

(formerly Henry), on the east by Hughson street, on the south by Gore street, and on the west by James street. This block comprises 6 lots fronting on James street, and 6 lots fronting on Hughson street, the lots on each street numbering consecutively from south to north.

It is admitted by counsel that lot 3 on James street and lot 3 on Hughson street, abut each other.

On September 30th, 1888, Hill obtained a conveyance of lot 3 on the west side of Hughson street. On December 10th, 1888, he made a general assignment of his assets to F. H. Lamb for the benefit of his creditors, the assignment being executed, not only by him, but also by other persons said to be his creditors. On May 9th, 1889, he made another assignment for the benefit of his creditors to one Blackley.

On April 26th, 1890, Blackley and Hill conveyed to Adolphus Farewell lot 3 on James street and a right of way over the southerly 11 feet 4 inches of lot 3 on Hughson street, reserving to Hill, for the use of himself and Farewell and their heirs, etc., a right of way over the easterly 12 feet of lot 3 on James street.

On May 11th, 1899, Farewell granted to Edward Martin a right of way over the southerly 11 feet and 4 inches of lot 3 on Hughson street, and on 16th June, 1899, Martin obtained a final order of foreclosure of lot 3 on James street as against Farewell, the original defendant in the foreclosure proceedings, and F. H. Lamb and others who had been made parties defendant in the Master's office.

On October 22nd, 1904, the executors of Edward Martin's estate conveyed to plaintiffs the southerly 34 feet and 8 inches of lot 3 on James street and a right of way over the southerly 11 feet 4 inches of lot 3 on Hughson street, reserving to themselves for the benefit of the remainder of lot 3 on James street a right of way 11 feet 4 inches in width extending along the northerly boundary of the easterly 68 feet of the land then conveyed, thence southerly along the rear of the lot to its southerly boundary, and thence easterly along the southerly boundary of lot 3 on Hughson street to the west side of Hughson street.

On February 17th, 1905, the executors of the Martin estate conveyed to Jane Burgess the remaining part of lot 3 on James street and the right of way over the southerly 11 feet 4 inches of lot 3 on Hughson street and the right of way (reserved by the above-mentioned conveyance from the