

XI. In any case where a Railway not already commenced may hereafter be constructed or authorized to be constructed, across any turnpike road, street, or other public highway, on the level, it shall be lawful for the Board of Railway Commissioners, if it appear to them necessary for the public safety, with the sanction of the Governor General in Council, to authorize and require the Company to whom such Railway belongs, within such time as the said Board shall direct, to carry such road, street or highway either over or under the said Railway, by means of a bridge or arch, instead of crossing the same on the level, or to execute such other works as under the circumstances of the case appear to the said Board the best adapted for removing or diminishing the danger arising from such level crossing; and all the provisions of law at any such time applicable to the taking of land by Railway Companies and its valuation and conveyance to them, and to the compensation therefor, shall apply to the case of any land being required for the construction of any works for effecting the alteration of such level crossing.

Board may order highway crossed by Railway on a level to be carried over or under the same.

XII. If the Board of Railway Commissioners, in the exercise of the powers hereinbefore contained, order any Railway Company to erect at or near or in lieu of any such level crossing of a turnpike road, or other public highway as aforesaid, a foot-bridge or foot-bridges over their Railway for the purpose of enabling persons passing on foot along the said turnpike road or public highway to cross the said Railway by means of such bridge or bridges, then and in any such case, from and after the completion of such foot-bridge or foot-bridges as shall be so required to be erected, and while the said Company keep the same in good and sufficient repair, the said level crossing shall not be used by foot passengers on the said turnpike road or public highway, except during the time when the same shall be used for the passage of carriages, carts, horses or cattle along the said roads.

Foot passengers to use foot-bridge, if provided for that purpose.

XIII. Every Railway Company shall, within forty-eight hours after the occurrence upon the railway belonging to such Company of any accident attended with serious personal injury to the public using the same, or whereby any bridge, culvert, viaduct or tunnel on or of the said Railway shall be broken or so damaged as to be impassable or unfit for immediate use, give notice thereof to the Board of Railway Commissioners; and if any Company shall wilfully omit to give such notice, such Company shall forfeit to Her Majesty the sum of *Fifty pounds* for every day during which the omission to give the same shall continue; and every such penalty may be recovered in any Court having jurisdiction to the amount in Lower or Upper Canada.

Companies to give notice of serious accidents to the Board.

XIV. Every Railway Company shall within ten days after the first days of January and July, in each and every year, make to the said Board of Railway Commissioners, under the

Board may prescribe form of such returns