the Court, which held that the judgment in the garnishment proceedings was entitled to full faith and credit as against B's action.[96]

Penal Judgments: Types Entitled to Recognition

The Full Faith and Credit Clause has been interpreted in the light of the "incontrovertible maxim" that "the courts of no country execute the penal laws of another."[97] In the leading case of *Huntington v. Attrill*,[98] however, the Court so narrowly defined "penal" in this connection as to make it substantially synonymous with "criminal" and on this basis held a judgment which had been recovered under a state statute making the officers of a corporation who signed and recorded a false certificate of the amount of its capital stock liable for all of its debts to be entitled under Article IV, § 1, to recognition and enforcement in the courts of sister states. Nor, in general, is a judgment for taxes to be denied full faith and credit in state and federal courts merely because it is for taxes. In *Nelson v. George*,[99] in which a prisoner was tried in California and North Carolina and convicted and sentenced in both states for various felonies, the Court determined that the Full Faith and Credit Clause did not require California to enforce a penal judgment handed down by North Carolina; California was free to consider what effect if any it would give to the North Carolina detainer.[100] Until the obligation to extradite matured, the Full Faith and Credit Clause did not require California to enforce the North Carolina penal judgment in any way.

Fraud as a Defense to Suits on Foreign Judgments

With regard to whether recognition of a state judgment can be refused by the forum state on other than jurisdictional grounds, there are dicta to the effect that judgments for which extraterritorial operation is demanded under Article IV, § 1 and acts of Congress are "impeachable for manifest fraud." But unless the fraud affected the jurisdiction of the court, the vast weight of authority is against the

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[96] Harris v. Balk, 198 U.S. 215 (1905). *See also* Chicago, R.I. & P. Ry. v. Sturm, 174 U.S. 710 (1899); King v. Cross, 175 U.S. 396, 399 (1899); Louisville & Nashville Railroad v. Deer, 200 U.S. 176 (1906); Baltimore & Ohio R.R. v. Hostetter, 240 U.S. 620 (1916). *Harris* itself has not survived the due process reformulation of Shaffer v. Heitner, 433 U.S. 186 (1977). *See* Rush v. Savchuk, 444 U.S. 320 (1980).

[97] *The Antelope*, 23 U.S. (10 Wheat.) 66, 123 (1825). *See also* Wisconsin v. Pelican Ins. Co., 127 U.S. 265 (1888).

[98] 146 U.S. 657 (1892). *See also* Dennick v. Railroad Co., 103 U.S. 11 (1881); Moore v. Mitchell, 281 U.S. 18 (1930); Milwaukee County v. White Co., 296 U.S. 268 (1935).

[99] 399 U.S. 224 (1970).

[100] 399 U.S. at 229.