

## NOTICE OF GRANTING LETTERS PATENT

**PUBLIC** Notice is hereby given, that under Chapter Eighty-Five of the Consolidated Statutes of New Brunswick, 1903, and amending Acts, Letters Patent have been issued under the Great Seal of the said Province, bearing date the Tenth day of July, 1913, incorporating John Clark, of the City of Lynchburg, in the United States of America, Superintendent; James F. Clark, Superintendent; William E. Clark, Superintendent; both of the City of Marlboro, in the United States of America; Frederick M. Murchie, Merchant, John W. Scovill, Merchant, Charles C. Grant, Merchant, Arthur D. Ganong, Superintendent, Thomas Teal, Contractor, Joseph McVey, Contractor, N. Marks Mills, Solicitor, J. William Smith, Hotel Keeper, David Johnston, Lumberman, Michael J. O'Donnell, Merchant, Amos A. Mallory, Baker, Peter E. McKenna, Merchant, Robert D. Ross, Merchant, E. Vincent Sullivan, Medical Doctor, and Frederick E. Rose, Merchant all of the Town of Saint Stephen, in the County of Charlotte and Province of New Brunswick, for the following purposes, namely:

To manufacture, buy, sell, make and deal in boots, shoes, slippers and moccasins and all kinds of footwear.

To manufacture, prepare for manufacture, buy, sell and deal in leather, dressings for leather, pastes, cloths, lasts, pegs, shoe lacings and all materials, ingredients and commodities used in connection with the manufacture, sale and use of footwear of all kinds.

To build, establish, purchase, lease or otherwise acquire, maintain and operate a factory or factories, warehouses, offices, buildings and works, machines, machinery, tools, plant, engines, boilers and devices of every kind and description necessary or useful in connection with the business or objects of the Company.

To purchase, lease or otherwise acquire, hold, mortgage, sell and convey, improve, manage or exchange any real estate, land, buildings or other property or rights necessary or useful for the carrying on of the business of the Company.

To establish, operate, maintain and conduct shops or depots for the sale or disposal, either by wholesale or retail, of all articles or goods made, manufactured or dealt in by the Company, and any other goods, wares or merchandise.

To manufacture, purchase, lease or otherwise acquire all kinds of power, light and heat for the purposes of the Company.

To apply for, obtain, purchase, lease or otherwise acquire and sell or dispose of trade marks, formulae, secret processes, patents, inventions, copyrights, grants and licenses.

To act as agents for manufacturers, persons or corporations in the buying and selling of all kinds of footwear, and materials, articles and commodities used in the making and manufacturing thereof.

To procure the Company to be licensed, registered and legally authorized to do business in any Province of the Dominion of Canada or in any other country.

To advance money to contractors or other persons, municipalities or corporations in order to provide a suitable factory or factories, power and heating equipment or power and heating plants for the purposes of the Company, or to assist in the erection and providing of any such factory or factories and power, heating equipment and plants, and to accept such security for the re-payment of such advances as the Directors of the Company may deem proper and safe.

To subscribe for and take or otherwise acquire shares or stock in any other company having objects altogether or in part similar to those of this Company, or carrying on any business capable of being conducted so as to directly or indirectly benefit this Company, and to hold, sell, pledge or otherwise deal with the same.

To acquire the good will, contracts, property, rights and assets and assume the liability of any person, firm or company carrying on or transacting any business similar in whole or in part to that carried on by the Company.

To sell, lease, transfer or dispose of the whole or any part of the business, property or undertaking of the Company to any other company or to any person, persons or firm, and to accept by way of consideration for any such sale, lease, transfer or disposal either cash or the shares, debentures, debenture stock, bonds or securities of any other Company.

To carry on any other business which may seem to the Company capable of being carried on in connection with the business of the Company or calculated either directly or indirectly to enhance the value of the properties, franchises, assets or credits of the Company, and to do any and all other acts and things and to exercise any and all powers which a partnership or natural person could do and exercise and which now is or hereafter may be authorized by law.

To pay for any property, real or personal, rights, franchises or things required by or useful to the Company, or in incorporating and organizing the Company, or in any manner whatsoever, either in cash or in fully paid up and non-assessable shares of the Capital Stock of the Company or in debentures of the Company, by the name of

"Clark Brothers, Limited," with a total capital stock of Forty-nine thousand dollars, divided into Nine hundred and eighty shares of Fifty dollars each, of which Capital Stock Twenty-four thousand dollars is to be "A" Stock or Ordinary Stock of the Company, and Twenty-Five thousand dollars is to be "B" Stock or Preference Stock, and such preference stock shall be entitled to a dividend of seven per cent. per annum which dividend shall be cumulative, and shall be fully paid up for each and every year before any dividend shall be paid on the common stock, and such Preference Stock shall be entitled in the distribution of the assets of the Company or in the winding up thereof to be paid in full with all dividends before any part of the common stock shall be paid.

