

No. 564, A.]

[Published July 3, 1943.]

**CHAPTER 423.**

AN ACT to amend 59.44 (1) and to create 59.44 (1a) of the statutes, relating to the temporary appointment of a district attorney when the incumbent is serving in the armed forces of the United States and validating appointments heretofore made.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 59.44 (1) of the statutes is amended to read:

59.44 (1) When there is no district attorney for the county, or he is absent from the court, or has acted as counsel or attorney for a party accused in relation to the matter of which the accused stands charged and for which he is to be tried, or is near of kin to the party to be tried on a criminal charge, or is unable to attend to his duties, *or is serving in the armed forces of the United States*, the circuit court, by an order entered in the minutes stating the cause therefor, may appoint some suitable person to perform, for the time being, or for the trial of such accused person, the duties of such district attorney, and the person so appointed shall have all the powers of the district attorney while so acting.

SECTION 2. 59.44 (1a) of the statutes is created to read:

59.44 (1a) All appointments of persons to perform the duties of district attorney made by order of the circuit court since December 8, 1941 for the reason that the district attorney is serving in the armed forces of the United States, are validated to the same extent and with like effect, as if such appointments had been specifically authorized by law.

Approved June 30, 1943.