

**NATIONAL RAILROAD ADJUSTMENT BOARD
FOURTH DIVISION**

PARTIES TO DISPUTE:

W. A. HUTSON

SEABOARD AIR LINE RAILWAY

DISPUTE: Claim of W. A. Hutson for reinstatement to service with full pay for all time lost.

FINDINGS: The Fourth Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The parties to said dispute were given due notice of hearing thereon.

The petitioner, in his "Statement of Facts," lists his title as "Stock Claim Agent (Subordinate Official)."

The evidence shows that the petitioner was in general charge of the Live Stock Claim Department of the respondent carrier with a system office located at Jacksonville, Florida. The evidence further shows that he was in general charge of the investigations (field and office), authorizing and approving the amounts to be disbursed and the issuance and signing of the drafts drawn in payment, all of which indicates the scope, character and discretionary power with which he was vested. Such duties compare with those of Chief Claim Agent or Assistant General Claim Agent which are classified as "Official Positions" in I. C. C. Ex Parte No. 72; therefore, the division is without jurisdiction.

AWARD

Case dismissed.

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

**ATTEST: R. B. Parkhurst,
Secretary**

Dated at Chicago, Illinois, this 12th day of July, 1937.