15
- Marseilles, amount of dowries fixed at, i. 107, note  
its commerce, i. 319  
rivalry with Carthage, i. 355
- Marsyas put to death for a dream, i. 193

- Maurice, the emperor, his clemency a mistake, i. 93
- Maximinus, cruelty of, i. 89
- Mayors of the palace, ii. 218  
their authority, ii. 224  
the idea of, derived from the Germans, ii. 226  
obtain the command of armies, ii. 227  
their original functions, ii. 227  
great offices and fiefs under them, ii. 229  
seize the throne, ii. 261. See France
- Meaco, atrocities committed at, i. 86  
considered a holy city, ii. 37
- Merchandise, taxes on, i. 215
- Metals, discovery of, i. 278, note
- Metempsychosis, the doctrine of, ii. 40
- Metius Suffetius, punishment of, i. 88
- Military not to be joined with civil employment, i. 68  
service, three sorts of, ii. 193  
double service, ii. 193
- Ministers not to sit as judges in monarchies, i. 79  
of religion to be honored, ii. 47
- Minority, long, among the Romans, i. 49
- Minos, laws of, i. 37
- Mithridates, his accusation of the Roman proconsuls, i. 181  
his riches, i. 356
- Modesty, natural, i. 258  
not to be shocked in punishment, i. 195
- Monarchical government, relation of laws to the nature of, i. 15  
a depository of the laws necessary, i. 17  
no great share of probity required, i. 20, 23  
its want, how supplied, i. 24  
the principle of monarchy, i. 25  
laws in relation to the principle, i. 53  
the executive power, i. 54  
corruption of its principle, i. 113  
its distinctive properties, i. 120  
how it provides for its security, i. 129  
the ancients had no clear idea of monarchy, i. 162  
liberty, how weakened, i. 201  
spies, i. 201  
anonymous letters, i. 202  
manner of governing, i. 203  
the prince should be easy of access, i. 204  
his manners, i. 205
- Monarchy, restoration of, in England, i. 20
- Monasteries, ii. 50
- Money should be banished from small states, i. 37  
its use a proof of civilization, i. 277  
laws among people who know not, and others who know its use, i. 278  
laws in relation to the use of, i. 374  
nature of, i. 375  
goods or chattels used instead of, i. 375  
ideal money, i. 376, 379  
exchange, i. 381  
proceedings of the Romans, i. 389
- Monsoons, their use in ancient times, i. 347
- Montesquieu (the author), statements of, explained or controverted, i. 5, 8, 10, 16, 17, 20, 25, 27, 29, 32, 33, 34, 36, 41, 43, 44, 52, 53, 69, 78, 85, 127, 142, 151, 184, 205, 235, 236, 238, 259, 355, 372, 393; ii. 23, 92
- More, Sir Thomas, remark on, ii. 170
- Mortmain, lands of freemen changed into, ii. 181
- Moses, laws of, regarding asylums, ii. 47
- Movable effects, the real riches, i. 328
- Murder, composition for, in the Salic law, ii. 95  
among other nations, ii. 197
- Music, the manners softened by, i. 39
- Naires, a custom of the, i. 253
- Natches, despotism of the chief of the, i. 279
- Nations, law of, i. 5, 6  
effect of Christianity on, ii. 29  
civil law not applicable, ii. 76
- Nature, laws of, i. 3  
the crime against, i. 188  
the charge often a calumny, i. 189
- Navigation, some effects of an extensive, i. 320  
further remarks on, i. 337
- Negroes. See Slavery, Negro
- Nero, impracticable project of, i. 219
- New worlds, effect of their discovery on Europe, i. 366
- Nobility essential to a monarchy, i. 16  
ready to defend the throne, i. 115  
should not engage in commerce, i. 327  
the French, ii. 212
- Normans, ravages of the, ii. 234, 237, 261
- Oath, effect of an, among the Romans, i. 118  
only regarded by a religious people, i. 305  
regarded as sacrilegious by the Burgundians, ii. 110
- Obedience, difference of, in moderate and despotic governments, i. 27  
