

AFFIDAVIT OF PUBLICATION

County of ESSEX)
) ss:
State of MASSACHUSETTS)

PETER GAMAGE of the City or Town of

LYNN and the state of MASSACHUSETTS

being duly sworn, says that he is the CO-PUBLISHER

of the LYNN ITEM, a newspaper

printed and published in the city or town aforesaid, and that

the Notice of which the annexed is a printed copy, has been

regularly published in said newspaper on the 29TH day of

MARCH, 1961.

Peter Gamage

Subscribed and sworn to
before me this 29th day
of March, 1961.

Alex B. Masten

Notary Public

My Commission Expires Mar 21, '65

**BOSTON AND MAINE
RAILROAD**

**BOSTON AND MAINE RAIL-
ROAD** hereby gives notice that
on the 13th day of March, 1961, it
filed with the Interstate Com-
merce Commission at Washington,
D. C. an application for a certifi-
cate of public convenience and
necessity, permitting abandon-
ment of its Swampscott Branch,
extending from Valuation Station
0-03 in the Town of Swampscott
to Valuation Station 208+26 in
the Town of Marblehead, approx-
imately 4.0 miles, all in Essex
County, Mass., Finance Docket
No. 21523.

NOTICE

March 29; April 5, 12, 1961

AFFIDAVIT OF PUBLICATION

County of ESSEX)
State of MASSACHUSETTS) ss:

PETER GANAGE of the City or Town of

LYNN and the state of MASSACHUSETTS,

being duly sworn, says that he is the CO-PUBLISHER

of the LYNN ITEM, a newspaper

printed and published in the city or town aforesaid, and that

the Notice of which the annexed is a printed copy, has been

regularly published in said newspaper on the 5TH day of

APRIL, 1961.

Peter Ganage

Subscribed and sworn to
before me this 5 day
of April, 1961.

Jordan L. Beards
Notary Public
My Commission Expires May 23, 1964

AFFIDAVIT OF PUBLICATION

County of ESSEX)
) ss:
State of MASSACHUSETTS)

PETER GAMAGE of the City or Town of

LYNN and the state of MASSACHUSETTS

being duly sworn, says that he is the CO-PUBLISHER

of the LYNN ITEM, a newspaper

printed and published in the city or town aforesaid, and that

the Notice of which the annexed is a printed copy, has been

regularly published in said newspaper on the 12TH day of

APRIL, 1961.

Peter Gamage

Subscribed and sworn to
before me this 14th day
of April, 1961.

Gordon L. O'Brien Jr.
Notary Public
My Commission Expires May 23, 1964

May 25, 1961

Mr. R. B. McClunick
Mr. D. A. Benson
Mr. G. F. Glacy
Mr. R. J. Mullaney
Mr. T. K. Dyer

Re: Swampscott Branch Abandonment - Finance Docket No. 21529

I was informed today that the L.C.C. has approved our application to abandon the Swampscott Branch subject to the Burlington Conditions.

The Commission's certificate issued May 18, 1961 and is to become effective 35 days thereafter.

RGH

R. G. Bleakney, Jr.
General Attorney

RGB:emj

E F M

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

At a Session of the INTERSTATE COMMERCE COMMISSION, Finance Board No. 3, held at its office in Washington, D. C., on the 18th day of May, A. D. 1961.

Finance Docket No. 21529

BOSTON AND MAINE RAILROAD--ABANDONMENT IN ESSEX COUNTY, MASS.

Upon consideration of the application filed under section 1(18) of the Interstate Commerce Act on March 13, 1961, as supplemented April 20, 1961, by the Boston and Maine Railroad requesting permission to abandon a portion of its line of railroad, known as the Swampscott Branch, extending from valuation station 0-03 in the Town of Swampscott, to valuation station 209+26, in the Town of Marblehead, approximately 4.0 miles, all in Essex County, Mass.; and

It appearing, That the interest of employees will be protected by the imposition of appropriate conditions, that the applicant has not conducted operations over the branch for approximately two years and it no longer serves a public need; and that maintenance thereof would impose an undue and unnecessary burden on the applicant and on interstate commerce;

It is hereby certified, That subject to the same conditions for the protection of employees as set forth in Chicago, B. & Q. R. Co. Abandonment, 257 I.C.C. 700, the present and future public convenience and necessity permit the abandonment by the Boston and Maine Railroad of the branch line of railroad described above;

It is ordered, That this certificate shall take effect and be in force from and after 35 days from the date hereof. Tariffs applicable to the line herein permitted to be abandoned may be canceled upon notice to this Commission and to the general public by not less than 10 days' filing and posting in a manner prescribed in section 6 of the Interstate Commerce Act;

It is further ordered, That when filing schedules cancelling tariffs applicable to said line, the applicant shall in such schedules refer to this certificate by date and docket number;

It is further ordered, That, if the authority herein granted is exercised, the applicant shall submit for the consideration and approval of this Commission two copies of the journal entries showing the retirement of the line from service; and

It is further ordered, That if the authority granted in this certificate is not exercised within one year from its date, it shall be of no further force or effect.

By the Commission, Finance Board No. 3.

HAROLD D. McCOY
Secretary

(SEAL)

April 18, 1961

Mr. V. V. Baker, Director
Interstate Commerce Commission
Bureau of Finance
Washington 25, D. C.

Re: L.C.C. Finance Docket No. 21529 - Application of Boston and Maine
Railroad for Certificate authorizing abandonment of its so-called
Swampscott Branch in Essex County, Massachusetts

Dear Sir:

Please refer to your letter of March 16, 1961, in the above cited matter. Pursuant to the requirement of Section 42.5(b) of the Code of Federal Regulations, attached hereto find proof of publication of Notice for three consecutive weeks, as well as proof of posting of Notice at Marblehead and Swampscott Stations.

The required proof of service was made and certified to by my letter of March 17, 1961 to Mr. Harold D. McCoy, Secretary.

Yours very truly,

R. G. Bleakney, Jr.
General Attorney

Encs.

RGB:emj

Boston, Mass.,
March 24, 1961

Mr. R. G. Bleakney, Jr.

Re: I.C.C. Finance Docket No. 21529 - Abandonment
of the Swampscott Branch,

Herewith two copies of Notice, certified as to
posting, for your further handling.

DA Bensa

B/L

NOTICE

BOSTON AND MAINE RAILROAD hereby gives

notice that on the 15th day of March 1961 it filed with the Interstate Commerce Commission at Washington, D. C., an application for a certificate of public convenience and necessity permitting abandonment of the Swampscott Branch, extending from Valuation Station D-03 in the Town of Swampscott to Valuation Station 209+26 in the Town of Marshfield, approximately 4.0 miles, all in Essex County, Mass., Finance Ledger No. 21529.

BOSTON AND MAINE RAILROAD

Posted at Marshfield on March 22, 1961, at 2:15 ~~AM~~ PM
Posted at Swampscott Station on March 22, 1961, at 2:40 ~~AM~~ PM

Franklin Wilson
Treasurer

Sworn to before me this 23rd day of March, 1961.

F. H. [Signature]

Notary Public
My Commission Expires 7-26-63

Boston, Mass.,
March 21, 1961

Mr. F. L. Estey:-

Re:- I.C.C. Finance Docket No. 21529 - Abandonment
of the Swampscott Branch.

Attached are four (4) copies of Notice furnished by the I.C.C. in the above entitled proceeding.

