

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

**BROTHERHOOD OF RAILROAD SIGNALMEN OF
AMERICA**

TEXAS & PACIFIC RAILWAY COMPANY

STATEMENT OF CLAIM: "That C. C. Whitehead should have been assigned to position of foreman advertised for bid in Bulletin No. 3, December 15, 1939, in place of N. H. Stroud, a junior employe, and that Whitehead be paid the difference between the rate of pay he received and foreman's rate from date N. H. Stroud was so assigned."

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 the complainant party.

That no hearing thereon has been held and under date of Dec. 20, 1940, 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 7th day of January, 1941.