is given in the state where rendered. Thus, an interlocutory judgment may not be given the effect of a final judgment.[14] Likewise, when a federal court does not attempt to foreclose the state court from hearing all matters of personal defense that landowners might plead, a state court may refuse to accept the former's judgment as determinative of the landowners' liabilities.[15] Similarly, though a confession of judgment upon a note, with a warrant of attorney annexed, in favor of the holder, is in conformity with a state law and usage as declared by the highest court of the state in which the judgment is rendered, the judgement may be collaterally impeached upon the ground that the party in whose behalf it was rendered was not in fact the holder.[16] But a consent decree, which under the law of the state has the same force and effect as a decree *in invitum*, must be given the same effect in the courts of another state.[17]

Subsequent to its departure from *Hampton v. McConnell*,[18] the Court does not appear to have formulated, as a substitute, any clear-cut principles for disposing of the contention that a state need not provide a forum for a particular type of judgment of a sister state. Thus, in one case, it held that a New York statute forbidding foreign corporations doing a domestic business to sue on causes originating outside the state was constitutionally applicable to prevent such a corporation from suing on a judgment obtained in a sister state.[19] But, in a later case, it ruled that a Mississippi statute forbidding contracts in cotton futures could not validly close the courts of the state to an action on a judgment obtained in a sister state on such a contract, although the contract in question had been entered into in the forum state and between its citizens.[20] Following the later rather than the earlier precedent, subsequent cases[21] have held: (1) that a state may adopt such system of courts and form of remedy as it sees fit but cannot, under the guise of merely affect-

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[14] Board of Public Works v. Columbia College, 84 U.S. (17 Wall.) 521 (1873); Robertson v. Pickrell, 109 U.S. 608, 610 (1883).

[15] Kersh Lake Dist. v. Johnson, 309 U.S. 485 (1940). *See also* Texas & Pac. Ry. v. Southern Pacific Co., 137 U.S. 48 (1890).

[16] National Exchange Bank v. Wiley, 195 U.S. 257, 265 (1904). *See also* Grover & Baker Machine Co. v. Radcliffe, 137 U.S. 287 (1890).

[17] Harding v. Harding, 198 U.S. 317 (1905).

[18] 16 U.S. (3 Wheat.) 234 (1818).

[19] Anglo-American Provision Co. v. Davis Provision Co., 191 U.S. 373 (1903).

[20] Fauntleroy v. Lum, 210 U.S. 230 (1908). Justice Holmes, who spoke for the Court in both cases, asserted in his opinion in the latter that the New York statute was "directed to jurisdiction," the Mississippi statute to "merits," but four Justices could not grasp the distinction.

[21] Kenney v. Supreme Lodge, 252 U.S. 411 (1920), and cases there cited. Holmes again spoke for the Court. *See also* Cook, *The Powers of Congress under the Full Faith and Credit Clause*, 28 YALE L.J. 421, 434 (1919).