Will you please arrange for posting in a conspicuous place at the Swampscott and Marblehead Stations as promptly as possible, returning two copies of the Notice, properly attested as to date, time and place of posting to this office for further handling.

ps

Copy:-Messrs. P. J. Mullaney
C. F. Heard
S. B. Hitchings
J. W. Shepherd
W. H. Holland
W. Haynes
F. R. Spofford
C. F. Yardley
R. S. MacDonald
G. P. Glacy
G. F. Gallagher
H. L. Nelson
D. F. Glendenning
T. K. Dyer
J. F. Kerwin
R. E. Lehan
R. G. Fritch (3)
R. G. Bleakney, Jr. ✓
R. W. Pickard
D. J. Orr
G. H. Hill
E. F. Reed
H. S. Harriman

B/L

D. A. Benson

March 20, 1961

Mr. D. A. Benson:

Re: I. G. C. Finance Docket No. 21529 - Abandonment of the
Swampscott Branch

Attached are four (4) copies of Notice which we have been furnished
by the I. G. C. relative to the above proceeding.

Will you please arrange for posting the conspicuous place at the
Swampscott and Marblehead Stations as promptly as possible, and furnish me
with affidavit as to proof of such posting.

R. G. Bleakney, Jr.
General Attorney

Baca.

RGB:emj

March 20, 1961

Mr. G. H. Hill

Re: L.C.C. Finance Docket No. 21529 - Abandonment of the
Swampscott Branch

Attached are two (2) copies of Notice which we have received from
the L.C.C. in connection with our application to abandon the Swampscott Branch.

Will you please arrange for publication of this Notice at least once
during each of three consecutive weeks in a newspaper of general circulation in
Essex County, covering the Swampscott-Marblehead area. Will you also arrange
to furnish me with affidavits as to proof of such publication at the earliest possible
date.

R. G. Blashney, Jr.
General Attorney

Encl.

RGB:smj

Interstate Commerce Commission

BUREAU OF FINANCE

Washington 25, D.C.

IN REPLY REFER TO:

Finance Docket No. 21529

March 16, 1961

Mr. Robert G. Bleakney, Jr.
General Attorney
Boston and Maine Railroad
150 Causeway Street
Boston 14, Mass.

Dear Mr. Bleakney:

This refers to the application of Boston and Maine Railroad in the above-numbered proceeding for permission to abandon as described in the enclosed form of notice.

It is requested that the contents of the notice be examined and, if it correctly describes the transaction proposed, it should be published and posted as required in section 42.5(b) of the Commission's order of November 27, 1941. If it does not describe the transaction correctly, please advise.

Very truly yours,



V. V. BAKER
Director

Enclosure

N O T I C E

BOSTON AND MAINE RAILROAD hereby gives notice that on the 13th day of March 1961 it filed with the Interstate Commerce Commission at Washington, D. C., an application for a certificate of public convenience and necessity permitting abandonment of its Swampscott Branch, extending from Valuation Station 0-03 in the Town of Swampscott to Valuation Station 209+26 in the Town of Marblehead, approximately 4.0 miles, all in Essex County, Mass., Finance Docket No. 21529.

BOSTON AND MAINE RAILROAD

March 17, 1961

Mr. Harold D. McCoy, Secretary
Interstate Commerce Commission
Washington 25, D. C.

Re: I. C. C. Finance Docket No. 21529 - Application of Boston and Maine
Railroad for Certificate authorizing abandonment of its so-called
Swampscott Branch in Essex County, Massachusetts

Dear Sir:

This is to certify that I have this day served, by first class mail, upon the Governor of the Commonwealth of Massachusetts and the Department of Public Utilities, a conformed copy of the above described Application, together with notice that if they desire to be heard in the matter they should so advise the Commission within twenty (20) days of their interest in the proceeding.

Yours very truly,

R. G. Bleakney, Jr.
General Attorney

RGB:emj

March 17, 1961

The Honorable John A. Volpe
Governor of Massachusetts
State House
Boston 33, Massachusetts

Re: I.C.C. Finance Docket No. 21529 - Application of Boston and Maine
Railroad for Certificate authorizing abandonment of its so-called
Swampscott Branch in Essex County, Massachusetts

Dear Sir:

In accordance with the Rules of the Interstate Commerce Commission (49 CFR Sec. 42.5) I am serving you herewith a conformed copy of an Application and Return to Questionnaire filed by the Boston and Maine Railroad on March 13, 1961 with said Commission under Section 1(18) of the Interstate Commerce Act, seeking a certificate authorizing abandonment of its so-called Swampscott Branch in Essex County, Massachusetts, being approximately 4.0 miles in length.

The said rules of the Interstate Commerce Commission further require that notice be given that if you desire to be heard on this matter you should so advise the Commission within twenty (20) days of your interest in this proceeding. Kindly regard this letter as such notice.

Yours very truly,

R. G. Bleakney, Jr.
General Attorney

Enc.

RGB:cmj

March 17, 1961

Honorable Roy C. Papalia, Chairman
Department of Public Utilities
State House
Boston 33, Massachusetts

Re: L.C.C. Finance Docket No. 21529 - Application of Boston and Maine
Railroad for Certificate authorizing abandonment of its so-called
Swampscott Branch in Essex County, Massachusetts

Dear Sir:

In accordance with the Rules of the Interstate Commerce Commission (49 CFR Sec. 42.5) I am serving you herewith a conformed copy of an Application and Return to Questionnaire filed by the Boston and Maine Railroad on March 13, 1961 with said Commission under Section 1(13) of the Interstate Commerce Act, seeking a certificate authorizing abandonment of its so-called Swampscott Branch in Essex County, Massachusetts, being approximately 4.0 miles in length.

The said rules of the Interstate Commerce Commission further require that notice be given that if you desire to be heard on this matter you should so advise the Commission within twenty (20) days of your interest in this proceeding. Kindly regard this letter as such notice.

Yours very truly,

R. G. Bleakney, Jr.
General Attorney

Enc.

RGB:emj

Interstate Commerce Commission

OFFICE OF THE SECRETARY

Washington 25

March 14, 1961

Mr. R.G. Bleakney, Jr., G.A.,
Boston and Maine Railroad,
Boston 14, Mass.

Dear Sir:

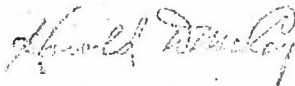
and Return to Questionnaire

The Commission is in receipt of an original and ten copies of an application/on behalf of Boston and Maine Railroad under Section ~~(a)~~ 1(18) of the Interstate Commerce Act.

The application was filed on March 13, 1961, under Finance Docket No. 21529, to which reference should be made in future correspondence.

A certificate of service according to the Commission's regulations should be forwarded promptly.

Respectfully,



Secretary.

March 10, 1961

**Mr. Harold D. McCoy, Secretary
Interstate Commerce Commission
Washington 25, D. C.**

**Re: Finance Docket No. _____, Application of Boston and Maine
Railroad for Certificate Authorizing Abandonment of its so-called
Swampscott Branch in Essex County, Massachusetts**

Dear Sir:

**Enclosed are the originals and ten (10) copies each of the Application
and Return to Questionnaire in the above-cited matter.**

**Service upon the Governor and Department of Public Utilities of the
Commonwealth of Massachusetts will await assignment of Finance Docket number
and receipt of the usual Notice from the Commission.**

Yours very truly,

**R. G. Bleakney, Jr.
General Attorney**

Encs.

RGB:emj

February 20, 1961

Mr. M. W. Dutton

Attached is vote for action at the March meeting of the Board of Directors covering the proposed abandonment of the Swampscott Branch between Swampscott and Marblehead, Massachusetts.

New file
RHB
I understand that the Staff has considered this matter and desires to proceed as soon as possible with an early filing.

R. G. Bleakney, Jr.
General Attorney

Enc.

