

BEFORE THE
INTERSTATE COMMERCE COMMISSION

APPLICATION OF BOSTON AND MAINE RAILROAD
FOR CERTIFICATE AUTHORIZING IT TO ABANDON
A PORTION OF ITS FORMER MILFORD BRANCH IN
HILLSBOROUGH COUNTY, NEW HAMPSHIRE

W. A. Cole
General Counsel

May 4, 1942.

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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 that portion of its former Milford Branch approximately 1.5 miles in length between the present southerly end thereof and a point thereon approximately .5 mile south of its Milford station, all in the town of Milford, County of Hillsborough and State of New Hampshire.
- d. Abandonment of the line is sought.
- e. No service is necessary on this line. No passenger service has been operated on it for more than ten years, and there has been no occasion to use it for freight service during the past year. Its abandonment will make the steel and other track material available for other uses.
- f. Correspondence in regard to this application may be addressed to W. A. Cole, General Counsel, 150 Causeway Street, Boston, Massachusetts.

2.

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

h. The making and filing of this application were authorized by a vote of the Executive Committee of applicant's Board of Directors passed on April 28, 1942, a certified copy of which is attached hereto.

i. Attached hereto is a copy of a situation map showing the line in question and nearby rail lines. Except as otherwise indicated, all of said lines are operated as part of the system of the Boston and Maine Railroad.

BOSTON AND MAINE RAILROAD

By Edward S. French
President

VERIFICATION

Commonwealth of Massachusetts

Suffolk, ss.

Edward S. French makes oath and says that he is President of the Boston and Maine Railroad, 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 4th day of May, 1942.

Arthur B. Nichols
Notary Public.

My commission expires March 27, 1947

(Notarial seal)

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 April 28, 1942, a quorum being present, the following action was taken:

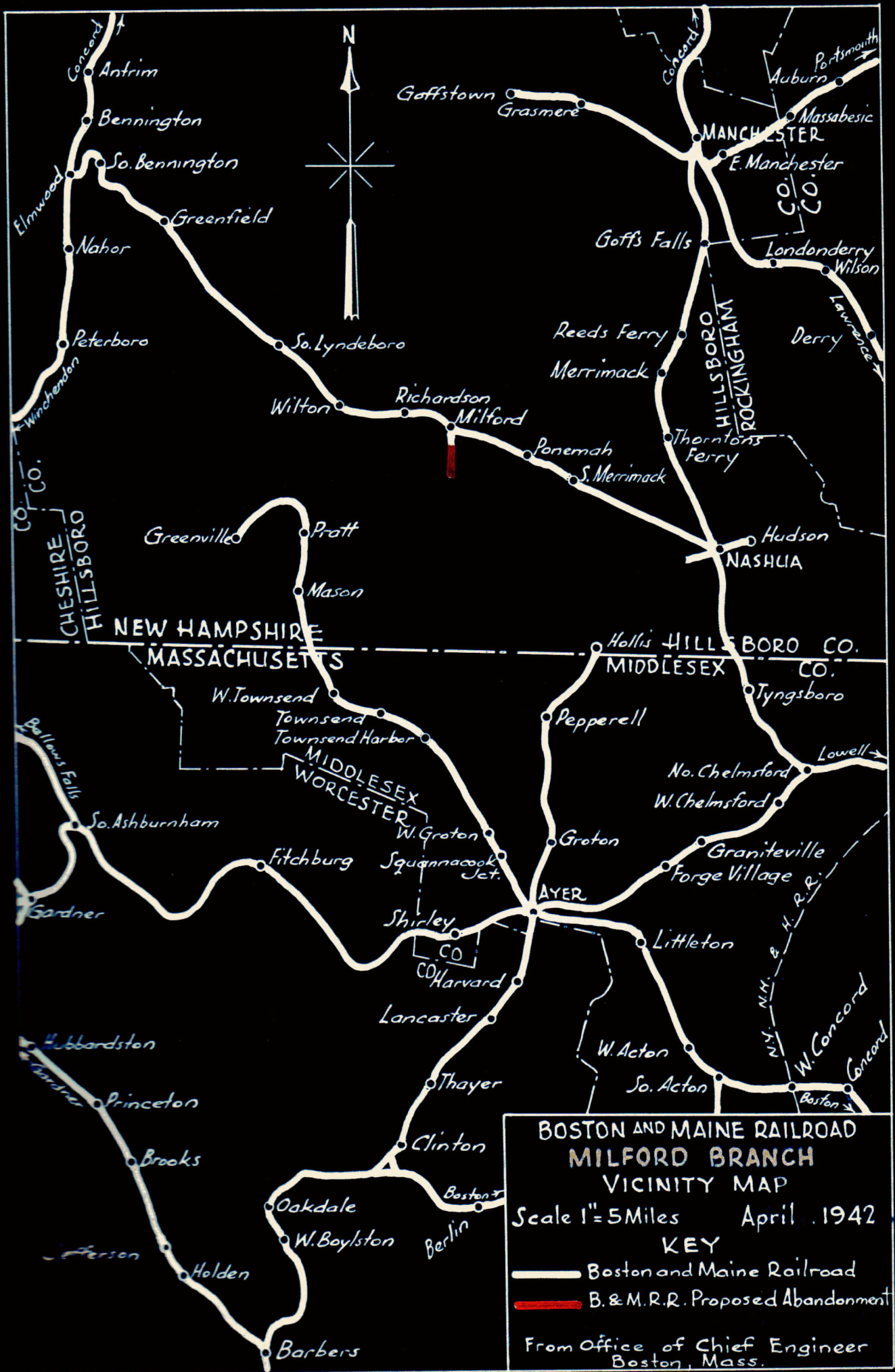
VOTED: that the President, Edward S. French be and he hereby is authorized on behalf of the corporation to make application to the Interstate Commerce Commission for authority to abandon approximately 1.5 miles of the corporation's former Milford Branch between the present southerly end thereof and a point thereon approximately .5 mile south of its Milford station, all in the Town of Milford, Hillsborough County and State of New Hampshire; and that he be further authorized to sign, verify and file on behalf of the 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.

