

Salem BranchW. D. Crooks

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

ANSWER

This 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 July 2, 1879	Boston and Lowell Railroad Corporation, lessee
July 2, 1879 to April 1, 1887	Boston and Lowell Railroad Corporation, successor of Salem and Lowell Railroad Company
April 1, 1887 to Oct. 11, 1887	Boston and Lowell Railroad Corporation, in interest of Boston and Maine Railroad
Oct. 11, 1887 to Date	Boston and Maine Railroad, first as lessee, then as owner of Boston and Lowell Railroad Corporation

Salem Branch

4. The present state of maintenance of the line.

ANSWER:

The line proposed to be abandoned is in a fair state of maintenance. Prior to July 11, 1932, several passenger trains operated over the line, thus necessitating a relatively high degree of maintenance. Since that date a negligible amount of work has been required on the line proposed to be abandoned, there being no passenger trains and only occasional freight trains operating over this trackage.

Salem Branch

5. The estimated salvage value of material to be recovered is \$ 7,966. , comprised of the following items:

ANSWER:

Estimated Salvage Value

Rail 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 \$ 13,991.

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 \$ 7,966.

Salem Branch

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 physically located on the segment of line proposed to be abandoned. Peabody is a non-agency station under the jurisdiction of Salem. Peabody will continue to be served by the 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.

Salem Branch

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

ANSWER

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

Salem Branch

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


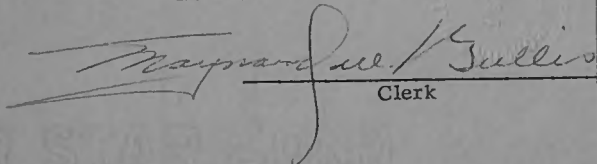
(F) It is estimated that the proposed abandonment will result in annual savings for maintenance of way and structures of \$ 2,025.

There will be no annual savings in local property taxes. There will be a reduction in depreciation of \$ 34. annually.

At a Meeting of the Board of Directors of BOSTON AND MAINE RAILROAD,
duly called, notified and held on October 18, 1961, a quorum being present, the follow-
ing 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 approximately 2.25 miles in length forming a portion of its line be-
tween Peabody, Massachusetts and South Middleton, Massachusetts, known as its Salem
Branch, from Valuation Station 50+00, which is located in Peabody, Massachusetts, to
Valuation Station 170+50, located in Peabody, Massachusetts; and that they, and each of
them, be further authorized to sign, verify and file on behalf of this Company an appro-
priate application to the Interstate Commerce Commission and a return to any Question-
naire submitted by said Commission, and generally to perform all acts necessary,
convenient or desirable towards accomplishing the foregoing objective."

Attest:



Clerk

FOUR STAR
COTTON FIBER
MADE IN U.S.A.

CERTIFICATE AND ORDER

SERVICE DATE
MARCH 16, 1962

At a Session of the INTERSTATE COMMERCE COMMISSION, Finance Board No. 3, held at its office in Washington, D. C., on the 9th day of March, A. D. 1962.

Finance Docket No. 21826

BOSTON & MAINE RAILROAD ABANDONMENT (PORTION) SALEM BRANCH
IN PEABODY, MASSACHUSETTS

Upon consideration of the application filed under section 1(18) of the Interstate Commerce Act on November 6, 1961, as supplemented February 16, 1962, by the Boston and Maine Railroad for permission to abandon a portion of its Salem Branch extending between Valuation Station 50+00 and Valuation Station 170+50, approximately 2.25 miles in Peabody, Essex County, Massachusetts; and

It appearing, That the interest of employees will be protected by the imposition of appropriate conditions and that the line no longer serves a public need and abandonment will permit maintenance and other savings; that the continued maintenance and operation of the line would impose an undue and unnecessary burden on the applicant and upon interstate commerce;

It is hereby certified, That, subject to the same conditions for the protection of employees as set forth in Chicago, B. & O. 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 line of railroad hereinabove described;

It is ordered, That this certificate shall take effect and be in force from and after 35 days from the date hereof, and that 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 the manner prescribed in section 6 of the Interstate Commerce Act;

It is further ordered, That when filing schedules canceling tariffs applicable to said line, the applicant shall in such schedule refer to this certificate and order 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 and order is not exercised within one year from its date, it shall be of no further force and effect.

By the Commission, Finance Board No. 3.

HAROLD D. McCOY,

Secretary.

(SEAL)



BEFORE THE
INTERSTATE COMMERCE COMMISSION

FINANCE DOCKET NO.