RHB:emj

At a Meeting of the Board of Directors of BOSTON AND MAINE RAILROAD, duly called, notified and held on March 8, 1961, a quorum being present, the following action was taken:

"VOTED: That the President and the Vice President-Accounting and Finance, and they hereby are and each of them hereby is, authorized to make application to the Interstate Commerce Commission for authority from said Commission to abandon a line of railroad in its entirety approximately 4.0 miles in length forming its line between Swampscott, Massachusetts and Marblehead, Massachusetts, known as its Swampscott Branch, from Valuation Station 0-08, which is located in Swampscott, Massachusetts, to Valuation Station 209+26, located in Marblehead, Massachusetts; and that they, and each of them, be further authorized to sign, verify and file on behalf of this Company 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 towards accomplishing the foregoing objective."

Attest:

Clerk

R 4 B

On Feb. 14 TRD
informed me to work
up data, plans, for
Swarmpscott Branch
abandonment.

Atchd copy of
data for file in
State.

2/17/61

2-15-61

Mr Marblehead

President and the Vice
one be and they hereby
is authorized to make
Commissioner
Commissioner to abandon a
very approximately
to the station
of Marblehead Massachusetts
from location
in Swarmpscott
Station 200 ft 2 1/2, located
and that they and
desire to sign appropriate
Company an appropriate
Commissioner
have submitted by said
to perform all acts
possible towards
abandonment.

Petition ICC to Abandon Marblehead
between Swampscott and
Massachusetts

VOTED: That the President and the Vice President - Accounting and Finance be and they hereby are and each of them hereby is authorized to make application to the Interstate Commerce Commission for authority from said Commission to abandon a line of railroad in its entirety approximately 4.0 miles in length forming the line between Swampscott Massachusetts and Marblehead Massachusetts known as the Swampscott Branch from Valuation Station 0 - 03 which is located in Swampscott Massachusetts to Valuation Station 209 + 26, located in Marblehead Massachusetts; and that they and each of them be further authorized to sign, verify and sign on behalf of this Company an appropriate application to the Interstate Commerce Commission and to return to any Questionnaire submitted by said Commission and to reply to perform all acts necessary and desirable towards accomplishing the foregoing objective.

C

February 20, 1961

Mr. M. W. Bullis:

Attached is vote for action at the March meeting of the Board of Directors covering the proposed abandonment of the Swampscott Branch between Swampscott and Marblehead, Massachusetts.

I understand that the Staff has considered this matter and desires to proceed as soon as possible with an early filing.

File
RGB

R. G. Bleakney, Jr.
R. G. Bleakney, Jr.
General Attorney

Enc.


RGB:emj

MAILED FEB 21 1961

At a Meeting of the Board of Directors of BOSTON AND MAINE RAILROAD, duly called, notified and held on March 8, 1961, a quorum being present, the following action was taken:

"VOTED: That the President and the Vice President-Accounting and Finance be, and they hereby are and each of them hereby is, authorized to make application to the Interstate Commerce Commission for authority from said Commission to abandon a line of railroad in its entirety approximately 4.0 miles in length forming its line between Swampscott, Massachusetts and Marblehead, Massachusetts, known as its Swampscott Branch, from Valuation Station 0-03, which is located in Swampscott, Massachusetts, to Valuation Station 209+26, located in Marblehead, Massachusetts; and that they, and each of them, be further authorized to sign, verify and file on behalf of this Company 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 towards accomplishing the foregoing objective."

Attest:


Clerk

September 5, 1961

Mr. Richard A. Wales
Secretary, Board of Selectmen
Town of Swampscott, Massachusetts

Dear Sir:

Please refer to your letter of August 22, 1961, concerning problems at Humphrey Street, Phillips Avenue, Bellevue Road, Stetson Avenue, Paradise Road and Bradlee Avenue on the Swampscott Branch.

I have asked our chief engineer to investigate these matters and I shall write you further within a few days.

Yours very truly,

Neal Holland
General Counsel

NH:od

file
9/8/61

GEORGE B. THOMSON, CHAIRMAN
VINCENT P. O'BRIEN
DONALD E. COSTIN



RICHARD A. WALES, SECRETARY

Town of Swampscott

OFFICE OF THE

Board of Selectmen

SWAMPSCOTT, MASSACHUSETTS

August 22, 1961

*TKD yer
May 11/68
92008*

**Boston and Maine Railroad
Causeway Street
Boston, Massachusetts**

Gentlemen:

Due to the abandonment of the Marblehead Division, the Board of Selectmen would appreciate your making the necessary arrangements to tear up the tracks and boards at Humphrey Street at Phillips Avenue and at Bellevue Road in order that these streets may be resurfaced by the Town.

In addition, the Board is of the opinion that the railroad bridges at Stetson Avenue, Paradise Road, and Bradlee Avenue should be removed as soon as possible, since they are at the present time hazards attractive to children, and serious accidents could occur.

Your favorable consideration of the above requests will be appreciated.

Yours very truly,

BOARD OF SELECTMEN

Richard A. Wales
Richard A. Wales
Secretary

RAW:kd

Swampscott Br.

September 8, 1961

CONFIDENTIAL

Mr. T. K. Dyer:

Regarding your inquiry of September 7, 1961, concerning abandonment of the Swampscott Branch. Mr. McGinnis has referred to this within the past week or two and I am sending him a copy of this reply.

I am reliably informed that the right of way is owned about one-third in fee, about one-third location, and about one-third reverter. Two-thirds of the right of way, therefore, leave us with no title when the right of way is no longer used for railroad purposes. There is some question that we could grant an easement to a power company over this two-thirds even if we were continuing to operate trains over the Branch. An extremely technical lawyer (and we have found Mr. Coleman of N. E. Power, for example, to be such) would consider this an overburdening of our easement and therefore illegal. But if such a lawyer did not, any lawyer would seek an agreement from us to operate trains for an extended time, in my opinion.

The present status of the abandonment proceeding is that the I.C.C. has approved it and their order has become effective. The order, however, is permissive and the actual abandonment would not be accomplished until we report the matter in our accounts. Up until this time, presumably, we could reverse our position and resume operation of some train service. In this latter event we would so notify the I.C.C. and seek a rescission of the outstanding order.

I am not aware of the money being offered by the Power Company. I am aware that Mr. Reed has received several inquiries from individuals as to purchase who might be content with a release of our right, title and interest, however slim it may be, following abandonment in the two-thirds area. I would very much doubt if the attorneys for any power company would be content with the easement we could grant on the two-thirds area.

Neal Holland
General Counsel

cc: Mr. P. B. McGinnis

NH:emj

X-12m

BOSTON, September 7, 1961

Mr. N. J. Holland:-

Reference is made to abandonment of Swampscott Branch.

I would appreciate advice on the legal aspects of abandonment as far as leasing the right-of-way to Power Company is concerned.


T. K. Dyer

LAW OFFICES OF
EDWARD F. FLYNN
ONE STATE STREET
BOSTON 9, MASSACHUSETTS

EDWARD F. FLYNN
EDWARD F. FLYNN, JR.

TELEPHONE
CAPITOL 7-1950

September 6, 1961

Neal Holland, Esquire
General Counsel
Boston & Maine Railroad
Legal Department
North Station
Boston 14, Massachusetts

Dear Mr. Holland:

With reference to my desire to purchase land and right of way in the Philips Beach area, Swampscott, will you please refer to your letter of March 24, 1961, at which time you told me that action with reference to the sale was being deferred until the Interstate Commerce Commission acted.

Obviously, in view of the fact that the rails are being torn up and the equipment being removed, abandonment is complete.

Will you please advise me what the present situation is with reference to my request.

