

and bequeath unto my ~~heirs and assigns~~ <sup>Sale of the City aforesaid</sup>  
and to his heirs and assigns forever all my estate whether the  
same be real, personal or mixed of every kind or description the  
same may be, ~~in trust and upon the following terms and condi-~~  
tions First, To collect all debts due to me in any manner whatever  
and to rent out my place on the Burnhake Road leading from  
Louisville to Middletown in said County about four miles  
from Louisville and commonly called and known by the name  
of "Sales Tavern" being the same which I purchased of the  
Bank of the United States, and also to hire out my negroes and  
sell my personal estate, except as otherwise herein directed and out  
of the proceeds thereof to pay all my just debts and funeral  
expenses as soon after my death as practicable and then  
the legacy herein after directed and bequeathed.  
Secondly, After paying the expenses of taking care of and man-  
aging my estate as aforesaid, my said brother is hereby directed  
to take and keep one third of the proceeds thereof to the sole use  
and benefit of himself his heirs or assigns forever to whom I  
do hereby give and bequeath the same and to pay one third there-  
of to my brother Lewis Sale for the use, benefit and behoof of him-  
self and his present and future wife and children for and  
during the natural life of him the said Lewis Sale and af-  
ter that period to his said children or the survivor or survivors  
of them and to their heirs forever to whom I do hereby give  
and bequeath the same. And the remaining third third  
to my brother Rich<sup>d</sup> Sale for the use, benefit and behoof of him

and bequeath the same to the remaining third thing to my brother Rich<sup>d</sup> Sale for the use benefit and support of himself and his present and future child or children for and during the natural life of him the said Rich<sup>d</sup> Sale and after that period to his said children or the survivors or survivor of them and their heirs forever, to whom I do hereby give and bequeath the same.

Thirdly, If my said brother William Sale shall think it best and most to the interest of my other two brothers and their children as aforesaid to make sale of the whole or any part of my estate devised to him as aforesaid he is hereby fully authorised and empowered to sell the same for the best price that can be had for cash or on or credit with or without interest and with or without warranty as he may judge best and most to the interest of himself and my said two brothers and their children as aforesaid at any time, notwithstanding my debts shall not have been all paid as herein before directed, and upon the receipt of the whole of the purchase money, to convey the same to the purchaser or purchasers by good and sufficient deed or deeds, conveyance or conveyances or bills of sale as the case may be and pay such of my debts as may still remain unpaid, then the legacy first herein referred to and the residue after paying the expenses as before stated to be disposed of in the following manner To wit: One third thereof to be retained by said William Sale for himself and his heirs forever, to whom

by give and bequeath the same forever, to whom I do here  
Thirdly, If my said brother William Sals shall think it best  
and most to the interest of my other two brothers and their  
children as aforesaid to make sale of the whole or any part  
of my estate devised to him as aforesaid he is hereby fully  
authorised and empowered to sell the same for the best  
price that can be had for cash or on a credit with or  
without interest and with or without warranty as he  
may judge best and most to the interest of himself and  
my said two brothers and their children as aforesaid at  
any time, notwithstanding my debts shall not have been  
all paid as herein before directed, and upon the receipt  
of the whole of the purchase money, to convey the same to  
the purchaser or purchasers by good and sufficient deed  
or deeds, conveyance or conveyances or bills of sale as the case  
may be and pay such of my debts as may still remain  
unpaid, then the legacy first herein referred to and the resi-  
due after paying the expenses as before stated to be disposed  
of in the following manner To wit: One third thereof to be obtain-  
ed by said William Sals for himself and his heirs forever, to whom  
I do hereby give and bequeath the same and the remaining two  
thirds thereof shall be kept at interest for my said two other  
brothers and their children as herein before directed in equal  
proportions and paid to them annually or as fast as the

interest can be collected. On my said brother William may if he  
 chuses to do so, invest the same or any part thereof in the purchase  
 of plantations for both or either of my other two brothers and their  
 children as before stated, taking the title in his name for the  
 uses and purposes herein and hereby intended by this will  
 And still to them and their families thereon, there to remain  
 during their respective lives and after their death or that of  
 either of them, he shall convey the title of the land to his or their  
 children, to whom I do hereby give and bequeath the same.

