

Frederick and Buckeystown Turnpike road, near Lime Kiln Station, a flagman or signalman to warn persons using the turnpike and crossing over the railroad at the crossing, of the approach of trains upon said railroad; provided, that in case the said railroad company shall at any time hereafter so change the grade of its road as to run its tracks over or under the said turnpike, then and in that case the said company shall be released from complying with the provisions of this section, so long as said tracks shall not cross said turnpike at grade.

P. L. L., 1888, Art. 11, sec. 299. 1918 Code, sec. 673.

695. The said Baltimore and Ohio Railroad Company shall be liable to pay a fine of one hundred dollars for each day that said company shall neglect or fail to comply with the provisions of the preceding section; one-half of said fine shall go to the use of the informer and the other half for the use of the school commissioners, to be recovered in an action of debt, in the name of the State of Maryland, before any justice of the peace for said Frederick County.

1910, ch. 496, sec. 1. 1918 Code, sec. 674.

696. The Baltimore and Ohio Railroad Company is required to place a watchman or flagman at the crossing of the public road over the tracks of its railroad at Lime Kiln in Frederick County, whose duty it shall be to warn all persons lawfully using said public road of the approach of all locomotives and trains over said railroad tracks by displaying in as conspicuous manner as possible a flag by day light and a colored light during the hours of darkness, and to continue to display such flag or light, as aforesaid, from the hour of 6 o'clock in the morning until 8 o'clock in the evening, during every day in the year, and such watchman or flagman shall devote his time exclusively to the duty herein prescribed.

1910, ch. 496, sec. 2. 1918 Code, sec. 675.

697. If the said Baltimore and Ohio Railroad Company shall neglect or refuse or fail to comply with the provisions of the preceding section, it shall be liable to pay a fine of not less than twenty-five dollars, nor more than fifty dollars, for each and every day of such failure, neglect or refusal, to be recovered before a justice of the peace in the name of the State of Maryland, at the suit of any person feeling himself aggrieved by such failure, neglect or refusal, and the person bringing such suit shall be entitled to one-half the fine recovered, and the other half shall be paid to the board of county school commissioners for Frederick County for the benefit of the public schools of said county.

1910, ch. 496, sec. 3. 1918 Code, sec. 676.

698. Both the informant, or person bringing the suit, and the Baltimore and Ohio Railroad Company shall have the right of appeal to the Circuit Court for Frederick County from the decision of the justice, and in case of such appeal the State's attorney for said county shall represent