of the young to the old, i. 48
- Offensive force, i. 133
- Office, forced acceptance of, i. 67
- Offices, great changes in the holding of, ii. 257
- Old age, reverence of the Romans for, ii. 15
- Oppian law, the, i. 106  
revoked, at the clamor of the women, i. 106
- Orchomenus, commerce of, i. 340, 341
- Ordeal, or trial by boiling water, ii. 109
- Order of things, laws in relation to the, ii. 58
- Ostracism distinguished from banishment, ii. 75  
how it fell into disuse, ii. 75  
where used, ii. 158
- Oxus, course of, changed, i. 334
- Palace, mayors of the, ii. 217  
usurp the throne, ii. 261
- Paper money, i. 374
- Papian laws, the, ii. 68, 89
- Papirius, the usurer, i. 201
- Paraguay under the Jesuits, i. 35
- Parliament, the French, ii. 147  
becomes a fixed body, ii. 148
- Parthian empire, the, i. 362

- Paternal authority at Rome, i. 48  
instance of, i. 48, note  
consent to marriage, ii. 5  
Patricians, their privileges under the  
kings of Rome, i. 166  
humbled by Servius Tullius, i. 166  
Pegu, religion of, ii. 32  
Penal laws respecting religion to be  
avoided, ii. 53  
Penances, ii. 34  
Penn. Mr., a real Lycurgus, i. 35  
People, the sovereign in a democracy,  
i. 9  
well qualified to choose their min-  
isters, i. 10  
but not to exercise authority them-  
selves, i. 10  
should act only by their representa-  
tives, i. 154  
not always prepared for the recep-  
tion of the best laws, i. 292  
Pepin, his constitution regarding delays  
of justice, ii. 206  
favors the clergy, ii. 233, 236  
divides his kingdom between his  
sons, ii. 243  
Perfection, philosophic idea of, ii. 19  
Christianity gives force to it, ii. 20  
Perpetuity of fiefs, some consequences  
of the, ii. 262  
Persia, orders of its kings irrevocable,  
i. 27  
its vast extent a source of weakness,  
i. 130  
an excellent custom in, i. 206  
sophi of, dethroned because he had  
been too sparing of blood, i. 27  
Persians, the, averse to navigation, i.  
341  
a false but useful doctrine of the,  
ii. 40  
Peter the Czar, his mode of dealing  
with petitions, i. 204  
his levy of taxes, i. 209  
his sumptuary laws, i. 298  
Phaleas of Chalcedon, his plan to ren-  
der all fortunes equal, i. 44  
Philip II, his proscription of the Prince  
of Orange, ii. 168  
Philopoemen obliges the Lacedæmon-  
ians to change their institutions,  
i. 35, note  
Phoenicians, commerce of the, i. 336  
circumnavigate Africa, i. 349  
Phylces reproached for his cruelty,  
i. 84  
Physicians, Roman, law respecting, ii.  
164  
not suitable to modern times, ii. 164  
Pistes, edict of, its purpose, ii. 99  
Plague, the, how regarded by the Turks,  
i. 230  
Plato on music, i. 37  
on presents, i. 65  
on public employment, i. 69  
on accusations, i. 80  
on the gods, ii. 50, 51  
on suicide, ii. 159  
remark, ii. 170  
Plebeians capable of office at Rome, i.  
10  
their power augmented by Servius  
Tullius, i. 167  
obtain the power of trying the patri-  
cians, i. 170  
Plebiscita, i. 172  
Pliny on the navigation of the Indies,  
i. 347  
Plutarch, his definition of law, i. 1  
his opinion of women, i. 102  
on the Cilonian sedition, i. 271  
Poland, the aristocracy of, i. 11  
the insurrection in, i. 116  
would be better off without com-  
merce, i. 329  
Police, regulations of the, ii. 79  
Politeness, its real origin, i. 30  
Roman, associated with arbitrary  
power, ii. 231  
Political liberty in relation to the liberty  
of the subject, i. 183  
Polygamy considered in itself, i. 254  
equality of treatment in case of  
many wives, i. 255  
separation of women from men, i.  