Very truly yours,

Edward F. Flynn

Edward F. Flynn

eff/gb
c. c. Mr. E. F. Reed
Vice President - Industrial Development

Talked
w/phone
with
Flynn
4/1/5
file

BOSTON AND MAINE RAILROAD
ACCOUNTING DEPARTMENT

A B 99

Mr. Benson
Mr. Dyer (2)
~~Mr. Reed~~
Mr. N. Holland

Mr. Bolton (2)
~~Mr. Smith~~
Mr. Garner (2)
Mr. Hill (2)

Mr. Drohan
Mr. Andrews

A.F.E. No. 3543

Supersedes

Budget File No. 632

Boston, Mass., July 7, 1961.

Dear Sir:

You are hereby notified that authority for expenditure in connection with the following property changes viz: Swansea, Mass., V.S. 7.10 M Map 1 to 5 B. & M.
Retire Swansea Branch (4.0 miles)

Was Approved President In the Sum of \$ 51,544. Cr.
Chargeable As Follows:

| SUMMARY OF ESTIMATE | |
|---|-----------------------|
| CHARGE | |
| Accrued Depreciation (Retirements) Road and Equipment | |
| Owned Lines | \$ 62,869. |
| Less Salvage | \$ _____ |
| Accrued Depreciation (Retirements) Road and Equipment | |
| Leased Lines | \$ _____ |
| Less Salvage | \$ _____ |
| Accounts Receivable | \$ _____ |
| Retained Income | \$ _____ |
| Less Salvage | \$ 114,994. |
| Operating Expenses | |
| Non-Depreciable Accts. (Retirements) | \$ _____ |
| Incidental Expenses | \$ _____ |
| Total | \$ _____ |
| Less Salvage | \$ _____ |
| Total Operating Expenses | \$ _____ |
| Investment in Road and Equipment | |
| Debits | \$ _____ |
| Credits | \$ _____ |
| Total Investment in Road and Equipment | \$ 229,407. Cr. |
| TOTAL | \$ 51,544. Cr. |

Advise Commencement and Completion on Form A. & B. 26

In order that the provisions of the Second Revised Issue of Valuation Order No. 3 may be complied with, all reports of expenditures under this authority must be classified strictly in accordance with A. & B. Circular No. 3.

These changes will be made under the direction of

J.S. Andrews
Div. Engr.

W.C. Hamel
Auditor Disbursements C.

BEFORE THE
INTERSTATE COMMERCE COMMISSION

FINANCE DOCKET NO. 21529

APPLICATION OF BOSTON AND MAINE RAILROAD
FOR CERTIFICATE AUTHORIZING ABANDONMENT
OF ITS SO-CALLED SWAMPSCOTT BRANCH IN
ESSEX COUNTY, MASSACHUSETTS

Respectfully represents the applicant as follows:

- a. Its full name is Boston and Maine Railroad.
- b. It is a common carrier by railroad, subject to the Interstate Commerce Act.
- c. Applicant hereby seeks authority to abandon a line of railroad approximately 4.0 miles in length forming its line between Swampscott and Marblehead, Massachusetts, known as its Swampscott Branch, from Valuation Station 0-03, located in the Town of Swampscott, to Valuation Station 209+26, located in the Town of Marblehead, all within Essex County, Commonwealth of Massachusetts.
- d. Abandonment of the line is sought.
- e. All passenger service on the Swampscott Branch was discontinued on June 14, 1959, pursuant to Order of the Massachusetts Department of Public Utilities in D. P. U. 12784. Court Appeals from this Order of the Department have all been dismissed. There is no present freight or passenger service on the line. Abandonment would permit the Railroad to achieve benefit from the salvage of materials and to avoid the necessity of maintenance expenses which will be required if the line must be continued in operable condition.

f. Correspondence in regard to this application may be addressed to Robert G. Bleakney, Jr., General Attorney, Boston and Maine Railroad, 150 Causeway Street, Boston 14, Massachusetts.

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

h. The making and filing of this application was authorized by vote of the Board of Directors of applicant passed on March 8, 1961, attested copy of which is attached hereto.

i. The applicant is not in receivership.

j. Attached hereto is a copy of a situation map showing the line in question (as indicated in red) and nearby rail lines.

The proposed abandonment is not expected to affect any employees of the applicant. However, the applicant will not oppose, if considered necessary, the imposition of conditions for the protection of employees similar to those prescribed in Chicago, B. & Q. R. Company, Abandonment, 257 L. C. C. 700.

Applicant does not desire a hearing upon this application unless, because of protests or otherwise, it cannot be granted without a hearing.

WHEREFORE, applicant prays that the Commission issue to it a certificate that the present and future public convenience and necessity permit the abandonment of said branch line of railroad with all appurtenances and the operation thereof.

BOSTON AND MAINE RAILROAD

By _____
Vice President-Accounting and Finance

VERIFICATION

Commonwealth of Massachusetts)
County of Suffolk) ss.
)

G. F. Glacy makes oath and says that he is Vice President-Accounting and Finance of the Boston and Maine Railroad, applicant herein; that he was 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.

G. F. Glacy

Subscribed and sworn to before me,
a Notary Public in and for the
Commonwealth and County above-named
this day of March, 1961.

