

Award No. 785  
Docket No. TE-704

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**THE ORDER OF RAILROAD TELEGRAPHERS**  
**RAILWAY EXPRESS AGENCY, INC.**  
**AND**  
**CHESAPEAKE & OHIO RAILWAY COMPANY**

**STATEMENT OF CLAIM:** "Claim of the General Committee of The Order of Railroad Telegraphers on Chesapeake & Ohio Railway that, when the express agency at South Charleston, West Virginia, was arbitrarily separated from the railway agency at that point on March 1, 1937, the Railway Express Agency, Inc., and the Chesapeake & Ohio Railway Company, jointly and severally violated, or were a party to violating, Rule 10 of the Express Agreement entered into September 1, 1916, between the employes represented by The Order of Railroad Telegraphers on Chesapeake & Ohio Railway and Chesapeake & Ohio Railway of Indiana with the Adams Express Company (antecedent of the Railway Express Agency, Inc., on the Chesapeake & Ohio Lines); and the further claim that the joint railway-express agency at South Charleston be reinstated and the agent at South Charleston be reimbursed for all compensation in the form of express commissions of which he has been or will be deprived after March 1, 1937, until such time as some mutually agreed to method of disposing of the issue in this controversy is reached by the parties to said Express Agreement."

**FINDINGS:** The Third Division of the Adjustment Board finds that:

The dispute was certified to the Third Division of the Adjustment Board ex parte by complainant party.

No hearing has been had, and, under date of December 14, 1938, the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing this case.

**AWARD**

Case dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
By Order of Third Division

**ATTEST: H. A. Johnson**  
Secretary

Dated at Chicago, Illinois this 21st day of December, 1938.