

75TH CONGRESS } HOUSE OF REPRESENTATIVES } REPORT
 1st Session } } No 1099

MAUDE P GRESHAM AND AGNES M DRISCOLL

JUNE 24, 1937.—Committed to the Committee of the Whole House and ordered to be printed

Mr COFFEE of Washington, from the Committee on Claims, submitted the following

REPORT

[To accompany S 1453]

The Committee on Claims, to whom was referred the bill (S 1453) for the relief of Maude P Gresham, having considered the same, report thereon with the recommendation that it do pass with the following amendments

Page 1, line 6, strike out the figures "\$8,750" and insert in lieu thereof "\$8,690 55"

Page 1, line 11, after the name "Gresham", insert "and Agnes M Driscoll,"

Amend the title of the bill to read

A bill for the relief of Maude P Gresham and Agnes M Driscoll

STATEMENT OF FACTS

As amended, this bill provides for the payment of \$8,690 55 to Maude P Gresham, widow of William F Gresham, late commander, United States Navy, and the sum of \$6,250 to Agnes M Driscoll, in full and complete settlement of all claims by said parties against the United States arising from the invention of the late Commander William F Gresham and Agnes M Driscoll, which invention has been accepted by the Navy Department for use in connection with naval communication facilities

The invention here compensated for has not been viewed by your committee and its exact nature is not known, but the Navy Department states that—

It greatly increased the efficiency of an important component part of the naval communication service and that \$15,000 would be a fair compensation therefor

A similar finding has been made by the Senate Committee on Naval Affairs, which viewed the invention, and which found that Agnes M Driscoll assisted in the design of certain of its fundamental principles

[PRIVATE—NO 267—75TH CONGRESS]

[CHAPTER 583—1ST SESSION]

[§ 1453]

AN ACT

For the relief of Maude P Gresham and Agnes M Driscoll.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Maude P Gresham, widow of William F Gresham, late commander, United States Navy, the sum of \$8 690.55, and to Agnes M. Driscoll the sum of \$6,250, out of any money in the Treasury not otherwise appropriated, said sums to be in full and complete settlement of all claims by said parties against the United States arising from the invention of the late Commander William F Gresham and Agnes M Driscoll, which said invention has been accepted by the Navy Department for use in connection with naval communication facilities: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 11, 1937

28

Therefore, the bill includes an award both to the widow of Commander Gresham and to Mrs Driscoll and the payment of these claims is similar to the action taken by the Congress in connection with another naval invention under Private Law No 79, Seventy-fourth Congress.

It will be noted that the committee has reduced the payment to Mrs Gresham by \$59 45, which sum was overpaid to her husband as a rental allowance and was the subject of S. 1313, Private Law No 86, Seventy-fifth Congress. That law authorized a credit in the accounts of the disbursing officer who made the payment to Commander Gresham. At the time, your committee endeavored to ascertain why the overpayment was not collected from Commander Gresham, and the Department replied that such action was usually taken but that the officer's death had precluded it in the case in question. As the disbursing officer was held liable for the payment, this committee recommended the bill, the evidence disclosing that it was made without negligence on his part and prior to his receipt of certain pertinent instructions. Your committee is not attempting to take a small position with regard to the \$59 45 overpayment, but it is constrained to the opinion that it should have been refunded to the Government either by Commander Gresham or his estate, and consequently we can see no reason why it should not be recovered on behalf of the Government. The deduction here made accomplishes that purpose.

Further facts relative to these claims appear in the report of the Senate Committee on Naval Affairs and a letter from the Navy Department, both appended.

[S. Rept. No. 526, 75th Cong., 1st sess.]

The Committee on Naval Affairs, to whom was referred the bill (S. 1453) for the relief of Maude P Gresham, having considered the same, report favorably thereon, with amendments, and, as amended, recommend that the bill do pass.

