

HOUSE JOINT RESOLUTION 22

Introduced by D. Brown, et al.

2/16	Introduced
2/16	Referred to Judiciary
2/16	First Reading
2/17	Hearing
2/18	Committee Report--Bill Passed
2/18	Placed on Consent Calendar
2/20	3rd Reading Passed
	Transmitted to Senate
2/22	First Reading
2/22	Referred to Judiciary
3/18	Hearing
3/23	Committee Report--Bill Concurred
3/25	2nd Reading Concurred
3/26	3rd Reading Concurred
	Returned to House
3/31	Signed by Speaker
4/01	Signed by President
4/02	Filed with Secretary of State

HOUSE JOINT RESOLUTION NO. 22

INTRODUCED BY Joe Brown Synch

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
5 REPRESENTATIVES OF THE STATE OF MONTANA URGING THE MONTANA  
6 SUPREME COURT TO ADMINISTER THE W.A. CLARK TRUST FOR THE  
7 PAUL CLARK HOME, INC., FOUNDATION IN BUTTE, MONTANA, WHICH  
8 IS NOW THE PAUL CLARK HOME/MCDONALD FAMILY PLACE IN BUTTE,  
9 MONTANA.

10  
11        WHEREAS, the last will and testament of Senator William  
12 Andrews Clark, dated May 29, 1922, which was probated in the  
13 District Court of Judge J.J. Lynch in the City of Butte,  
14 County of Silver Bow, State of Montana, directs in part the  
15 following:

16        "WHEREAS, upon the death of the survivor of the persons  
17        named at the beginning of this 5th clause, said trust to the  
18        Commercial Trust Company of New Jersey, shall cease, and  
19        determine, and the principal, and any unexpected income  
20        shall be paid to the state of Montana, primarily for the  
21        purpose of supporting and continuing said Paul Clark Home as  
22        a home for homeless and orphan children, and for any and all  
23        of the other purposes above mentioned. I desire that the  
24        administration of said fund, after payment to the state of  
25        Montana, shall be in the hands of the Justice of the Supreme

1 Court of Montana."; and

2        WHEREAS, the present trustees of the Paul Clark Home,  
3        Inc., Foundation in Butte, Montana, are aware that the  
4        remaining survivor of this will is very near demise because  
5        of advanced age; and

6 WHEREAS, death of the remaining survivor will trigger  
7 enactment of the trust provision referred to in the will;  
8 and

9           WHEREAS, the Paul Clark Home/McDonald Family Place  
10          provides care and lodging for patients and the families of  
11          patients who are receiving medical care in southwestern  
12          Montana's medical centers, which is a use similar to that  
13          provided for in the will; and

14 WHEREAS, upon the death of the last survivor of the  
15 will, the principal investment in the present trust  
16 maintained by Commercial Trust of New Jersey should be  
17 reinvested in Montana and governed by the trustees of the  
18 Paul Clark Home, Inc., Foundation; and

19 WHEREAS, the Paul Clark Home, Inc., Foundation Board of  
20 Directors and trustees will continue to lease the real  
21 property and home and continue to provide investment  
22 proceeds of the original trust to support the present Paul  
23 Clark Home/McDonald Family Place in Butte, Montana.

25 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE



1       OF REPRESENTATIVES OF THE STATE OF MONTANA:

2       That the trustees of the Paul Clark Home/McDonald Family  
3       Place and the 53rd Montana Legislature urge the Montana  
4       Supreme Court to, at the time the court begins to administer  
5       the trust under the will as provided in the will, administer  
6       the trust for the benefit of the Paul Clark Home/McDonald  
7       Family Place and to further the present and continued use of  
8       the property in Butte, Montana.

