

CHAPTER 603

PROCURING EVIDENCE; INSPECTION

Sec.

603.01 Inspection of documents

NOTE: For rules of civil procedure, district court, see Appendix 8.

603.01 INSPECTION OF DOCUMENTS. The court before which an action is pending may order either party to give to the other, within a specified time, an inspection and copy, or permission to take a copy, of any book, document, or paper in his possession or under his control, containing evidence relating to the merits of the case. If compliance is refused, the court may exclude the book, document, or paper, or, if wanted as evidence by the party applying, may direct the jury to presume it to be as alleged by him. The court may also punish the party refusing as for a contempt. This section shall not be construed to prevent a party from compelling another to produce books, papers, and documents when he is examined as a witness.

[R L s 4729] (9886)

NOTE: Superseded to the extent applicable by Rules of Civil Procedure, Rules 34, 37.02, 38.01 and 38.02.