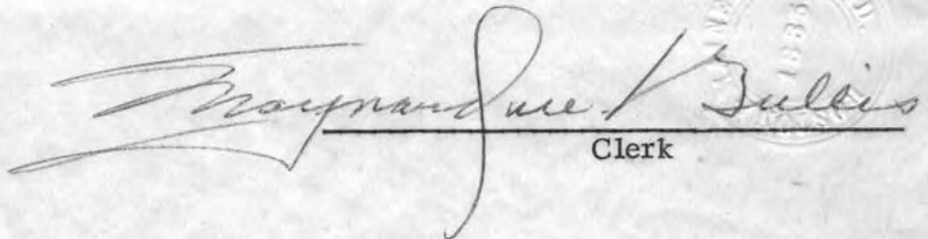



At a Meeting of the Board of Directors of BOSTON AND MAINE RAILROAD, duly called, notified and held on October 18, 1961, a quorum being present, the following action was taken:

"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 in its entirety approximately 3.8 miles in length forming its line between Bedford, Massachusetts and Concord, Massachusetts, known as its Reformatory Branch, from Valuation Station 649+20, which is located in Bedford, Massachusetts, to Valuation Station 849+85, located in Concord, 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



BEFORE THE

INTERSTATE COMMERCE COMMISSION

FINANCE DOCKET NO. 21 864

APPLICATION OF BOSTON AND MAINE RAILROAD
FOR CERTIFICATE AUTHORIZING ABANDONMENT
OF A PORTION OF ITS SO-CALLED REFORMATORY
BRANCH IN MIDDLESEX 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 3.8 miles in length, forming its line between Bedford and Concord, Massachusetts, known as its Reformatory Branch, from Valuation Station 649+20 located in the Town of Bedford, to Valuation Station 849+85 located in the Town of Concord, all within Middlesex County, Commonwealth of Massachusetts.
- d. Abandonment of the line is sought.
- e. A total of 19 cars comprised the entire 1960 traffic on this line.
- 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 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.

Notary Public

BOSTON AND MAINE RAILROAD

My Commission expires Aug. 30, 1963

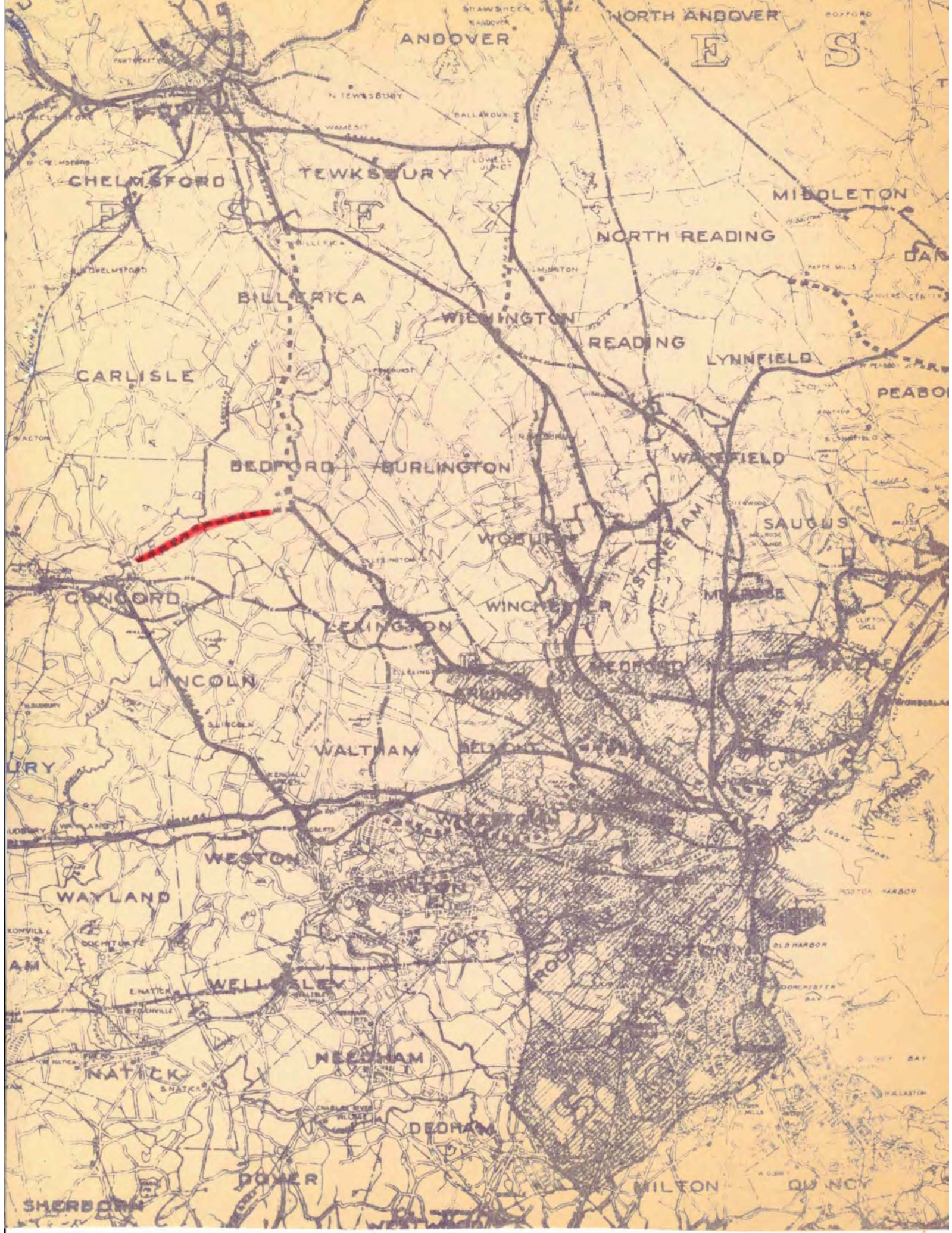
By _____
Vice President-Accounting and Finance

