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Upon Information and Belief

Dicta Editorial Board

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Upon Information and Belief

We feel extremely fortunate to be able to present in this issue reproductions of five lithographs by William Sharp. Mr. Sharp has worked for a long time as a newspaper staff artist and most of his assignments were at the New York Supreme Court, where press photographers are often barred. All of his prints are satirical notes on the various officials, defendants and culprits he found there, and it is satire of the first water. His line wanders around a face or profile to suddenly bash in the chin or tweak its nose, so that by the time Sharp has finished you know both the subject and what the artist thinks of him. His similarity to Daumier is mostly in subject matter; his art is his own—and the world's. It is human. We know that you will enjoy and chuckle over these prints as we have. The original lithographs may be purchased from the artist, whose address is 6620 108th Street, Forest Hills, Long Island, New York. The price is ten dollars each.

In our October issue we published an article by Graham Susman, *Validity of the Colorado Assignment Act*, in which Mr. Susman criticized a *dictum* appearing in *McKelvey v. Striker*, which was decided by the Colorado Supreme Court on August 25, 1941, and at that time not officially reported. The statement by the court was this: "Had the debtor proceeded under the statutory assignment act, the results might have been different." It was Mr. Susman's position that the state assignment act had become inoperative because of the federal bankruptcy act and that, therefore, the implication springing from this *dictum* would probably not be followed if the matter were presented directly to the court.

In order that Mr. Susman and your editors be not accused of barking up the wrong tree, it should be noted that, subsequent to the publication of Mr. Susman's article, the court of its own motion amended its previous opinion by striking the sentence quoted above. The sentence appears in the Pacific Reporter advance sheets* but will not appear in the Colorado Reports.

Which makes us all very happy, because it proves something which we had always suspected, namely, to-wit and viz., that at least one member of the Supreme Court reads DICTA.

*116 P. (2d) 921, at 922.