

the defendant, Dean A. Holcomb, his witnesses and his counsel, Curtis Elmore. Charles M. Groves, Attorney for the defendants, B B & T of South Carolina and General Painting Company, Inc. was unable to appear at this hearing as he had a conflict and had to be in another Court. Testimony was taken and is filed herewith.

The defendant, Dean A. Holcomb had deposited with the Office of the R.M.C. for Greenville County a cash bond in the total amount of \$3,245.00 to release the mechanic's lien filed by plaintiff (Mechanic's Lien Book 21 page 1385).

After carefully considering the evidence before me, all the testimony and pleadings, the Court makes the following findings of fact:

FINDINGS OF FACT

I find this Court has jurisdiction of the subject matter and the parties hereto.

The parties entered into an agreement whereby the plaintiff would do certain masonry work for defendant. According to plaintiff, he was to be paid \$1.25 for laying each cement block and \$200.00 total for laying brick. Defendant, on the other hand, maintains that plaintiff was to be paid \$1.25 a block for interior work and .80¢ a block for outside work.

At the time plaintiff finished the job, the parties met for the purpose of determining how many blocks had been laid by plaintiff and the amount due to plaintiff. Plaintiff testified, based on the number of blocks and

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