

BEFORE THE
INTERSTATE COMMERCE COMMISSION

APPLICATION OF BOSTON AND MAINE RAILROAD
FOR CERTIFICATE AUTHORIZING ABANDONMENT
OF A PORTION OF ITS SUNCOOK LOOP IN
THE STATE OF NEW HAMPSHIRE.

Respectfully represents the Applicant as follows:

- a. Its full corporate name is BOSTON AND MAINE RAILROAD.
- b. It is a common carrier by railroad subject to the Interstate Commerce Act.
- c. Authority is herewith asked to abandon so much of Applicant's line as extends from a point on its main line about 1500 feet north of its so-called Hooksett passenger station easterly across the Merrimack River to a point just beyond the easterly bank of said river, being approximately 1200 feet of its so-called Suncook Loop, all in the town of Hooksett, Merrimack County and State of New Hampshire.
- d. Abandonment of this portion of line is sought.
- e. This line is not in receivership.
- f. Most of the aforesaid line of railroad consists of a track across the Merrimack River supported by bridges which flood conditions have made unsafe for use unless an expenditure is made thereon to an amount not warranted by the public use of the line. Other rail lines

serve all the communities reached via this line.

g. Correspondence in relation to this matter may be addressed to Allan P. Mackinnon, General Counsel, Boston and Maine Railroad, 150 Causeway Street, Boston, Massachusetts.

h. Applicant is organized under the laws of the States of Maine, New Hampshire, Massachusetts and New York, and is authorized to do business in Vermont.

i. The making and filing of this application were authorized by a vote of the Executive Committee of the Applicant's Board of Directors, passed on September 10, 1935, a certified copy of which vote is attached.

j. Applicant does not desire a hearing on this application.

BOSTON AND MAINE RAILROAD

By Edward S. French
President.

3.

VERIFICATION.

Commonwealth of Massachusetts.

Suffolk, ss.

Edward S. French makes oath and says that he is President of the Boston and Maine Railroad, the Applicant herein; that he has been authorized by proper corporate action on the part of said Applicant to verify and file with the Interstate Commerce Commission the foregoing application; that he has carefully examined all the statements therein and that all such statements are true and correct to the best of his knowledge, information and belief.

Edward S. French

Subscribed and sworn to
before me, a Notary Public
in and for the Commonwealth
and County above named,
this 10th day of September, 1935.

Arthur B. Nichols (Notarial seal)
Notary Public.

My commission expires March 22, 1940.

At a meeting of the Executive Committee of the Board of Directors of BOSTON AND MAINE RAILROAD, duly notified and held at Boston, Massachusetts, on September 10, 1935, a quorum being present, the following action was taken:

"VOTED: that the President, Edward S. French, be and he hereby is authorized on behalf of this corporation to make application to the Interstate Commerce Commission for authority to abandon so much of this corporation's line as extends from a point on its main line about 1500 feet north of its so-called Hooksett passenger station easterly across the Merrimack River to a point just beyond the easterly bank of said river, being approximately 1200 feet of its so-called Suncook Loop, all in the town of Hooksett, Merrimack County and State of New Hampshire, and that he be further authorized to sign, verify and file on behalf of this corporation an appropriate application to the Interstate Commerce Commission and a return to any Questionnaire submitted by said Commission, and generally to perform all acts necessary, convenient or desirable toward accomplishing the foregoing."

Attest:

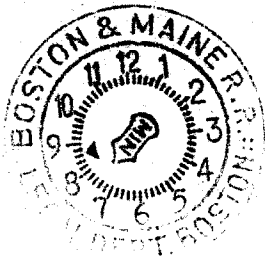
Arthur B. Nichols
Clerk.

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WASHINGTON, D. C



INTERSTATE COMMERCE COMMISSION

DEC-2 1935 AM

Finance Docket No. 10948

BOSTON & MAINE RAILROAD ABANDONMENT

Submitted November 14, 1935.