Notary Public

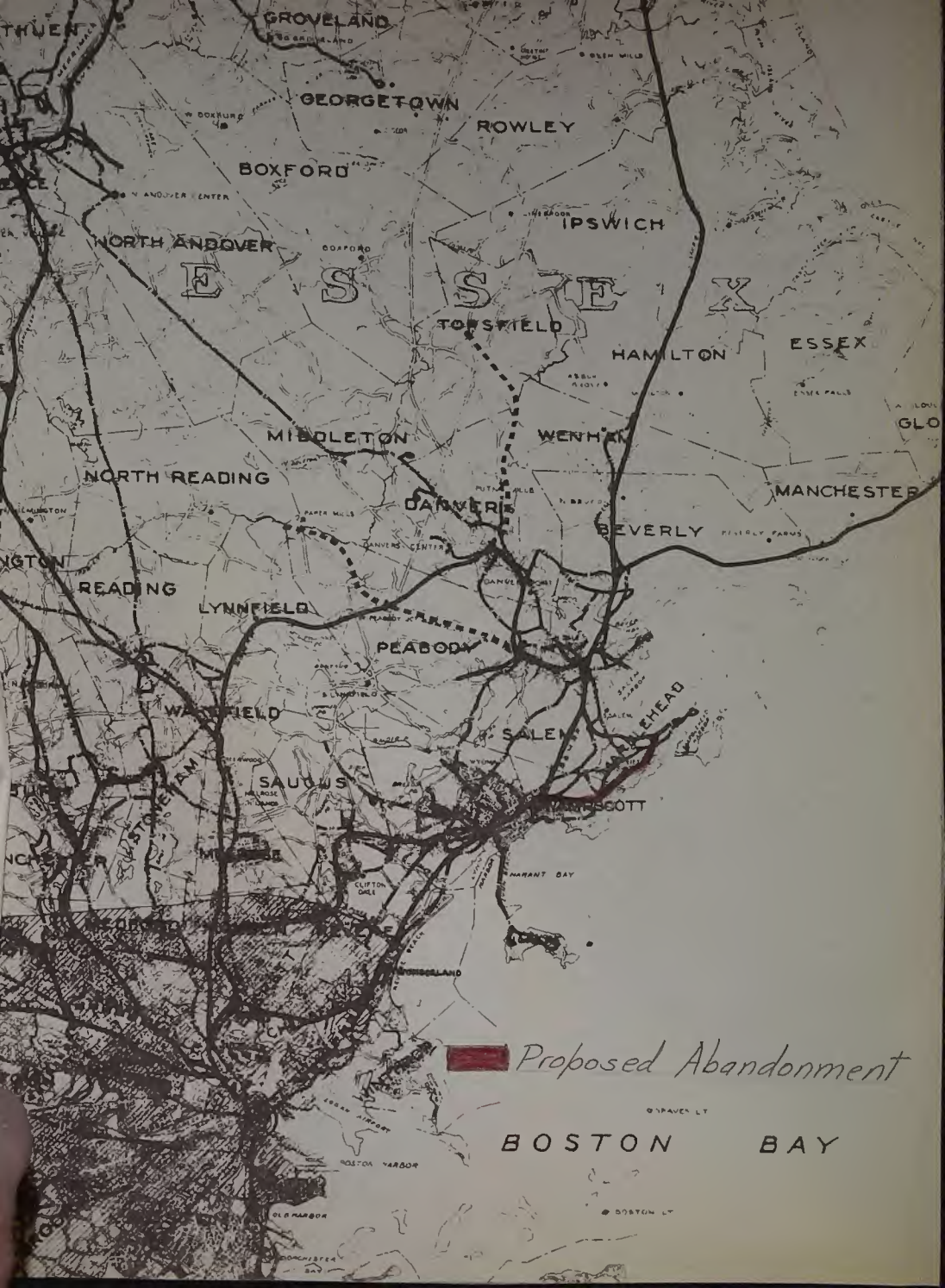
My Commission expires _____

At a Meeting of the Board of Directors of BOSTON AND MAINE RAILROAD, duly called, notified and held on March 8, 1961, a quorum being present, the following action was taken:


"VOTED: That the President and the Vice President-Accounting and Finance be, and they hereby are and each of them hereby is, authorized to make application to the Interstate Commerce Commission for authority from said Commission to abandon a line of railroad in its entirety approximately 4.0 miles in length forming its line between Swampscott, Massachusetts and Marblehead, Massachusetts, known as its Swampscott Branch, from Valuation Station 0-03, which is located in Swampscott, Massachusetts, to Valuation Station 209+26, located in Marblehead, Massachusetts; and that they, and each of them, be further authorized to sign, verify and file on behalf of this Company 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 towards accomplishing the foregoing objective."

Attest:

Clerk



ESSEX

 *Proposed Abandonment*

BOSTON BAY

BEFORE THE
INTERSTATE COMMERCE COMMISSION

FINANCE DOCKET NO.

APPLICATION OF BOSTON AND MAINE RAILROAD
TO ABANDON ITS SO-CALLED SWAMPSCOTT BRANCH
IN ESSEX COUNTY, MASSACHUSETTS

RETURN TO QUESTIONNAIRE

NEAL HOLLAND
R. G. BLEAKNEY, JR.

Attorney for Applicant

150 Causeway Street
Boston 14, Massachusetts

March 10, 1961

RETURN TO QUESTIONNAIRE

1. Statement of the purpose of the application.

ANSWER

Authority is sought to abandon applicant's line, approximately 4.0 miles in length, between Swampscott and Marblehead, Massachusetts, known as its Swampscott Branch. Applicant seeks to recover and salvage its property and to avoid costs incident to future maintenance.

2. When, by whom and for what purpose the line was constructed, and its proprietary history.

ANSWER

The Swampscott Branch was constructed for general railroad purposes by the Eastern Railroad Company. It was completed as a branch line and opened October 20, 1873. The Marblehead and Lynn Railroad Company was incorporated April 8, 1865 by Act of the Massachusetts legislature. The incorporating Act authorized the company to construct a railroad from Marblehead, Mass. to Swampscott, Mass., but no construction was accomplished until after merger with Eastern Railroad Company on October 1, 1872. The Eastern Railroad Company was incorporated April 14, 1836 by Special Act.

Operation of the line involved was as follows:

| | |
|-------------------------------|--|
| Oct. 20, 1873 to Oct. 1, 1883 | Eastern Railroad Company |
| Oct. 1, 1883 to Dec. 2, 1884 | Eastern Railroad Company, in the interest of Boston and Maine Railroad |
| Dec. 2, 1884 to May 8, 1890 | Boston and Maine Railroad, lessee |
| May 8, 1890 to Date | Boston and Maine Railroad, successor to Eastern Railroad Company |

3. A copy of applicant's Balance Sheet of the latest date available and a copy of applicant's Income Account for each of the last five calendar years and that portion of the current year for which the information is available.

ANSWER

Immediately following are:

- (1) Applicant's Balance Sheet as of December 31, 1960.
- (2) Applicant's Income Account for each of the years 1955 through 1960, inclusive.

These represent the latest available financial statements as of the date of filing.

4. The present state of maintenance of the line.

ANSWER

The line proposed to be abandoned is in only a fair state of maintenance. Prior to June 14, 1959, passenger trains operated over this Branch handling commuters between Marblehead and Boston. Since that date virtually no maintenance work has been done. No freight trains have operated over the Swampscott Branch for several years.

5. The estimated salvage value of the line, with a general statement of the basis of the estimate.

ANSWER

The estimated net salvage value of the materials to be recovered is \$12,507, comprised of the following items:

BOSTON AND MAINE RAILROAD
Condensed General Balance Sheet
December 31, 1960

ASSETS
CURRENT ASSETS

LIABILITIES AND SHAREHOLDERS' EQUITY
CURRENT LIABILITIES

| | |
|---|-------------------|
| (701) Cash | \$ 2,776,919 |
| (702) Temporary cash investments | 1,099,375 |
| (703) Special deposits | 162,408 |
| (704) Loans and notes receivable | 40,500 |
| (706) Net balance receivable from agents and conductors | 2,318,715 |
| (707) Miscellaneous accounts receivable | 2,872,636 |
| (708) Interest and dividends receivable | 52,405 |
| (709) Accrued accounts receivable | 1,804,281 |
| (710) Working fund advances | 198,739 |
| (711) Prepayments | 185,518 |
| (712) Material and supplies | 3,949,031 |
| (713) Other current assets | 79,719 |
| Total current assets | <u>15,570,246</u> |

SPECIAL FUNDS

| | (b1) Total book assets at close of year | (b2) Resp. own iss. incl. in (b1) | |
|-------------------------------------|--|--------------------------------------|------------------|
| 15) Sinking funds | 4,117 | 0 | 4,117 |
| 16) Capital and other reserve funds | 1,200,757 | 641,000 | 559,757 |
| 17) Insurance and other funds | 3,323,750 | 0 | 3,323,750 |
| Total special funds | | | <u>3,887,624</u> |

INVESTMENTS

| | |
|---|------------------|
| 21) Investments in affiliated companies | 3,477,245 |
| 22) Other investments | 3,337,200 |
| Total investments (acct. 721 and 722) | <u>6,814,445</u> |

PROPERTIES

| | |
|---|---------------------|
| 31) Road and equipment property | 247,988,170 |
| Road | \$171,700,134 |
| Equipment | 75,688,157 |
| General expenditures | 599,879 |
| 32) Improvements on leased property | 11,116,290 |
| Road | \$ 11,699,676 |
| Equipment | (669,189) |
| General expenditures | 85,803 |
| 34) Donations and grants--credit | (197,049) |
| Total transportation property (acct. 731,732,734) | <u>258,907,411</u> |
| 35) Accrued depreciation--Road and Equipment | (26,877,457) |
| 36) Amortization of defense projects--Road and Equipment | (1,603,550) |
| Recorded depreciation and amortization (acct. 735 and 736) | <u>(28,481,007)</u> |
| Total transportation property less recorded depreciation and amort. | <u>230,426,404</u> |
| 37) Miscellaneous physical property | 3,126,662 |
| 38) Accrued depreciation--Miscellaneous physical property | (461,016) |
| Miscellaneous physical property less recorded depreciation (acct. 737 less 739) | <u>2,665,646</u> |
| Total properties less recorded depreciation and amortization | <u>233,092,050</u> |

