

5887

GROVER L. FAIRCLOTH

PLAINTIFF

VS

W. T. JOHNSON

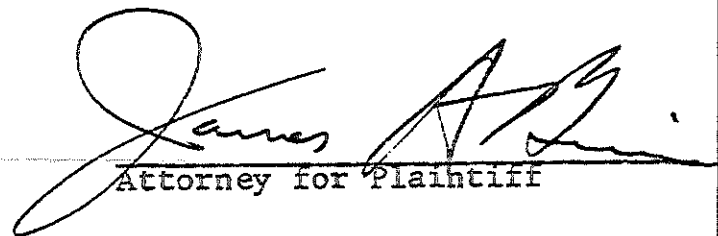
DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,  
AT LAW, NO.

COMPLAINT

I  
The Plaintiff claims of the Defendant Seven Hundred Forty-two and 44/100 Dollars (\$742.44), due from him on account, to-wit: the 1st day of August 1963, which sum of money, with interest thereon, is still unpaid.

II  
The Plaintiff claims of the Defendant Seven Hundred Forty-two and 44/100 Dollars (\$742.44), due from him for services performed by the Plaintiff for the Defendant on and before the 1st of August 1963, which sum of money, with interest thereon, is still unpaid.

  
Attorney for Plaintiff

FILED  
JAN 18 1964  
ALICE L. DICK, CLERK  
REGISTER

GROVER L. FAIRCLOTH

Plaintiff

VS

W. T. JOHNSON

Defendant

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5887

---.---.

AMENDMENT TO ANSWER

Comes now the Defendant in the above styled cause and for answer to Plaintiff's complaint says:

I

Not guilty.

II

The allegations contained in the complaint are untrue.

III

The defendant for answer to the said complaint sayth that he has paid the debt, for the recovery of which this suit was brought, before the action was commenced.

IV

The Defendant, as a defense to the action of the Plaintiff, sayth that, at the time said action was commenced, the Plaintiff was indebted to him in the sum of \$1750.00 damages for that Plaintiff did on to-wit the 22nd day of December, 1962 agree to perform certain work and repair in and about Defendant's house on Greeno Road, Fairhope, Alabama including placing new roof on Defendant's house, construction and sealing of carport, flooring and finish of flooring, installing new locks on doors, patching and replacement of plaster and sheetrock, and interior and exterior painting; that for such work Plaintiff was to receive the sum of to-wit: \$4,400.00. That Plaintiff did perform certain work on Defendant's house but that the said work was improperly done and performed in an unworkman like, shoddy and uncertain manner, that Defendant was compelled to undertake to re-do and perform from the beginning a great portion of the work agreed to be done by Plaintiff although Plaintiff demanded and received payment therefore, that Defendant did employ divers persons to complete and perform the work agreed to be done by Plaintiff which work was of the value of \$1,750.00; that

great portions of the work done by the Plaintiff still remain in their original and unworkmanship like state all to the damage of Defendant; and which he hereby offers to set off against the demand of the Plaintiff, andhe claims judgement for the excess.

*W. L. Hager*  
Attorney for Defendant

FILED  
OCT 12 1934  
ALICE L. DICK, CLERK  
REGISTER

GROVER L. FAIRCLOTH

PLAINTIFF

VS

W. T. JOHNSON

DEFENDANT

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5887

ANSWER


Comes now the Defendant in the above styled cause and for answer to the Plaintiff's complaint says:

I

Not guilty.

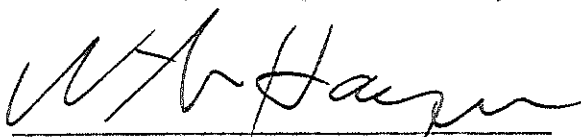
II

The allegations contained in the complaint are untrue.

  
Attorney for Defendant

Defendant demands trial by jury.

This the 5th day of March, 1964.