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 in its entirety approximately 3.8 miles in length forming its line between Bedford, Massachusetts, and Concord, Massachusetts, known as its Reformatory Branch, from Valuation Station 649+20, which is located in Bedford, Massachusetts, to Valuation Station 849+85, located in Concord, 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 W. Bullis, Clerk



BEFORE THE
INTERSTATE COMMERCE COMMISSION

FINANCE DOCKET NO. 21864

APPLICATION OF BOSTON AND MAINE RAILROAD
FOR CERTIFICATE AUTHORIZING ABANDONMENT
OF A PORTION OF ITS SO-CALLED REFORMATORY
BRANCH IN MIDDLESEX COUNTY, MASSACHUSETTS

RETURN TO QUESTIONNAIRE

NEAL HOLLAND
W. D. K. CROOKS, JR.

Attorneys for Applicant

150 Causeway Street
Boston 14, Massachusetts

November 29, 1961

RETURN TO QUESTIONNAIRE

1. Statement of the purpose of the application.

Applicant hereby seeks authority to abandon a portion of its line of railroad, approximately 3.8 miles in length, forming its line between Bedford and Concord, Massachusetts, known as its Reformatory Branch, from Valuation Station 649+20 located in the Town of Bedford, to Valuation Station 849+85 located in the Town of Concord, all within Middlesex County, Commonwealth of Massachusetts. 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 Middlesex Central Railroad Company, incorporated April 10, 1871 by Special Act of the Massachusetts Legislature. The line was opened for operation August 1, 1873.

Operation of the line was as follows:

Aug. 1, 1873 to Sept. 1, 1881	Boston and Lowell Railroad Corporation, lessee
Sept. 1, 1881 to March 1, 1883	Boston and Lowell Railroad Corporation, lessee, and Concord Railroad Corporation, jointly.
March 1, 1883 to April 27, 1883	Boston and Lowell Railroad Corporation, lessee
April 27, 1883 to April 1, 1887	Boston and Lowell Railroad Corporation, successor of Middlesex Central 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.

Immediately following are:

- (1) Applicant's Balance Sheet as of September 30, 1961.
- (2) Applicant's Income Account for each of the years 1956 through 1960, inclusive, and for 9 months ended September 30, 1961.

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

4. The present state of maintenance of the line.

The line proposed to be abandoned is in a fair state of maintenance.

