

STATE OF INDIANA,

COUNTY OF Noble

SS:

STATE OF INDIANA

vs.

Orville Frey

We Orville Frey

and

Charles E. Grate and Bertha Grate

and J. C. Vanderbur

and

jointly and severally acknowledge ourselves bound to the State of Indiana in the sum of One Thousand

(\$1,000.00)

dollars.

If Orville Frey

(the prisoner) shall appear on the 10th day of

May

, 19 43

in the Noble Circuit

Court, to answer a charge of

Embezzlement

and from day to day and from term to term thereof, and abide the order of the court until said cause is determined and not depart therefrom without leave, then this recognizance shall be void, else to remain in full force.

If the above named defendant shall not appear at any time fixed in his bond, the court shall thereupon declare this bond to be forfeited and notice of such forfeiture shall be mailed to J. C. Vanderbur
Charles E. Grate and/

the surety, at Kendallville, Indiana and in Noble County and State of Indiana. And if the surety hereon shall not produce said defendant within ten days after the mailing of such notice, pay all costs and satisfy the court that the defendant's absence was not with his connivance or consent, then and in that event the court shall enter judgment against such surety and certify said judgment to the clerk for record. Such forfeiture shall be without pleadings and without change of judge or change of venue. The obligors on such bond may except to the ruling of the court and appeal to the appellate court as in other civil cases, and on appeal the evidence may be reviewed. Execution shall issue forthwith to the sheriff against the properties of each of us to be levied as other executions are levied.

Witness our hands and seals this 8th day of May, 19 43.

Charles E. Grate (SEAL)

Bertha L. Grate (SEAL)

Orville Frey (SEAL)

J. C. Vanderbur (SEAL)

Taken and approved this 8th day of May, 19 43

Union J. Gallows
Sheriff of Noble County (Officer taking surety.)

STATE OF INDIANA,

COUNTY OF Noble

SS:

AFFIDAVIT OF PERSONAL SURETY

I, Charles E. Grate and Bertha Grate being duly sworn, on oath say, that I am worth in my personal rights and name, over and above all debts and liabilities of any and every kind, not less than

Two Thousand

dollars, and that I possess real estate in my own name, located in the above

named county, which is worth over and above all incumbrances and liens, more than none

dollars; that I am surety on the following recognizance bonds and none other, aggregating the total amount of

to wit:

And that I am not surety on any recognizance bond of any kind in any court which bond has been forfeited and which forfeiture remains unpaid.

Charles E. Grate
Bertha L. Grate (SEAL)

Subscribed and sworn to before me, this 8th day of May, 19 43.

My Commission Expires
August 7, 1943.

Notary Public

(Officer Administering Oath.)

AFFIDAVIT OF PERSONAL SURETY

State of Indiana, County of Noble, ss:

I, J. C. Vanderbur, being duly sworn, on oath say that I am worth in my personal rights and name, over and above all debts and liabilities of any and every kind, not less than Two Thousand Dollars, and that I possess real estate jointly in my own name, located in the above named county, which is worth over and above all incumbrances and liens, more than none

Dollars; that I am surety on the following recognizance bonds and none other, aggregating the total amount of _____ Dollars,

to wit:

Bond of none in the _____ Court for \$ _____

Bond of _____ in the _____ Court for \$ _____

Bond of _____ in the _____ Court for \$ _____

And that I am not surety on any recognizance bond of any kind in any court which bond has been forfeited and which forfeiture remains unpaid.

Subscribed and sworn to before me, this 8th day of May, 19 43.

My Commission Expires
August 7, 1943.

Notary Public (Officer administering oath.)

FILED
MAY 10 1943
CLERK NOBLE CIRCUIT COURT

FILED

Defendant.

SURETY FOR

RECOGNIZANCE FOR APPEARANCE OF
PRISONER ON APPEAL

4638