

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

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**PARTIES TO DISPUTE:**

**UNITED TRANSPORT SERVICE EMPLOYEES**  
**CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD**  
**COMPANY**

**STATEMENT OF CLAIM:** Claim is filed on behalf of William J. Miller, Waiter-in-Charge, and Edgar Hutson, Waiter, former employes of the Chicago, Rock Island and Pacific Railway Company, who were removed from the service in a manner contrary to the terms of Article II of the existing agreement.

Claim is for restoration to service of these two employes with compensation for all time lost as a result of Carrier's action and with seniority and other rights undisturbed.

**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 Employes involved in this dispute are respectively carrier and employes 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;

That the dispute was certified to the Third Division of the Adjustment Board ex parte by complainant party; and

That hearing thereon has been held and concluded. Under dates of October 23 and October 25, 1948, the respective parties addressed formal communications to the Acting Secretary of the Third Division requesting withdrawal of this case from further consideration by the Division, which request is hereby granted.

**AWARD**

Case dismissed.

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

ATTEST: A. I. Tummon  
Acting Secretary

Dated at Chicago, Illinois, this 2nd day of November, 1948.