

the Treasury as provided by this section, and to refunds by the Treasury of overpayments of excess profits into the Treasury: *And provided further*, That this section shall not apply to contracts or subcontracts for scientific equipment used for communication, target detection, navigation, and fire control as may be so designated by the Secretary of the Navy, and the Secretary of the Navy shall report annually to the Congress the names of such contractors and subcontractors affected by this provision, together with the applicable contracts and the amounts thereof: *And provided further*, That the income taxable years shall be such taxable years beginning after December 31, 1935, except that the above provisos relating to the assessment, collection, payment, or refunding of excess profit to or by the Treasury shall be retroactive to March 27, 1931. (As amended July 23, 1936, c. 812, 49 Stat. 1926.)

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Chapter 11.—NAVAL PROPERTY, STORES, SUPPLIES, AND CONTRACTS

GENERAL PROVISIONS AS TO ACQUISITION, USE AND DISPOSITION

§ 533. Procurement and sale of stores to officers and men and to civilian employees. Such stores as the Secretary of the Navy may designate may be procured and sold to officers and enlisted men of the Navy, Marine Corps and Coast Guard; to the widows of such officers and enlisted men; to civilian employees of the Navy Department and to officers of the Foreign Service of the United States at naval stations beyond the continental limits of the United States and in Alaska, under such regulations as the Secretary of the Navy may prescribe. (As amended April 14, 1937, c. 78, 50 Stat. 63.)

§ 540. Sale of Army ordnance property. Articles of ordnance property may be sold by the Chief of Ordnance to officers of the Navy and Marine Corps and Coast Guard, for their use in the public service, in the same manner as these articles are now sold to officers of the Army. (As amended April 15, 1937, c. 101, 50 Stat. 65.)

§ 546c. Disposal of obsolete mechanical equipment, boats and boat equipment to schools and colleges. The Secretary of the Navy is authorized in his discretion to dispose of, without charge, except for transportation and delivery, to properly accredited schools, colleges, and universities, for use in courses of vocational training and instruction, such machinery, mechanical equipment, tools, boats and boat equipment as may be obsolete or no longer needed by the Navy. (As amended Feb. 27, 1936, c. 88, 49 Stat. 1144.)

Chapter 13.—THE MARINE CORPS

ORGANIZATION GENERALLY

§ 632a. Assignment of officers of line to assistant quartermaster and paymaster duty. Officers of the line of the Marine Corps of the grades of major, lieutenant colonel, and colonel may, upon application, and with the approval of the Secretary of the Navy, be assigned to assistant quartermaster and assistant paymaster duty only: *Provided*, That when so assigned they shall retain the lineal position and precedence which they hold on July 28, 1937, may later attain and shall be promoted, retired, and discharged in like manner and with the same relative conditions in all respects as on July 28, 1937 or thereafter may be provided for other officers of the line of the Marine Corps, except as herein otherwise provided: *Provided further*, That the recommendation of selection boards in the cases of officers assigned to such duty shall be based upon their comparative fitness to perform the duties prescribed for them: *Provided further*, That officers of the grades of major and lieutenant colonel assigned to assistant quartermaster and assistant paymaster duty

only in accordance with this section shall, on promotion up to and including the grade of colonel, be carried as additional numbers in grade: *And provided further*, That the number of officers so assigned in accordance with this section in any one year shall be in accordance with the requirements of the service as determined by the Secretary of the Navy. (July 28, 1937, c. 528, 50 Stat. 537.)

RANK; BREVETS; COMPUTATION OF LENGTH OF SERVICE; CREDIT FOR VOLUNTEER SERVICE

§ 667e. Sea service as applicable to promotion; limitation on service in Marine Corps Headquarters. Until January 1, 1938, officers in the upper three-sevenths of the grades below brigadier general, subject to selection as established by section 626a of this title, shall be eligible for consideration by selection boards without regard to length of service in grade: *Provided*, That after May 1, 1936, no officer of the Marine Corps shall be ineligible for consideration by a selection board or for promotion by reason of completion of length of commissioned service or because of age without having at least once been considered by a selection board, and any officer of the Marine Corps now on a promotion list shall be eligible for promotion unless removed from said list in accordance with existing law: *Provided further*, That officers of the Marine Corps of the grade of second lieutenant and above, except those appointed or serving as major general commandant, as assistant to the major general commandant, as the head of a staff department, or whose names appear on an eligible list for appointment as head of a staff department, shall not serve on duty in the Marine Corps Headquarters, Washington, District of Columbia, more than four out of any eight consecutive years unless the President shall determine that the public interests so require. (As amended May 1, 1936, c. 252, § 1, 49 Stat. 1249.)

§ 669a. Lieutenant colonels and majors; pay and allowances of officers promoted. [Repealed.]

This section (Act May 29, 1934, c. 367, § 16, 48 Stat. 813) was repealed by Act May 1, 1936, c. 252, § 2, 49 Stat. 1249.

§ 669b. Lieutenant colonels and majors. Officers of the Marine Corps in the grades of lieutenant colonel and major, who prior to June 30, 1935, completed the designated periods of service for their respective grades, shall retain their eligibility for consideration for selection until June 30, 1936, and such officers who on that date are not on a promotion or retention list shall be transferred to the retired list: *Provided*, That a duly constituted selection board appointed as provided by law shall be convened immediately after May 1, 1936, which board, in recommending for selection for promotion the number of officers of the grades of lieutenant colonel and major directed by the Secretary of the Navy in accordance with law, shall recommend, from the officers now on the active list in those grades, four officers of the grade of lieutenant colonel and nine officers of the grade of major, who held commissions in those grades, respectively, on May 28, 1934. (May 1, 1936, c. 252, § 3, 49 Stat. 1249.)

DUTIES, POWERS, AND GOVERNMENT OF MA- RINES; FORMATION INTO COMPANIES AND DETACHMENTS

§ 718. Administration of oaths; notarial and consular powers. In places beyond the continental limits of the United States where the Navy or Marine Corps is serving, such officers of the Navy or Marine Corps as are authorized to administer oaths for the purposes of the administration of naval justice and for other purposes of naval administration shall have the general powers of a notary public or of a consul of the United States in the administration of oaths, the execution and acknowledgment of legal instruments, the attestation of documents, and the performance of all other notarial acts. (Apr. 25, 1935, c. 81, 49 Stat. 161.)