

Stat. 216; June 28, 1950, ch. 383, title IV, §402(e), 64 Stat. 273; Oct. 31, 1951, ch. 654, §2(27), 65 Stat. 707, authorized issuance of condemned ordnance to State homes for soldiers and sailors. See sections 4686 and 9686 of Title 10.

### § 67. Transferred

#### Editorial Notes

##### CODIFICATION

Section, acts May 22, 1896, ch. 231, 29 Stat. 133; May 26, 1928, ch. 785, 45 Stat. 773; Feb. 28, 1933, ch. 137, 47 Stat. 1369; June 19, 1940, ch. 398, §1, 54 Stat. 491; July 31, 1947, ch. 421, 61 Stat. 707; Feb. 27, 1948, ch. 76, §1, 62 Stat. 37; Oct. 31, 1951, ch. 654, §2(2), 65 Stat. 706, which authorized loans or gifts of condemned or obsolete equipment, was transferred to section 150p of former Title 5, Executive Departments and Government Officers and Employees, and subsequently repealed and reenacted as section 2572 of Title 10, Armed Forces, by act Aug. 10, 1956, ch. 1041, §§1, 53, 70A Stat. 143, 641.

### §§ 68 to 71. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section 68, acts Mar. 4, 1909, ch. 319, §47, 35 Stat. 1075; June 28, 1950, ch. 383, title IV, §402(i), 64 Stat. 273; Oct. 31, 1951, ch. 654, §2(28), 65 Stat. 708, authorized sale of obsolete ordnance for public parks, public buildings and soldiers' monuments purposes. See sections 4684 and 9684 of Title 10, Armed Forces.

Section 69, act Mar. 2, 1905, ch. 1307, 33 Stat. 841, authorized sale of individual pieces of armament. See section 2574 of Title 10.

Section 70, acts Mar. 3, 1909, ch. 252, 35 Stat. 751; June 28, 1950, ch. 383, title IV, §402(h), 64 Stat. 273, authorized sale of ordnance property to officers of the Navy and Marine Corps. See section 4625 and 9625 of Title 10.

Section 71, act Mar. 3, 1909, ch. 252, 35 Stat. 750, authorized sale of ordnance stores to civilian employees of Army and to American National Red Cross. See sections 4625 and 9625 of Title 10.

### § 72. Repealed. May 1, 1937, ch. 146, § 5(i), 50 Stat. 126

Section, act Aug. 29, 1916, ch. 418, §1, 39 Stat. 643, related to sale of ordnance and stores to Cuba.

### § 73. Repealed. Aug. 1, 1953, ch. 305, title VI, § 645, 67 Stat. 357

Section, act Apr. 23, 1904, ch. 1485, 33 Stat. 276, related to disposition of proceeds from sales of serviceable ordnance and stores. See sections 2208 and 2210 of Title 10, Armed Forces.

### §§ 74 to 81. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section 74, act Jan. 22, 1923, ch. 28, 42 Stat. 1142, provided that net proceeds of sales of useless ordnance material by Navy Department should be covered into Treasury as "Miscellaneous receipts". See section 8763 of Title 10, Armed Forces.

Section 75, act Aug. 24, 1912, ch. 391, §1, 37 Stat. 589, related to payment for transfers of ordnance or stores to bureaus or departments.

Section 76, act June 20, 1878, ch. 359, §1, 20 Stat. 223, authorized private use of a machine for testing iron and steel.

Section 77, acts Mar. 3, 1885, ch. 360, 23 Stat. 502; May 29, 1928, ch. 901, par. 27, 45 Stat. 988, regulated tests of iron and steel and other materials for industrial purposes.

Section 78, act June 3, 1916, ch. 134, §123, 39 Stat. 215, related to gauges, dies, and tools for manufacture of arms.

Section 79, act June 3, 1916, ch. 134, §124, 39 Stat. 215, related to nitrate plants.

Section 80, act June 3, 1916, ch. 134, §120, 39 Stat. 213, 214, related to procurement of war material and mobilization of industries. See sections 4882 to 4884, 4892, and 4971 of Title 10.

Section 81, act May 14, 1928, ch. 544, 45 Stat. 509, authorized Secretary of War to secure assistance, whenever practicable, of Geological Survey, Coast and Geodetic Survey, or other mapping agencies of the Government in execution of military surveys and maps. Provisions similar to former section 81 were contained in the following appropriation acts:

Mar. 23, 1928, ch. 232, title I, 45 Stat. 342.  
 Feb. 23, 1927, ch. 167, title I, 44 Stat. 1123.  
 Apr. 15, 1926, ch. 146, title I, 44 Stat. 273.  
 Feb. 12, 1925, ch. 225, title I, 43 Stat. 911.  
 June 7, 1924, ch. 291, title I, 43 Stat. 496.  
 Mar. 2, 1923, ch. 178, title I, 42 Stat. 1402.  
 June 30, 1922, ch. 253, title I, 42 Stat. 741.

### § 82. Procurement of ships and material during war

#### (a) Definitions

The word "person" as used in subsections (b) and (c) shall include any individual, trustee, firm, association, company, or corporation. The word "ship" shall include any boat, vessel, submarine, or any form of aircraft, and the parts thereof. The words "war material" shall include arms, armament, ammunition, stores, supplies, and equipment for ships and airplanes, and everything required for or in connection with the production thereof. The word "factory" shall include any factory, workshop, engine works, building used for manufacture, assembling, construction, or any process, and any shipyard or dockyard. The words "United States" shall include the Canal Zone and all territory and waters, continental and insular, subject to the jurisdiction of the United States.

#### (b) Presidential powers

In time of war the President is authorized and empowered, in addition to all other existing provisions of law:

First. Within the limits of the amounts appropriated therefor, to place an order with any person for such ships or war material as the necessities of the Government, to be determined by the President, may require and which are of the nature, kind, and quantity usually produced or capable of being produced by such person. Compliance with all such orders shall be obligatory on any person to whom such order is given, and such order shall take precedence over all other orders and contracts theretofore placed with such person. If any person owning, leasing, or operating any factory equipped for the building or production of ships or war material for the Navy shall refuse or fail to give to the United States such preference in the execution of such an order, or shall refuse to build, supply, furnish, or manufacture the kind, quantity, or quality of ships or war material so ordered at such reasonable price as shall be determined by the President, the President may take immediate possession of any factory of such person, or of any part thereof without taking possession of the entire factory, and may use the same at such times and in such manner as he may consider necessary or expedient.

Second. Within the limit of the amounts appropriated therefor, to modify or cancel any existing contract for the building, production, or