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remaining part of his estate upon his wife's death or her re-marriage be divided into six equal parts and paid to Carl A. Boller, Jr., Elizabeth Boller Hahn and Pauline J. Boller, children of his son, Carl A. Boller; and John Ogle Grimm, Mildred S. Grimm and ^KCatherine A. Grimm, children of his wife, Margaret S. Boller, share and share alike, a photostatic copy of said Will is filed herewith as Exhibit #2 and which is prayed may be taken and considered the part hereto.

THIRD: That the buildings and improvements located on the real estate hereinbefore described are constantly depreciating in value and the several parcels of real estate cannot be divided without loss or injury to the parties interested therein and that it would be to the best interest and advantage of all the parties in interest that the said real estate be sold under a decree of your Honorable Court, and that the proceeds accruing from said sale be divided among said parties in interest according to their respective rights.

TO THE END, THEREFORE:

(1) That a decree may be passed for the sale of the real estate hereinbefore described under the direction of your Honorable Court, and that the proceeds thereof may be distributed among the parties thereof according to their respective interests.

(2) That this Court shall pass an order of publication according to law requiring Carl A. Boller, Jr. and Virginia Boller, his wife, non-residents who reside at 81 South Mendenhall Road, Memphis, Tenn., to be and appear in this Court on some certain day to be