

formidable and definite character are rarely committed without being made the subject of legal investigation, I have before dwelt upon my objections to it. But, bad and unsatisfactory as the test is, and weak as must be any inference founded on it, it does not afford even the feeble support which was claimed. So much for the results of the statistics of summary convictions,—the class of offences from which it has been inferred that poverty and privation are conducive to the morality of the people. But, looking to the statistics of real and formidable offences,—statistics, moreover, which truly represent the *quantum* of the transactions they profess to deal with, which transactions, in their turn, afford an accurate measure of the crime of the country,—we arrive at the pleasing conclusion that, according as the majority of the people are affluent, so also are they well conducted, and that it is only when they suffer privation a general increase of crime takes place.

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V.—*Free-Trade Resolutions of the Council-General of the Hérault.*

LAST session the French government presented to the Legislative Body a bill for abolishing the prohibitions against importation which abound in the tariff, and replacing them by duties which, though high, are not absolutely prohibitory. This bill was so unfavourably received, that it was deemed advisable to let it stand over for the next session; and, in the mean time, it has been brought under the notice of the Councils-General of the eighty-six departments of France, to give them an opportunity of pronouncing for or against it. As the protectionist interest is strong in France, especially among the classes who usually compose the majority of the Councils-General, it is not to be expected that many of them will come forward in favour of free trade. So far but four have transmitted to Paris the results of their deliberations; and of these, two are against the bill, and two in its favour. The *Nord* objects to any change in the existing customs' arrangements, until all duties on the importation of raw materials into France have been abolished—a resolution which the Prefect endeavoured to his utmost to induce them to modify somewhat in favour of the bill. This proceeding on the part of an official is worthy of notice, as refuting the report so industriously spread by the protectionists, that the government was not in earnest in its support of the measure, and had instructed the prefects of the departments to encourage the Councils-General to oppose it. The Council-General of the Aisne, likewise one of the northern manufacturing departments, expressed fears lest any disturbance of the existing tariff should reduce the wages of labour—imitating, in the grounds thus taken, the conduct so often adopted by protectionists in England, who defended their monopoly of the home market, as a burden which consumers should bear for the sake of poor workmen; but kept in the background the interested

motives which really led them to favour a system which allowed rents and profits to increase from the dearness occasioned by artificial scarcity, instead of being the producer's legitimate reward for raising, by the exercise of skill and industry, a greater quantity of goods at a diminished cost of production.

The Councils-General which condemn the existing prohibitory system are those of two southern departments—the Basses Pyrénées, and the Hérault. The former advocates the substitution of moderate protective for prohibitory duties, but these only to be temporarily maintained. But the resolutions of the Hérault do not simply express support of a sound, and condemnation of a vicious, system; but they constitute an instructive essay in favour of commercial freedom, which, doubtless, hereafter will be looked back upon as one of the most interesting productions the struggle gave rise to, like the Petition of the Merchants of the city of London in favour of Free Trade, presented to the House of Commons in 1820, and which drew from the late Lord Liverpool, to whom it had been submitted by a deputation previous to being presented, a declaration—"That with every sentiment and every principle contained in the petition he fully and unreservedly agreed; and that if he were then to form a commercial code, those were the principles on which he would establish it." The resolutions of the Council-General of the Hérault are as follows:—

"That the existing customs' tariff, by the numerous restrictions it imposes, and the impediments it throws in the way of foreign trade, is unsuited to the requirements of the agriculturists and manufacturers of the country, demanding, as they do, an expansion of international dealings."

"That the tariff discourages industry in various ways, by impeding the acquisition of raw materials on reasonable terms; withholding the stimulus of competition, which, when permitted to act within legitimate bounds, invariably produces the most salutary effects; and depriving the country of the advantages to be derived from the inspection of models of foreign workmanship, and the possession of improved machinery invented abroad."

"That restrictions and impediments are at present carried to an extent such as they have never been before by any civilized nation, since, of all kinds of manufactured goods, no less than nine-tenths are absolutely prohibited, and the remainder, in most instances, subjected to duties so heavy as virtually to amount to a prohibition."

