

RAILROAD CROSSING--RAILROAD'S DUTY OF CARE--DUTY TO KEEP LOOKOUT; DUTY TO GIVE WARNING.

A railroad has a duty to keep a proper lookout and to give reasonable and timely warning of its approach to a railroad crossing to travelers in or near the crossing.¹ The train must blow its whistle or horn, ring its bell or sound the warning of its approach by some other device reasonably calculated to attract the attention of travelers approaching the crossing from the highway.² The mere posting of signs sufficient to give a traveler notice of the presence of a railroad crossing is not enough to satisfy this duty.

A violation of this duty is negligence.

¹Price v. Railroad, 274 N.C. 32, 40 (1968); Irby v. R.R., 246 N.C. 384, 390 (1957); Godwin v. R.R., 220 N.C. 281, 286 (1941).

²Cox v. Gallamore, 267 N.C. 537, 542 (1966); Johnson v. R.R., 255 N.C. 386, 388 (1961); Irby v. R.R., 246 N.C. 384, 390 (1957).

