

MARVIN E. KENNEDY, one of the Complainants in this cause, being first duly sworn, deposes and says:

Questions by Mr. Offutt:

Q. State your name, age and residence.

A. Marvin E. Kennedy, I am 28 years of age and reside at Linden Hills, which is R. F. D. 6, Frederick, Maryland.

Q. For what period of time have you been a resident of Frederick County?

A. All my life.

Q. Are all the Defendants residents of Frederick County and are they all adults?

A. Yes.

Q. You have heard the testimony of your brother, Joseph B. Kennedy, as to the manner in which you have acquired an interest in No. 28, 30 & 32 South Market Street, Frederick, Maryland, what have you to say as to it being true and correct?

A. Yes, that is the manner in which I acquired a one-sixth interest in the property.

Q. What have you to say as to the property being susceptible of partition without material loss and injury to the parties entitled to an interest therein, that is, do you feel that it can be divided in kind between the parties?

A. No it cannot be divided between the parties and it must be sold so that each one can have their interest in it.

Q. According to this statement, then do you feel that it will be to the best interest of all parties concerned that the property at 28, 30 & 32 South Market Street, Frederick, Maryland, be offered at public sale in order to divide it?

A. Yes.

Q. In your opinion what is the value of the property in question considering the location, adaptation as a commercial site and the improvements on it?

A. I feel the same way^{as}/my brother that it should be worth or have a value of \$36,000.00.

NO CROSS EXAMINATION.

TO THE GENERAL INTERROGATORY, "NOTHING FURTHER."

SIGNATURE WAIVED BY CONSENT OF COUNSEL.