APPLICATION OF BOSTON AND MAINE RAILROAD FOR
CERTIFICATE AUTHORIZING ABANDONMENT OF A
PORTION OF ITS SO-CALLED SALEM 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 portion of its line of railroad approximately 2.25 miles in length forming its line between Peabody, Massachusetts and South Middleton, Massachusetts, known as its Salem Branch from Valuation Station 50+00, located in the City of Peabody, to Valuation Station 170+50, located in the City of Peabody, all within Essex County, Commonwealth of Massachusetts.
- d. Abandonment of the line is sought,
- e. There has been no service on this line for several years, and no industries are involved.
- 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 October 18, 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 I.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 , 1961.

Notary Public

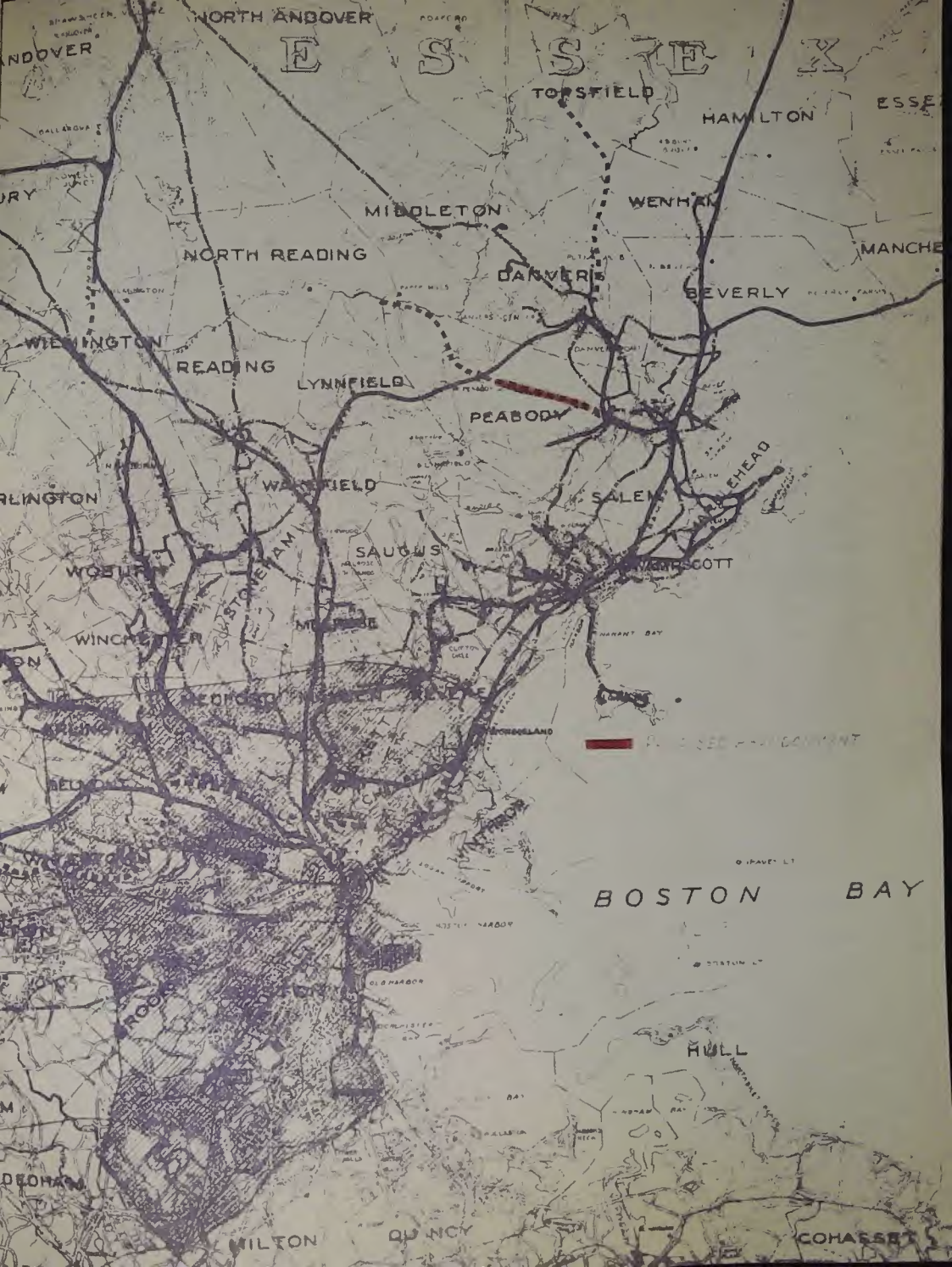
My Commission expires _____

At a Meeting of the Board of Directors of BOSTON AND MAINE RAILROAD, duly called, notified and held on October 18, 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 approximately 2.25 miles in length forming a portion of its line between Peabody, Massachusetts and South Middleton, Massachusetts, known as its Salem Branch, from Valuation Station 50+00, which is located in Peabody, Massachusetts, to Valuation Station 170+50, located in Peabody, 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:

Maynard V. Bullis, Clerk



BEFORE THE
INTERSTATE COMMERCE COMMISSION

FINANCE DOCKET NO.