OTHER ASSETS AND DEFERRED CHARGES

| | |
|---|----------------------|
| 741) Other assets | 2,049,436 |
| 742) Unamortized discount on long-term debt | 510,182 |
| 743) Other deferred charges | 796,750 |
| Total other assets and deferred charges | <u>3,356,368</u> |
| TOTAL ASSETS | <u>\$282,720,733</u> |

| | |
|---|-------------------|
| (752) Traffic and car-service balances--credit | \$ 4,078,964 |
| (753) Audited accounts and wages payable | 4,831,042 |
| (754) Miscellaneous accounts payable | 1,227,802 |
| (755) Interest matured unpaid | 109,314 |
| (756) Dividends matured unpaid | 2,529 |
| (757) Unmatured interest accrued | 1,724,155 |
| (759) Accrued accounts payable | 4,769,016 |
| (760) Federal income taxes accrued | 194,590 |
| (761) Other taxes accrued | 3,269,445 |
| (763) Other current liabilities | 237,103 |
| Total current liabilities (excl. of long-term debt due within one year) | <u>20,443,960</u> |

LONG-TERM DEBT DUE WITHIN ONE YEAR

| | | | | |
|--|-----------|-----------------------------------|---|-----------|
| (764) Equipment obligations and other debt | 6,077,143 | (b2) Held by or for respondent | 0 | 6,077,143 |
| LONG-TERM DEBT DUE AFTER ONE YEAR | | | | |

| | | | | |
|---|------------|-----------------------------------|-----------|-------------------|
| (765) Funded debt unmatured | 76,764,488 | (b2) Held by or for respondent | 2,982,000 | 73,782,488 |
| (766) Equipment obligations | 23,533,573 | 0 | | 23,533,573 |
| Total long-term debt due after one year | | | | <u>97,316,061</u> |

RESERVES

| | |
|-------------------------------------|------------------|
| (771) Pensions and welfare reserves | 97,074 |
| (774) Casualty and other reserves | 1,029,769 |
| Total reserves | <u>1,126,843</u> |

OTHER LIABILITIES AND DEFERRED CREDITS

| | |
|--|-------------------|
| (782) Other liabilities | 9,111,141 |
| (784) Other deferred credits | 2,481,838 |
| (785) Accrued depreciation--Leased property | 1,870,497 |
| Total other liabilities and deferred credits | <u>13,463,476</u> |

SHAREHOLDERS' EQUITY

| | |
|--|--------------------|
| Capital stock (Par or stated value) | |
| (791) Capital stock issued--Total | 81,754,650 |
| Common stock | 56,255,550 |
| Preferred stock | 26,217,600 |
| Total capital stock | <u>81,754,650</u> |
| Capital surplus | |
| (795) Paid-in surplus | 27,019,091 |
| (796) Other capital surplus | 2,257 |
| Total capital surplus | <u>27,021,348</u> |
| Retained Income | |
| (797) Retained income--Appropriated | 2,311,787 |
| (798) Retained income--Unappropriated | 13,205,465 |
| Total retained income | <u>15,517,252</u> |
| Total shareholders' equity | <u>124,293,250</u> |

TOTAL LIABILITIES AND SHAREHOLDERS' EQUITY

\$282,720,733

BOSTON AND MAINE RAILROAD
Condensed Comparative Statement of Income Account
Years ended December 31,

| | <u>1955</u> | <u>1956</u> | <u>1957</u> | <u>1958</u> | <u>1959</u> | <u>1960</u> |
|--------------------------------------|---------------------|-------------------|-------------------|------------------------|------------------------|------------------------|
| Operating revenue: | | | | | | |
| Freight | \$66,346,979 | \$67,941,421 | \$66,516,504 | \$59,617,291 | \$58,555,810 | \$56,575,966 |
| Passenger | 9,993,817 | 10,348,600 | 10,157,238 | 8,683,199 | 7,088,480 | 5,872,616 |
| All other | <u>9,565,814</u> | <u>9,748,499</u> | <u>9,280,185</u> | <u>9,134,874</u> | <u>6,350,543</u> | <u>5,195,929</u> |
| Railway operating revenue | 85,906,610 | 88,038,520 | 85,953,927 | 77,435,364 | 71,994,863 | 67,644,511 |
| Railway operating expenses | <u>65,729,574</u> | <u>70,736,517</u> | <u>68,884,867</u> | <u>63,524,283</u> | <u>58,565,915</u> | <u>53,581,988</u> |
| Operating ratio: | 76.51% | 80.35% | 80.11% | 82.04% | 81.35% | 79.21% |
| Net revenue from railway operations | 20,177,036 | 17,302,003 | 17,069,060 | 13,911,081 | 13,428,948 | 14,062,523 |
| Railway tax accruals | <u>6,934,991</u> | <u>5,941,365</u> | <u>5,666,675</u> | <u>6,021,266</u> | <u>5,879,295</u> | <u>5,685,212</u> |
| Railway operating income | 13,242,045 | 11,360,638 | 11,402,385 | 7,889,815 | 7,549,653 | 8,377,311 |
| Net rents - Dr. | <u>6,347,514</u> | <u>6,601,995</u> | <u>5,883,182</u> | <u>5,975,577</u> | <u>6,330,618</u> | <u>6,662,195</u> |
| Net railway operating income | 6,894,531 | 4,758,643 | 5,519,203 | 1,914,238 | 1,219,035 | 1,715,116 |
| Other income | <u>1,119,118</u> | <u>895,907</u> | <u>905,384</u> | <u>777,877</u> | <u>1,132,751</u> | <u>769,878</u> |
| Total income | 8,013,649 | 5,654,550 | 6,424,587 | 2,692,115 | 2,351,786 | 2,484,994 |
| Miscellaneous deductions from income | <u>403,149</u> | <u>374,181</u> | <u>440,381</u> | <u>471,662</u> | <u>988,433</u> | <u>750,269</u> |
| Income available for fixed charges | 7,610,500 | 5,280,369 | 5,984,206 | 2,220,453 | 1,363,353 | 1,734,725 |
| Fixed charges | <u>3,206,089</u> | <u>3,541,446</u> | <u>4,220,312</u> | <u>4,597,972</u> | <u>4,471,215</u> | <u>4,828,874</u> |
| Income after fixed charges | 4,404,411 | 1,738,923 | 1,763,894 | (2,377,519) | (3,107,862) | (3,094,149) |
| Contingent interest | <u>940,292</u> | <u>878,994</u> | <u>872,525</u> | <u>864,688</u> | <u>657,490</u> | <u>753,060</u> |
| Net income | <u>\$ 3,464,119</u> | <u>\$ 859,929</u> | <u>\$ 891,369</u> | <u>(\$ 3,242,207)</u> | <u>(\$ 3,765,352)</u> | <u>(\$ 3,847,209)</u> |

Estimated Salvage Value

Track Metals

| | | |
|--------------------|--------------------------|-----------------|
| Rail | 664.0 Gross Tons at \$30 | \$19,920 |
| Switches | 2.4 Gross Tons at 28 | 67 |
| Joints | 53.0 Gross Tons at 28 | 1,484 |
| Bolts & Nut locks | 4.0 Gross Tons at 28 | 112 |
| Tie Plates | 142.0 Gross Tons at 28 | 3,976 |
| Spikes | 19.0 Gross Tons at 28 | 532 |
| Frog & Frog Plates | 2.4 Gross Tons at 28 | 67 |
| Miscellaneous | 1.3 Gross Tons at 28 | 36 |
| Ties | 2,000 | 0 |
| Total Track Metals | | <u>\$26,194</u> |

