

207680 C. J.

COMPARED

ARTICLES OF AGREEMENT

AND

DECLARATION OF TRUST.

of the

TULSA WHOLESALE DRUG COMPANY.

THIS AGREEMENT, made and entered into this 19th., day of August 1922, by and between M. S. Hamilton, hereinafter designated as subscriber and owner, and N. B. Day, and M. S. Hamilton, and A. H. Well, together with their successors herein designated as TRUSTEES, witnesseth:-

WHEREAS, the subscriber proposes to transfer, assign and deliver to the trustees under the designation of the "TULSA WHOLESALE DRUG COMPANY" certain secret formulas together with the process of compounding tested remedies, and desires that the product thereof be manufactured, prepared, compounded, advertised, exploited, legally protected, sold and distributed under certain specific patents, registrations, trade marks, copyrights and other legal protection by trustees in a manner and to an extent said owner is practically unable to do, and

WHEREAS, SAID OWNER HAS HEREWITH SOLD, assigned, transferred and set over and does hereby sell, transfer and deliver unto the said trustees, to-wit: N. B. Day, of Tulsa Oklahoma and M. S. HAMILTON of Tulsa Oklahoma, and A. H. WELLS of Tulsa Oklahoma, Trustees under the designation of the TULSA WHOLESALE DRUG COMPANY, " IN TRUST, HOWEVER, FOR THE USES AND PURPOSES HEREINAFTER SET FORTH" the said formulas and tested remedies designated by the name thereof and further designated by the signature of the said owner, and described in written schedules "A" and "B", hereto attached, and all right, title interest and property of said owner therein.

AND THE SAID TRUSTEES, for the purpose of defining the interest of the aforesaid subscriber and his assigns in such property and in consideration of the sale and transfer of the rights and property hereby sold and transferred to said trustees by the owner as hereinabove described and set out, have agreed and do hereby promise and agree to issue to the said subscriber hereinabove designated as owner non-assessible certificates representing units of beneficial interest in the trust estate of the TULSA WHOLESALE DRUG COMPANY in the amount of Fifty Thousand (50,000) Units, all of said units to be issued to said subscriber at the times and in the manner and on the conditions as follows, to-wit:

The aforesaid units shall be issued in blocks of Twelve-thousand-five hundred (12,500) units in certificates, the number of which shall be at the option of the said subscriber and in blocks numbered one (1) to four (4) inclusive, said units shall be issued in toto and duly authenticated as practicable, Said certificates shall be held in trust by the said trustees or their duly authorized agents and delivered to the said subscriber at the time, in the manner and in the conditions following, to-wit:

The first block, to-wit, number one (1) in the amount of Twelve Thousand and five hundred (12,500) units, shall be delivered to the said subscriber on or before the first day of September 1922, in certificates the number of which shall be at the option of the aforesaid subscriber, each of which shall be duly authenticated as above set out; the second block of units, to-wit, number (2) shall be delivered to the aforesaid subscriber when the sales derived from the use of said formulas and the above described TESTED REMEDIES shall have amounted to and totaled the sum of Twelve Thousand Five Hundred (\$12,500.00) Dollars; the third block, to-wit: number three (3), in like manner and proportion in certificates, the number of which shall be at the option of