

F-12-47

BEFORE THE
INTERSTATE COMMERCE COMMISSION

APPLICATION OF BOSTON AND MAINE RAILROAD
FOR CERTIFICATE AUTHORIZING IT TO ABANDON
A PORTION OF ITS DOVER BRANCH IN STRAFFORD
COUNTY, STATE OF NEW HAMPSHIRE.

1944 RM Dover - 941 76.813

BEFORE THE
INTERSTATE COMMERCE COMMISSION

APPLICATION OF BOSTON AND MAINE RAILROAD
FOR CERTIFICATE AUTHORIZING IT TO ABANDON
A PORTION OF ITS DOVER BRANCH IN STRAFFORD
COUNTY, STATE OF NEW HAMPSHIRE

Respectfully represents the applicant, Boston and Maine Railroad, 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. It herewith seeks authority to abandon the portion of its Dover Branch between points known as Sawyer and Dover Point, both in the City of Dover, Strafford County and State of New Hampshire, and comprising approximately 3 miles of railroad.
- d. Abandonment of the line is sought.
- e. There is no need for service on this line. There has been no passenger service on the line since 1933 and no demand for freight service since 1938.
- f. Correspondence in regard to this application may be addressed to W. A. Cole, General Counsel, 150 Causeway Street, Boston, Massachusetts.
- g. Applicant is organized under the laws of Maine,

New Hampshire, Massachusetts and New York, and is authorized to do business in Vermont.

h. Attached hereto is a copy of a situation map showing the lines in question and nearby rail lines. All of said lines are operated as parts of the system of the Boston and Maine Railroad.

BOSTON AND MAINE RAILROAD

By _____ A. B. Nichols
Vice President.

VERIFICATION

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

A. B. Nichols makes oath and says that he is Vice President of the Boston and Maine Railroad applicant herein; 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.

A. B. Nichols

Subscribed and sworn to
before me, a Notary Public
in and for the Commonwealth
and County above named, this
11th day of October, 1941.

Ralph T. Damon
Notary Public

My commission expires September 15, 1944

(Notarial seal)

INTERSTATE COMMERCE COMMISSION

Finance Docket No. 13491

BOSTON & MAINE RAILROAD ABANDONMENT

Submitted November 5, 1941.

Decided November 13, 1941.

Certificate issued permitting abandonment by the Boston & Maine Railroad of a portion of a branch line of railroad in Strafford County, N. H.

W. A. Cole for applicant.

REPORT OF THE COMMISSION

DIVISION 4, COMMISSIONERS PORTER, MAHAFFIE, AND MILLER

BY DIVISION 4:

The Boston and Maine Railroad on October 13, 1941, applied for permission to abandon the portion of its ~~Dover branch line of railroad extending in a southerly direction from Sawyer to the end of the line at Dover~~ Point, approximately 3.3 miles, in Strafford County, N. H. No representations have been made by State authorities, and no objection to the application has been presented.

The line in question was constructed in 1874 by the Portsmouth & Dover Railroad Company and acquired by the applicant in 1900. It is laid with 75-pound rail and, with the exception of a small portion thereof, has not been maintained for several years. The net salvage value of recoverable material is \$8,570.

There has been no demand for service since 1936. About 0.6 mile of line at the northerly end was used as a sidetrack until March 1938. It is apparent that there is no further public need for the line, and that resumption of operation would impose an unnecessary and undue burden upon the applicant and upon interstate commerce.

We find that the present and future public convenience and necessity permit abandonment by the Boston and Maine Railroad of the portion of a branch line of railroad in Strafford County, N. H., described herein. An appropriate certificate will be issued, effective from and after 15 days from its date, in which suitable provision will be made for the cancellation of tariffs.

BOSTON & MAINE RAILROAD ABANDONMENT

Submitted November 5, 1941.

Decided November 13, 1941.

Certificate issued permitting abandonment by the Boston & Maine Railroad of a portion of a branch line of railroad in Strafford County, N. H.

W. A. Cole for applicant.

REPORT OF THE COMMISSION

DIVISION 4, COMMISSIONERS PORTER, MAHAFFIE, AND MILLER

BY DIVISION 4:

The Boston and Maine Railroad on October 13, 1941, applied for permission to abandon the portion of its Dover branch line of railroad extending in a southerly direction from Sawyer to the end of the line at Dover Point, approximately 3.3 miles, in Strafford County, N.H. No representations have been made by State authorities, and no objection to the application has been presented.

The line in question was constructed in 1874 by the Portsmouth & Dover Railroad Company and acquired by the applicant in 1900. It is laid with 75-pound rail and, with the exception of a small portion thereof, has not been maintained for several years. The net salvage value of recoverable material is \$8,570.

There has been no demand for service since 1936. About 0.6 mile of line at the northerly end was used as a sidetrack until March 1938. It is apparent that there is no further public need for the line, and that resumption of operation would impose an unnecessary and undue burden upon the applicant and upon interstate commerce.

We find that the present and future public convenience and necessity permit abandonment by the Boston and Maine Railroad of the portion of a branch line of railroad in Strafford County, N. H., described herein. An appropriate certificate will be issued, effective from and after 15 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 13th day of November, A. D. 1941.

Finance Docket No. 13491

BOSTON & MAINE RAILROAD ABANDONMENT

Investigation of the matters and things involved in this proceeding having been made, 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 abandonment by the Boston and Maine Railroad of the portion of a branch line of railroad in Strafford County, N. H., described in the report aforesaid.

It is ordered, That this certificate shall take effect and be in force from and after 15 days from its date. Tariffs applicable to the line in question may be canceled upon notice to this Commission and to the general public by not less than 5 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 shall report to this Commission as required by valuation order No. 24, effective May 15, 1928.

By the Commission, division 4.

(SEAL.)

W. P. BARTEL,

Secretary.

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 4, held at its office in Washington, D. C., on the 13th day of November, A. D. 1941.

Finance Docket No. 13491

BOSTON & MAINE RAILROAD ABANDONMENT

Investigation of the matters and things involved in this proceeding having been made, 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 abandonment by the Boston and Maine Railroad of the portion of a branch line of railroad in Strafford County, N. H., described in the report aforesaid.

It is ordered, That this certificate shall take effect and be in force from and after 15 days from its date. Tariffs applicable to the line in question may be canceled upon notice to this Commission and to the general public by not less than 5 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 shall report to this Commission as required by valuation order No. 24, effective May 15, 1928.

By the Commission, division 4.

(SEAL.)

W. P. BARTEL,

Secretary.