

IN THE
Supreme Court of the United States

OCTOBER TERM, A. D. 1962.

NO. 13 ORIGINAL

STATE OF TEXAS,

Plaintiff,

vs.

STATE OF NEW JERSEY, *et al.*,

Defendants.

MOTION OF THE STATE OF ILLINOIS FOR LEAVE
TO INTERVENE IN THIS CASE AND TO FILE THE
PETITION IN INTERVENTION SUBMITTED HERE-
WITH.

BRIEF IN SUPPORT OF FOREGOING MOTION.

WILLIAM G. CLARK,

Attorney General of the State of Illinois,
160 N. La Salle Street, Suite 900,
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*Attorney for the State of Illinois,
Petitioner.*

WILLIAM C. WINES,

Assistant Attorney General of Illinois,

Of Counsel.

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WITH.**

The State of Illinois, by William G. Clark, her Attorney General, respectfully presents herewith under separate cover and seeks leave to file a petition in intervention in this case.

Suggestions in support of this motion are submitted in the attached brief.

WILLIAM G. CLARK,
Attorney General of the State of Illinois,
160 N. La Salle Street, Suite 900,
Chicago 1, Illinois (FI 6-2000),
Attorney for the State of Illinois,
Petitioner.

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BRIEF IN SUPPORT OF FOREGOING MOTION.

In 1961 Illinois adopted the "Uniform Disposition of Unclaimed Property Act", (Ill. Rev. Stats., 1961, Ch. 141, Pars. 101-130, Vol. II, pp. 2385-2388). That Act is printed in full text, Appendix I, *post*.

Illinois has many "financial or banking institutions" as defined in that Act. Most if not all of these institutions are debtors on deposits or other items of direct obligation, the depositor or other direct obligee being a non-resident of Illinois.

On the other hand, other States which have enacted the Uniform Unclaimed Property Act or other legislation contemplating the "escheat" or impounding of long unclaimed choses in action have within their territorial boundaries many banks and other financial institutions which are indebted to residents of Illinois who have either died with Illinois as their domiciles or who can not be found, their last known place of residence being or having been Illinois.

Thus Illinois has an interest in all of the questions sought to be adjudicated in the instant case.

The Attorney General of Illinois and his staff have studied the materials now before the Court in this case.

Illinois' Attorney General is persuaded that the briefs now before this Court do not adequately present the considerations noted in this brief.

I.

The right of a State to escheat or impound moneys due upon intangible choses in action does not depend primarily upon whether that State is the State of the debtor's incorporation or upon whether that State is the State of the decedent or last known owner's last known residence. The rights depend upon the laws of the State in which the indebtedness was created.

Thus far the altercation presented in this Court may thus be briefly but correctly stated:

DOES THE RIGHT TO ESCHEAT OR IMPOUND MONEYS DUE TO PERSONS WHO CAN NOT BE FOUND INHERE IN THE STATE IN WHICH THE DEBTOR WAS INCORPORATED, IN THE INSTANT CASE NEW JERSEY, OR IN THE STATE OF THE LOST PERSON'S RESIDENCE OR LAST KNOWN RESIDENCE, IN THIS CASE TEXAS?

But the elementary considerations suggested in this brief demonstrate that the question stated above arises **only when**

the laws of the State in which the debt or other obligation was created are silent upon the point and when that State lays no claim to the funds that are the property of the deceased or missing person.

The briefs thus far filed, so far as we are aware, discuss only the Due Process Clause of the Fourteenth Amendment and the provisions of the Constitution of the United States.

Where the laws of the State in which the debt was created are silent upon the mode by which the right to collect the debt may be transferred, whether by assignment for or without consideration and with or without notice of defenses, by testamentary bequest, by devolution under the laws of intestacy or escheat, then the general rule appears to be that it is the domicile of the transferor or the last known domicile of a missing person, not the laws of the State in which the debtor corporation was incorporated, that determine transferability with one important exception:

Where the chose in action consists, not in a mere simple promise, condition or unconditional, to pay a debt in money or deliver a quantity of goods but constitutes a "membership" in a society, such as an insurance corporation or perhaps a building and loan association, so that all of the members' rights must be determined by the laws of the same State in order to avoid manifest injustice by permitting a sister State to enlarge the rights of her own residents, then the laws of the State of incorporation govern transferability regardless of the laws of the State in which the indebtedness was created and irrespective of the laws in which transfer, e.g., by escheat is attempted. *Modern Woodmen v. Mixer*, 267 U. S. 544.

