

Railway, thirty-two chains or thereabouts measured in a southerly direction from the southern fence of the orchard numbered on the said Ordnance Map 343 for the said parish of Ewell, and terminating in the parish of Epsom and urban district of Epsom in a field numbered on the said Ordnance Map 5 for the said parish at a point six chains or thereabouts measured in a north-easterly direction from the north-west corner of the said field and nine chains or thereabouts from the north-east corner of such field.

#### Gauge of Railway.

3. The railway shall be constructed on a gauge of four feet eight and a half inches.

#### Time for Completion.

4. If the railway is not completed within two years from the passing of this certificate, then on the expiration of that period the powers by this certificate granted to the Promoters for making and completing the same, or otherwise in relation thereto, shall cease to be exercised except as to so much thereof as is then completed.

#### As to User of Railway and Tolls.

5. The railway by this certificate authorized shall not be used for the purpose of passenger traffic, or for the conveyance of animals or carriages, but solely for the conveyance of goods and merchandise.

6. The railway shall not be worked or used across the public road known as Kingston-lane otherwise Hook-road, except between the hours of five and ten in the morning, nor at all on Sundays, Bank Holidays, Good Friday, or Christmas Day, or during the Epsom Spring or Summer Races, or on the day preceding or on the day following those races.

#### Crossing of Roads, &c.

7. The Promoters shall be at liberty to construct the railway across the following roads and public paths with a single line only on the level, and section 47 of the Railways Clauses Act, 1845, and section 6 of the Railways Clauses Act, 1863, shall not apply in the case of any such level crossing, viz. :—

#### Roads to be crossed on level.

Kingston-lane otherwise Hook-road;  
Bridle path through the Horton Estate;  
Footpath between the parishes of Ewell and Epsom;

and with respect to such level crossings the following provisions shall apply (that is to say):—

(a) The Promoters shall erect and maintain at all times gates across the railway on each side of the road;

(b) The Promoters shall employ a proper person to open and close such gates on either side of the level crossing;

(c) Such gates shall be kept constantly closed across the railway except during the time when engines, carriages, or trucks passing along the railway shall have occasion to cross the road, and shall be of such dimensions and so constructed as when closed across the railway to fence in the railway and prevent cattle or horses from entering upon the railway from the road;

(d) The person whose office or duty it may be to open or close the said gates shall cause the same to be closed as soon as any engines, carriages, or trucks passing along the railway shall have passed through the said gates.

8. The Company shall not open or use for traffic the said railway where it crosses the said roads except in accordance with such directions

as to the provision and employment of appliances and the precautions to be taken for securing the safety of the public as the Board of Trade may from time to time approve or prescribe. And the Board of Trade shall at all times have full power to cause the railway to be inspected for the purpose of ascertaining the sufficiency of such appliances and precautions.

#### As to Removal of Rails on Public Roads.

9. The powers conferred upon the Promoters by this Certificate to make and maintain level crossings of public roads shall unless otherwise agreed between the Promoters and the Epsom Urban District Council after the expiration of three years from the passing of this Certificate, cease to have effect, and the Promoters shall before the expiration of such period of three years, remove the rails and all other works and erections incidental to the said railway from such roads, and shall restore the said roads to the condition in which they were before the construction of the said level crossings.

#### As to Repairs to Public Roads.

10. Where in the exercise of the powers of this Certificate conferred the Promoters break up or otherwise interfere with any public road for the purpose of constructing the railway across the road on the level, the Promoters shall make good all damage done by them to the road and properly restore the road, and shall for a period of six months from the date of such restoration, properly maintain and repair the road so interfered with, and shall at all times whilst the railway shall cross the road on the level, properly maintain and repair so much of the road at any level crossing as lies between the rails of the railway and for a width of seven feet outside the rails on each side of the railway.

#### For the Protection of the Epsom Urban District Council.

11. For the protection of the Epsom Urban District Council (in this section called "the Council"), the following provisions shall unless otherwise agreed between the Council and the Promoters apply and have effect (that is to say):—

(1) The Promoters shall not in the exercise of the powers by this Certificate conferred upon them construct any works which shall or may interfere with or affect the surface of any road except in accordance with such plans, sections, and specifications as shall have been previously submitted to and approved by the Council and any such works shall be constructed under the superintendence and to the reasonable satisfaction of the Surveyor of the Council.

(2) The Promoters shall so construct the works over the watercourse into which flows the outfall from the sewage farm of the Council as to prevent any interference with the free and uninterrupted flow of water in the said watercourse.

(3) The Promoters shall at all times, between the hours commencing one hour after sunset and terminating one hour before sunrise in each day, keep the level crossings of public roads, by this Certificate authorized, well and efficiently lighted to the reasonable satisfaction of the Council.

(4) If at the expiration of three years after the passing of this Certificate the Promoters have failed to remove the level crossings of public roads and to restore the said roads in accordance with the provisions of this Certificate, then the Council may at any time thereafter remove the said level crossings