No larger dividend than fifteen per centum in any one year shall be declared or paid on the Common Stock of the Company without first declaring and paying, in addition to the regular dividend of seven per centum on the Preference Stock, an additional dividend of one per centum on the Preference Stock.

The holders of "B" or Preference Stock shall have the right to select one-fifth in number of the Board of Directors of the Company, and if the number of Directors of the Company be such that this proportion cannot be exactly established, then by one-fifth the number next below the full number of members of the Board of Directors of which one-fifth shall make an exact proportion.

Provided, however, that if the Company at any time after the work of manufacturing actually begins fails to pay the full annual dividend of seven per centum per annum on the "B" or Preference Stock for a period of two successive years, the holders of the "B" or Preference Stock shall have equal voting rights and powers with the holders of the Common Stock until such time as the Company is in a position to pay dividends at the rate of seven per centum per annum on the "B" or Preference Stock, together with all dividends which may have accumulated on said "B" or Preference Stock.

Except as herein expressly provided the said Preference Shares shall not confer on the holders thereof the right to vote at any meeting of the Company unless such meeting is convened for winding up or for the purpose of considering any proposition to sell or mortgage the undertaking or assets of the Company, or to create any further issue of Preference Stock.

The Company shall have the right to call in, pay, redeem and cancel the whole of the Preferred Stock of the Company at any time and without the consent of the holders thereof, by paying cash for each share of such Preference Stock, the amount of the principal thereof, and in addition five per centum premium thereon and all dividends unpaid together with the interest on the principal at the rate of seven per centum from the date of the last preceding annual dividend to the date of payment, provided that notice thereof be given to the holder or holders of "B" or Preference Stock by printed notice published once a week for four consecutive weeks in some weekly newspaper printed and published in the Town of Saint Stephen, the first publication in each case to be not less than two months before the day fixed in said public notice for said redemption, and upon such redemption of the "B" or Preference Stock the "A" or Common Stock of the Company may, by resolution of the Board of Directors, ratified by a meeting of the holders of "A" or Common Stock then outstanding be increased over and above the amount of Twenty-Four thousand dollars to the extent of the said "B" or Preference Stock, but no more, and the Directors may make such provisions regarding the issue, sale and disposal of such increased amount of Common Stock as to them shall seem in the interest and to the advantage of the Company.

Until after a dividend of seven per cent on the Preferred Stock has been earned and paid on the "B" or preference Stock, no officer or servant of the Company shall be paid a salary or other allowance of any kind, for service or otherwise, amounting in the whole to more than Three thousand dollars per annum.

And with the head office of the said Company at Saint Stephen in the County of Charlotte in said Province.

Dated at the office of the Provincial Secretary, at Fredericton, the Tenth day of July, A. D. 1913.

H. F. McLEOD,

Provincial Secretary-Treasurer.

**TAKE** Notice, that Willard G. McGinley, of the City of Saint John, in the City and County of Saint John, and Province of New Brunswick, Expressman, in pursuance of the provisions of Chapter 141 of the Consolidated Statutes of New Brunswick, entitled "An Act respecting Assignments and Preferences by Insolvent Persons," did on the thirtieth day of June, in the year of our Lord one thousand nine hundred and thirteen, make an assignment for the benefit of his creditors to the undersigned, John A. Barry, Esquire, of the said City of Saint John, in the City and County of Saint John, and Province aforesaid. And also, a meeting of the creditors of the said Willard G. McGinley will be held at the office of the said John A. Barry, Esquire, Assignee, Robinson Building, No. 19 Market Square, Saint John, N. B., on Friday, the fourth day of July, A. D. 1913, at three o'clock in the afternoon, for the appointment of inspectors and giving directions with reference to the distribution of the estate, and transaction of such other business as shall legally come before the meeting.

And notice is further given, that all creditors are required to file their claims, duly proven, with the Assignee within three months from the date of this notice, unless further time be allowed by a Judge of the Supreme or County Court, and that all claims not filed within time limited, or such further time, if any, as may be allowed by any such Judge, shall be wholly barred of any right to share in the proceeds of the Estate, and the Assignee shall be at liberty to distribute the proceeds of the Estate as if no such claim existed, and without prejudice to the liability of the debtor therefor.

Dated at the City of Saint John this second day of July, A. D. 1913.

JOHN A. BARRY,

Assignee.

J. D. P. Lewin,  
Solicitor for Assignee.

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**NOTICE** is hereby given that a meeting of the creditors of Eleanor A. Tapley, of the City of Saint John, Widow, carrying on business under the firm name of Tapley Bros. will be held at the Office of Barnhill, Ewing & Sanford, Barristers, in the Pugsley Building, 29 Princess Street, in the said City, on Tuesday the 29th day of July instant, at the hour of 4 o'clock in the afternoon, for the purpose of voting remuneration to the Assignee and Inspectors, and for declaring a dividend and for such other purposes as shall lawfully come before the meeting.

Dated at the City of Saint John, this 22nd day of July, A. D., 1913

CHAS. F. SANFORD,

Assignee.

A. P. BARNHILL,  
Solicitor.

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