If Illinois is granted leave to intervene in this case, she will urge that the Court declare the exigent rules to be these:

Where the laws of the State creating the indebtedness engraft upon that indebtedness the terms under which it can be transferred, by escheat or otherwise, those laws govern unless the obligation constitutes a membership in a complex organization within the rule of *Modern Woodmen v. Mixer*, 267 U. S. 544.

Where the laws of the State creating the indebtedness are silent, then the right to escheat the funds traditionally inures to the State of the decedent's domicile or the missing person's last known domicile. Florida's brief correctly so states and the authorities cited in that brief correctly so hold.

For authorities other than *Modern Woodmen v. Mixer*, 267 U. S. 544, Illinois refers at this plenary juncture of this case, where plenary canvass of the question is inappropriate, to the briefs of her sister States now on file in this Court.

Respectfully submitted,

WILLIAM G. CLARK,

Attorney General of the State of Illinois,
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*Attorney for the State of Illinois,
Petitioner.*

WILLIAM C. WINES,

Assistant Attorney General of Illinois,

Of Counsel.

APPENDIX. I.

UNIFORM DISPOSITION OF UNCLAIMED PROPERTY ACT.

AN ACT relating to the disposition of unclaimed property, to make uniform the law with reference thereto, to provide penalties for the violation thereof and to make an appropriation with relation thereto. Approved Aug. 17, 1961, L. 1961, p. 2385, H. B. No. 774.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

101. Definitions] § 1. As used in this Act, unless the context otherwise requires:

(a) "Banking organization" means any bank, trust company, savings bank, industrial bank, land bank, safe deposit company, or a private banker engaged in business in this State.

(b) "Business association" means any corporation (other than a public corporation), joint stock company, business trust, partnership, or any association for business purposes of 2 or more individuals.

(c) "Financial organization" means any savings and loan association, building and loan association, credit union, co-operative bank or investment company, engaged in business in this State.

(d) "Holder" means any person in possession of property subject to this Act belonging to another, or who is trustee in case of a trust, or is indebted to another or an obligation subject to this Act.

(e) "Life insurance corporation" means any association or corporation transacting within this State the business of insurance on the lives of persons or insurance appertaining thereto, including, but not by way of limitation, endowments and annuities.

(f) "Owner" means a depositor in case of a deposit, a beneficiary in case of a trust, a creditor, claimant, or payee in case of other choses in action, or any person having a legal or equitable interest in property subject to this Act, or his legal representative.

(g) "Person" means any individual, business association, government or political subdivision, public corporation, public authority, estate, trust, 2 or more persons having a joint or common interest, or any other legal or commercial entity.

(h) "Utility" means any person who owns or operates within this State, for public use, any plant, equipment, property, franchise, or license for the transmission of communication or the production, storage, transmission, sale, delivery, or furnishing of electricity, water steam, or gas.

(i) "Director" means the Director of the Illinois Department of Financial Institutions.

102. Property held or owing by banking or financial institution—Presumption of abandonment.] § 2. The following property held or owing by a banking or financial organization is presumed abandoned:

(a) Any demand, savings, or matured time deposit made in this State with a banking organization, together with any interest or dividend thereon, excluding any charges that may lawfully be withheld, unless the owner has, within 15 years:

1) Increased or decreased the amount of the deposit, or presented the passbook or other similar evidence of the deposit for the crediting of interest; or

(2) Corresponded in writing with the banking organization concerning the deposit; or

(3) Otherwise indicated an interest in the deposit as evidenced by a memorandum on file with the banking organization.

