

State of North Carolina
Montgomery County

333. In the Probate Court
A paper purporting to be the last will and testa-
ment of August McMillan deceased, is exhibited before
me the undersigned Judge of Probate for said County by John
McMillan (no Executor therein mentioned) and the
due Execution thereof by the said August McMillan
in the oath and Examination of William Thomas
and E. C. Martin the Subscribing Witnesses: Who
being duly sworn, doth depose and say, and each
for himself depose and say that he is a subscri-
ber writing to the paper writing now shown him
purporting to be the last will and testament of
August McMillan that the said August McMillan
in the presence 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 11th day
of July 1876.

And the Deponent further saith that the
said August McMillan in testator aforesaid
in line of his writing his name as aforesaid
in said the said paper writing as subscribed
by him and exhibited to be last will and
testament and this Deponent did thereupon
subscribe his name at the end of said will
as an attesting Witness thereto, and at the
request and in the presence of the said
testator. And this Deponent further saith
that at the said time when the said testa-
tor subscribed his name to the said last
will as aforesaid, and at the time of the
Deponent's subscribing his name as an
attesting Witness thereto, as aforesaid, the said
August McMillan was of sound mind and
memory of full age to execute a will and was
not under any restraint to the knowledge
information or belief of this Deponent:

And further these Deponents say
not.

Wm Thomas (Seal)
E. C. Martin (Seal)

Subscribed and Subscribed
this 26th day of July 1876 before me
(Judge of Probate)

Montgomery County In the Probate Court
In the matter of the will of John McMillan
deceased
James Eagle being sworn doth say that the
last will of said County is read having been
made and published, his last will and testaments
and that James Eagle is the Executor named therein
Further that the property of the said testator
consisting of land estate in fee simple and a small
portion of personal estate is worth about \$5000.00
as can be ascertained at the date of this applica-
tion; and that said James Eagle the Executor
of said will is the person who will receive said
estate property.

Subscribed and Subscribed before me
this 11th day of Sept 1876
Judge of Probate James Eagle

Eagle Rhode
Will

In the name of God Amen the 2nd day of October
in the year of our Lord One thousand Eight Hundred
and eighty five I John Eagle of the County of
Montgomery and State of North Carolina being
the blessing of God in a sound State of mind and
memory, but calling to mind the frailty of this
world and that it is appointed to all persons once to
die do make and ordain this my last will and
testament; that is to say I give bequeath and dis-
pose of it in the manner and proportion here
following. First, I give and bequeath to my
beloved nephews James H. Eagle John H. Eagle and
Benjamin H. Eagle fifty acres of land joining the
lands of Martin Eagle Decd and others on the
waters Wolf Creek and I also give and bequeath
my undivided interest in fourteen acres of land
belonging to Decd Eagle I also give and bequeath
my undivided interest in fifty acres of land
belonging to Sarah Foster Decd joining the lands
of Alexander Fozin and others on the aforesaid
waters of said County and State I also give and bequeath
One Cow and Calf also two heads and quarters
also One Cobboort and two tables One Saddle One
clock and I also give and bequeath to