There has been a small amount of work required on the line proposed to be abandoned for occasional freight trains operating over this trackage.

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

The estimated salvage value of material to be recovered is \$7,522,

comprised of the following items;

Estimated Salvage Value

Rail 72#	530, 3 N, T, at \$31, 25	\$16, 572
Joints	33 N, T, at 31, 25	1, 031
Bolts, Nutlocks, etc.	23 N, T, at 31, 25	719
Frogs, switches & guard rails	6, 4 N, T, at 31, 25	200
Estimated Gross Salvage Value		<u>\$18, 522</u>

Estimated Cost to Recover

Rail	\$ 4, 000
Other Track Material	6, 800
Cost to Remove and Repair Crossings	200
Estimated Cost to Recover	<u>\$11, 000</u>
Estimated Net Salvage Value	\$ 7, 522

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

None.

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

The passenger service was discontinued many years ago. No record available as to exact date.

Freight service consists of a side trip of the local freight serving the Lexington Branch. This is made only when there are cars to be moved to or from Concord.

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. Concord on the so-called Reformatory Branch is a non-agency station under the jurisdiction of Lexington. Concord will continue to have rail service on the so-called main line between Boston and Greenfield. Bedford will continue to have rail service from the so-called Lexington Branch running from West Cambridge to Bedford. The proposed abandonment is from mile post B-15.3 to mile post B-19.1. According to the 1960 Federal Census, Concord has a population of 12,517.

The Town of Concord is not served by any other railroad other than the applicant. Concord is about 6.0 highway miles from Bedford. Bedford is about 5.0 highway miles from Lexington.

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 Concord. Concord's population, as of the 1960 Federal Census, is 12,517.

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.

The only delivery of freight on this line is on a private siding at the extreme end of the line near the center of the Town of Concord. This location is approximately one and one-half miles over paved streets from a public track on the main line of the Boston and Maine Railroad in the Town of Concord.

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.

The line involved serves only the private siding of a lumber and building material dealer. It formerly served an oil farm of one of the major oil companies which was dismantled many years ago. It also served the Water Department of the Town of Concord, but this siding has been abandoned. A coal dealer received a small amount of coal at a siding on this branch until the fall of 1959 at which time he discontinued this facility and took deliveries of all coal at a facility served by the Railroad's main line in West Concord, Mass. The movement to the one remaining receiver consists of lumber and related products moving almost entirely from Pacific Coast Territory or origins in the Southeast.

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,

None. See answer to No. 7.

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).

(a) None.

(b)

	INBOUND					
	1959		1960		1961(10 mos)	
	Cars	Tons	Cars	Tons	Cars	Tons
Coal	7	362				
Lumber & Shingles	11	259	9	233	13	338
Wallboard	2	59			2	54
Insulation	3	26	3	22		
	<u>23</u>	<u>706</u>	<u>12</u>	<u>255</u>	<u>15</u>	<u>392</u>

No Outbound or LCL.

(c) None.

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 \$3,420. An annual saving of \$798 in local property taxes will be realized, along with a reduction in depreciation charges of \$347 annually.

The freight revenue for the entire Boston and Maine System and that allocated to the branch for the years 1959 and 1960 and the first 10 months of

1961, are as follows:

	<u>Boston & Maine System</u>	<u>Reformatory Branch</u>
1959	\$2,155.94	\$1,109.40
1960	1,021.39	528.71
1961 (1st 10 months)	1,362.08	718.53

Branch revenue has been figured by allocating to the Branch what it would receive on a mileage prorate and assuming that the cost of handling this traffic on the remainder of the Boston and Maine System is one half of what the remainder of the system would receive under a mileage prorate, adding to the branch revenue the other 50 percent. It is possible that some revenue will be lost to the Boston and Maine if the line is abandoned, but it seems more probable that most, if not all, of the traffic now handled will be delivered on the public track less than two miles from the location of the receiver.

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 part of such a system.

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

There has been no passenger service on this line for many years.

The volume of freight traffic has declined with the abandonment of facilities served by this line, but showed a small increase in 1961 as compared with 1960.