Bridge Metals

| | | |
|-------------------------|-------------------------|-----------------|
| Bridge No. 13.03 | 34.0 Gross Tons at \$22 | \$ 748 |
| Bridge No. 13.23 | 93.0 Gross Tons at 22 | 2,046 |
| Bridge No. 13.40 | 13.0 Gross Tons at 22 | 286 |
| Bridge No. 14.08 | 1.5 Gross Tons at 22 | 33 |
| Total Bridge Metals | | <u>\$ 3,113</u> |
| Estimated Gross Salvage | | \$29,307 |

Estimated Cost to Recover

| | | |
|------------------------------------|--------------|----------|
| Rail | \$ 2,000 | |
| Other Track Material | 4,300 | |
| Relay Cross Ties | 3,500 | |
| Cost to Remove Crossing Protection | 3,000 | |
| Cost to Repair Crossings | <u>4,000</u> | |
| Estimated Cost to Recover | | \$16,800 |
| Estimated Net Salvage Value | | \$12,507 |

6. The names of all railroads with which the line connects for the interchange of traffic and the points of such interchange.

ANSWER

None.

7. A brief description of the present train service on the line and of important changes made in the last five years.

ANSWER

There is no present train service over the Swampscott Branch. The last regular train service over this Branch was the passenger service previously referred to which was discontinued on June 14, 1959. Prior to that date there had been reductions in passenger service on this line due to declining patronage and rising costs, with the approval of the Massachusetts Department of Public Utilities. There has been no freight service over this Branch for at least five years,

8. The names of all stations on the line, stated in order with mile post numbers, with approximate population of each, and the authority for the information, showing for each place the names of other railroads by which it is served, or its distance by highway from nearest other railroad. Distinguish non-agency stations.

ANSWER

There are no stations, passenger or freight, located on the Swampscott Branch. Marblehead station near the Eastern end of the Branch is served by the so-called Marblehead Branch, Swampscott station near the Western end of the Branch is served by the applicant's Eastern Route Main Line. Swampscott is located at mile post 0, and Marblehead at mile post 4.

9. The approximate population of the territory served by the line, explaining how the limits of the territory are defined,

ANSWER

The Swampscott Branch lies entirely within the Towns of Marblehead and Swampscott. According to the 1960 United States Census, Marblehead has a population of 18,521 and Swampscott has a population of 13,294.

10. A detailed statement of the location and the nature of the highways for the movement of traffic now handled by the line, and of common carrier truck and bus service on such highways, if any.

ANSWER

Not applicable since there is no passenger or freight traffic or service on the line proposed to be abandoned.

11. The nature of industries in the tributary territory (such as farming, mining, lumbering, manufacturing, etc.), how long established, and the extent to which each is dependent upon the line for transportation. State location and facts concerning the most important plants served.

ANSWER

Not applicable. See answer to No. 10.

12. The passenger traffic handled on the line in each of the last two calendar years, and for that part of the current year for which the information is available, giving separately the number of local and connecting line passenger stations (if the latter is applicable) and the revenue for each class.

ANSWER

Not applicable. See answer to No. 10.

13. The freight tonnage by the line for the last two calendar years, and for that part of the current year for which the information is available, showing the number of cars and the tonnage of car load freight, classified by principal commodities, and the tonnage of LCL freight. Show in separate statements (a) local freight originated at and destined to points on the line, (b) freight moved between

points on the line and points beyond it, and (c) freight neither originated at or destined to points on the line (overhead and bridge traffic).

ANSWER

Not applicable. See answer to No. 10.

14(1). If the line to be abandoned is less than the entire mileage operated by the applicant, a statement showing the effect of the proposed abandonment on a Net Railway Operating Income of the applicant. The statement should include each of the last two calendar years and for that part of the current year for which the information is available. Revenue for freight, passenger and other services should be shown separately.

ANSWER

Since no traffic is presently handled over the Swampscott Branch, and since there are no passenger or freight stations affected, there will be no adverse affect upon applicant's revenue account from this proposal. On the other hand, this abandonment would permit the applicant to achieve estimated annual savings in maintenance expense for roadway, bridges, signals, etc., of \$10,093. In addition, this abandonment would permit a saving in local real estate taxes of \$111.30 and a reduction in depreciation charges of \$1,272.

14(2). If the applicant's line is operated as part of a system (under common control and management) a statement for the same period required in paragraph (1) showing the affect of the proposed abandonment on the Net Railway Operating Income of the system and the unit member thereof. This statement should show the revenues accruing to the system and its unit members from traffic moving to and from the line proposed to be abandoned and the costs of handling such traffic.

The method of determining such costs should also be shown.

ANSWER

Applicant's line is not operated as a part of such a system.

15. If the volume of freight traffic or passenger traffic has decreased during recent years and any reason therefor.

ANSWER

See answer to No. 7.

16. If this line is operated as a joint facility, abandonment of the applicant's operation only is proposed, state fully the facts as to operations by others and the extent to which it will supply the place of operation it is proposed to abandon.

ANSWER

This line is not operated as a joint facility.

17. State what effort has been made to dispose of the line so as to insure its continued operation and what, if any, transportation service will remain or may be substituted for that proposed to be discontinued.

ANSWER

No effort has been made to sell this line as there is no traffic or service over the Swampscott Branch at present and, accordingly, no reason for continued operation.

18. A summary of the reasons for the application.

ANSWER

There is no present public or private necessity for the line sought to be abandoned since there are no passenger or freight stations on this Branch at

the present time. No passenger trains have operated over the Branch for almost two years, since the complete discontinuance of passenger service in June 1959. No freight trains have operated over the Branch for at least five years. The lack of any occasion requiring use of this line for several years, even as an alternate route, demonstrates the lack of any economic necessity therefor. This abandonment will permit applicant to derive both a reduction in maintenance and other expenses, and a benefit from the salvage of track and other materials. Continued maintenance of this Branch would result in economic waste which applicant's financial condition can ill afford.

The proposed abandonment will not affect any employees of the applicant nor will it affect in any way applicant's present service to the public.

For the foregoing reasons applicant submits that the Commission should find that the present and future public convenience and necessity permit the abandonment proposed herein.

BOSTON AND MAINE RAILROAD

By _____
G. F. Glacy
Vice President-Accounting and Finance

1

BEFORE THE INTERSTATE COMMERCE COMMISSION

FINANCE DOCKET NO.

APPLICATION OF BOSTON AND MAINE RAILROAD ~~CO~~
TO ABANDON A PORTION OF ITS SO-CALLED
SALEM BRANCH IN ESSEX COUNTY, MASSACHUSETTS

RETURN TO QUESTIONNAIRE

NEAL HOLLAND
W. D. K. CROOKS, JR.
ATTORNEYS FOR APPLICANT

150 CANTREY STREET
BOSTON 14 MASSACHUSETTS

(DATE)

RETURN TO QUESTIONNAIRE

1. STATEMENT OF THE PURPOSE OF THE APPLICATION

ANSWER

Containing a report to extend pattern of applicant's line, approximately 2.25 miles in length forming it line between Beards, Massachusetts and South Middleton, Massachusetts. Applicant wishes to recover and reduce its property and to avoid costs incident to future maintenance.

Line on its Salem Branch.

2. When, by whom and for what purpose the line was constructed, and its present condition.

ANSWER

The line was constructed for general railroad purposes by the Salem and Lowell Railroad Company, incorporated April 26, 1848 by Special Act of the Massachusetts Legislature. The line was open for operation August 5 1850.

