

general laws, the defendant might be "found," within the sense of the word "found" as explained in the above cited cases.

4. The above statutes of 1887 (24 Stats., 552) and of 1888 (25 Stats., 434) have *superseded and repealed* the provisions contained in the act of 1789 and 1875 allowing a defendant, in a transitory action, to be sued in any district where he should be "found," and they, therefore, repealed that part of section 2103 which originally allowed a defendant to be sued wherever "found;" and being the later statute, and being, necessarily, literally, clearly, and directly in conflict with the provision allowing the suit to be brought "in any court," it supersedes and repeals so much of section 2103 as permits the suit "in any court," without regard to its being in the district of which the defendant is an inhabitant.

5. Section 6 of said act of August 13, 1888 (25 Stats., 436, 437), in express words, repeals "all laws and parts of laws in conflict with the provisions of this act;" and that part of section 2103 which allowed the defendant named in that section to be sued in any district in the United States where found (if, indeed, that be the meaning of said section 2103), is, as we have said, in literal and unmistakable conflict with that part of the section of said act of 1888, which, in express terms, provides that—

"No civil suit shall be brought before either of the said courts against any person by any original process or proceeding in any other district than that whereof he is an inhabitant."

And, therefore, in so far as said section 2103 permitted suit to be brought anywhere where the defendant should be found (if it did), it is repealed.

CONCLUSION.

Our design has been to, in the main, limit the considerations covered by this brief to the defects of the com-