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 dispose of the segment proposed to be abandoned as traffic involved is so small as to preclude any economic operation. In view of the very small amount of traffic no service will remain on the line and no alternate service will be substituted. Service will be available at near by points on the Boston and Maine.

18. A summary of the reasons for the application.

Abandonment is sought to salvage materials, eliminate maintenance of track, highway crossings, and eliminate cost of operations on a segment of line so slightly used by the public as to be no longer required to meet public necessity or convenience. Continued maintenance of this Branch would result in economic waste which applicant's financial condition can ill afford.

For the foregoing reasons the 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

Interstate Commerce Commission

BUREAU OF FINANCE

Washington 25, D.C.

IN REPLY REFER TO:

Finance Docket No. 21864

December 6, 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 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



N O T I C E

BOSTON AND MAINE RAILROAD hereby gives notice that on the 1st day of December 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 Reformatory Branch extending from Valuation Station 649+20 in Bedford to Valuation Station 849+85 in Concord, approximately 3.8 miles, in Middlesex County, Mass., Finance Docket No. 21864.

BOSTON AND MAINE RAILROAD

Interstate Commerce Commission

OFFICE OF THE SECRETARY

Washington 25, D. C.

December 13, 1961

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

Dear Sir:

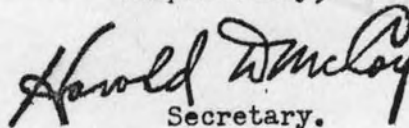
and Return to Questionnaire

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

The application was filed on December 1, 1961, under Finance Docket No. 21864 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.

December 28, 1961

The Secretary of the Interstate Commerce Commission
Washington 25, D. C.

Dear Sir:

We are informed that the Boston and Maine Railroad has filed a petition with you for permission to abandon the Reformatory Branch of their Southern Division west of Bedford, Mass. This line runs through our lumber yard and since the track beyond our yard was seldom used, has served as our siding for about fifteen years.

The land we occupy was first leased from the Boston and Maine and later purchased from them. We have improved the property with buildings which we value at \$ 35,000.00 and have filled low meadow land at a cost of more than \$ 5000.00.

Much of the materials we receive by rail is palletized and all materials, whether or not on pallets are unloaded and stored by the use of a fork lift truck, thus at no time is a delivery truck tied up in the unloading of a car.

Since the work is done in our own yard, it can be supervised by the yard foreman and the workers are always available for other tasks such as waiting on customers, making rush deliveries, etc. If our rail service is discontinued and we are forced to take delivery on the Fitchburg division, we will be gravely inconvenienced and put to substantial additional expense. It will be necessary either to

December 28, 1961

purchase, operate and insure an additional truck and hire additional help or to have a public truckman unload our cars and deliver to us.

We have not been provided with a copy of the petition and have not had an opportunity to study it in detail, however, parts of it were read aloud to us by a representative of the railroad. We take issue with certain of their statements.

1. Cars handled for us.

The railroad claims		Our records show
1959	16	23
1960	12	21
1st 10 months of 1961	<u>15</u>	<u>27</u>
Total	43	Total 71

2. Taxes paid.

The railroad claims they paid local taxes in the amount of \$798.00 for 1961. We have checked the town records and find that the correct amount is \$ 788.80. This difference is inconsequential but it is highly consequential that the railroad fails to note that they were reimbursed to the extent of \$ 595.25 by the Whitney Coal & Oil Company, a tenant on their land, and \$27.00 by ourselves, leaving them actually out of pocket \$ 165.55 instead of \$ 798.00 as claimed. Possibly other reimbursements unknown to us have been made.

December 28, 1961

*G. LYNCH.*3. Revenue

In setting forth the revenue derived from this branch, the railroad fails to mention the fact that it receives an annual real estate rental of \$ 340.00 from the Whitney Coal & Oil Co. and \$ 90.00 from us, or a total unreported annual income of \$ 430.00. It is our understanding that the railroad does not own the fee title to the land occupied by Whitney Coal and Oil Co but merely has the right to operate a railroad over it. In this case, upon abandonment of the line, title to the land will revert to the heirs of Lang and the railroad will lose all legal and moral right to the rental.