(b) Any funds paid in this State toward the purchase of withdrawable shares or other interest in a financial organization, or any deposit made therewith in this State, and any interest or dividends thereon, excluding any charges that may lawfully be withheld, unless the owner has within 15 years:

(1) Increased or decreased the amount of the funds, or deposit, or presented an appropriate record for the crediting of interest or dividends; or

(2) Corresponded in writing with the financial organization concerning the funds or deposit; or

(3) Otherwise indicated an interest in the funds or deposit as evidenced by a memorandum on file with the financial organization.

(c) Any sum payable on checks certified in this State or on written instruments issued in this State on which a banking or financial organization is directly liable, including, by way of illustration but not of limitation, certificates of deposit, drafts, and traveler's checks, that has been outstanding for more than 15 years from the date it was payable, or from the date of its issuance if payable on demand, unless the owner has within 15 years corresponded in writing with the banking or financial organization concerning it, or otherwise indicated an interest as evidenced by a memorandum on file with the banking or financial organization.

(d) Any funds or other personal property, tangible or intangible, removed from the safe deposit box or any other

safekeeping repository or agency or collateral deposit box in the State on which the lease or rental period has expired due to nonpayment of rental charges or other reason, or any surplus amounts arising from the sale thereof pursuant to law, that have been unclaimed by the owner for more than 7 years from the date on which the lease or rental period expired.

103. Funds held and owing by life insurance company—Presumption of abandonment.] § 3. (a) Unclaimed funds, as defined in this Section, held and owing by a life insurance corporation shall be presumed abandoned if the last known address, according to the records of the corporation, of the person entitled to the funds is within this State. If a person other than the insured or annuitant is entitled to the funds and no address of such person is known to the corporation or if it is not definite and certain from the records of the corporation what person is entitled to the funds, it is presumed that the last known address of the person entitled to the funds is the same as the last known address of the insured or annuitant according to the records of the corporation.

(b) “Unclaimed funds”, as used in this Section, means all moneys held and owing by any life insurance corporation unclaimed and unpaid for more than 15 years after the moneys became due and payable as established from the records of the corporation under any life or endowment insurance policy or annuity contract which has matured or terminated. A life insurance policy not matured by actual proof of the death of the insured is deemed to be matured and the proceeds thereof are deemed to be due and payable if such policy was in force when the insured attained the limiting age under the mortality table on which the reserve is based, unless the person appearing entitled thereto has within the

preceding 15 years, (1) assigned, readjusted, or paid premiums on the policy, or subjected the policy to loan, or (2) corresponded in writing with the life insurance corporation concerning the policy. Moneys otherwise payable according to the records of the corporation are deemed due and payable although the policy or contract has not been surrendered as required.

104. Funds held or owing by utility—Presumption of abandonment.] § 4. The following funds held or owing by any utility are presumed abandoned:

(a) Any deposit made by a subscriber with a utility to secure payment for, or any sum paid in advance for, utility services to be furnished in this State, less any lawful deduction, that has remained unclaimed by the person appearing on the records of the utility entitled thereto for more than 7 years after the termination of the services for which the deposit or advance payment was made.

(b) Any sum which a utility has been ordered to refund and which was received for utility services rendered in this State, together with any interest thereon, less any lawful deductions, that has remained unclaimed by the person appearing on the records of the utility entitled thereto for more than 7 years after the date it became payable in accordance with the final determination or order providing for the refund.

105. Moneys held in trust for payment of stocks and bonds.] § 5. The provisions of this Act shall not apply to any amount held or owing by a banking organization as agent, or as trustee of an express trust, for the purpose of making payment to holders of, or in respect of stocks, bonds, or other securities of a governmental or other public issuer, or of a business association other than a business association which shall have discontinued the conduct of its business,

or the corporate existence of which shall have terminated, without the right to receive such amount having passed to a successor or successors.

106. Property distributable in course of voluntary dissolution—Presumption of abandonment.] § 6. All intangible personal property distributable in the course of a voluntary dissolution of a business association, banking organization, or financial organization organized under the laws of or created in this State, that is unclaimed by the owner within 2 years after the date for final distribution, is presumed abandoned.

