which city streets should be extended in the near future for
the development of more plats and subdivisions beyond this
state property. He says that this matter was taken up with
the superintendent of the institution and by the latter re-
ferred to his board, and that the board questioned their au-
thority to act without the approval of the legislature. Mr.
Hartig inquires whether or not the board can act without the
approval of the legislature, and whether there is some board
at Indianapolis who would have the power to consent to the
extension of these streets through the state property.

I am unable to find any authority in our statutes for the
Board of Trustees of the Evansville State Hospital to give its
consent to the taking of this state property, or to grant an
easement over the same for the purpose of laying out city
streets or extending streets already laid out. Neither have I
been able to find any such authority conferred upon any other
state officer or board.

Since the powers of all public officers are limited to powers
specifically conferred upon them by the legislature, or those
necessarily implied from specific powers granted, in my opin-
ion there is no authority for any state officer or board to act
in the matter inquired about without a specific enabling act
having been passed by the legislature. Neither do I find any
provision of our statutes which would give the city power to
acquire an easement over this state property by condemnation
proceedings or otherwise.

I trust this answers your inquiry satisfactorily.

INDIANA STATE LIBRARY: City may take over property
of existing library corporation. November 5, 1936.

Hazel B. Warren, Chief
Extension Division,
Indiana State Library,
Indianapolis, Indiana.

Dear Madam:

This is in answer to your request for an opinion as to the
legality of a suggested reorganization of the corporation con-
trolling the Jeffersonville Public Library. From your letter
it appears that the library was incorporated under the Pub-
lic Library Act of 1852 (Burns Ind. Stat., 1933, Section 41-103); that the board members have taken little interest in the library and that a number of patrons are desirous of incorporating under the Library Law enacted in 1901 (Acts 1901, Chapter 55, Burns Ind. Stat., 1933, Section 41-301), which makes provision for the organization of a public library by a city and the levy of a tax for the support of the library. You say that the Jeffersonville Library is now receiving taxes from the city. I assume the tax is levied under the authority of Chapter 134 of the Acts of 1883, which is supplementary to the Act of 1852 above referred to. The original 1852 law contained no provision for a tax on city property to support the library. It was contemplated that the library would be supported by assessments on the capital stock or by private subscriptions. However, there was an amendment to the 1852 Act in 1873 by which cities were enabled to subscribe for stock in the Library Association and pay for the stock by a tax levy. (Burns Ind. Stat., 1933, Section 41-118.) The 1852 Act, as amended, contains a provision by which the Association may be dissolved and the property may become the property of the city. (Burns Stat., 1933, Section 41-120.)

Under the 1901 law, the Library Board which is provided for, is given wide powers in directing the affairs of the library. It may receive, and acquire by purchase, property for the library, including real estate, (Burns Ind Stat. 1933, Section 41-306), and in Section 10 of the Act there is a provision which enables the public library board of a city under certain conditions to take over the library property of an existing library corporation.

The substance of your question is, Whether or not the present library laws of the state contain provisions by which the Jeffersonville Library may be so reorganized as to come under the 1901 Act rather than the 1852 law, and in my opinion this may be legally brought about. Of course, the propriety of making the change is a matter to be decided by the people and city of Jeffersonville.