"That the system of commercial isolation is an anomaly in an epoch of peace, when civilized nations endeavour to promote mutual intercourse, and labour to attain this end by the construction of costly railways for facilitating communication between different portions of Europe, and by the ratification of solemn treaties of peace, of which that of Paris, of May 30, 1856, furnishes a most glorious example, embodying as it does the principle of fraternity among enlightened nations."

"That prohibitions have been introduced into the commercial legislation of France expressly as measures of hostility against other

nations, as appears from the official title in the Statute Book (*Bulletin des Lois*), of the enactments establishing them."

"That an alleged inferiority of French manufactures cannot be brought forward in support of the commercial system of isolation, expressed by its consequence—prohibition; for the extent of our exports of every kind, amounting in all to over £40,000,000, demonstrates our general ability to appear with advantage in the market of the world; and the heads of our protected manufactures, by competing for the highest prizes at the Universal Exhibition at Paris, have acknowledged, both implicitly and explicitly, that they were prepared to encounter foreign competition, the cheapness of the articles exhibited being one of the requisite conditions for obtaining prizes of the first order."

"That if in any departments of industry the nation has not followed the general march of improvement, protectionist legislation is to be blamed; for it is that which has made the heads of industry believe the home market to be theirs absolutely, whether they worked well or ill, sold cheap or dear; or whether they fixed themselves in unsuitable localities and employed inferior implements, or chose their sites judiciously and availed themselves of the best machinery."

"That the excessive restrictions which have been imposed universally on the admission of foreign goods, have led to retaliation, especially as regards the wines of France—one of her staple products—whose annual value amounts to £24,000,000, and which, for the department of the Hérault in particular, is the main source of wealth."

"That in consequence of the reductions which the Emperor's government, with universal satisfaction, has effected in the principal articles of food, such as corn and cattle, and liquors generally, as well as upon several raw materials, such as wool, for example — agriculture, the most important department of industry in France, both on account of the numbers engaged in it and the magnitude of the interests it involves, has ceased to enjoy what are called the advantages of protection, whilst it still must endure the resulting burthens whenever it has occasion to obtain implements and machinery, and various other articles of general utility," [whose prices are enhanced by an artificial scarcity].

"That the system of protection has ceased to exist in favour of the 20,000,000 Frenchmen employed in agriculture, but continues to subsist against them, to their serious loss."

"That in certain departments of industry confined to a very small number of great establishments, the effect of protection is to encourage the producers to combination, the result of which is a very oppressive monopoly against the consumers, such as notoriously exists in several important branches of trade."

"That the effect of the commercial system embodied in the present tariff, which some from peculiar interests would desire to render perpetual, is to charge the consumers for ever, to the profit of those who are protected, with a tax often considerable in amount, yet which, on principles of public policy, should not be allowed to

exist, unless provisionally; for a French citizen, since 1789, is only to be taxed for the State, for his department, for his *commune*, but not for any private individual."

"That in a financial point of view, prohibitions, or duties so high as to be virtually prohibitory, are injurious to the State; whilst moderate duties would yield an increase to the public revenue, which might be of considerable amount, and, at all events, would consist of a sum that now goes to the support of smugglers, a dangerous class, accustomed to live in defiance of the law, and ever ready to furnish recruits to the cause of anarchy."

"That the principle of commercial freedom, supposing it brought into operation gradually and judiciously, would economise the production of various articles, and by this diminution of cost, and, consequently, of price, facilitate saving, and thus promote the accumulation of capital, an indispensable element of national progress."

"That the interests of the working classes, for which the Emperor's government is filled with a solicitude at once humane, enlightened, and politic, could not but be advanced by free-trade legislation, which by rendering products cheaper, because produced more economically, would furnish the means for extending industrial operations, and secure greater constancy of employment without a reduction of wages."