255  
Pontificate, the, in despotic govern-  
ments, ii. 51  
Pope, anecdote of a, i. 18  
Popes, election of the, ii. 240  
Population in relation to the means of  
subsistence, i. 275  
Porcian law, its purport, i. 88  
Pork, unfit food in hot countries, ii.  
42  
Portuguese, their discoveries in the  
East, i. 366  
their restrictions on trade continued  
by the Dutch, i. 366  
Poverty, two kinds of, i. 317  
idleness its real cause, ii. 24  
Praetors, the Roman, i. 76, 168  
Precepts of the Frank kings, ii. 222  
Presents, Plato on, i. 65  
the Roman law, i. 306  
Price of things, how fixed, i. 378  
Pride the source of politeness, i. 30  
Primogeniture, right of, baneful to an  
aristocracy, i. 52  
Prince, clemency in the, i. 92  
should not engage in commerce, i.  
326  
Problem, i. 373  
Procopius, his account of the court of  
Justinian, i. 79  
Productions of the earth in relation to  
population, ii. 8  
Prohibition of marriage between coun-  
sins-german, ii. 70  
Proof by witnesses, ii. 152  
Propagation of the species, concern of  
the legislature in the, ii. 9  
limitation of the number of children,  
ii. 11  
the Roman laws encourage popula-  
tion, ii. 12, 13  
French laws, ii. 24  
Proscription, under the triumvirs, i. 108  
Prosecutor, public, not known in early  
times, ii. 140  
his advocate, ii. 141  
Prostitution contrary to propagation,  
ii. 2  
Protestant religion, the, most agreeable  
to a republic, ii. 30  
Public credit, necessary to be supported,  
i. 396  
debts, i. 394  
their inconveniences, i. 394  
payment of, i. 395  
advantages of a sinking fund, i. 395  
revenues, the, i. 207

- Publicans, the, of the Roman empire,  
i. 219  
Publius Rutlius, noble conduct of, i. 179  
Puffendorf, on the population of France,  
ii. 23  
Punishments, question of their severity  
in different governments, i. 81  
under the ancient French laws, i. 82  
few punishments necessary where  
the people are virtuous, i. 82  
power of punishments, i. 83  
the Roman laws, i. 87, 88  
division of punishments into classes,  
i. 89  
just proportion between punish-  
ments and crimes, i. 89, 90  
pecuniary and corporal punishments,  
i. 91  
law of retaliation, i. 92  
parents punished for the crimes of  
their children, i. 92  
Pyrenees, ancient gold and silver mines,  
i. 354  
Quæstors at Rome, i. 168  
Rack, the, not a necessity, i. 91  
restrictions on its employment, i. 91  
and note  
used in France, but not in England,  
ii. 161  
Ragusa, brief tenure of office at, i. 15  
Rear-fiefs, ii. 255, 258  
Rear-vassals, ii. 192  
Receiver and thief, punishment of, ii.  
