A I don't know of any way it could be possibly divided in kind.

Q I will repeat that question a little more technically. In your opinion is that property susceptible of partition without material loss and injury to the parties in interest?

A No, it is not.

Q And in your opinion, then, is it necessary that the property be sold and the proceeds divided in accordance with the interests of the parties?

A Absolutely, yes, sir.

CROSS EXAMINATION WAIVED BY MR. SHOEMAKER

SIGNATURE WAIVED BY AGREEMENT OF COUNSEL FOR THE RESPECTIVE PARTIES.

EMMERT R. BOWLUS, a witness for the Complainant, being first duly sworn, deposes and says:

By Mr. Clapp:

Q Will you state your full name?

A Emmert R. Bowlus

Q Where do you live?

A I reside on Fairview Avenue in Frederick. My office is 100 West Church Street.

Q What is your occupation?

A Real estate, auctioneering, insurance and appraisal service.

Q How long have you been in that business?

A Since 1934.

Q Mr. Bowlus, are you familiar with the property described in these proceedings, being the Weinberg property on the corner of West Second and Court Streets?

A I am.

Q Have you made an examination of that property for the pur-