

66-2,120. Failure of locomotive to sound whistle at crossing; penalties; payment to informer. An air whistle shall be attached to each locomotive engine, and shall be sounded four (4) times (two long, one short and one long blast) beginning at least eighty (80) rods from the place where the railroad shall cross any public road or street and to be prolonged or repeated until the crossing is occupied by the engine or car, except in cities and villages, under a penalty of not more than twenty dollars (\$20) for every neglect of the provisions of this section, to be paid by the corporation owning the railway on the suit of the county attorney, one-half thereof to go to the informer, and the other half to the county treasurer; and the corporation shall also be liable for all damages which shall be sustained by any person by reason of such neglect: *Provided, however,* That such penalty shall be sued for within one (1) month from the time the cause of action accrues, and not thereafter: *And provided further,* That but one penalty shall be recovered in any one action.

History: G.S. 1868, ch. 23, § 60; L. 1876, ch. 60, § 1; R.S. 1923, 66-2,120; L. 1925, ch. 207, § 1; L. 1963, ch. 323, § 1; L. 1973, ch. 106, § 22; June 1.