avoid being considered trespassers. Thereupon one of the judges said, "Then you are asking the court to make an order for you to commit a trespass;" and Chief Justice Tindal said: "Suppose the defendants keep the door shut; you will come to us to grant an attachment. Could we grant it in such a case? You had better see if you can find any authority to support you, and mention it to the court again." On a subsequent day the counsel stated that he had not been able to find any case in point, and therefore took nothing by his motion. *Newham* v. *Tate*, 1 Arn. 244; 6 Scott, 574. In the other case, in 1840, the court discharged a similar order, saying: "The order, if valid, might, upon disobedience to it, be enforced by attachment. Then it is evidently one which a judge has no power to make. If the party should refuse so reasonable a thing as an inspection, it may be a matter of argument before the jury, but the court has no power to enforce it." *Turquand* v. *Strand Union*, 8 Dowl. 201; 4 Jur. 74. In the English Common Law Procedure Act of 1854, enlarging the powers which the courts had before, and authorizing them, on the application of either party, to make an order "for the inspection by the jury, or by himself, or by his witnesses of any real or personal property, the inspection of which might be material to the proper determination of the question in dispute," the omission to mention inspection of the person is significant evidence that no such inspection, without consent, was allowed by the law of England. Tayl. Ev. (6th ed.), §§ 502-504. Even orders for the inspection of documents could not be made by a court of common law, until expressly authorized by statute, except when the document was counted or pleaded on, or might be considered as held in trust for the moving party. Tayl. Ev. §§ 1588-1595; 1 Greenl. Ev., § 559.

In the case at bar it was argued that the plaintiff in an action for personal injury may be permitted by the court, as in *Mulhado* v. *Railroad*. 30 N. Y. 370, to exhibit his wounds to the jury in order to show their nature and extent, and to enable a surgeon to testify on that subject, and therefore may be required by the court to do the same thing, for the same purpose, upon the motion of the defendant. But the answer to this is that any one may expose his body if he chooses, with a due regard to decency, and with the permission of the court, but that he cannot be compelled to do so in a civil action without his consent. If he unreasonably refuses to show his injuries when asked to do so, that fact may be considered by the jury as bearing on his good faith, as in any other case of a party declining to produce the best evidence in his power. *Clifton* v. *U. S.*, 4 How. 242; *Bryant* v. *Stilwell*, 24 Penn. St. 314; *Turquand* v. *Strand Union*, above cited. In this country the earliest instance of an order for the inspection of the body of the plaintiff in an action for a personal injury appears to have been in 1868, by a judge of the Superior Court of the city of New York in *Walsh* v. *Sayre*, 52 How. Pr. 334, since overruled by decisions in General Term in the same State. *Roberts* v. *Railroad*, 29 Hun, 154; *Neuman* v. *Railroad*,, 50 N. Y. Super. Ct. 412; *McSwyny* v. *Railroad Co.*, 7 N. Y. Supp. 456. And the power to make such an order was peremptorily denied in 1873 by the Supreme Court of Missouri, and in 1882 by the Supreme Court of Illinois. *Loyd* v. *Railroad Co.*, 53 Mo. 509; *Parker* v. *Enslow*, 102 Ill. 272. Within the last fifteen years, indeed, as appears by the cases cited in the brief of the plaintiff in error (*Schroeder* v. *Railway Co.*, 47 Iowa, 375; *Turnpike Co.* v. *Baily*, 37 Ohio St. 104; *Railroad Co.* v. *Thul*, 29 Kans. 466; *White* v. *Railway Co.*, 61 Wis. 536; *Hatfield* v. *Railroad Co.*, 33 Minn. 130; *Stuart* v. *Havens*, 17 Neb. 211; *Owens* v. *Railroad Co.*, 95 Mo. 169; *Sibley* v. *Smith*, 46 Ark. 275; *Railroad Co.* v. *Johnson*, 72 Tex. 95; *Railway Co.* v. *Childress*, 82 Ga. 719; *Railroad Co.* v. *Hill*, 90 Ala. 71), a practice to grant such orders has prevailed in the courts of several of the Western and Southern States, following the lead of the Supreme Court of Iowa in a case decided in 1877. The consideration due to the decisions of those courts has induced us fully to examine, as we have done above, the precedents and analogies on which they rely. Upon mature advisement, we retain our original opinion that such an order has no warrant of law. In the State of Indiana the question appears not to be settled. The