

**633.296 Deposition.**

If it is desired to prove the execution of the will by deposition, rather than by use of the affidavit form provided in [section 633.295](#), upon application, the clerk shall issue a commission to some officer authorized by the law of this state to take depositions, with the will annexed, and the officer taking the deposition shall exhibit it to the witness for identification, and, when identified by the witness, shall mark it as “Exhibit .....” and cause the witness to connect the witness’ identification with it as such exhibit. Before sending out the commission, the clerk shall make and retain in the clerk’s office a true copy of such will.

[C97, §3285; C24, 27, 31, 35, 39, §11866; C46, 50, 54, 58, 62, §633.21; C66, 71, 73, 75, 77, 79, 81, §633.296]