

had the road frontage; lot two (2) had access to the road only through lot one (1); lot three (3) had access only through lots one (1) and two (2); and lot four (4) had access only through all three preceding lots. The plaintiffs are the owners of lots three (3) and (4) and the defendants of lots one (1) and two (2).

These circumstances unequivocally created an easement by necessity in favor of each more remote lot across each lot less removed from the road (Poole vs. Edwards 1976, S.C. 280, 15 S.E. (2d) 349 and many other cases). The plaintiffs were entitled to a directed verdict as to the existence of such a right.

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The second issue of the case was the location of the right-of-way.

It was unquestioned that the bed of a railroad spur tract had once extended through this property, but it was disputed whether its terminus at the road was across lot one (1) or across adjoining property of the Tates. The spur track had been abandoned and the track and ties removed long prior to the subdivision of the property. Its width, optimal grade, and its packed and leveled surface had made it an acceptable right-of-way - indeed, an almost ideal one.

The plaintiffs testified that they had regularly used this track for ingress and egress until recently prevented by the defendants.

The plaintiffs further testified that at the time they had undertaken to purchase their lots, Blanton, Thomas Tate, Harry McCall, and Jerry McCall and a man named Huffbein had met on the