

Award No. 1049  
Docket No. MW-1075

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES  
MISSOURI PACIFIC RAILROAD COMPANY**

**STATEMENT OF CLAIM:** "Claim of Will Rhine, pumper, Wynne, Arkansas, dismissed, that he be reinstated to the service as pumper with seniority rights unimpaired and paid for time lost."

**FINDINGS:** The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

That the carrier and the employe involved in this dispute are respectively carrier and employe within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

Hearing thereon has been held and concluded. Under dates of March 13th and March 26th, 1940, the parties advised the Secretary of the Third Division of their desire to withdraw it from further consideration by the Division, which request is hereby granted.

**AWARD**

Claim dismissed.

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

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

Dated at Chicago, Illinois, this 27th day of March, 1940.