

without prejudice and the right of the parties to pursue such other remedies as are provided by law shall not be affected thereby.

(b) In any such terminated appeal, timely initiated in the Appeal Board, where the period for pursuit of any other remedy pursuant to section 13 (b) (2) of the Contract Settlement Act of 1944 shall have expired or would expire within sixty days after the effective date of the abolition of the Appeal Board, the period within which proceedings may be initiated in accordance with the said section shall be extended to sixty days after said effective date.

(c) Effective thirty days after the enactment of this Act no further appeals or submitted disputes shall be accepted for determination by said Appeal Board.

(d) Where an attempt is erroneously made to file an appeal with the Appeal Board after the time limited therefor by section 1 (c) of this Act but prior to the effective date of the abolition of the Appeal Board, said Board shall forthwith return the papers to the person therein named as appellant together with a notice in writing that, pursuant to the terms of section 1 (c) of this Act, it can no longer accept such an appeal. Where such an attempt is made in good faith and the appeal would, except for the provisions of section 1 (c) of this Act, have been timely and the period for pursuit of any other remedy pursuant to section 13 (b) (2) of the Contract Settlement Act of 1944 expires or would expire prior to the expiration of sixty days after the receipt of such notice, the period within which proper proceedings may be initiated in accordance with said section 13 (b) (2) shall be extended to sixty days after the receipt of such notice.

Approved July 14, 1952.

Public Law 538

CHAPTER 740

AN ACT

July 14, 1952.
[S. 2690]

To amend the Civil Aeronautics Act of 1938, as amended, to make unlawful certain practices of ticket agents engaged in selling air transportation, and for other purposes.

Civil Aeronautics Act of 1938, amendments.
52 Stat. 977.
62 Stat. 493.
49 USC 401.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Civil Aeronautics Act of 1938, as amended, is amended by renumbering paragraph (32) as paragraph (33) and by inserting therein a new paragraph (32) reading as follows:

“(32) ‘Ticket agent’ means any person, not an air carrier or a foreign air carrier and not a bona fide employee of an air carrier or foreign air carrier, who, as principal or agent, sells or offers for sale any air transportation, or negotiates for, or holds himself out by solicitation, advertisement, or otherwise as one who sells, provides, furnishes, contracts or arranges for, such transportation.”

49 USC 491.

SEC. 2. Section 411 of the Civil Aeronautics Act of 1938, as amended, is amended to read as follows:

“METHODS OF COMPETITION

“SEC. 411. The Board may, upon its own initiative or upon complaint by any air carrier, foreign air carrier, or ticket agent, if it considers that such action by it would be in the interest of the public, investigate and determine whether any air carrier, foreign air carrier, or ticket agent has been or is engaged in unfair or deceptive practices or unfair methods of competition in air transportation or the sale thereof. If the Board shall find, after notice and hearing, that

such air carrier, foreign air carrier, or ticket agent is engaged in such unfair or deceptive practices or unfair methods of competition, it shall order such air carrier, foreign air carrier, or ticket agent to cease and desist from such practices or methods of competition."

SEC. 3. Section 902 (d) of the Civil Aeronautics Act of 1938, as amended, is amended to read as follows: 49 USC 622.

"GRANTING REBATES

"(d) Any air carrier, foreign air carrier, or ticket agent, or any officer, agent, employee, or representative thereof, who shall, knowingly and willfully, offer, grant, or give, or cause to be offered, granted, or given, any rebate or other concession in violation of the provisions of this Act, or who, by any device or means, shall, knowingly and willfully, assist, or shall willingly suffer or permit, any person to obtain transportation or services subject to this Act at less than the rates, fares, or charges lawfully in effect, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject for each offense to a fine of not less than \$100 and not more than \$5,000."

SEC. 4. Nothing contained in this Act shall be construed to enlarge or extend the jurisdiction of the Civil Aeronautics Board over transportation not subject to the Civil Aeronautics Act of 1938, as amended. 49 USC 681.

SEC. 5. This Act shall be effective upon enactment.

Effective date.

Approved July 14, 1952.

Public Law 539

CHAPTER 741

AN ACT

To amend section 113 (b) (1) (B) of the Internal Revenue Code with respect to the adjustment of the basis of property for depreciation, obsolescence, amortization, and depletion.

July 14, 1952
[H. R. 3168]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section 113 (b) (1) (B) of the Internal Revenue Code (relating to adjustments to basis of property for depreciation, etc.) as precedes the word "Where" is hereby amended to read as follows:

Internal Revenue
Code, amendment.
53 Stat. 40.
26 USC 113.

"(B) in respect of any period since February 28, 1913, for exhaustion, wear and tear, obsolescence, amortization, and depletion, to the extent of the amount—

"(i) allowed as deductions in computing net income under this chapter or prior income tax laws, and

"(ii) resulting (by reason of the deductions so allowed) in a reduction for any taxable year of the taxpayer's taxes under this chapter (other than subchapter E), subchapter E of chapter 2, or prior income, war-profits, or excess-profits tax laws, .

but not less than the amount allowable under this chapter or prior income tax laws. Clause (ii) of this subparagraph shall not apply in respect of any period since February 28, 1913, and before January 1, 1952, unless an election has been made under subsection (d)."

SEC. 2. Section 113 of the Internal Revenue Code (relating to basis of property) is hereby amended by adding at the end thereof the following new subsection:

"(d) ELECTION IN RESPECT OF DEPRECIATION, ETC., ALLOWED BEFORE 1952.—Any person may elect to have clause (ii) of subsection (b) (1) (B) apply in respect of periods since February 28, 1913, and