161  
the French law, ii. 161  
views of the civilians, ii. 162  
Recessuithus, iniquitous law of, ii. 60  
proscribes the Roman law, ii. 100  
Red Sea, the, of the ancients, i. 349  
not the same as ours, i. 349  
Regal laws of Rome, their cruelty, i. 87  
Registers, public, their origin, ii. 152  
Rejection, power of, should belong to  
the people, and not the power of  
resolving, i. 155  
Religion, its influence on despotic gov-  
ernments, i. 59  
the laws in relation to, ii. 27  
the Christian and the Mohammedan,  
what governments most agreeable  
to, ii. 29  
laws of perfection, ii. 32  
moral laws, ii. 32  
its influence on civil laws, ii. 35  
its support to the state, ii. 36  
immortality of the soul, ii. 39  
should not inspire aversion to any-  
thing but vice, ii. 41  
local laws, ii. 42  
external polity, ii. 43  
religious sentiments, ii. 43  
the pontificate, ii. 51  
toleration, ii. 51  
changing a religion, ii. 52  
penal laws, ii. 53  
propagation of religion, ii. 157  
its laws cannot regulate the civil  
law, ii. 65, 66, 67, 68  
Representatives of the people, i. 153  
Republican government divided into  
democratic and aristocratic, i. 8  
education in a, i. 33  
its distinctive properties, i. 120  
how it provides for its safety, i. 125  
Republican government, confederate  
republics, i. 128  
too severe in punishing high trea-  
son, i. 197  
suspension of liberty, i. 199  
laws favorable to the liberty of the  
subject, i. 199  
cruelty to debtors, i. 200  
Republics, Greek, two sorts of, i. 46  
Repudiation, i. 260  
later legislation, i. 306  
Rescripts of the Roman emperors, ii. 169  
Retaliation, law of, i. 92  
among the Arabs, and the Germans,  
ii. 37  
Rhodes, law of, respecting debtors, i.  
325  
Marquis of, proposes to open the  
Pyrenean mines, i. 354  
Richelieu, Cardinal, on honest men, i. 24  
his advice to kings, i. 55  
requires too much for them and  
their ministers, i. 56  
regards an offence against himself  
as high treason, i. 191  
on complaints against ministers, ii.  
165  
Ripuarian Franks preserve their own  
customs, ii. 92  
simplicity of their laws, ii. 93  
Robbery. See Theft  
Roman law, how lost in some countries  
and preserved in others, ii. 96  
keeps its ground in the demesne of  
the Lombards, ii. 100  
how lost in Spain, ii. 101  
why it fell into disuse, ii. 115  
its revival, ii. 149  
Romans, the, their views of maritime  
affairs and of commerce, i. 357  
their proceedings with respect to  
money, i. 389  
change the value of their specie, i.  
390  
proceedings in the time of the em-  
perors, i. 391  
usury, i. 396  
marriage laws, ii. 13, 15  
laws of succession, ii. 81  
not in a state of servitude among  
the conquerors of Gaul, ii. 177  
Rome, one principal cause of her fall,  
i. 9  
division of the people by Servius  
Tullius, i. 10  
the senate, i. 12, 13  
project of Sylla, i. 20  
paternal authority, i. 49 and note  
its state as an aristocratic republic,  
i. 51  
the tribunes, i. 55  
set form of actions at, i. 76  
the kings, i. 166  
new distribution of power on their  
fall, i. 168  
government of the provinces, i. 180  
government of the kings of, i. 165  
Romulus, his laws regarding children,  
ii. 21  
Roricon, his works, ii. 175 and note  
Rotharis, his law concerning lepers, i.  