"That the strictness of the regulations of the tariff with respect to goods has induced corresponding severity towards individuals, such as domiciliary visits and searching the person—offensive practices, carried out for the benefit of a few, and which every one must regret to see permitted by the code of a nation which occupies so high a position as France in the esteem of the world."

"That under the reign of Napoleon I., the raw materials of our manufactures and articles of subsistence were not subjected to import duties."

"That though at that epoch there were taxes on the importation of iron and steel, yet they were moderate, being fixed at 44 francs for the one, on every thousand kilogrammes [about a ton], and 99 francs for the other; whilst before the time of the generous decree of 1853, they were at 206f. and 1,320f., for the most common descriptions of each article."

"That cheap iron and steel are of the greatest benefit to agriculture and manufactures, enabling those engaged in these pursuits to improve and multiply their implements."

"That the bill for the abolition of prohibitions has been framed in a spirit of the greatest moderation, which ought to have disarmed the hostility of any opponent who took the trouble of examining it, since even on cotton fabrics, about which there has been most remonstrance, the proposed duties vary from 1f. 50c. to 7f. 50c. the kilogramme [a little over 2lbs.], while the fabrics of Germany, notoriously inferior to those of France, flourish under a general protective duty of but 15c., which demonstrates that the bill, in order to obviate any feelings of alarm, has allowed a superabundance of protection."

"That, therefore, the opposition which the bill has encountered

is devoid of any rational foundation, and seems to be derived from the same arrogant pretensions which once prevailed with the State at a former epoch, under a different government, and defeated the plan of a Customs' Union between France and Belgium."

"That, finally, it is an object worthy of a government renowned for its lofty aspirations, to consolidate its noble work—the peace of Europe—by the aid of a safe and liberal commercial policy, gradually introduced; and that for this purpose there is nothing more urgently called for than the abolition of those prohibitions which other nations have already cast aside."

"Upon these grounds the Council-General testify their gratitude to the Emperor's government for the numerous alleviations of the rigours of a customs tariff handed down from preceding governments, and the introduction of the bill for abolishing prohibitions."

"And also express the following wishes:—

"That all reductions of duties which have been provisionally decreed be promptly placed on a permanent footing, and that this be preceded by a revision of the entire tariff."

"That all export duties on home productions be abolished, and that the forms to be gone through when exporting be simplified."

"That all commercial prohibitions on importation be abolished, and replaced by suitable duties."

"That the duties, for the most part excessive, which are now inscribed on our tariff, be reduced to such a rate as may permit foreign competition to stimulate native industry, which is at present sufficiently advanced to profit by such a system, instead of being injuriously affected by it."

"That the duties imposed on raw materials of every kind be gradually reduced so as to disappear altogether in the course of a few years."

"That the same may be done at a still earlier period with respect to implements and machinery employed in agriculture, manufactures, commerce, and navigation."

"That, above all, the duties on iron, cast-iron, and steel in bars, be restored as soon as possible to the rate they were at under the reign of Napoleon I."

"And that in the negotiations now pending to secure to French industry a just reciprocity, special efforts be made to remove the interdiction under which the wines of France have been placed not only in Europe but also in realms more remote."

Notwithstanding the great merits of the Hérault resolutions, they appear sometimes to stop short of an unqualified adhesion to free-trade, and are a little disfigured by the undue prominence assigned in the discussion of a national question to the special industrial pursuit of the neighbourhood,—the wine trade. In this respect they contrast unfavourably with the petition of the London merchants, which is perfectly general in its terms, and affords no indication of peculiar favour for any particular place or person. But those who prepared the resolutions in France may have thought their countrymen not

yet sufficiently advanced for the reception of a broad and general expression of adhesion to the principles of commercial freedom, and that some appeal to local interests and class prejudices was necessary in order to render the doctrines sought to be propagated to any extent acceptable. Placed under peculiar circumstances, they may have acted in the same spirit as that which guided the Athenian lawgiver when he declared he would not give his fellow citizens the best possible laws, but only the best they were capable of receiving.