107. Property held in fiduciary capacity—Presumption of abandonment.] § 7. All intangible personal property and any income or increment thereon, held in a fiduciary capacity (other than as trustee of an active express trust) for the benefit of another person is presumed abandoned unless the owner has, within 15 years after it becomes payable or distributable, increased or decreased the principal, accepted payment of principal or income, corresponded in writing concerning the property, or otherwise indicated an interest as evidenced by a memorandum on file with the fiduciary.

(a) If the property is held by a banking organization or a financial organization, or by a business association organized under the laws of or created in this State; or

(b) If it is held by a business association, doing business in this State, but not organized under the laws of or created in this State, and the records of the business association indicate that the last known address of the person entitled thereto is in this State; or

(c) If it is held in this State by any other person.

107a. Active express trusts.] § 7a. The provisions of this Act shall not apply to an active express trust.

108. Funds or property in hands of court or public officer.] § 8. All funds and intangible personal property held for the owner by any court, public corporation, public authority, or public officer of this State, or a political subdivision thereof, that has remained unclaimed by the owner for more than 7 years is presumed abandoned.

109. Property not otherwise covered by act—Presumption of abandonment.] § 9. All intangible personal property, not otherwise covered by this Act, including any income or increment thereon and deducting any lawful charges, that is held or owing in this State in the ordinary course of the holder's business and has remained unclaimed by the owner for more than 15 years after it became payable or distributable is presumed abandoned.

110. Property of non-residents.] § 10. If specific property which is subject to the provisions of Sections 2, 5, 6, 7, and 9¹ is held for or owed or distributable to an owner whose last known address is in another state by a holder who is subject to the jurisdiction of that state, the specific property is not presumed abandoned in this State and subject to this Act if:

(a) It may be claimed as abandoned or escheated under the laws of such other state; and

(b) The laws of such other state make reciprocal provision that similar specific property is not presumed abandoned or escheatable by such other state when held for or owed or distributable to an owner whose last known address is within this State by a holder who is subject to the jurisdiction of this State.

111. Report of custodians.] § 11. (a) Every person holding funds or other property, tangible or intangible, pre-

¹ Sections 102, 105, 106, 107 and 109 of this chapter.

sumed abandoned under this Act shall report to the Director with respect to the property as hereinafter provided.

(b) The report shall be verified and shall include:

(1) The name, if known, and last known address, if any, of each person appearing from the records of the holder to be the owner of any property of the value of \$25.00 or more presumed abandoned under this Act;

(2) In case of unclaimed funds of life insurance corporations the full name of the insured or annuitant and his last known address according to the life insurance corporation's records:

(3) The nature and identifying number, if any, or description of the property and the amount appearing from the records to be due, except that items of value under \$25.00 each may be reported in aggregate;

(4) The date when the property became payable, demandable, or returnable, and the date of the last transaction with the owner with respect to the property; and

(5) Other information which the Director prescribes by rule as necessary for the administration of this Act.

(c) If the person holding property presumed abandoned is a successor to other persons who previously held the property for the owner, or if the holder has changed his name while holding the property he shall file with his report all prior known names and addresses of each holder of the property.

(d) The report shall be filed before November 1 of each year as of June 30 next preceding, but the report of life insurance corporations shall be filed before May 1 of each year as of December 31 next preceding, provided that the initial report required under this Act shall be filed not later than May 1, 1962 and shall include all items of property presumed

abandoned under the Act as of the preceding June 30 or December 31 as the case may be. The Director may postpone the reporting date upon written request by any person required to file a report.

(e) Before filing the annual report the holder of property presumed abandoned under this Act shall communicate with the owner at his last known address if any such address is known to the holder, setting forth the provisions hereof necessary to occur in order to prevent abandonment from being presumed.

(f) Verification, if made by a partnership, shall be executed by a partner; if made by an unincorporated association or private corporation, by an officer; and if made by a public corporation, by its chief fiscal officer.

