



Conjugal Rights (Scotland) Amendment Act 1861

1861 CHAPTER 86

10 In every Consistorial Action the Summons to be served on Defender personally when not within *Scotland*.

In every Consistorial Action the Summons shall be served upon the Defender personally, when he is not resident within *Scotland* : Provided always, that if it be shown to the Satisfaction of the Court that the Defender cannot be found, Edictal Citation shall be deemed sufficient; but in every Case where the Citation is edictal the Pursuer shall also serve the Summons on the Children of the Marriage, if any, and on One or more of the Next of Kin of the Defender, exclusive of the Children of the Marriage, when the said Children and Next of Kin are known, and resident within the United Kingdom, and such Children and Next of Kin, whether cited or so resident or not, may appear and state Defences to the Action.