

Extradition, Expenses of Sheriff. Sheriff, Expenses of Extradition. State Agent, on Extradition.

A sheriff or his deputy in extradition matters acts as the agent of the governor and is not authorized to incur any expenses without the permission first being given by the governor.

December 28, 1911.

Hon. H. S. Green,
County Attorney,
Great Falls, Montana.

Dear Sir:

I acknowledge receipt of your letter of the 23rd inst., with reference to expenses incurred by the Deputy Sheriff of your county who is now in the State of Arkansas incident to a requisition matter from your county.

The Deputy Sheriff is acting in the capacity of State Agent or the Agent of the Governor in the matter of the extradition and by the provisions of Section 9709, his accounts are allowed and paid by the state board of examiners. If it is necessary for the state agent to engage the services of an attorney in Arkansas, I would suggest that

you take the matter up with the Governor and obtain his permission. If the Governor authorizes the expenditure, the same may be included in the account of the state agent and will be allowed when presented by the state board of examiners. Unless this expenditure is authorized, however, by the Governor, the ordinary expenses of travel and maintenance of the state agent and his prisoner are the only expenses that are allowed by the state board of examiners.

I have referred your letter to Governor Norris and in all probability you will hear from him regarding the matter.

Yours very truly,

ALBERT J. GALEN,

Attorney General.