

APR 27 1971

E. ROBERT SEAWER, CLERK

IN THE

**Supreme Court of The United States**

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OCTOBER TERM, 1970

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NO. 40 *Ohio*

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COMMONWEALTH OF PENNSYLVANIA,

*Plaintiff,*

vs.

STATE OF NEW YORK, STATE OF FLORIDA,  
STATE OF OREGON, COMMONWEALTH OF  
VIRGINIA, and THE WESTERN UNION TEL-  
EGRAPH COMPANY,*Defendants.*

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**MOTION OF THE STATE OF INDIANA FOR LEAVE  
TO JOIN IN THE COMPLAINT AND THE BRIEF OF  
THE COMMONWEALTH OF PENNSYLVANIA**

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## **MOTION OF THE STATE OF INDIANA FOR LEAVE TO JOIN IN THE COMPLAINT AND THE BRIEF OF THE COMMONWEALTH OF PENNSYLVANIA**

The State of Indiana respectfully represents that the above cause is now pending in this Court before the Honorable John F. Davis, Esquire, Special Master; that several States, including the State of Indiana, have been granted leave to intervene herein as parties plaintiff and defendant respectively; that the allegations and averments of the Commonwealth of Pennsylvania in her complaint, including the prayers thereof, and the arguments presented by her in her Brief are those which Indiana, upon advice, pro-

poses to advance with the sole exception of amounts, identity of escheator, and applicable statutory law; and that as to paragraphs 19 and 21 of Pennsylvania's Complaint, the State of Indiana alleges and avers:

\* \* \*

19. Of the said sum, at the least \$80,000.00 is held by Western Union on account of money orders purchased from it in Indiana.

\* \* \*

21. The said sum of at least \$80,000.00 is subject to escheat or custodial taking by the State of Indiana under the provisions of its laws. By Act of the General Assembly of the State of Indiana, approved March 10, 1967, Acts 1967 Ch. 253 §§ 1-46, Burns Ind. Stats. Ann. 51-701 to 51-746, Indiana enacted, retroactively, the Uniform Disposition of Unclaimed Property Act. To the extent if any, this Act was ineffectively retroactive, prior to March 10, 1967, the moneys here claimed were in any event escheatable to the State of Indiana by virtue of her statutory and common laws.

Wherefore, plaintiff the State of Indiana prays:

1. That the Complaint of the Commonwealth of Pennsylvania stand as the Complaint of the State of Indiana, with the exceptions noted above, and that the Court's Special Master enter an order to that effect.

2. That the Brief of the Commonwealth of Pennsylvania stand as the Brief of the State of Indiana.

3. That the plaintiff, the State of Indiana, have such other and further relief as to this Court may appear just.

Respectfully submitted,

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