

MERCER QUARTERLY COURT

Charley Trower, Rome Burns
and Herman Burns,

Plffs.

-vs-

Petition.

M.W.O'Neal, and W.S.O'Neal, partners
doing business under the firm name
of O'Neal Bros.

Defts.

The Plaintiffs, Charley Trower, Rome Burns and Herman Burns, state that they were partners in the contract hereinafter mentioned, and are jointly interested in the matter involved in this action, and that the Defendants, M.W.O'Neal and W.S.O'Neal, were partners, at the time of the transactions hereinafter set forth, doing business under the name and style of O'Neal Bros.

They state that on April 16th, 1914, the Defendants, under the name of O'Neal Bros, made and entered into a written contract with Plaintiffs under the name of Charley Trower, who represented Plaintiffs in said transaction with authority to make said contract, whereby the Defendants employed the Plaintiffs, to build for them two tobacco barns, on the farm of Defendants in Mercer County, and agreed to pay Plaintiffs therefor the sum of Six Hundred (\$600.00) dollars, two-thirds of said amount to be paid as the work progressed, and the balance when the work was completed.

They say that said contract provides that Plaintiffs were to do the work and furnish the labor necessary to the erection of said barns under the instruction of Defendants, which the Defendants agreed to furnish, and did furnish as the work progressed. Plaintiffs say that the contract further provides that the work should be done in a workmanlike manner and that the barn should be completed in time to house the 1914 tobacco crop, both of which require