

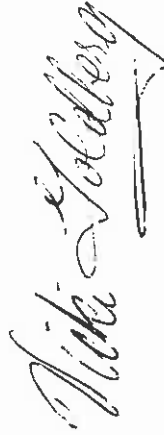
# PHOTOGRAPHY IN PRINT

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Bill Presented to  
the Chamber of Deputies, France  
June 15, 1839

Writings from 1816 to the Present

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By 1837, Louis Jacques Mandé Daguerre (1787-1851) had produced a permanent image by modifying Niépce's technique. He demonstrated the process in secret to François Arago, director of the Paris Observatory. Since it seemed impossible to protect a patent on the invention, Arago recommended that the French government purchase it and make it available to the public, a measure which was proposed and accepted in 1839. The minister who introduced the bill foresaw that photography would render great service to the study of science and even greater to the arts.

CHAMBER OF DEPUTIES  
SECOND SESSION OF 1839

*The Particulars and Motives of a Bill*

Tending to grant: 1st, to Mr. Daguerre, an annuity for life of 6,000 francs; 2d, to Mr. Niépce, junior, an annuity for life of 4,000 fr., in return for the cession made by them of the process to fix the objects reflected in a *camera obscura*,

Presented by the Minister of the Interior

*Sitting of the Fifteenth June 1839*

Gentlemen,

We believe that we shall have anticipated the desire of the House by proposing to you to make the acquisition, in the name of the State, of the property of a discovery as useful as it was unexpected, and, which, it is important, for the interest of the arts and sciences, should be brought before the public.

You all know, and some of you, Gentlemen, may have already had an opportunity of convincing yourselves of the fact, that, after fifteen years of expensive and persevering labour, Mr. Daguerre has at length succeeded in discovering a process to fix the different objects reflected in a camera obscura, and also, to describe, in four or five minutes, by the power of light drawings, in which the objects preserve their mathematical delineation in its most minute details, and in which the effects of linear perspective, and the diminution of shades arising from aerial perspective, are produced with a degree of nicety quite unprecedented.

We shall not dwell here on the immense utility of such an invention. It will easily be conceived what resources, what new facility it will afford to the study of science, and, as regards the fine arts, the services it is capable of rendering, are beyond calculation.

Draftsmen and painters, even the most skilful, will find a constant subject of observation in this most perfect reproduction of nature. On the other hand, the process will afford them a quick and easy method of forming collections of sketches and drawings, which they would not be able to procure, unless they were to spend much time and trouble in doing them with their own hand, and even then they would be far less perfect.

The art of engraving, which consists in multiplying, by reproducing them, these figures, traced as it were from nature itself, will derive fresh and important benefits from the discovery.

In fact to the traveller, to the archaeologist (sic) and also to the naturalist, the apparatus of M. Daguerre will become an object of continual and indispensable use. It will enable them to note what they see, without having recourse to the hand of another. Every author will in future be able to compose the geographical part of his own work: by stopping awhile before the most complicated monument, or the most extensive *coup-d'oeil*, he will immediately obtain an exact *facsimile* of them.

Unfortunately, the authors of this beautiful discovery cannot make an industry of it, so as to recover a part of the immense sacrifices that so many and long unsuccessful experiments have required. No patent that can be taken out will protect their invention. As soon as a knowledge of it be acquired, everybody may apply it to their own purpose. With it, the most unskilful may make drawings, with the same dexterity as the most clever artist. The process will, therefore, either become the property of everybody, or forever remain a secret. What would not be the just regret of the friends of the arts and sciences, if such an important secret were to remain impenetrable to the public, if it were to be lost, and die, as it were, in the hands of its inventors.

In such an exclusive case, it is proper that Government should come forward and enable the public to possess a discovery, which, it is of general interest, they should be allowed to enjoy to its fullest extent, by previously granting to its inventors the price, or we would rather say, a reward for their invention.

Such are the motives which have induced us to conclude with Messrs. Daguerre and Niépce a provisional treaty, of which the bill, that we have now the honour to submit to you, has for object to request your sanction.

Before we lay before you the fundamental clauses of this treaty, it is expedient that we should state some further particulars.

The possibility of fixing transiently the objects reflected in a *camera obscura*, was ascertained as early as the last century; but the discovery afforded no likelihood of success, for this reason, that the substance, on which the rays of the sun described the objects, possessed not the property of preserving them, and that the substance itself became instantly black when exposed to the light.

Mr. Niépce, senior, discovered the means of rendering the objects permanent. But, although he had succeeded in solving this difficult problem, still was his invention highly imperfect. He could only obtain a mere *silhouette* of the objects, and twelve hours at least were requisite to enable him to obtain a drawing of the smallest dimensions.

It is by quite a different course, and by completely laying aside the traditions of Mr. Niépce, that Mr. Daguerre has attained the admirable results which we now behold, that is to say, the extreme promptitude of the operation, and the re-production of aerial perspective, together with the full effects of shades and lights. The method of Mr. Daguerre is of his own invention, and is distinct from that of his predecessor, in its course as well as in its effects. However, whereas before the death of Mr. Niépce, senior, a treaty had been concluded between the latter and Mr. Daguerre, whereby they mutually agreed

to divide between them, whatever benefits they might reap from their respective discoveries; and whereas, this stipulation was extended in behalf of the son of Mr. Niépce, it would be impossible to treat with Mr. Daguerre alone, even as regards the process which he has not only brought to perfection, but has also invented. Besides, it would be hard to infer, that because the method of Mr. Niépce has hitherto remained in a state of imperfection, it may never be liable to be improved upon, or to be applied with success in certain circumstances, and that, for that reason, it is of little or no import to history and science whether it be given to the public at the same time as that of Mr. Daguerre or not.

These explanations, Gentlemen, will, we trust, give you fully to understand wherefore and in what right MM. Daguerre and the son of Mr. Niépce were admitted by us as the contracting parties in the convention, which you will find annexed to the bill which we now bring before you.

The sum of 2,000,000 fr. had in the first instance been asked, for the concession of the processes of Messrs. Niépce and Daguerre, and we think it right to state here, that offers made by the sovereigns of certain foreign powers fully justified such high pretensions. However, we have obtained that in lieu of the sum of capital required, a life interest only should be granted, viz.: a pension of 10,000 fr. revertible in equal halves only to the widows.

The attribution of this pension will be effected as follows:

6,000 fr. to Mr. Daguerre;

4,000 fr. to Mr. Niépce's son.

Besides the reasons which we submitted to you above, one alone fully justifies this unequal division. Mr. Daguerre has consented to make public the processes, by which he produces the effects of the Diorama, an invention of which he alone possesses the secret, and which it would be a pity to lose.

Previous to signing the convention, Mr. Daguerre placed in our hands, but under seal, the description of the process of Mr. Niépce, that of his own method, and also that of the Diorama.

We can affirm, in this House, that these descriptions are complete and correct: for a member of this Chamber, whose name also may be considered an incontestable authority,<sup>1</sup> who has received from Mr. Daguerre, in confidence, communication of the whole of his processes, and who has himself made experiments, has examined one and all the documents in question, and certifies them to be correct.

We hope, Gentlemen, that you will approve the motives which

1. *Mr. Arago*

have induced us to consent to the treaty, as well as the conditions on which it is granted. You will, we feel confident, participate in an idea which has already excited general sympathy, and you will never suffer us to allow any foreign power to have the glory of having bestowed on the learned and artistick [sic] world one of the most wonderful discoveries of which our country can boast.