

January 1933

Report of Nominating Committee

Dicta Editorial Board

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crop, such contract is not available to the seller unless specifically assented to by the purchaser.

3. Such written warranty is not applicable where the seller of seeds sells to the purchaser sweet clover seed where the purchaser ordered alfalfa seed.

4. In such a case, a warranty as to description, quantity, or productiveness is not broad enough to include a mistake of the seller in delivering the wrong kind of seed, such as a delivery of clover seed where alfalfa seed was ordered, and in such case, such written warranty has no applicability.—*Judgment affirmed.*

JUDGMENTS—FOREIGN—PLEADING—SUFFICIENCY—*Gobin vs. Citizens State Bank*—No. 12847—*Decided March 20, 1933*—*Opinion by Mr. Justice Campbell.*

1. Citizens State Bank brought suit against Gobin and Gobin, based on judgment of District Court of Sedgwick County, Kansas. Judgment below for plaintiff.

2. In pleading a judgment or other determination of a Court, it is not necessary to state the facts conferring jurisdiction, but such judgment or determination may be stated to have been duly given or made.

3. In a petition, it is not sufficient to allege that the plaintiff recovered a judgment. The allegation must be made that such judgment was duly made or given.

4. In order that an action may be maintained in one state upon a judgment recovered in another state, it is necessary that the judgment should be a valid and final adjudication remaining in full force and virtue in the state of its rendition and capable of being enforced by final process.

5. A judgment of a sister state cannot be impeached for fraud.

6. Where a judgment of a sister state is attacked for fraud, resort must be made to the Court that rendered the judgment except in cases where the original court would itself allow the defense of fraud in an action on the judgment.—*Judgment reversed.*

REPORT OF NOMINATING COMMITTEE

The Committee on Nominations of the Denver Bar Association submitted the following names of candidates for election at the annual meeting April 20th next:

For president, Fraser Arnold.

For first vice president, Percy S. Morris.

For second vice president, Fred Sanborn, Jr.

Trustees, Harry S. Silverstein and Golding Fairfield.

WILLIAM E. HUTTON, *Chairman.*

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