On selling my land on the Turnpike aforesaid  
 it is my will and desire and I do hereby direct that a space of not  
 exceeding four hundred square feet to be laid out in convenient form  
 by said William Sale, to include the grave of my deceased wife  
 shall be reserved by him for a burying place for my said three  
 brothers and their children or such of them as may chuse to use  
 the same forever and that the same shall be closed by him in some  
 permanent and substantial manner as he may chuse and  
 also reserving full ingress and egress thereto at all times for  
 the purposes aforesaid. The expenses of enclosing the same to  
 be paid out of my estate by said William Sale.

It is my will and  
 desire and I do hereby devise that my said brother William  
 Sale, shall as soon as my debts are all paid, purchase a ne-  
 gro girl at the price of two hundred and fifty dollars  
 and deliver her over to my niece Mary Ann Barker now living  
 in the State of Mississippi with John Harding near the settlement

and delivers her over to the said Mary Ann Barker now living  
in the State of Mississippi with John Harding near the Gulf  
Gulf, to whom and her heirs forever I do hereby give and  
bequeath the same.

Item. It is my will and desire and I  
do hereby direct that said William Sals shall so soon after  
my death as practicable deliver to my nephew Thomas Jeffers-  
on Sals my riding horse, saddle and bridle and my sil-  
ver watch marked on its face "improved patent" to whom and  
his heirs forever I do hereby give and bequeath the same.

Item. It is my will and desire and I  
do hereby direct that if my said brother William Sals shall  
choose to do so he shall be at liberty to take and hold the estate  
herein bequeathed to him or any part thereof to him and  
his heirs forever to whom I do hereby give and bequeath the same  
upon the condition that the same shall be valued previously  
by three respectable free holders to be appointed and selec-  
ted by the County Court of Jefferson County in the State  
of Kentucky they being first sworn and making their  
valuation in writing to said Court which shall be recorded.  
And also upon his appropriating the proportions of such  
valuation as is herein before directed in case of a sale to  
un-choiced persons or persons and not otherwise.

Item. I do hereby constitute and  
appoint my said brother William Sals Sole Executor of  
this my last will and testament hereby revoking all  
former wills and testaments and declaring this to

my dearth as tractable as my nephew Thomas Jefferson  
son I also my riding horse, saddle and bridle and my sil-  
ver watch marked on its face "improved patent" to whom and  
his heirs forever I do hereby give and bequeath the same

Item. It is my will and desire and I  
do hereby direct, that if my said brother William Sals shall  
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herein bequeathed to him or any part thereof to him and  
his heirs forever to whom I do hereby give and bequeath the same  
upon the condition that the same shall be valued previously  
by three respectable free holdens to be appointed and selec-  
ted by the County Court of Jefferson County in the State  
of Kentucky they being first sworn and making their  
valuation in writing to said Court which shall be recorded  
And also upon his appropriating the proportions of such  
valuation as is herein before directed in case of a sale to  
another person or persons and not otherwise.

Item. I do hereby constitute and  
appoint my said brother William Sals Sole Executor of  
this my last will and testament hereby revoking all  
other wills by me heretofore made and declaring this to  
be my only will And I do hereby direct that no security  
be required of my said brother upon his qualifying as  
my Executor and that he be permitted to qualify as such

It is my wish that my Executors hereafter named to pay all my just debts as soon as possible from the surplus produce arising from the farm, supposing there will be a sufficiency or nearly so to do the same.

Lastly I appoint my sons John Kearney and William Kearney as my Executors of my last will and testament.

In Witness whereof I have set my hand and seal this 30<sup>th</sup> day of November 1833

Attest John H. Gibbs

David Harnsley

William Kearney

State of Kentucky  
Jefferson County at the Court House in the City of Louisville on  
the 6<sup>th</sup> day of February 1832

An Instrument of writing purporting to be the last will and testament of Edmund Sale decd late of this County was produced in Court and proved to be such by the oath of Levi Tyler and Edward S. Camp, subscribing witnesses thereto and ordered to be recorded

And on the motion of William Sale who made oath according to law execution of the said will is granted him, Whereupon he gave bond in the penalty of ten thousand dollars conditioned according to law

At  
Warden Pope ©