

may be issued for one who has committed a misdemeanor. The entire matter is submitted to you as Governor of the State for the exercise of your judgment and discretion. Your right to refuse to issue a requisition, if in your best judgment it should not be done, seems well settled by one authority of the law, stated as follows: "It will be observed that the action of the executive of the demanding State, in issuing or refusing a requisition, is purely a matter left to his own discretion and no power can be brought to bear upon him to force him to do or not to do that particular thing." Scott on Interstate Rendition, Section 66.

Opinion No. 470.

Extradition—Governor—Refusal to Issue Extradition.

HELD: The action of the executive in issuing or refusing extradition is purely a matter left to his own discretion and no power can be brought to bear to force him to request or not to request an extradition.

March 2, 1934.

An application has been presented to you for the extradition of a fugitive from justice from this state. The crime involved is forgery of a check in the sum of twenty dollars. The papers appear to be regular, and you undoubtedly have the authority to issue a requisition for the return of a fugitive. Among the grounds suggested for refusal is that the amount involved is small and the expense of returning the fugitive is many times the amount involved in the forgery.

Extradition of fugitives is authorized by the Constitution of the United States, Section 2, Article 4. In Volume 9, page 50 of the Opinions of the Attorney General of this state, it has been held that an extradition requisition