

02908

ARTICLES OF AGREEMENT AND INCORPORATION

Of Varner Collins Hardware Company

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 18, 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 Varner Collins Hardware Company
SECOND: The Corporators are N. J. Richmond, J. R. Allen, H. A. Varner, H. V. Collins.

THIRD: The place of business is to be located at Hugo, Ind. Ter. and its office for transaction of business shall be in Hugo, Ind. Ter. 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 hardware business for the purpose of buying and selling both at wholesale and retail, all kinds of hardware, mill supplies, machinery, undertakers goods, agricultural implements, including buggies, wagons, etc., saddlery and harness.
And the various and sundry articles of merchandise commonly carried and handled in connection with a hardware business.
also running a tinshop therewith.

FIFTH: The amount of capital stock of said Corporation shall be twenty five thousand Dollars; of which seven thousand 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 one thousand 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 four 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 Hugo, Ind. Ter. at the office of Varner Collins Hardware Co. at four o'clock P.M. on the 21st day of August 1907. The subscribers hereto hereby waive notice of said meeting.

IN TESTIMONY WHEREOF, We have hereunto set our hands, on this the 21st day of August 1907
J. R. Allen
H. A. Varner
N. J. Richmond
H. V. Collins

CERTIFICATE.

WHEREAS, N. J. Richmond, J. R. Allen, H. A. Varner, and H. V. Collins

have associated themselves together as a body politic and corporate, to be known as Varner Collins Hardware 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 Hugo, Ind. Ter. at the office of Varner Collins Hardware Co. at 4 o'clock P.M. on the 21st day of August 1907

WHEREAS, at the time and place above set out, a meeting of the subscribers aforesaid was held to organize said Corporation and elect 4 Directors; and,

WHEREAS, At said meeting the following named persons were elected Directors, to-wit:
W. J. Richmond, J. R. Allen, J. A. Varner, and H. V. Collins

and,
WHEREAS, At a meeting of the said Board of Directors J. R. Allen was elected President,
and J. A. Varner was elected Vice-President, and H. V. Collins,
was elected Secretary, and H. V. Collins was elected Treasurer.

NOW, THEREFORE, The said J. R. Allen as President, and the said
J. A. Varner, and H. V. Collins

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 carrying on a general hardware business, buying and selling both at wholesale and retail, all kinds of hardware, mill supplies, machinery, undressed goods, agricultural implements, including luggies, wagons, etc., saddlery and harness, and the various and sundry articles of merchandise commonly carried and handled in connection with a general hardware business.
Also running a tinshop in connection therewith.

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

THIRD: Seven thousand 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>W. J. Richmond</u>	<u>40</u>		
<u>J. R. Allen</u>	<u>80</u>		
<u>J. A. Varner</u>	<u>80</u>		
<u>H. V. Collins</u>	<u>80</u>		

IN TESTIMONY WHEREOF, The said J. R. Allen President of said Corporation, and
J. A. Varner and H. V. Collins

a majority of the Board of Directors of said Corporation, have hereunto set their hands on this 21st day of August 1907

J. R. Collins President.
J. A. Varner
H. V. Collins

Directors. Directors. Directors.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,) SS.
Centrae District.)

J. R. Allen, H. V. Collins and J. A. Varner

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.

J. R. Allen
H. V. Collins
J. A. Varner

Subscribed and sworn to before me, this the 21st day of August 1907 In Testimony Whereof, I have
hereunto set my hand and seal of office. Syman H. White Notary Public

My commission expires April 13th 1909
Filed in the office of the Clerk of the United States Court of Appeals in the Indian Territory, this 24th day
of August 1907 W. H. ... Clerk.