*Heerman*4. Maintenance of Way

The railroad claims that they have spent \$ 3420.00 in the current year. We do not believe that we have seen a section-hand for upwards of two years and if a tie has been replaced in that period it has not been at or near our lumber yard. In view of the inaccuracies in items 1, 2 and 3 above, we feel that in justice to us the Boston and Maine Railroad should be required to submit a detailed, audited and verified statement of their expenses in maintaining the Reformatory Branch between Bedford and Concord.

*Heerman*5. Depreciation

The railroad claims \$ 347.00 per year. In view of the age of

Page 4

December 28, 1961

this line it would appear that its value has long since been written off in full.

We believe that until the Boston and Maine Railroad submits accurate and supportable evidence of significant loss in the operation of the Reformatory Branch, no consideration should be given to their petition. We also request that we be kept informed of all developments in this matter.

Respectfully,

Concord Lumber Corporation

Leo W. Mortenson, President

LM/HL

4 encl.

Interstate Commerce Commission

BUREAU OF FINANCE

Washington 25, D.C.

IN REPLY REFER TO:

Finance Docket No. 21864

January 12, 1962

Mr. Leo W. Mortenson, President
Concord Lumber Corporation

Lowell Road
Concord, Massachusetts

Dear Mr. Mortenson:

This is in reply to your letter of December 28, 1961, protesting the application of the Boston and Maine Railroad for permission to abandon its Reformatory Branch of their Southern Division west of Bedford, Massachusetts.

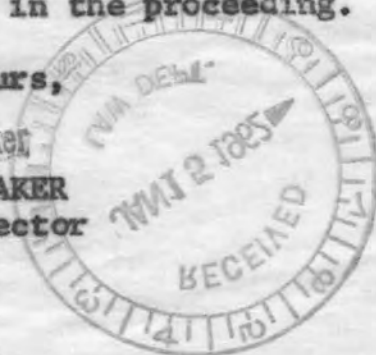
Rule 1.40 of the Commission's General Rules of Practice requires a protest to be filed in an original and six copies and a copy to be served upon the applicant. The protest may be in letter form and should set forth specifically the grounds upon which it is made and contain a concise statement of the interest of protestant in the proceeding. Inasmuch as your letter substantially complies with the Commission's requirements, it will be accepted as a protest and the additional copies of the protest for the Commission's use will be waived provided a copy of your letter is served upon applicant's counsel whose name appears below. Please advise the Commission when such service has been made.

I have arranged for you to receive copies of all notices, reports and orders that may be issued in the proceeding.

Very truly yours,

Vernon V. Baker
V. V. BAKER
Director

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





Concord Lumber Corp.

LOWELL ROAD • Concord, MASS. • Tel. EMerson 9-3640

LUMBER • Building MATERIALS • PAINTS • KITCHEN CABINETS

January 16, 1962

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

Dear Sir:

At the request of Mr. V. V. Baker,
Director of Interstate Commerce Commission,
Washington, D. C. we enclose a copy of our
letter addressed to them under date of December
28, 1961.

Very truly yours,
Concord Lumber Corp.

Leo W. Mortenson

LM/HL

4 encl
cc Mr. V. V. Baker



regarding this and he will notify Concord Lumber Company so that
features will not be permitted.

We have not shown any tonnage **BOSTON, February 23, 1962**
stop off cars as we are unable to determine in all cases the final
destination. Actually practical **File: 11** the cars terminated on
the branch had previous stop offs and would not contain the tonnage
we have reported. The B&M would, however, care on the total weight
Mr. W. D. Crooks:

Referring to your Form 44 of February 6, enclosing protest of
Concord Lumber Corp. regarding proposed abandonment of Reformatory
Branch, Concord, N. H.

The information we previously furnished for the Return to
Questionnaire was prepared from freight bills supplied us by the
agent at Lexington, Mass. We are sorry to report, however, all
the bills were not furnished us and the figures submitted are in
error.