112. Notice to owners.] § 12. (a) Within 120 days from the filing of the report required by Section 11,¹ the Director shall cause notice to be published at least once each week for 2 successive weeks in an English language newspaper of general circulation in the county in this State in which is located the last known address of any person to be named in the notice. If no address is listed or if the address is outside this State, the notice shall be published in the county in which the holder of the abandoned property has his principal place of business within this State.

(b) The published notice shall be entitled "Notice of Names of Persons Appearing to be Owners of Abandoned Property", and shall contain:

(1) The names in alphabetical order and last known addresses, if any, of persons listed in the report and entitled to notice within the county as hereinbefore specified.

¹ Section 111 of this chapter.

(2) A statement that information concerning the amount or description of the property and the name and address of the holder may be obtained by any persons possessing an interest in the property by addressing an inquiry to the Director.

(3) A statement that if proof of claim is not presented by the owner to the holder and if the owner's right to receive the property is not established to the holder's satisfaction within 65 days from the date of the second published notice, the abandoned property will be placed not later than 85 days after such publication date in the custody of the Director to whom all further claims must thereafter be directed.

(c) The Director is not required to publish in such notice any item of less than \$25.00 unless he deems such publication to be in the public interest.

(d) Within 120 days from the receipt of the report required by Section 11, the Director shall mail a notice to each person having an address listed therein who appears to be entitled to property of the value of \$25.00 or more presumed abandoned under this Act.

(e) The mailed notice shall contain:

(1) A statement that, according to a report filed with the Director, property is being held to which the addressee appears entitled.

(2) The name and address of the person holding the property and any necessary information regarding changes of name and address of the holder.

(3) A statement that, if satisfactory proof of claim is not presented by the owner to the holder by the date specified in the published notice, the property will be placed in the custody of the Director to whom all further claims must be directed.

113. Delivery of property to director—Exception—Proof of claim.] § 13. Every person who has filed a report as provided by Section 11¹ shall within 20 days after the time specified in Section 12² for claiming the property from the holder pay or deliver to the Director all abandoned property specified in the report after first deducting therefrom actual costs of mailing. Provided, however, that if the owner establishes his right to receive the abandoned property to the satisfaction of the holder within the time specified in Section 12, or if it appears that for some other reason the presumption of abandonment is erroneous, the holder need not pay or deliver the property, which will no longer be presumed abandoned, to the Director, but in lieu thereof shall file a verified written explanation of the proof of claim or of the error in the presumption of abandonment.

114. Delivery of property to director—Effect.] § 14. Upon the payment or delivery of abandoned property to the Director, the state shall assume custody and shall be responsible for the safekeeping thereof. Any person who pays or delivers abandoned property to the Director under this Act is relieved of all liability to the extent of the value of the property so paid or delivered for any claim which then exists or which thereafter may arise or be made in respect to the property.

115. Income accruing after delivery to director.] § 15. When property is paid or delivered to the Director under this Act, the owner is not entitled to receive income or other increments accruing thereafter.

116. Limitation period—Effect of expiration.] § 16. The expiration of any period of time specified by statute or court

¹ Section 111 of this chapter.

² Section 112 of this chapter.

order, during which an action or proceeding may be commenced or enforced to obtain payment of a claim for money or recovery of property, shall not prevent the money or property from being presumed abandoned property, nor affect any duty to file a report required by this Act or to pay or deliver abandoned property to the Director.

117. Sale by director.] § 17. (a) All abandoned property other than money delivered to the Director under this Act shall within one year after the delivery be sold by him to the higher bidder at public sale in whatever city in the state affords in his judgment the most favorable market for the property involved. The Director may decline the highest bid and reoffer the property for sale if he considers the price bid insufficient. He need not offer any property for sale if, in his opinion, the probable cost of sale exceeds the value of the property.

(b) Any sale held under this Section shall be preceded by a single publication of notice thereof, at least 3 weeks in advance of sale in an English language newspaper of general circulation in the county where the property is to be sold.

(c) The purchaser at any sale conducted by the Director pursuant to this Act shall receive title to the property purchased, free from all claims of the owner or prior holder thereof and of all persons claiming through or under them. The Director shall execute all documents necessary to complete the transfer of title.