Amend the bill as follows:

Page 1, line 6 to 8 inclusive, strike out the following: "Navy, out of any money in the Treasury not otherwise appropriated, the sum of \$15,000 in full settlement for the late Commander William F Gresham's invention which has"

And insert in lieu thereof the following: "Navy, the sum of \$8,750 and to Agnes M Driscoll the sum of \$8,250, out of any money in the Treasury not otherwise appropriated, said sums to be in full and complete settlement of all claims by said parties against the United States arising from the invention of the late Commander William F Gresham which said invention has"

Amend the title of the bill so as to read "A bill for the relief of Maude P Gresham, and for other purposes."

The purpose of the bill is to pay to the widow of the late Commander William F Gresham, United States Navy, the sum of \$8,750 and to Agnes M Driscoll the sum of \$8,250 in full and complete settlement of all claims by said parties against the United States arising from the invention of the late Commander William F Gresham which has been accepted by the Navy Department for use in connection with naval communication facilities.

The bill was introduced at the request of the Navy Department. The Department states that the bill is in accord with the program of the President and involves an additional cost to the Government of \$15,000.

Commander Gresham invented a device that greatly increased the efficiency of an important part of the naval communication service. This device was of such a secret and confidential nature, and of such importance to the national defense, that the Navy Department confiscated it for the exclusive use of the Navy and prevented Commander Gresham from obtaining a patent thereon. If this invention had been patented its usefulness would have been destroyed, as it would then have been open to public inspection.

MAUDE P GRESHAM AND AGNES M. DRISCOLL

3

Prior to his death, Commander Gresham requested that he be compensated for his invention in the amount of \$30,000. Upon receipt of his request the Secretary of the Navy convened a board of three officers to recommend the amount of compensation to be paid to Commander Gresham. The board found, after careful comparison of Commander Gresham's invention with earlier and similar devices, that it greatly increased the efficiency of an important component part of the naval communication service and that \$15,000 would be a fair compensation therefor.

The Navy Department has recently conducted a further investigation into the matter and is of the opinion that Commander Gresham was the sole inventor of the device, but that the fundamental cryptographic principles which the machine was designed to employ probably was conceived by Mrs. Driscoll and disclosed by her to Commander Gresham. The committee is therefore of the opinion that Mrs. Driscoll's rights and interests in the invention are substantially equal to those of Commander Gresham and that she is entitled to a fair percentage of any compensation which may be granted to Mrs. Gresham. The committee, therefore, recommends an amendment granting Mrs. Gresham the sum of \$6,750 and Mrs. Driscoll the sum of \$8,250.

Payment of compensation in like amount to Capt. Russell Wilson, United States Navy, for an invention which during the World War was the basis of the Navy's system of secret communications, was authorized and directed by the act of June 13, 1935.

The committee has inspected this invention and believes that it is of great value to the Government in connection with the secret communication facilities of the Navy and is of the opinion that, although the value of this invention to the Government cannot be measured in dollars and cents, \$15,000 is a fair compensation therefor.

NAVY DEPARTMENT,
Washington, February 5, 1937.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, D C

MY DEAR MR. SPEAKER. There is transmitted herewith a draft of a proposed bill for the relief of Maude P Gresham.

The purpose of this proposed legislation is to pay to the widow of the late Commander William F Gresham, United States Navy, the sum of \$15,000 in full settlement for an invention of the late Commander Gresham which has been accepted by the Navy Department for use in connection with naval communication facilities.

Prior to his death, Commander Gresham requested that he be compensated for his invention in the amount of \$30,000. Upon receipt of this request the Secretary of the Navy convened a board of three officers to recommend the amount of compensation to be paid to Commander Gresham. The board found, after careful comparison of Commander Gresham's invention with earlier and similar devices, that it greatly increased the efficiency of an important component part of the naval communication service and that \$15,000 would be a fair compensation therefor.

Payment of compensation in like amount to Capt. Russell Wilson, United States Navy, for an invention was authorized and directed by the act of June 13, 1935 (49 Stat. —).

The proposed legislation, if enacted into law, would involve an additional expense to the Government of \$15,000.

The Navy Department recommends that the proposed legislation be enacted.

The proposed legislation is in accord with the program of the President.

Sincerely yours,

CLAUDE A. SWANSON

27
10