229  
increase the compositions for  
wounds, ii. 197  
Russian government, its endeavors to  
temper its arbitrary power, i. 59

- Sabbaco, history of, ii. 30  
 Sacrilege, impolicy of punishments for, i. 185  
   instance of misguided zeal, i. 185  
 Sailors, civil obligations among, ii. 80  
 Saliens, the, simplicity of their laws, ii. 93  
   do not tolerate corporal punishments, ii. 94  
   difference between them and the laws of the Visigoths and Burgundians, ii. 95  
   and the Riparian Franks, ii. 106, 107  
 Salic law, its purpose, i. 281, 282  
 Salic lands, not fiefs, i. 285  
   laws, different from those of other barbarians, ii. 106, 108  
   why they fell into disuse, ii. 116  
 Salt used in Abyssinia as money, i. 374, note  
 Sammites, their origin, i. 108  
   excellent custom of the, i. 107  
 Sardinia, conduct of the Carthaginians, i. 273  
 Satisfaction, refusal of, ii. 198 and note  
 Savage and barbarous nations, difference between, i. 276  
 Savages, natural timidity of, i. 4  
 Saxons, their treatment by Charlemagne, and by Louis the Debonnaire, i. 136  
 Seamen, little esteemed by the Romans, i. 357  
 Seaport towns, populousness of, ii. 8  
 Second race of French kings, ii. 241  
   confusion of the royalty and mayoralty, ii. 241  
   election of the kings, ii. 243  
   their humiliation, its principal cause, ii. 253  
   their fall, ii. 261  
 Seigneur, Grand. See Sultan  
 Seleucus Nicator, project of, i. 335  
 Semiramis, treasures of, i. 334  
 Senate, power of the, at Athens, i. 13  
   at Rome, i. 13, 14  
   elected for life, i. 48  
   its spirit, i. 87  
   at Carthage, i. 177  
 Servitude, domestic, i. 251  
   political, i. 264  
 Servitudes, ii. 177  
 Servius Tullius, his division of the people, i. 11  
   alters the constitution of Rome, i. 167  
   his land laws, ii. 82  
 Sexes, difference of, leads mankind to associate, i. 4  
   inequality in various climates, i. 255  
 Sextilius keeps possession of Fadia's estate, under the Voconian law, ii. 88  
 Sextus Peduccus, liberal conduct of, ii. 88  
 Shah Nadir, his conquest of the Mogul, i. 148  
 Shipping of the ancients, i. 337  
 Siamese, their idea of happiness, i. 225  
 Silanus, his marriage to his sister, i. 44  
 Silver, its proportionate value to copper, i. 378  
 Sinking fund, advantages of, i. 395  
 Sixtus Quintus desired to revive the public accusation of adultery, i. 104
- Slavery, most tolerable in despotic countries, i. 235  
 origin of the right of slavery among the Roman civilians, i. 236  
 other origins, i. 237, 239  
 negro slaves, i. 238  
 true origin of the right, i. 238  
 useless in Europe, i. 240  
 several kinds of slavery, i. 241  
 regulations and abuses, i. 241  
 danger from the multitude of slaves, i. 243  
 armed slaves, i. 243  
 precautions used in moderate governments, i. 244  
 practice of the Romans, i. 245  
 regulations between masters and slaves, i. 246  
 enfranchisements, i. 247  
 domestic slavery independently of polygamy, i. 258  
 negro question of its lawfulness, i. 258  
 arguments for the practice, i. 259  
 Slaves, enfranchisement of, i. 247  
 enfranchised to accuse their masters, i. 196  
   war of the, one of its causes, i. 179  
 Sobriety, laws relating to, i. 228  
 Sociable temper, effect of a, i. 295  
 Soil, nature of the, its relation to the laws, i. 271  
 Soldiers, Roman, their privileges, ii. 19  
 Solomon, the fleets of, i. 336  
   their tedious voyage, i. 337  
 Solon, his division of the people, i. 11, 45, note  
   his amendment of the suffrage, i. 12  
   his law of inheritance, i. 43  
   his rules for the Court of Areopagus, i. 77  
   his law for the debtors, i. 200  
