

State of North Carolina

Montgomery County

383. On the Robote Court  
A paper purporting to be the last will and testament of Augus McMillan deceased, is exhibited before  
my the undersigned Judge of Probate for said County by John  
McMillan (no Executor therin mentioned) and the  
due Execution thereof by the said Augus McMillan  
by the oath and examination of William Thomas  
and E.C. Martin the Subscribing witnesses thereto; Who  
being duly sworn, doth depose and say And I doth  
for myself depothe and saith that he is a subscriber  
unto the paper writing now shown him,  
purporting to be the last will and testament of  
Augus McMillan. That the said Augus McMillan  
is the Person of this deponent subscribed his name  
at the end of said paper writing which is now shown  
as aforesaid and which bears date of the 11<sup>th</sup> day  
of May 1874.

I And the deponent further saith that the  
said Augus McMillan the testator forsooth be  
on the time of his writing his name as aforesaid  
deceased the said paper writing so subscribed  
by him and exhibited to be last will and  
testament, and his deponent did then and there  
subscribe his name at the end of said will  
as an witness thereto, and at the  
request and in the presence of the said  
testator. And this deponent further saith  
that at the said time above the said testa-  
tor subscribed his name to the said last  
will as aforesaid and at the time of the  
deponents subscribing his name as an  
witness thereto, as aforesaid, the said  
Augus McMillan was dead and  
memory of said Augus to execute a will and was  
not under any restraint to the knowledge  
information or belief of this deponent;

And further these deponents say

Wm Thomas *Seal*  
E.C. Martin *Seal*  
Sworn and Subscribed  
the 26<sup>th</sup> day of July 1876 before me  
*(Judge)*  
Probate Court

Mostly every County in the Probate Courts  
on the 26<sup>th</sup> day of July 1876 before me the Judge  
Rada Eagle

James Eagle being sworn before me that he is  
the sole legatee of said County is dead having first  
made and published his last will and testaments  
and that James Eagle is the Executor thereof therein  
further that the residue of the said estate eagle  
consisting of real estate & personalty and a small  
portion of personalty is worth about \$500.00  
as can be ascertained at the date of this application  
to me; and that the sole legatee of the Eagle estate  
is Eagle and the parties named under said will  
to said property.

Sworn and Subscribed before me  
the 11<sup>th</sup> day of Sept 1876 James Eagle  
Probate Judge

Will

In the name of God Amen the 2<sup>nd</sup> day of October  
in the year of Our Lord One thousand Eight hundred  
and Sixty five I Rada Eagle of the County of  
Montgomery I died State of North Carolina being  
the Riving of God in a sound state of mind and  
memory but calling to mind the great treasure of this  
world that it is appointed to all persons once to  
live do make and ordain his my last will and  
testament; that is to say I give begin with an d do  
pose of it in the manner and proportion here  
following. First I give and bequeath to my  
beloved nephews Jamwell Eagle John H. Eagle and  
Benjamin Eagle fifty acres of land joining the  
lands of Martha Eagle deceased and others on the  
Waters Wolf Creek and I also give and bequeath  
my undivided interest in fourteen acres of land  
belonging to Mrs. Eagle I also give and bequeath  
my undivided interest in fifty acres of land  
belonging to Sarah Greider deceased joining the lands  
of the aforesaid Jamwell and others on the aforesaid  
Waters County and State I also give and bequeath  
One Cow and Calf also two beads and another  
also One Cobbord and Two tables One Spoon One  
clock and I also give and bequeath to

and Sister that is to say George Eagle, Sam  
Eagle, John Eagle, Martin Eagle, James Eagle  
and Christopher Ashworth to them fifty cents  
each: I now finally appoint and make  
my beloved Stephen James Eagle my sole Executor  
of this my last will and testament. All and singular  
my lands meadow, and timberland and I do now  
do hereby utterly disallow revoke and  
disannul all and every other former testator's  
wills legacies bequests & Executors by me in any  
form named wills, or bequests ratifying and  
confirming this and no other to be my last will  
and testament.

In witness whereof I have hereunto set my  
hand and seal the day and year first  
above written.

Signed sealed published  
monounced & declared Roda Eagle

by her ova Roda Eagle  
as her last will and testament  
in the presence of us the  
Subscribers:

Stetson McRae  
John Allen  
J. Stogar

State of South Carolina  
Montgomery County Eschewing our  
A paper purporting to be the last will  
and testament of Roda Eagle deceased  
is exhibited before me the undersigned  
judge of Probate for said County by James  
Eagle the Executor thereon mentioned  
and under execution thereof by the said  
Roda Eagle by the oaths and affirmation  
of John Allen & J. Stogar two of the subscribers  
thereto: Who being duly sworn  
doth declare and say he did make for  
himself deposit and oath that he is a  
subscriber setting to the paper writing  
now shown him purporting to be the  
last will and testament of Roda  
Eagle in the presence of this deponent

subscribed her name at the end of said paper  
writing which is now shown aforesaid and  
which bears date of the 2<sup>d</sup> of October 1870  
And the deponent further saith that she  
said Roda Eagle the testatrix aforesaid did  
at the time of subscribing the same to me  
the said paper writing so subscribed by her and  
Exhibited to be her last will and testament And  
this deponent did thereupon subscribe her name  
at the end of said will to the testatrix writing thereto  
and at the request and in the name of the said  
testatrix And this deponent further saith that at  
the same time when the said testatrix subscribed her  
name to the said last will so aforesaid and at  
the time of the deponents subscribing the same  
as an attesting witness to the same she  
said Roda Eagle was of sound mind and was not under any  
of pressure to execute a will and was not under any  
constraint to the knowledge information or belief of the  
deponent; And further this deponent sayeth  
having sworn to subscribe this

12<sup>d</sup> Day 1870 before me  
I do solemnly declare

Probate Judge

John Allen  
J. Stogar

Montgomery County S. C. Probate Court

Date 7<sup>th</sup> day of Oct 1870  
Before Joseph A. Reynolds

Judge of Probate  
Montgomery County

Reynolds affirmed Joseph A. Reynolds being sworn deposes and saith  
that Joseph A. Reynolds being a Notary Public  
first made affidavit in his office and Testament that  
the officers persons by whom it is executed named therein  
William Jordan & wife of the said Joseph A. Reynolds  
and that the said William Jordan & wife of the said Joseph A. Reynolds  
are the owners of the real and personal Estate in the sum above \$200.  
so far as can be ascertained at the date of the affidavit

and that Joseph A. Reynolds Esq. Notary Public  
wife of Robert Stevens & daughter of John Jordan  
the wife a sum of \$200 towards her own expenses  
and holds John A. Reynolds Esq. who married to Mrs. Emily Parker  
Jane & the name of Wallace from Philadelphia in January  
A. Reynolds Esq. & wife Reynolds & are a couple the  
husband & wife of the aforesaid John A. Reynolds