APPLICATION OF BOSTON AND MAINE RAILROAD
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 Causeway Street
Boston 14, Massachusetts

November 3, 1961

RETURN TO QUESTIONNAIRE

1. Statement of the purpose of the application.

Authority is sought to abandon a portion of applicant's line, approximately 2.25 miles in length forming its line between Peabody, Massachusetts and South Middleton, Massachusetts, known as its Salem 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.

This 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 opened 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 July 2, 1879	Boston and Lowell Railroad Corporation, Lessee
July 2, 1879 to April 1, 1887	Boston and Lowell Railroad Corporation, successor of Salem and Lowell Railroad Company
April 1, 1887 to Oct. 11, 1887	Boston and Lowell Railroad Corporation in interest of Boston and Maine Railroad
Oct. 11, 1887 to date	Boston and Maine Railroad, first as lessee, then as owner of Boston and Lowell Railroad Corporation

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,

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

None; only with other Boston and Maine lines.

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

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

10. 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.

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 Salem. Peabody will continue to be served by the 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 the limits of the territory are defined.

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

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

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.

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, or its distance by highway from nearest other railroad. Distinguish non-agency stations.

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 Salem. Peabody will continue to be served by the 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 the limits of the territory are defined.

The line proposed to be abandoned primarily 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.

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.

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 revenues for each class.

None.

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).

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.

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 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.

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,

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.

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.

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.

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. 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

VERIFICATION

COMMONWEALTH OF MASSACHUSETTS)
)ss
 COUNTY OF SUFFOLK)

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 has been authorized by proper corporate action on the part of said applicant, or by the proper court, to verify and file with the Interstate Commerce Commission the foregoing return to questionnaire of said Commission in respect of the application in Finance Docket No. _____; that he has carefully examined all of the statements referred to in said return and the exhibits attached hereto and made a part thereof; that he has knowledge of the matters set forth in such return and that all such statements made and matters set forth therein are true and correct to the best of his knowledge 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 November, 1961.

 Notary Public

My Commission expires _____

- | | | | |
|----|----------------------------|-------|--|
| b) | Porter to Salem + Small RR | - | no number |
| c) | Gretha " | " " " | " " |
| d) | Hunt " | " " " | " " |
| e) | road " | " " " | " " |
| f) | George to B+M | - | " " |
| g) | B+M to S+L RR | - | |
| h) | King to S+L RR | - | For RR Burpasses only |
| i) | West " | " " | no number |
| j) | Counting stool to " | - | RR Burpasses only |
| k) | Porter " " " | - | number |
| l) | CC around Signal Town 1950 | - | must get some some at Central St. |
| m) | Levin Porter to S+L RR | - | " for purpouse of RR " |

TITLE - Selma Line Aband.

Ret 145 50400 and 170450 - both in Realty

ABSTRACTS:

- 1) Call request w/ City Realty - term on 90 days' notice.
- 2) Use " Selma Country Club - " " 30 "
- 3) well request - merged to Supt's & - " " 191's "
- 4) Pipe " with hoses - " " 30 days' "
- 5) Culvert " " Reeling Hills Road & - " " 30 days' "
- 6) Pipe " " North Star Gas & - " " 30 days' "

DEEDS -

- a) Abstract to Selma + Travel RR - no records
- 6) Maclean " " " " "
- 2) Taylor " " " " "
- 3) Taylor " " " " "
- 2) King " " " " For RR purposes
- 7) Boyd " " " " REVERTER *

- a) Selma Travel RR - drawn several nights
- 6) Commissioners' resolution
- 2) Agreement to same in
- 3) See to Realty - nights title + interest

DEEDS -

- a) Realty to Selma + Travel RR - no records

November 3, 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 a Portion of its so-called
Salem Branch in Essex County, Massachusetts

Dear Sir:

Enclosed are the originals and ten (10) copies each of an 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,

William D. K. Crooks, Jr.
Attorney

Encs.

WDKC:emj

Interstate Commerce Commission

OFFICE OF THE SECRETARY

Washington 25, D. C.