Item 13(b) of the Return should read as follows:

	<u>1959</u>		<u>Inbound</u> <u>1960</u>		<u>1961 (10 mos.)</u>	
	<u>Cars</u>	<u>Tons</u>	<u>Cars</u>	<u>Tons</u>	<u>Cars</u>	<u>Tons</u>
Coal	7	362	--	--	--	--
Lumber, Shingles						
Plywood, etc.	16	401	12	312	17	441
Wallboard	2	59	1	22	2	54
Insulation	<u>3</u>	<u>26</u>	<u>3</u>	<u>22</u>	<u>--</u>	<u>--</u>
	28	848	16	356	19	495
	<i>23</i>	<i>706</i>	<i>12</i>	<i>255</i>	<i>15</i>	<i>392</i>

The corresponding revenue figures at the top of Page 6 should
also be corrected as follows:

	<u>Boston & Maine System</u>	<u>Reformatory Branch</u>
1959	\$2,588.79	\$1,334.80
1960	1,363.83	706.76
1961 (1st 10 mos.)	1,837.35	966.73

These corrected figures do not include cars which were consigned
to Concord Lumber Co. for stop off, and which when added to the
above figures, substantiates those figures submitted by the Concord
Lumber Co. in their letter of protest. During 1959 and 1960 this
consignee received 5 stop-off cars and 4 cars in 10 months of 1961.
These cars were handled under stop off privilege at Concord (T) with
final destination elsewhere on the B&M or our connections, although
this is not permitted under application of our Tariff 6004, ICC A3251
as this is a direct backhaul. We have advised our agent at Lexington

February 23, 1962

regarding this and he will notify Concord Lumber Company so that futures will not be permitted.

We have not shown any tonnage or revenue figures for these stop off cars as we are unable to determine in all cases the final destination. Actually practically all of the cars terminated on the branch had previous stop offs and would not contain the tonnage we have reported. The B&M would, however, earn on the total weight originally shipped.

Referring to your Form 44 of February 6, enclosing protest of Concord Lumber Corp. regarding proposed abandonment of Reformatory Branch, Concord, N. H.

The information we previously furnished in our Return to Questionnaire was prepared from freight bills furnished us by the agent at Lexington, Mass. We are sorry to report, however, all the bills were not furnished us and the figures submitted are in error.

C. F. Heard
C. F. HEARD

Item 13(b) of the Return should read as follows:

	1959		Inbound 1960		1961 (10 mos.)	
	Cars	Tons	Cars	Tons	Cars	Tons
Coal	7	362	--	--	--	--
Lumber, Shingles						
Plywood, etc.	16	401	12	312	17	441
Wallboard	2	59	1	22	2	54
Insulation	3	25	3	22	--	--
	28	848	16	356	19	495
	27	776	15	334	17	374

The corresponding revenue figures at the top of Page 6 should also be corrected as follows:

	<u>Boston & Maine System</u>	<u>Reformatory Branch</u>
1959	\$2,588.79	\$1,334.80
1960	1,363.83	706.76
1961 (1st 10 mos.)	1,537.35	955.73

These corrected figures do not include cars which were consigned to Concord Lumber Co. for stop off, and which when added to the above figures, substantiates those figures submitted by the Concord Lumber Co. in their letter of protest. During 1959 and 1960 this consignee received 5 stop-off cars and 4 cars in 10 months of 1961. These cars were handled under stop off privilege at Concord (T) with final destination elsewhere on the B&M or our connections, although this is not permitted under application of our Tariff 6004, ICC A3251 as this is a direct backhaul. We have advised our agent at Lexington

March 7, 1962

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

Re: Finance Docket No. 21864

Dear Mr. McCoy:

Since receipt of the protest of Concord Lumber Company in the above-captioned matter, we have given consideration to the allegations of fact contained therein.

Our review indicates that the primary reason for the discrepancy between the figures contained in the protest and those in the Return to Questionnaire relate to shipments which were stopped in transit at Concord. The Concord Lumber Company has apparently counted these shipments twice, both in and out, while the Railroad has followed customary practice in counting each such car load only once. Our review of these figures did, however, indicate that the bills forwarded to us by the Station Agent failed to include documents covering a few shipments.

Accordingly, we have revised the figures shown in the Return to Questionnaire to reflect these few shipments which were previously omitted. The revised figures are shown in Amendment No. 1 to the Return to Questionnaire, the original and six copies of which are attached hereto and submitted for filing.

