

### **619.7 Mitigating facts.**

In any action brought to recover damages for an injury to person, character, or property, the defendant may set forth, in a distinct division of the defendant's answer, any facts, of which evidence is legally admissible, to mitigate or otherwise reduce the damages, whether a complete defense or justification be pleaded or not, and the defendant may give in evidence the mitigating circumstances, whether the defendant proves the defense or justification or not.

[R60, § 2929; C73, § 2682; C97, § 3593; C24, 27, 31, 35, 39, § **11172**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 619.7]