Operation of the line was as follows:

- Aug. 5, 1850 to Oct. 1, 1858 Lowell and Lawrence Railroad Company, under contract
- Oct. 1, 1858 to Aug. 3, 1879 Boston and Lowell Railroad Company, lease
- Aug. 3, 1879 to April 1, 1887 Boston and Lowell Railroad Company, lease
- April 1, 1887 to Oct. 4, 1887 Boston and Lowell Railroad Company, lease
- Oct. 4, 1887 to present Boston and Lowell Railroad Company, lease

October 11, 1887 & date

Patton and Maria Railroad funds
on loan, then on order of
Patton and Small ~~Patton~~ Railroad
corporation.

3- 2 copies of applicant's Balance Sheet of the latest date available
and a copy of applicant's Income ~~Statement~~ Statement for each of
the last five calendar years in that pattern. If the
account you are asked the information is available.

Answers

Immediately following are:

SEPT. 30

(1) Applicant's Balance Sheet as of ~~December 31, 1964~~ 1964

(2) Applicant's Income Account for each of the years
1958 ~~through~~ through 1964, inclusive.

You request the latest available financial
statements as of the date of filing.

4. The present state maintenance of the line.

Answer

The line proposed to be abandoned as a
state maintenance. Prior to July 11, 1932, several private
trains operated over the line, the necessity of a
relatively high degree of maintenance was that
state a negligible amount of work had been required
on the line proposed to be abandoned, this being
in former years and only occasional freight
trains operating on this trackway.

5. The estimated salvage value of the line, with a general statement of the basis of the estimate.

ANSWER

The estimated salvage value of material to be recovered is \$7,966.00, comprised of the following items:

ESTIMATED SALVAGE VALUE

| | | |
|------------------------|--------------------|-----------|
| Rail XX 85# | 341.3 N.T. @ 31.25 | \$10,666. |
| Joints | 27.3 N.T. @ 31.25 | 853. |
| Tie Plates | 65.7 N.T. @ 31.25 | 2,053. |
| Belts & Nut Locks | 2.5 N.T. @ 31.25 | 78. |
| Track Spikes | 10.9 N.T. @ 31.25 | 341. |

| | |
|-------------------------------|------------------|
| Estimated Gross Salvage Value | <u>\$13,991.</u> |
|-------------------------------|------------------|

ESTIMATED COST TO RECOVER

| | |
|--|--------|
| Rail | 2,825. |
| Other track material | 3,000. |
| Cost to remove and repair crossings and retire crossing protection | 200. |

| | |
|-----------------------------|-----------------|
| Estimated cost to recover | \$6,025. |
| Estimated Net Salvage Value | <u>\$7,966.</u> |

6. The names of all railroads with which the line connects for the interchange of traffic and the points of such interchange.

ANSWER

None; only with other Boston and Maine lines.

7. A brief description of the present train service on the line and of important changes made in the last five years.

ANSWER

No service. Formerly used for occasional movements of local freight which are now served by the West Peabody - Danvers - Peabody line.

8. The names of all stations on the line, stated in order with mile post numbers, with approximate population of each, and the authority for the information, showing for each place the names of other railroads by which it is served, at its distance by highway from nearest other railroad. Distinguish non-agency stations.

ANSWER

There are no stations physically located on the segment of line proposed to be abandoned. Peabody is a non-agency station under the jurisdiction of ~~Windsor~~ Salem. Peabody will continue to be served by the ~~line~~ line running from Salem to Danvers known as the Lawrence Branch. West Peabody will continue to be served by the line running from Wakefield Jct. to Topsfield known as the Newburyport Branch. The proposed abandonment is located from mile post P 1.00 to mile post P 3.25. According to the 1960 Federal Census, Peabody has a

population of 32,202.

The City of Peabody is not served by any other railroad other than the applicant. West Peabody is about 5.2 highway miles from Peabody.

9. The approximate population of the territory served by the line, explaining how ~~xxxx~~ the limits of the territory are defined.

ANSWER

The line proposed to be abandoned primarily ~~xxxxxx~~ serves Peabody and West Peabody in the City of Peabody. Peabody's population as of the 1960 Federal Census is 32,202.

10. A detailed statement of the location and the nature of the highways for the movement of traffic now handled by the line, and of common carrier truck and bus service on such highways, if any.

ANSWER

Not applicable since there is no passenger or freight ~~service~~ traffic or service on the line proposed to be abandoned.

11. The nature of industries in the tributary territory (such as farming, mining, lumbering, manufacturing, etc.), how long established, and the extent to which each is dependent upon the line for transportation. State location and facts concerning the most important plants served.

ANSWER

not applicable. See answer to No. 10.

12. The passenger traffic handled on the line in each of the last two calendar years, and for that part of the current year for which the information is available, giving separately the number of local and connectin line passenger stations (if the latter is applicable) and the revenues for each class.

ANSWER

None.

13. The freight tonnage by the line for the last two calendar yeats, and for that part of the current year for which the information is available, showing the number of cars and the tonnage of

ICL freight. Show in separate statements (a) local freight originate at and destined to points on the line, (b) freight moved between points on the line (overhead and bridge traffic).

ANSWER

Not applicable. See answer to No. 10.

14(1) If the line to be abandoned is less than the entire mileage operated by the applicant, a statement showing the effect of the proposed abandonment on ~~ax~~ Net Railway Operating Income of the applicant. The statement should include each of the last two calendar years and for that part of the current year for which the information is available. Revenue for freight, passenger and other services should be shown separately.

ANSWER

It is estimated that the proposed abandonment will result in annual savings for maintenance of way and structures of \$2,025.00

There will be no annual savings in local property taxes. There will be a reduction in depreciation of \$34.00 annually.

14(2) If the applicant's line is operated as part of a system (under common control and management) a statement for the same period required in paragraph (1) showing the effect of the proposed abandonment on the Net Railway Operating Income of the system and the unit member thereof. This statement should show the revenues accruing to the system and its unit members from traffic moving to and from the line proposed to be abandoned and the costs of handling such traffic. The method of determining such costs should also be shown.

ANSWER

Applicant's line is not operated as a part of such a system.

15. If the volume of freight traffic or passenger traffic has decreased during recent years and any reason therefor.

ANSWER

See answer to No. 7

16. If this line is operated as a joint facility, abandonment of the applicant's operation only is proposed, state fully the facts as to operations by others and the extent to which it will supply the place of operation it is proposed to abandon.

ANSWER

This line is not operated as a joint facility.

17. State what effort has been made to dispose of the line so as to insure its continued operation, and what, if any, transportation service will remain or may be substituted for that proposed to be discontinued.

ANSWER

No effort has been made to sell this line as there is no traffic or service at present, and accordingly, no reason for continued operation.

18. A summary of the reasons for the application

ANSWER

There is no present public ~~we~~ or private necessity for the line sought to be abandoned since there are no passenger or freight stations on this Branch at the present time. The lack of any occasion requiring use of this line for several years, even as an alternate route, demonstrates the lack of any economic necessity therefor. This abandonment will permit applicant to derive both a reduction in maintenance and other expenses, and a benefit from the salvage of track and other materials. Continued maintenance of this Branch would result in economic waste which applicant's financial condition can ill afford.

The proposed abandonment will not affect any employees of the applicant nor will it affect in any way applicant's present service to the public.

For the foregoing reasons applicants submits that the Commission should find that the present and future public convenience and necessity permit the abandonment proposed herein.

BOSTON AND MAINE RR

By _____

G.F. GLACY

Vice President - Accounting and Finance