Yours very truly,

William D. K. Crooks, Jr.
Attorney

Encs.
WDKC:emj

BEFORE THE
INTERSTATE COMMERCE COMMISSION

Application of Boston and Maine Railroad)
for certificate authorizing abandonment)
of a portion of its so-called Reformatory)
Branch in Middlesex County, Massachu-)
setts)

FINANCE DOCKET
NO. 21864

AMENDMENT NO. 1
TO
RETURN TO QUESTIONNAIRE

Neal Holland
William D. K. Crooks, Jr.
Attorneys for Applicant

150 Causeway Street
Boston 14, Mass.

Dated: March 7, 1962

BEFORE THE
INTERSTATE COMMERCE COMMISSION

Application of Boston and Maine Railroad)
for certificate authorizing abandonment of)
a portion of its so-called Reformatory Branch)
in Middlesex County, Massachusetts)

FINANCE DOCKET
NO. 21864

AMENDMENT NO. 1
TO
RETURN TO QUESTIONNAIRE

To the Interstate Commerce Commission:

The Return to Questionnaire, dated November 29, 1961, of Boston and Maine Railroad, Finance Docket No. 21864, is hereby amended as follows:

1. Answer to Question 13(b) is hereby amended to read, as follows:

	Inbound					
	1959		1960		1961 (10 Mos.)	
	Cars	Tons	Cars	Tons	Cars	Tons
Coal	7	362	-	-	-	-
Lumber, shingles, plywood, etc.	16	401	12	312	17	441
Wallboard	2	59	1	22	2	54
Insulation	3	26	3	22	-	-
	<u>28</u>	<u>848</u>	<u>16</u>	<u>356</u>	<u>19</u>	<u>495</u>

2. Answer to Question 14(1) regarding revenue figures is hereby amended to read, as follows:

	<u>Boston & Maine System</u>	<u>Reformatory Branch</u>
1959	\$2,588.79	\$1,334.80
1960	1,363.83	706.76
1961	1,837.35	966.73

BOSTON AND MAINE RAILROAD

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

March 7, 1962

CERTIFICATE OF OFFICER
EXECUTING FOR APPLICANT

G. F. Glacy certifies that he is the Vice President-Accounting and Finance of Boston and Maine Railroad; that he is authorized on the part of said Applicant to sign and file with the Interstate Commerce Commission this Amendment No. 1 to its Application referred to therein; that he has carefully examined all of the statements contained in such Amendment relating to the Applicant; that he has knowledge of the matters set forth therein and that all statements made and matters set forth therein are true and correct to the best of his knowledge, information and belief.

G. F. Glacy

Dated: March 7, 1962

WDC
noted
4/9
MMS



Concord Lumber Corp.

LOWELL ROAD • Concord, MASS. • Tel. EMerson 9-3640

LUMBER • Building MATERIALS • PAINTS • KITCHEN CABINETS

Good
1988

April 5, 1962

The Secretary of the Interstate
Commerce Commission
Washington 25, D.C.

Re: Finance Docket No 21864

Dear Sir:

We refer to our letter of December 28, 1961 and wish to advise you that we hereby withdraw our opposition to the petition of the Boston & Maine Railroad to abandon the Reformatory Branch of their Southern Division west of Bedford, Mass.

Very truly yours,
Concord Lumber Corp

Leo W. Mortenson, Pres

lm;rw



7.12-78
SERVICE DATE
MAY 14, 1962

CERTIFICATE AND ORDER

At a Session of the INTERSTATE COMMERCE COMMISSION, Finance Board No. 3, held at its office in Washington, D. C. on the 8th day of May, A. D. 1962.

Finance Docket No. 21864

BOSTON & MAINE RAILROAD ABANDONMENT BETWEEN
BEDFORD AND CONCORD, MASS.

