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CHAPTER 13

Examination of Adverse Witnesses; Inspection of Papers and the Like [Repealed]

**SECTIONS 19‑13‑10 to 19‑13‑120.** Repealed by 1985 Act No. 100, Section 2, eff July 1, 1985.

Editor’s Note

For similar provisions, see SCRCP Rule 26.

1985 Act No. 100, Sections 1 and 3, provide as follows:

“SECTION 1. Pursuant to Article V, Section 4A of the Constitution of this State, the Supreme Court of South Carolina has promulgated Rules of Civil Procedure governing practice and procedure in civil actions in the courts of this State, which rules were not disapproved by the General Assembly; and it is the intent of the General Assembly to repeal provisions of the 1976 Code of Laws of South Carolina, to be replaced by the Rules of Civil Procedure.”

“SECTION 3. In event of conflict between any provision of the South Carolina Rules of Civil Procedure and any other statutory provisions as to practice and procedure not repealed in this act, the provision of the rules shall control. However, neither the promulgation of the rules nor this act may be construed to affect the substantive legal rights of any party to any civil litigation in the courts of this State but shall affect only matters of practice and procedure.”

Former Sections 19‑13‑10 to 19‑13‑120 were derived from 1962 Code Sections 26‑501 to 26‑512; 1952 Code Sections 26‑501 to 26‑512; 1942 Code Sections 673 to 682; 1932 Code Sections 673 to 682; Civ. P. ‘22 Sections 689 to 698; Civ. P. ‘12 Sections 427 to 436; Civ. P. ‘02 Sections 389 to 398; 1938 (40) 1603; 1923 (33) 170; 1870 (14) 405 to 414.

Former Section 19‑13‑10 was entitled “Action to obtain discovery and examination of adverse party shall be governed by this chapter”.

Former Section 19‑13‑20 was entitled “Inspection and reproduction of books, papers and documents”.

Former Section 19‑13‑30 was entitled “Examination of adverse party before trial”.

Former Section 19‑13‑40 was entitled “Manner in which adverse party shall be compelled to attend and have examination taken”.

Former Section 19‑13‑50 was entitled “Use at trial of pre‑trial examination”.

Former Section 19‑13‑60 was entitled “Pre‑trial examination of party may be referred to master or referee”.

Former Section 19‑13‑70 was entitled “Rebuttal of pre‑trial testimony of adverse party”.

Former Section 19‑13‑80 was entitled “Effect of refusal to testify”.

Former Section 19‑13‑90 was entitled “Examined party may testify on his own behalf; examining party may rebut testimony not responsive to inquiries”.

Former Section 19‑13‑100 was entitled “Examination of adverse party at trial or conditionally or upon commission”.

Former Section 19‑13‑110 was entitled “Examination of persons for whose benefit action is brought or defended”.

Former Section 19‑13‑120 was entitled “Examination of coplaintiff or codefendant”.