 Soul, immortality of the, the doctrine falsely understood, ii. 39  
 South and north, difference of their wants, i. 332  
 Southern nations, contradiction in the tempers of some, i. 224  
 Spain, riches of, in ancient times, i. 352  
   riches drawn from America, i. 369  
 Spaniards, their character, i. 296  
   their argument for enslaving the Indians, i. 238  
   not really enriched by discovery of the New World, i. 372, 373  
   their conduct in the West Indies, ii. 5  
   and Chinese, character of the, i. 296  
 Spanish monarchy, particular case of the, i. 121  
   barbarous law of the, i. 324  
 Sparta, the public assemblies of, i. 9  
   laws of, i. 34  
   abrogated by Philopoemen, i. 35, note  
   marriage law at, i. 43  
   a strange law, i. 82  
 Speeches, indiscreet, punishment of, i. 193  
 State inquisitors at Venice, i. 14, 52, 151, 153  
 Stoics, sect of the, ii. 33  
 Subordination of the citizen to the magistrate, i. 48  
 Subsidies. See Taxes

- Substitution, the Roman and the French law of, ii. 159  
 Successions, origin and revolutions of the Roman laws on, ii. 81, 91  
   female succession in France, ii. 264  
 Suffrage, two kinds of, i. 11  
   open suffrage preferred, i. 12  
   often given for money, i. 12  
 Suicide said to be the consequence of a distemper, in England, i. 231  
   ancient laws against, ii. 159  
 Sultan, why held not bound by his word, i. 26  
   his claim on inheritance, i. 60  
   cruelty in the administration of justice, i. 82  
 Sumptuary laws in a democracy, i. 96  
   in an aristocracy, i. 97  
   in a monarchy, i. 97, 98  
   in what cases useful there, i. 99  
   among the Romans, i. 104  
 Superstition, power of, i. 279  
   luxury of, ii. 50  
 Sweden, sumptuary laws of, i. 99  
   their object, i. 99  
 Sylla, project of restoring Roman liberty ascribed to, i. 20  
   makes the Cornelian laws, i. 88  
 Syracuse, its corruption and misery, i. 111, 112  
   ostracism at, ii. 158  
 Syrian kings, commerce of the, i. 345  
 Tacitus, on the manners of the Germans, i. 161, 163, 281, 284, 316; ii. 110, 118  
 Tarquin, rule of, i. 167  
 Tartars, effect of their conquests, i. 268  
   their servitude, i. 267, 279  
   law of nations among them, i. 280  
   civil law, i. 281  
   strange laws of the, ii. 35  
 Taxes in various governments, i. 207, 208, 209, 210  
   on land, i. 210  
   on merchandise, i. 211  
   a bad impost, i. 212  
   ought to be light, i. 213  
   relation between the weight of taxes and liberty, i. 214  
   increase of taxes, i. 214, 215  
   oppressive taxes of the Greek emperors, i. 217  
   exemptives, i. 218  
   question of levying taxes, i. 219  
   none levied on the lands of the barbarians in Gaul, ii. 181  
   transient tax on the Romans there, ii. 181  
   taxes paid by the Romans and Gauls in the monarchy of the Franks, ii. 184  
 Temples, ii. 46  
   become sanctuaries, ii. 47  
 Testament. See Will  
 Thebans, their horrible device to soften the manners of their youth, i. 39  
 Theft, various laws against, ii. 162  
   the law of the Twelve Tables, ii. 164  
 Theobald, King of the Franks, his weakness, ii. 227  
 Theodoric, King of Italy, his spirit and policy, ii. 179  
 Theodosian code, the, its nature, ii. 19  
 Theophilus, anecdote of, i. 326  
 Theophrastus on music, i. 37, 38  
 Thoughts, punishment, i. 193  
 Tiberius, tyrannical proceedings of, i. 105  
 Tithes, establishment of, ii. 237  
 Toleration in point of religion, ii. 51  
 Tournaments, ii. 120  
 Trade. See Commerce  
 Treasure, the king's, ii. 174  
 Trials. See Judgment Ordeal  
 Tribunals, change of, on the revival of the Roman law, ii. 149  
 Tribunes, the preservers of the Roman republic, i. 55  
