

# ARTICLES OF AGREEMENT AND INCORPORATION

02068

Of Hugo Ice and Light Company  
Hugo Indian Territory

## 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 Hugo Ice & Light Co.

SECOND: The Corporators are C. H. Dawley, A. Nicoud, W. H. Dawley, J. H. Dawley and J. B. Klem

THIRD: The place of business is to be located at Hugo Indian Territory and its office for transaction of business shall be in Hugo Indian Territory 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 to own, buy, sell, rent, lease and encumber real estate by mortgage or otherwise, to own, equip, maintain and operate, an ice refrigerating and cold storage plant at Hugo, I. T. or elsewhere in the Indian Territory, to build, buy, own, maintain and operate plants, either Electric or Gas, and to furnish electric current and power, or gas, for illuminating purposes, or for power and heating in the Town of Hugo, I. T. or elsewhere in the Indian Territory, to build, buy, own, maintain and operate a system of water works, and to sell water to the City and inhabitants of Hugo, I. T. or elsewhere, and to acquire, buy, hold and enjoy, Municipal franchises, for any and all of said businesses, exclusive or otherwise, to deal in, buy or sell fuel, coal, wood, or other commodities and all manner and kinds of merchandise, or farm or slaughter house products, requiring cold storage, and to do any and all other lawful things necessary, or incidental to either or all of the aforesaid things.

FIFTH: The amount of capital stock of said Corporation shall be \$50,000.00 Dollars; of which \$15,000.00 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 2000 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 5 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 Indian Territory at the office of A. A. McDonald at 4 o'clock P.M. on the 13th day of November 1906. The subscribers hereto hereby waive notice of said meeting.

IN TESTIMONY WHEREOF, We have hereunto set our hands, on this the 13th day of November 1906

C. H. Dawley  
A. Nicoud  
W. H. Dawley  
J. H. Dawley  
J. B. Klem

## CERTIFICATE.

WHEREAS, C. H. Dawley, A. Nicoud, W. H. Dawley, J. H. Dawley and J. B. Klem

have associated themselves together as a body politic and corporate, to be known as Hugo Ice and Light Co.

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 Indian Territory at the office of A. A. McDonald at 4 o'clock P.M. on the 13th day of November 1906



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

WHEREAS, At said meeting the following named persons were elected Directors, to-wit:

C. H. Dawley, A. Nicoud, W. H. Dawley, J. H. Dawley, J. B. Hlem

and,

WHEREAS, At a meeting of the said Board of Directors C. H. Dawley was elected President, and A. Nicoud was elected Secretary, and W. H. Dawley was elected Vice-President, and J. H. Dawley was elected Treasurer.

NOW, THEREFORE, The said C. H. Dawley, W. H. Dawley and J. H. Dawley as President, and the said

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 to own, buy, sell, rent, lease and encumber real estate by mortgage or otherwise. To own, equip, maintain, and operate, and ice refrigerating and cold storage plants at Hugo, I., or elsewhere in the Indian Territory. To build, buy, own, maintain and operate, lighting plants, either electric or gas, and to furnish electric current and power, or gas, for illuminating purposes, or for power and heating in the town of Hugo, I., or elsewhere in the Indian Territory. To build, buy, own, maintain and operate a system of water works, and to sell water to the city and inhabitants of Hugo, I., or elsewhere, and to acquire, buy, hold, and enjoy, municipal franchises, for any and all of said businesses, exclusive, or otherwise. To deal in, buy or sell fuel, coal, wood, or otherwise and all manner and kinds of merchandise, or farm or slaughter house products, requiring cold storage, and to do any and all other lawful things necessary or incidental to either or all of the aforesaid things.

SECOND: Its capital stock is \$50,000.00 Dollars, divided into shares of \$25.00 each.  
THIRD: \$15,000.00 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>C. H. Dawley</u> | <u>596</u>    |       |               |
| <u>A. Nicoud</u>    | <u>1</u>      |       |               |
| <u>W. H. Dawley</u> | <u>1</u>      |       |               |
| <u>J. B. Hlem</u>   | <u>1</u>      |       |               |
| <u>J. H. Dawley</u> | <u>1</u>      |       |               |

IN TESTIMONY WHEREOF, The said C. H. Dawley President of said Corporation, and W. H. Dawley and J. H. Dawley

a majority of the Board of Directors of said Corporation, have hereunto set their hands on this 13th day of November 1906

C. H. Dawley President.  
W. H. Dawley  
J. H. Dawley

Directors. Directors. Directors.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY. } SS.  
Central District.

C. H. Dawley, W. H. Dawley and J. H. Dawley

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.

C. H. Dawley  
W. H. Dawley  
J. H. Dawley

Subscribed and sworn to before me, this the 13th day of November 1906 In Testimony Whereof, I have hereunto set my hand and seal of office.

A. A. McDonald  
Notary Public

Filed in the office of the Clerk of the United States Court of Appeals in the Indian Territory, this 27th day of November 1906

A. B. Freeman Clerk.