-End-

APPROVED BY COMMITTEE  
ON JUDICIARY

10  
11        WHEREAS, the last will and testament of Senator William  
12 Andrews Clark, dated May 29, 1922, which was probated in the  
13 District Court of Judge J.J. Lynch in the City of Butte,  
14 County of Silver Bow, State of Montana, directs in part the  
15 following:

16        "WHEREAS, upon the death of the survivor of the persons  
17        named at the beginning of this 5th clause, said trust to the  
18        Commercial Trust Company of New Jersey, shall cease, and  
19        determine, and the principal, and any unexpected income  
20        shall be paid to the state of Montana, primarily for the  
21        purpose of supporting and continuing said Paul Clark Home as  
22        a home for homeless and orphan children, and for any and all  
23        of the other purposes above mentioned. I desire that the  
24        administration of said fund, after payment to the state of  
25        Montana, shall be in the hands of the Justice of the Supreme



1     OF REPRESENTATIVES OF THE STATE OF MONTANA:

2     That the trustees of the Paul Clark Home/McDonald Family  
3     Place and the 53rd Montana Legislature urge the Montana  
4     Supreme Court to, at the time the court begins to administer  
5     the trust under the will as provided in the will, administer  
6     the trust for the benefit of the Paul Clark Home/McDonald  
7     Family Place and to further the present and continued use of  
8     the property in Butte, Montana.

-End-

HOUSE JOINT RESOLUTION NO. 22  
INTRODUCED BY D. BROWN, LYNCH

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
REPRESENTATIVES OF THE STATE OF MONTANA URGING THE MONTANA  
SUPREME COURT TO ADMINISTER THE W.A. CLARK TRUST FOR THE  
PAUL CLARK HOME, INC., FOUNDATION IN BUTTE, MONTANA, WHICH  
IS NOW THE PAUL CLARK HOME/MCDONALD FAMILY PLACE IN BUTTE,  
MONTANA.

11           WHEREAS, the last will and testament of Senator William  
12 Andrews Clark, dated May 29, 1922, which was probated in the  
13 District Court of Judge J.J. Lynch in the City of Butte,  
14 County of Silver Bow, State of Montana, directs in part the  
15 following:

16        "WHEREAS, upon the death of the survivor of the persons  
17        named at the beginning of this 5th clause, said trust to the  
18        Commercial Trust Company of New Jersey, shall cease, and  
19        determine, and the principal, and any unexpected income  
20        shall be paid to the state of Montana, primarily for the  
21        purpose of supporting and continuing said Paul Clark Home as  
22        a home for homeless and orphan children, and for any and all  
23        of the other purposes above mentioned. I desire that the  
24        administration of said fund, after payment to the state of  
25        Montana, shall be in the hands of the Justice of the Supreme

1       Court of Montana.;" and

2       WHEREAS, the present trustees of the Paul Clark Home,

3       Inc., Foundation in Butte, Montana, are aware that the

4       remaining survivor of this will is very near demise because

5       of advanced age; and

6       WHEREAS, death of the remaining survivor will trigger

7       enactment of the trust provision referred to in the will;

8       and

9       WHEREAS, the Paul Clark Home/McDonald Family Place

10      provides care and lodging for patients and the families of

11      patients who are receiving medical care in southwestern

12      Montana's medical centers, which is a use similar to that

13      provided for in the will; and

14      WHEREAS, upon the death of the last survivor of the

15      will, the principal investment in the present trust

16      maintained by Commercial Trust of New Jersey should be

17      reinvested in Montana and governed by the trustees of the

18      Paul Clark Home, Inc., Foundation; and

19      WHEREAS, the Paul Clark Home, Inc., Foundation Board of

20      Directors and trustees will continue to lease the real

21      property and home and continue to provide investment

22      proceeds of the original trust to support the present Paul

23      Clark Home/McDonald Family Place in Butte, Montana.

24

25      NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE



1       OF REPRESENTATIVES OF THE STATE OF MONTANA:

2           That the trustees of the Paul Clark Home/McDonald Family  
3       Place and the 53rd Montana Legislature urge the Montana  
4       Supreme Court to, at the time the court begins to administer  
5       the trust under the will as provided in the will, administer  
6       the trust for the benefit of the Paul Clark Home/McDonald  
7       Family Place and to further the present and continued use of  
8       the property in Butte, Montana.

-End-