  
Attorney for Defendant

FILED

MAR 6 1964

ALICE J. DUCK, CLERK  
REGISTER

Copy to James A. Brice

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW  
CASE NO. 5887

Wilson Hayes, Attorney

FILED

may 1 1965

ALL IN ALL, CLERK  
REGISTERED

GROVER L. FAIRCLOTH  
Plaintiff

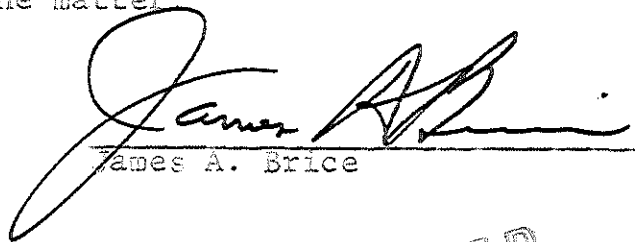
VS

W. T. JOHNSON  
Defendant

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW, No. 5387

Withdrawal of Appearance

Comes James A. Brice, attorney of record for the Plaintiff,  
and with the consent of the Plaintiff first had and obtained,  
withdraws his appearance in the matter.

  
James A. Brice

FILED

MAY 28 1935

ALICE L. DICK, CLERK  
REGISTER

GROVER L. FAIRCLOTH,

PLAINTIFF

vs

W. T. JOHNSON,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5887

ANSWER

Comes now the Plaintiff in the above styled cause and files the following answer to the Defendant's Plea No. 4, said Plea being one of set off and recoupment:

1.

Not guilty.

2.

The Plaintiff avers that he and the Defendant did on, to-wit, the 22nd day of December, 1962, agree that the Plaintiff would make the following repairs and additions to a house owned by the Defendant: Remodel this house by adding a car-port and utility room on one end of it, by adding a bedroom and enlarging the living room and agreed to build two sets of kitchen cabinets and by putting a new ceiling in the house and plastering the entire outside of house. Price agreed upon was, to-wit, \$4,400.00.

The Plaintiff avers that he did all of these things in a workmanlike manner, that in addition to doing the things originally contracted for he put a new pine floor in one of the old bedrooms, he re-roofed the old part of the house, for which the Defendant agreed to pay. The Plaintiff and Defendant agreed that the basis to be used for the amount to be paid the Plaintiff for the work done by him would be the cost of the labor plus the cost of the material used, plus 10% of both. The Plaintiff avers that he has carried out his part of said agreement fully and in a workmanlike manner and no set off should be allowed the Defendant.

WILTERS, BRANTLEY & NESBIT

By:

Attorneys for Plaintiff

*Filed 6-24-65*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

GROVER L. FAIRCLOTH;

PLAINTIFF

vs

W. T. JOHNSON,

DEFENDANT

ANSWER

Wilters, Brantley & Nesbit  
Robertsdale, Alabama

Plaintiff's attorney

Wilson Hayes  
Bay Minette, Alabama

Defendant's attorney

JUN 24 1885

ALICE J. DICK, CLERK

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JAMES A. BRICE  
ATTORNEY AT LAW  
BOX 298 • FOLEY, ALABAMA • WH3-3601

MESSAGE

REPLY

to Mrs. Alice J. Duck  
Circuit Clerk  
Bay Minette, Alabama

DATE January 7, 1964

Re: Grover L. Faircloth  
Vs: W. L. Johnson

Enclosure: Summons and Complaint

DATE

SIGNED

RECIPIENT KEEP THIS COPY, RETURN WHITE COPY TO SENDER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. \_\_\_\_\_

\_\_\_\_\_ TERM, 19\_\_\_\_

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon

W. T. Johnson

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in  
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against \_\_\_\_\_

W. T. Johnson

\_\_\_\_\_, Defendant\_\_\_\_\_

by \_\_\_\_\_

Grover L. Faircloth

\_\_\_\_\_, Plaintiff\_\_\_\_\_

Witness my hand this \_\_\_\_\_

\_\_\_\_\_ day of \_\_\_\_\_

January 1964

Philip J. Newkirk, Clerk

No. 5487

Page \_\_\_\_\_

# STATE of ALABAMA

Baldwin County

## CIRCUIT COURT

Grover L. Faircloth

Plaintiffs

vs.

W. T. Johnson

Defendants

### Summons and Complaint

Filed

**FILED**

19

JAN 8, 1964

ALICE L. DUCK, CLERK  
REGISTRAR

Clerk

James A. Brice

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Greeno Road  
Fairhope, Alabama

Received In Office

Jan. 8, 1964

Taylor

Sheriff.

I have executed this summons

this

Feb. 11

1964

by leaving a copy with

W. T. Johnson

Sheriff claims

100

miles

Ten Cents per mile Total \$

10.00

TAYLOR WILKINS, Sheriff

BY

Eastman  
Deputy Sheriff

Taylor Wilkins

Sheriff.

Eastman

Deputy Sheriff.