

ARTICLES OF AGREEMENT AND INCORPORATION

Of Swink Mercantile Company

0-2239

KNOW ALL MEN BY THESE PRESENTS:

That the Corporators hereinafter named have this day, and by these presents, formed a corporation under and in pursuance of an Act of Congress, approved February 18th, 1901, entitled "An Act to put in force in the Indian Territory certain provisions of the Laws of Arkansas relating to Corporations, and to make said provisions applicable to said Territory," which said Act provides for incorporations for manufacturing and other lawful business purposes in the Indian Territory, and in evidence thereof do hereby execute the following Articles of Incorporation:

FIRST: The name of said Corporation shall be Swink Mercantile Company
SECOND: The Corporators are David R. Swink, William J. Whitman, Miles O. Byram

THIRD: The place of business is to be located at Swink, I. T. and its office for transaction of business shall be in Swink, I. T. or at such other place as the Board of Directors may select.

FOURTH: The general nature of the business proposed to be transacted by this Corporation is a general mercantile business, buying and selling all kinds of merchandise, real estate, live stock.

FIFTH: The amount of capital stock of said Corporation shall be Ten thousand Dollars; of which fifteen hundred Dollars has been subscribed by the Corporators aforesaid, and the residue thereof may be issued and disposed of as the Board of Directors may from time to time order and direct.

SIXTH: The capital stock shall be divided into Four hundred shares of the value of \$25.00 each.

SEVENTH: The affairs and business of the Corporation shall be conducted and controlled by a Board of Directors, consisting of three members, all of whom shall be stockholders of the Corporation. Said Board of Directors shall elect one of its members as President, and one of its members as Vice-President, and shall also elect a Secretary and Treasurer.

EIGHTH: The first election of Directors shall be held immediately after the organization of the Corporation, and said Directors shall serve for one year and until their successors are elected.

NINTH: The Board of Directors are empowered to ordain and establish all by-laws and regulations necessary to the management and business of said Corporation, and alter and repeal same at pleasure.

TENTH: The first meeting of said Corporators for organization shall be held in Swink, I. T. at the office of J. N. Thompson & Co. at 7 o'clock P.M. on the 21st day of Feb 1907. The subscribers hereto hereby waive notice of said meeting.

IN TESTIMONY WHEREOF, We have hereunto set our hands, on this the 5th day of Feb 1907

W. J. Whitman
Miles O. Byram
David R. Swink

CERTIFICATE.

WHEREAS, David R. Swink, William J. Whitman, Miles O. Byram

have associated themselves together as a body politic and corporate, to be known as Swink Mercantile Company

AND WHEREAS, The said Corporators, being the subscribers to the capital stock of the said Corporation, have waived the fifteen days' notice as required by law and called a meeting for organization, to be held in Swink, I. T. at the office of J. N. Thompson & Co. at 7 o'clock P.M. on the 21st day of Feb 1907

WHEREAS, at the time and place above set out, a meeting of the subscribers aforesaid was held to organize said Corporation and elect three Directors; and,

WHEREAS, At said meeting the following named persons were elected Directors, to-wit: David R. Swink, Miles O. Byram, William J. Whiteman

and, WHEREAS, At a meeting of the said Board of Directors David R. Swink was elected President, and W. J. Whiteman was elected Vice-President, and Miles O. Byram was elected Secretary, and Miles O. Byram was elected Treasurer.

NOW, THEREFORE, The said David R. Swink as President, and the said William J. Whiteman, Miles O. Byram

as Directors, do, in pursuance of law, issue this, their Certificate, verified by their oaths, and do hereby certify as follows:

FIRST: Said Corporation is formed for the purpose of a general mercantile business buying and selling all kinds of merchandise, real estate, live stock

SECOND: Its capital stock is ten thousand Dollars, divided into shares of \$25.00 each.

THIRD: fifteen hundred Dollars of said capital stock have been actually paid in by the subscribers hereto.

FOURTH: The names of the stockholders and the number of shares owned by them respectively, is as follows:

NAMES	No. OF SHARES	NAMES	No. OF SHARES
<u>David R. Swink</u>	<u>210</u>		
<u>William J. Whiteman</u>	<u>210</u>		
<u>Miles O. Byram</u>	<u>210</u>		

IN TESTIMONY WHEREOF, The said David R. Swink President of said Corporation, and William J. Whiteman, Miles O. Byram

a majority of the Board of Directors of said Corporation, have hereunto set their hands on this 5th day of Feb 1907

William J. Whiteman
Miles O. Byram
David R. Swink

Directors. Directors. Directors.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Central District.

David R. Swink, William J. Whiteman, Miles O. Byram

on their oaths say that the matters and things in the foregoing certificate set out are true, to the best of their knowledge and belief.
William J. Whiteman
Miles O. Byram
David R. Swink

Subscribed and sworn to before me, this the 5th day of February 1907 In Testimony Whereof, I have hereunto set my hand and seal of office. P. A. Nelson Notary Public

Filed in the office of the Clerk of the United States Court of Appeals in the Indian Territory, this 15th day of February 1907 M. B. Newman Clerk.