 Tribute, exemptions from, in China, i. 216  
 Triumvirs, the Roman, their barbarous proscriptions, i. 198  
 Troops, augmentation of, in Europe, its evil effects, i. 217  
 Truth in conversation not valued for its own sake, i. 30  
 Turkey, lawsuits speedily decided in, i. 74  
   danger of a litigious disposition in, i. 74  
 Tutelage. See Guardianship  
 Twelve Tables, law as to capital cases, i. 176  
   as to succession, ii. 81  
   as to heirship, ii. 82  
   as to thieves, ii. 164  
 Tyranny, i. 293  
 Tyre, commerce of, i. 318  
   its settlements, i. 335  
 Usury forbidden by the laws of Mahomet, i. 396  
   maritime, i. 396  
   among the Romans, i. 396  
 Valerian law, its purport, i. 83  
 Valette, the Duke de la, trial of, i. 78  
 Vamba, a king of the Visigoths, ii. 101 and note  
 Vanity and pride of nations, i. 295  
 Vassalage, the origin of, ii. 172  
 Vassals, variously named in the barbarian laws, ii. 190  
   privileges of the king, ii. 230  
 Venetians, their parsimony, i. 97  
   their trade with the East, i. 366  
 Venice, state inquisitors, i. 14, 52, 152, 154  
   wisdom of its government, i. 49, note  
   its laws against hereditary aristocracy, i. 112, note  
   different tribunals, i. 153  
 Verres, corrupt conduct of, ii. 87  
 Vessels, build and burden of, i. 338  
 Vestal virgins, privileges granted to the, ii. 18  
 Villanage, taxes on people in a state of, i. 208  
 Villeins allowed to use only the baston in legal duels, ii. 118  
 Vines in Gaul, why rooted up by Domitian, i. 359  
 Virginia, tragedy of, i. 80, 171  
 Virtue essential in a popular state, i. 20, 21  
   the principles of a monarchical government, i. 23  
   political and private, distinguished, i. 23  
   in a political state, i. 39

- Visigoths, regulation of the, in favor of commerce, i. 363  
 law on adultery, ii. 76  
 their laws new-moulded by the clergy, ii. 93  
 ridiculous law against the Jews, ii. 169
- Voconian law, its provisions, ii. 62, 86  
 how evaded, ii. 87  
 falls into disuse, ii. 90
- Volga, mistake of the ancients regarding the, i. 346
- Voltaire, remark on a nobility by, i. 16,  
 note  
 on honors and distinctions, i. 25,  
 note  
 on Alcibiades, i. 42  
 on Montesquieu's public employment, i. 69
- War, not the natural state of mankind, i. 4  
 commences when men congregate in society, i. 5  
 the right to wage war, i. 133
- Warnacharius, mayor of the palace, ii. 219  
 his death, ii. 224
- Water, the common drink of the Arabs, i. 228
- Wealth, fictitious and representative, i. 370
- Will, power of making a, ii. 83  
 how made at Rome, ii. 84
- Wine, use of, why forbidden by Mahomet, i. 228
- Witchcraft, charges of, i. 188
- Witnesses, different usage regarding, in England and in France, ii. 161  
 in legal duels, ii. 124  
 proof by, ii. 152
- Wives, plurality of, i. 252  
 several orders of lawful, ii. 3
- Women, their estate in different governments, i. 102  
 the domestic tribunal among the Romans, i. 103  
 guardianship, i. 105  
 punishments for incontinence, i. 105  
 dowries and nuptial advantages, i. 105  
 female administration, i. 108  
 in hot and in temperate climates, difference of their state, i. 251  
 their manners preserved by confinement in Turkey, i. 257  
 their depravity in Africa, i. 257  
 succession of, under the Roman laws, ii. 85, 89  
 not allowed the wager of battle, ii. 123
- Worship, external, its influence on religion, ii. 46  
 its magnificence, ii. 46  
 its purity, ii. 47
- Writing, laws fall into disuse from want of writing, ii. 104
- Xenophon, lucrative arts contemned by, as unworthy of a free man, i. 38  
 his Banquet quoted, i. 109
- Zozimus, his account of the court of Arcadius, i. 79