November 9, 1961

Mr. William D K. Crooks, Jr., Atty.,
Boston & Mainè RR.,
150 Causeway Street,
Boston 14, Mass.

Dear Sir:

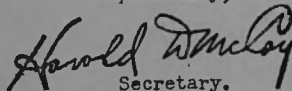
and Return to Questionnaire

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

The application was filed on November 6, 1961, under Finance Docket No. 21826 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.

N O T I C E

BOSTON AND MAINE RAILROAD hereby gives notice that on the 6th day of November 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 a portion of its Salem Branch, extending from Valuation Station 50+00 to Valuation Station 170+50, approximately 2.25 miles, all in Peabody, Essex County, Mass., Finance Docket No. 21826.

BOSTON AND MAINE RAILROAD

Interstate Commerce Commission

BUREAU OF FINANCE

Washington 25, D.C.

IN REPLY REFER TO:

Finance Docket No. 21826

November 9, 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 a portion of its line as described in the enclosed form of notice.

It is requested that 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

November 13, 1961

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

Re: Finance Docket No. 21826 - Application of Boston and Maine Railroad
for Certificate authorizing abandonment of a portion of its so-called
Salem 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 November 6, 1961 with said Commission under Section 1(18) of the Interstate Commerce Act, seeking a certificate authorizing abandonment of its so-called Salem Branch in Essex County, Massachusetts, being approximately 2.25 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,

W. D. K. Crooks, Jr.
Attorney

Enc.

WDKC:emj

November 13, 1961

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

Re: Finance Docket No. 21826 - Application of Boston and Maine Railroad
for Certificate authorizing abandonment of a portion of its so-called
Salem 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 November 6, 1961 with said Commission under Section 1(18) of the Interstate Commerce Act, seeking a certificate authorizing abandonment of its so-called Salem Branch in Essex County, Massachusetts, being approximately 2.25 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,

W. D. K. Crooks, Jr.
Attorney

Enc.

WDKC:emj

November 13, 1961

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

Re: I.C.C. Finance Docket No. 21826 - Application of Boston and Maine Railroad
for Certificate authorizing abandonment of a portion of its so-called Salem
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,

W. D. K. Crooks, Jr.
Attorney

WDKC:emj

November 13, 1961

Mr. D. A. Benson:

Re: I.C.C. Finance Docket No. 21826 - Abandonment of a portion of the
so-called Salem Branch

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

Will you please arrange for posting in a conspicuous place in Peabody,
such as crossing shanty or freight house, as promptly as possible, and furnish me
with affidavit as to proof of such posting.

W. D. K Crooks, Jr.
Attorney

Encs.

WDKC:emj

November 13, 1961

Mr. G. H. Hill:

Re: I.C.C. Finance Docket No. 21826 - Abandonment of a portion of the
so-called Salem Branch

Attached are two (2) copies of Notice which we have received from the
I.C.C. in connection with our application to abandon a portion of the Salem 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 Peabody area. Will you also arrange to furnish me with
affidavit as to proof of such publication at the earliest possible date.

W. D. K. Crooks, Jr.
Attorney

Encs.

WDKC:emj

AFFIDAVIT OF PUBLICATION

County of Essex)

Commonwealth of Massachusetts ss:
~~State of~~

I, Leonard F. Willey of the City ~~Essex~~ of Salem

Commonwealth
and the ~~State~~ of Massachusetts

being duly sworn, says that he is the Business Manager

of the Salem News Publishing Co., 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 2nd. day of November, 1961.

Leonard F. Willey

Subscribed and sworn to
before me this 8th day
of Dec., 1961.

Charles E. Holladay
Notary Public

My Commission Expires Feb. 10, 1963.

Legal Notices

NOTICE

Boston and Maine Railroad hereby gives notice that on the 6th day of November 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 a portion of its Salem Branch, extending from Valuation Station 50+00 to Valuation Station 170+50, approximately 2.25 miles, all in Peabody Essex County, Mass. Fingert Booklet No. 21826 Boston and Maine Railroad Nov. 22, 29, Dec. 6, 1961.

N O T I C E

BOSTON AND MAINE RAILROAD hereby gives notice that on the 6th day of November 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 a portion of its Salem Branch, extending from Valuation Station 50+00 to Valuation Station 170+50, approximately 2.25 miles, all in Peabody, Essex County, Mass., Finance Docket No. 21826.

BOSTON AND MAINE RAILROAD

Posted at Peabody Freight House, Peabody, Mass
at 2:00 PM on November 15, 1961.