118. Funds from sale—Deposit.] § 18. (a) All funds received under this Act, including the proceeds from the sale of abandoned property under Section 17,¹ shall forthwith be transferred by the Director to the State Treasurer for deposit in the State Pensions Fund in the state treasury, ex-

¹ Section 117 of this chapter.

cept that the State Treasurer shall retain in a separate trust fund an amount not exceeding \$250,000 from which he shall make prompt payment of claims duly allowed by the Director as hereinafter provided. Before making the deposit the Director shall record the name and last known address of each person appearing from the holder's reports to be entitled to the abandoned property and of the name and last known address of each insured person or annuitant, and with respect to each policy or contract listed in the report of a life insurance corporation, its number, the name of the corporation, and the amount due. The record shall be available for public inspection at all reasonable business hours.

(b) Before making any deposit to the credit of the State Pensions Fund, the Director may deduct: (1) any costs in connection with sale of abandoned property, (2) any costs of mailing and publication in connection with any abandoned property, and (3) any costs in connection with the maintenance of records or disposition of claims made pursuant to this Act. The Director shall semi-annually file an itemized report of all such expenses with the Legislative Audit Commission.

119. Claims of interested persons—Filing.] § 19. Any person claiming an interest in any property delivered to the state under this Act may file a claim thereto or to the proceeds from the sale thereof on the form prescribed by the Director.

120. Determination of claims.] § 20. (a) The Director shall consider any claim filed under this Act and shall hold a hearing and receive evidence concerning it. He shall prepare a finding and a decision in writing on each claim filed, stating the substance of any evidence heard by him, his findings of fact in respect thereto, and the reasons for his decision. The decision shall be a public record.

(b) If the claim is allowed, the State Treasurer shall make payment forthwith, upon notification by the Director. The claim shall be paid without deduction for costs of notices or sale or for serving charges.

121. Review.] § 21. A final administrative decision of the Director in respect to a claim filed hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved May 8, 1945, as heretofore or hereafter amended,¹ and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of said "Administrative Review Act".² The review action may be instituted by any person adversely affected or aggrieved by the decision.

122. Director's refusal to receive property of small value.] § 22. The Director, after receiving reports of property deemed abandoned pursuant to this Act, may decline to receive any property reported which he deems to have a value less than the cost of giving notice and holding sale, or he may, if he deems it desirable because of the small sum involved, postpone taking possession until a sufficient sum has accumulated. Unless the holder of the property is notified to the contrary within 120 days after filing the report required under Section 11,¹ the Director shall be deemed to have elected to receive the custody of the property.

123. Examination of records.] § 23. The Director may at reasonable times and upon reasonable notice examine the records of any person if the Director has reason to believe that such person has failed to report property that should have been reported pursuant to this Act.

¹ Chapter 110, § 264 et seq.

² Chapter 110, § 264.

¹ Section 111 of this chapter.

124. Enforcement of delivery.] § 24. If any person refuses to deliver property to the Director as required under this Act, the Director shall bring an action in a court of appropriate jurisdiction to enforce such delivery.

125. Penalties.] § 25. (a) Any person who wilfully fails to render any report or perform other duties required under this Act, shall be punished by a fine of \$25 for each day such report is withheld, but not more than \$1,000.

(b) Any person who wilfully refuses to pay or deliver abandoned property to the Director as required under this Act shall be punished by a fine of not less than \$100 nor more than \$1,000 or imprisonment for not more than 6 months, or both.

126. Rules and regulations.] § 26. The Director is hereby authorized to make necessary rules and regulations to carry out the provisions of this Act.

127. Escheated or abandoned property under laws of other state.] § 27. This Act shall not apply to any property that has been presumed abandoned or escheated under the laws of another state prior to the effective date of this Act, or to any funds held by any annuity, pension or benefit funds created pursuant to the laws of this State and supported by public revenues.

128. Severability clause.] § 28. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are severable.

129. Construction.] § 29. This Act shall be so construed as to effectuate its general purpose to make uniform the law of those states which enact it.

