



Citation Act 1540

1540 CHAPTER 10 Sess Dec 3

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The ordour of summoning of all personis In ciuil actiounes

Modifications etc. (not altering text)

- C1 Short title given by [Statute Law Revision \(Scotland\) Act 1964 \(c. 80\)](#), [Sch. 2](#)
- C2 This Act is listed in 12mo edition as [1540 c. 75](#).

Item For eschewing of grett Inconvenientis and fraude done to our souerane lordis liegis be Summoning of thame at thare duelling places And oft tymes falslie and gettis neuer knowlege thairof It is statute and ordanit that In tymes cuming quhare ony officiar or schireff in that part passis at the command of The kingis lettrez or the schireffis stewartis barone or balyeis precept to Summond ony party geif thai can nocht apprehend thame personalie thai sall pass to the yett or durr of the principale duelling place quhare the persoune to be Summond duellis and has thair actuale residence for the tyme and thare sall desire to haif Enteres quhilk gif It be grantit thai sall first schaw the cause of thare cuming And gif thai can nocht gett the party personalie thai sall schaw thair lettres or precept befor the seruandis of the house or vther famouse witsesse and sall execute thair offices and charge and thaireftir sall offir the copy of the saidis lettrez or precept to ony of the servandis quhilk gif thai refuse to do that thai affix the samin vpoune the yett or dure of the personis Summondit And siclik gif thai gett na Enteres thai first knockand at the dure vj knockis thai sall execute thair office befor famouse witsesse at the said house and duelling place and affixt the copy vpoune the yett or dure thairof as said Is quhilk sall be lauchtfull and sufficient Summoning and deliuering of copy And the party nor officiar sall nocht be haldin to gif ony vthir copy bot at thair awin plesour And euery officiar In his indorsatioune sall mak mentioune of his executioun In maner forsaid And the party at quhais instance the lettre or precept Is direct sall pay to the officiar executour the expense of the copy affixt As said Is And salbe taxt and geuin agane to him at the geving of the decrete or sentence gif he happinnis to optene And gif the officiar beis fundin culpable in the executioun of his office he salbe put In our souerane lordis prisoune and punist In his persoune and gudis at the kingis grace will

Changes to legislation:

There are currently no known outstanding effects for the Citation Act 1540.