Upon consideration of the application filed under section 1(18) of the Interstate Commerce Act on December 1, 1961, as supplemented March 9, 1962, by the Boston and Maine Railroad requesting permission to abandon a portion of its Reformatory Branch line of railroad extending from Valuation Station 649/20 in Bedford to Valuation Station 849/85 in Concord, approximately 3.8 miles, Middlesex County, Mass.; and

It appearing, That the interest of employees will be protected by the imposition of appropriate conditions; that the line serves no public need and abandonment will permit maintenance and other savings; and that continued operation and maintenance thereof 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. & 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 that portion of the line of railroad hereinabove described;

It is ordered, That this certificate and order 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 a 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 schedules 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)

I.C.C. 1654
1261

N.P.S.C. 1199
M.D.P.U. 3398

I.C.C. A3265
M.P.H.C. 676

WDC to file

Abandonment file

[Handwritten signature]

BOSTON AND MAINE RAILROAD

In Connection With

Boston, Mass., June 5, 1962

Boston & Maine Transportation Company

File: 9

SUPPLEMENT 24

Messrs.:

- F. R. Spofford
- D. A. Benson
- T. K. Dyer
- ✓ R. G. Bleakney, Jr.
- F. L. Estey
- F. A. Hyland
- S. B. Hitchings

OFFICIAL LIST

Attached is copy of Supplement 24 to our List of Freight Stations, I.C.C. A3265, eliminating Concord, Mass., on the Reformatory Branch as a freight station, effective June 18, 1962.

Points Served by The Boston & Maine Transportation Company Formerly Located on The Boston and Maine Railroad

ALSO
List of Abandoned Stations With

P. J. Mullaney
P. J. MULLANEY

AND
List of Interchange Points Between Boston & Maine Transportation Company and Boston & Maine Railroad

CC: Messrs.:

- H. L. Nelson
- J. C. Nagle
- A. W. Robinson

ISSUED: JUN 11 1962

EFFECTIVE: JULY 11, 1962

(Except as otherwise provided herein)

Issued by
J. W. SHEPHERD,
Manager-Tariff Bureau,
150 Causeway Street,
Boston 16, Mass.

GMV

April 13, 1964

Edward R. Thomas, Esquire
25 Pemberton Square
Boston, Massachusetts 02108

Re: Abandonment, Reformatory Branch
Bedford and Concord, Mass.

Dear Mr. Thomas:

Please refer to your letter of March 23, 1964. In accordance with your request I am enclosing herewith an instrument verifying the abandonment, said instrument being executed by Mr. Maynard W. Bullis, Clerk of the Corporation.

Very truly yours,

W.D.K. Crooks, Jr.
Attorney

WDC/m
Enc.

KNOW ALL MEN BY THESE PRESENTS that Boston and Maine Railroad on or about July 25, 1962 commenced the removal of tracks from the so-called former Reformatory Branch between Bedford and Concord, Massachusetts and said removal of tracks was completed on or about August 6, 1962.

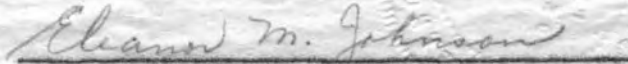
Be it also known that journal entry for the retirement of so-called Reformatory Branch between Bedford and Concord, Massachusetts was included in the July 1962 accounts of said Boston and Maine Railroad.



Maynard W. Bullis
Clerk



On this 13th day of April, 1964, before me, personally appeared Maynard W. Bullis who acknowledged himself to be Clerk of the Boston and Maine Railroad, a corporation, and that he as such Clerk executed the foregoing instrument by signing the name of the corporation by himself as Clerk.

In Witness Whereof I hereto set my hand and official seal.


Eleanor M. Johnson
Notary Public



My Commission expires Dec. 30, 1970.

March 26, 1964
File:R&E-BMN

Mr. W. D. K. Crooks, Jr.

With reference to your letter of March 25th,
Journal Entry for the retirement of the Reformatory
Branch between Bedford and Concord, Mass. was included
in our July 1962 Accounts under A.F.E. 36111.

P.E. Chadbourne

P.E. Chadbourne
Head-R & E Accounts



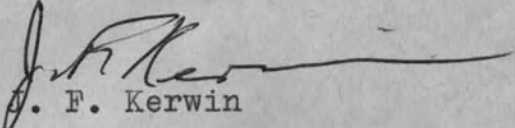
BOSTON, March 26, 1964

Mr. W.D.K. Crooks, Jr.:

Re: Reformatory Branch
Abandonment between Bedford and Concord,
Mass.

Yours of March 25.

The work of removal of tracks commenced July 25, 1962
and was completed on or about August 6, 1962.


J. F. Kerwin