Decided November 21, 1935

Certificate issued permitting the Boston & Maine Railroad to abandon part of a line of railroad in Merrimack County, N. H.

Allen P. Mackinnon for applicant.

REPORT OF THE COMMISSION

DIVISION 4, COMMISSIONERS MEYER, PORTER, AND MAHAFFIE

BY DIVISION 4:

The Boston and Maine Railroad, on September 11, 1935, applied for permission to abandon that part of its so-called Suncook loop extending from a point on its main line, about 1,500 feet north of its Hooksett passenger station, easterly across the Merrimack River to a point just beyond the easterly bank of the river, about 1,200 feet, all in the town of Hooksett, Merrimack County, N. H. An appearance was entered by the assistant attorney general of New Hampshire, but later was withdrawn. No objection to the application has been offered.

This line was constructed in 1862. It was acquired by the applicant on December 1, 1919, as successor of the Concord & Montreal Railroad. It is the extreme southern end of the Suncook loop between Manchester and Concord, N. H., and consists of three wooden bridges and short intervening pieces of track. It is adjacent to the applicant's main line. No freight service has been given thereover for more than seven years, the tributary territory north of the bridges being served by trains operating from Concord. On January 11, 1935, flood conditions damaged the supports of the bridges so that it became unsafe to operate over them. Prior to that time two passenger trains a day in each direction operated over the section. These trains were then diverted to the main line on the opposite side of the river. The only station on the loop is Suncook, served by a through bus line operating between Concord and Manchester. The number of passengers riding to and from Suncook on the four trains averaged a little more than two a day. Because of the small passenger business, no allocation of passenger revenue was made.

The applicant states that an expenditure of \$4,800 would be necessary to restore the bridges in a condition to permit the

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The applicant states that an expenditure of \$4,800 would be necessary to restore the bridges in a condition to permit the use of light power heretofore operated over them; that in the last five years \$5,820 has been spent in their maintenance, and it is estimated that after their restoration the normal annual maintenance expenses would be \$2,485; and that there is always the possibility of considerable damage to the bents under the bridges by freshets.

Finance Docket No. 10948 - Sheet 2.

It is apparent from the record that there is insufficient rail traffic to justify the operation of the line sought to be abandoned; that its operation would impose an unnecessary and undue burden upon the applicant's resources and upon interstate commerce; and that the proposed abandonment will not result in public inconvenience.

We find that the present and future public convenience and necessity permit the abandonment by the Boston and Maine Railroad of that part of its line of railroad in Merrimack County, N. H., described in the application. An appropriate certificate will be issued, effective from and after 30 days from its date, in which suitable provision will be made for the cancelation of tariffs.

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 4, held at its office in Washington, D. C., on the 21st day of November, A. D. 1935

Finance Docket No. 10948

BOSTON & MAINE RAILROAD ABANDONMENT

Investigation of the matters and things involved in this proceeding having been had, and said division having, on the date hereof, made and filed a report containing its findings of fact and conclusions thereon, which report is hereby referred to and made a part hereof:

It is hereby certified, That the present and future public convenience and necessity permit the abandonment by the Boston and Maine Railroad of that part of its line of railroad in Merrimack County, N. H., described in the application and report aforesaid.

It is ordered, That this certificate shall take effect and be in force from and after 30 days from its date. Tariffs may be canceled upon notice to this Commission and to the general public by not less than 10 days' filing and posting in the manner prescribed in section 6 of the Interstate Commerce Act.

It is further ordered, That the Boston and Maine Railroad, when filing schedules canceling tariffs applicable on said line of railroad, shall in such schedules refer to this certificate by title, date, and docket number.

And it is further ordered. That the Boston and Maine Railroad

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And it is further ordered, That the Boston and Maine Railroad shall report to this Commission as required by valuation order No. 24, effective May 15, 1928.

By the Commission, division 4.

(SEAL.)

GEORGE B. MCGINTY,
Secretary.