

who did not appear, is without any validity ; that in such an action process from the tribunals of one State cannot run into another State and summon a party there domiciled to respond to proceedings against him ; that publication of process or of notice within the State in which the tribunal sits cannot create any greater obligations upon him to appear ; and that process sent to him out of the State and process published within it are equally unavailing in proceedings to establish his personal liability. The distinction is made, however, between personal actions and actions in rem, or quasi in rem, where property within the State is brought under the control of the Court and subjected to its disposition by process adapted to that purpose, or where the judgment is sought as a means of reaching such property or affecting some interest in it. It is of course well established that a State having within its territory property of a non-resident may hold and appropriate this property to satisfy claims of its citizens against him, and its tribunals may enquire into his obligations to the extent necessary to control the disposition of that property.

To sum up, therefore, in order to acquire jurisdiction over a non-resident, a Court must certify (a) property of the non-resident within its jurisdiction and actually attached under its process : *Pennoyer v. Neff*, *supra* ; or (b) that defendant is duly served with process within the State ; or (c) that defendant has voluntarily appeared and thus submitted to the jurisdiction. So rigid, however, is the requirement of personal or sufficient service of process within the jurisdiction, that in actions in rem or quasi in rem, where such requirement is wanting, the Court cannot go farther and award a money judgment ; *Cloyd v. Trotter*, 118 Ill. 392. Where attachment is granted, no general execution can be issued for any balance unpaid after the attached property is exhausted ; *Bissell v. Briggs*, 9 Mass. 462 ; nor could the costs in that proceeding be collected of defendant out of any property other than that attached in the suit ; *Cooper v. Reynolds*, 10 Wall. 308. No suit can be maintained on such a judgment in the same Court or in any other ; nor can it be used in any proceeding not affecting the attached property ; *Freeman v. Alderson*, 119 U.S. 185. The attachment must precede the judgment. It is thus seen that such a judgment is a proceeding strictly in rem : if the appropriation of the debtor's effects is made, it is protected, but only to the extent of the property attached : if no property is attached, the