

Award No. 939  
Docket No. TE-998

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**THE ORDER OF RAILROAD TELEGRAPHERS  
SOUTHERN PACIFIC COMPANY (PACIFIC LINES)**

**STATEMENT OF CLAIM:** "Claim of the General Committee of The Order of Railroad Telegraphers, Southern Pacific Company (Pacific Lines) that since express commissions accruing to the Agent at Penryn, California, were discontinued in May, 1936, the hourly rate paid this position by the railroad company should, under Rule 33, be the same as that paid at Live Oak, California, and that employees who have occupied Penryn Agency since May, 1936, be compensated accordingly."

**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 thereon has been had, and under date of August 14, 1939, the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing the case.

**AWARD**

Case dismissed.

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

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

Dated at Chicago, Illinois, this 7th day of September, 1939.