(Corporate seal)



CONTRACT No. C 450.22-B
INTERSTATE COMMERCE COMMISSION

Finance Docket No. 13732

BOSTON & MAINE RAILROAD
HISTORICAL SOCIETY
ARCHIVES

BOSTON & MAINE RAILROAD ABANDONMENT

Submitted June 18, 1942.

Decided June 26, 1942

Certificate issued permitting abandonment by the Boston & Maine Railroad of a branch line of railroad in Hillsborough 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 May 6, 1942, applied for permission to abandon that portion of a branch line or railroad extending from a point about 0.5 mile south of Milford Station to the end of the line approximately 1.5 miles, in Hillsborough County, N. H. No representations have been made by State authorities and objection to the application has been offered.

The line in question, hereinafter called the branch, is a portion of the applicant's Milford branch which connects with the Nashua-Hillsboro branch at Milford, N. H. It was constructed in 1892 by the Brookline & Peperell Railroad Company, the successor of which was merged with the applicant in 1919.

The branch, having one nonagency station, traverses a sparsely-settled territory in which the only industry is granite quarrying. It formerly served two quarries but the side track leading to one of them was removed some time ago. There has been no passenger service since 1931 and freight service is afforded only as the needs of the shippers require. The total volume of freight traffic was one carload of coal and one carload of granite in 1940, and one carload of granite in 1941. No traffic was moved during the first three months of 1942. Gross system revenues accruing from the traffic in question were \$135 in 1940 and \$71 in 1941. During those years, respectively, the applicant expended \$260 and \$312 for maintenance of the branch. Because of deferred maintenance, the applicant estimates that such expenditures would be about \$2,400 within the next three of four years.

The physical characteristics of the branch, such as weight of rail, etc., are not shown. The net salvage value is estimated by the applicant to be \$4,505, based on current prices for scrap and value of usable material.

It is clear that neither the present nor prospective volume of traffic on the branch is sufficient to warrant its retention and that continued operation would impose an undue and unnecessary burden upon the applicant and upon interstate

COPY

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The physical characteristics of the branch, such as weight of rail, etc., are not shown. The net salvage value is estimated by the applicant to be \$4,505, based on current prices for scrap and value of usable material.

It is clear that neither the present nor prospective volume of traffic on the branch is sufficient to warrant its retention and that continued operation would impose an undue and unnecessary 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 its line of railroad in Hillsborough 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 26th day of June, A. D. 1942.

Finance Docket No. 13733

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 that portion of the branch line of railroad in Hillsborough 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 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, 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.