Frank S. Wilson
Trainmaster

Sworn to before me this 20th day of November, 1961

L. H. Ela
Notary Public
My Commission Expires
July 26, 1963

Boston, Mass.,
November 21, 1961

✓
Mr. R. G. Bleakney, Jr.

Re:-Abandonment of a portion of Salem
Branch, extending from Valuation
Station 50~~400~~ to Valuation Station
170~~50~~, approximately 2.25 miles,
all in Peabody, Mass.

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

D. A. Benson

B/L

February 5, 1962

Interstate Commerce Commission
Bureau of Finance
Washington 25, D. C.

Attention: V. V. Baker, Director

In re: Finance Dockets Nos. 21826, 21864

Dear Mr. Baker:

In reply to your letter of January 25, I would like to state that the information sought had been forwarded to you. Thus, I presume that certainly you have proof of publication and posting of notice by now.

Very truly yours,

William D. K. Crooks
Attorney

WDKC:GFJ

Interstate Commerce Commission

BUREAU OF FINANCE

Washington 25, D.C.

IN REPLY REFER TO:

Finance Docket No. 21826

February 9, 1962

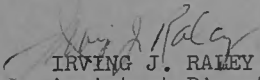
Mr. William D. K. Crooks, Jr.
Law Department
Boston and Maine Railroad
Boston 14, Mass.

Dear Mr. Crooks:

This has reference to your letter of February 5, 1962, in which you advise that you have forwarded to the Commission proof of posting and publication in Finance Dockets Nos. 21826 and 21864.

Our records indicate that proof of posting and publication has been received on January 29, 1962, in the latter proceeding, but as of this date such proof of posting and publication has not been received in Finance Docket No. 21826.

Very truly yours,


IRVING J. RALEY
Assistant Director

February 14, 1962

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

Re: I.C.C. Docket No. 21826 - Application of Boston and Maine Railroad
to abandon a portion of its so-called Salem Branch in Essex County,
Massachusetts

Dear Sir:

Enclosed herewith find affidavit of posting and of publication of the
Notice in the above entitled matter. Please accept my apology for the delay in
forwarding these documents to you.

Yours very truly,

William D. K. Crooks, Jr.
Attorney

Encs.

WDKC:emj

February 14, 1962

Interstate Commerce Commission
Bureau of Finance
Washington 25, D. C.

Attention: Irving J. Raley
Assistant Director

Dear Mr. Raley:

Please accept my apologies for the slipup on my part in stating that we have heretofore filed with the Commission proof of posting and publication in Finance Docket No. 21826.

By separate mailing, I have this date forwarded same to you. Thank you very much for bringing this matter to our attention.

Very truly yours,

William D. K. Crooks, Jr.
Attorney

WDKC:GFJ

DATE

3/19/62

B & M TRANSMITTAL MEMO

TO

Miss Transue

FROM

W. Crooks

 WE HAVE NO REPLY TO OUR LETTER OF _____

SUBJECT _____

 COPY ATTACHED PLEASE REPLY PROMPTLY NOTE ATTACHED RETURN RETAIN AS INFORMATION FOR YOUR SIGNATURE APPROVAL — RETURN PLEASE COMMENT NO REPLY NECESSARY TAKE NECESSARY ACTION _____

For filing
 please
 W.C.

BOSTON, March 20, 1962

Mr. W. D. Crooks, Jr.:

Referring to your Form 44 of March 19 and attached copy of Order of the Interstate Commerce Commission in Finance Docket No. 21826, Abandonment (Portion) of the Salem Branch in Peabody, Mass.

There is no tariff action necessary in connection with this abandonment, and we have no objection to whatever date may be agreed to by the Operating and Engineering Departments.


C. F. HEARD

CC: Mr. T. K. Dyer
CC: Mr. D. A. Benson

7.12-

BOSTON, November 28, 1962

Mr. Dyer:

Referring to conversation November 27 with Mr. Kerwin about the small portion of the Salem & Lowell Branch in Peabody which should be retained to meet the requirements of A. C. Lawrence - Division of Swift & Co.

Will you please see that the section of trackage shown on the attached plan in the area shaded in orange is retained. It is important that this be protected to meet a vital need of A. C. Lawrence.

We are mindful of the fact that this portion of the Branch has been authorized for retirement by the I.C.C., but we have reviewed the situation with the Law Department, and Mr. Bleakney has indicated that there is no objection to retaining this portion of the trackage notwithstanding the authorization which has been received, as the I.C.C. approval was on a permissive basis.

E. W. REED

Copy - Mr. Bleakney

E. W. Reed