130. Short title.] § 30. This Act may be cited as the Uniform Disposition of Unclaimed Property Act.

[§ 31. Repeal.]

[§ 32. Appropriation.]

PROOF OF SERVICE.

I, William G. Clark, Attorney General of Illinois, attorney for the State of Illinois, Petitioner herein, and a member of the Bar of the Supreme Court of the United States, hereby certify that on the 18th day of March, 1963, I served copies of the foregoing Motion of the State of Illinois for Leave to Intervene in this Case, Brief in Support of said Motion, and Intervening Petition of Illinois on each of the parties defendant by depositing copies in a United States post office or mail box, postage prepaid and addressed to:

Hon. John B. Connelly, Governor of Texas, Courts Bldg., Austin (1)), Texas.

Hon. Waggoner Carr, Attorney General of Texas, Courts Bldg., Austin (11), Texas.

Richard W. Ervin, Attorney General of Florida, Capitol Bldg., Tallahassee, Florida.

Hon. David Stahl, Attorney General of Pennsylvania, State Capitol, Harrisburg, Penna.

Robt. B. Ely, III, 1600 Arch Street, Philadelphia 3, Penna. (Attorney for Applicant, Insurance Co. of North America.)

Arthur J. Sills, Attorney General of New Jersey, State Capitol, Trenton, New Jersey.

Joseph T. Wilson, Jr., Treasurer of Sun Oil Co., 1608 Walnut St., Philadelphia 3, Penna.

Mr. Henry A. Frye, c/o Petter, Hamilton & Scheetz, Fidelity-Philadelphia Trust Bldg., Philadelphia 9, Penna.

Mr. T. F. Hill, Southland Center, P. O. Box 2880, Dallas 21, Texas.

Hon. Robert B. Meyner, Governor of New Jersey, State Capitol, Trenton, New Jersey.

Honorable David L. Lawrence, Governor of Penna., State Capitol, Harrisburg, Penna.

It is further certified that copies of said Motion, Brief in Support and Intervening Petition of Illinois, have been served on the following Governors and Attorneys General of the following states, at their addresses, by mailing copies by United States mail, prepaid:

State	Governor	Attorney General	Address
Pennsylvania	William Scranton		State Capitol, Harrisburg
Oregon	Mark O. Hatfield	Robert Y. Thornton	Dept. of Justice, Salem
Oklahoma	Henry Bellman	Charles Nesbitt	State Capitol, Oklahoma City
Utah	George D. Clyde	A. Pratt Kesler	State Capitol, Salt Lake City
Arizona	Paul Fannin	Robert Pickerell	State Capitol, Phoenix
Washington	Albert D. Rosellini	John J. O'Connell	Dept. of Justice, Olympia
Mass.	Endicott Peabody	Edward W. Brooke	State House, Boston
Arkansas	Orval E. Faubus	Bruce Bennett	Supreme Ct. Bldg., Little Rock
Conn.	John Dempsey	Albert L. Coles	State Capitol, Hartford
New York	Nelson A. Rockefeller	Louis J. Lefkowitz	State Capitol, Albany
Michigan	George Romney	Frank Kelley	State Capitol, Lansing
N. Carolina	Terry Sanford	T. Wade Bruton	Dept. of Justice, Raleigh
Louisiana	James H. Davis	Jack P. F. Gremillion	State Capitol, Baton Rouge
New Mexico	Jack M. Campbell	Earl E. Hartley	State Capitol, Santa Fe
California	Edmund G. Brown	Stanley Mosk	Library & Courts Bldg., Sacramento
Virginia	Albertis S. Harrison, Jr.	Robert Y. Button	Supreme Court Bldg., Richmond 19
Kentucky	Bert T. Combs	John B. Breckinridge	State Capitol, Frankfort
Idaho	Robert E. Smylie	Allan G. Shepard	State Capitol, Boise

Subscribed and sworn to before me this 18th day of
March, 1963.

MARY GRIFFIN,
Notary Public.

WILLIAM G. CLARK,
Attorney General, State of Illinois.

