

if it desired to have library service in the school buildings for the use of the pupils and the teachers in the several school buildings, to contract with any public library in the district, which means that it might contract with a public library free to all the inhabitants of the district established by authority of Section 7635, General Code, as well as any other public library which might be located in the district. Apparently, the legislature foresaw the possibility that the library board established by Section 7635, General Code, might not in its discretion establish branch libraries for the use of the teachers and pupils in the several school buildings of the school district, and possibly that it might not be practical for it to do so, and for that reason extended authority to the board of education to contract for that service if it so desired to have the service."

If the Geneva Public Library does not now furnish library service for the use of the pupils and the teachers in the several school buildings of the Geneva Rural School District, the Geneva Rural Board of Education may contract with the trustees of the library for that service, and for that purpose may appropriate funds so that the service may be paid for. Except as the service mentioned may be contracted for no authority exists for the board of education to appropriate funds from its treasury for the use of the trustees of the Geneva Public Library in the maintenance of the library.

I might suggest in this connection that authority exists for a board of county commissioners to contract with any library association within the county or with any board of trustees having the management or control of a library free to the whole or a part of the county for the use of said library by the people of such county. The commissioners are limited, however, in making such a contract to making it with the one public library only. See Opinion 4860 rendered under date of January 6, 1933.

In specific answer to your question I am of the opinion that the Geneva Township Board of Park Commissioners may not lawfully appropriate any funds in its possession which are held for park purposes to, and for the use of the board of trustees of the Geneva Public Library; neither may the board of education of the Geneva Rural School District lawfully make such an appropriation, except as it may be done in pursuance of a contract entered into between the board of education and the said library board for the furnishing by said board of school library service in the school buildings of the Geneva Rural School District for the use of the pupils and teachers in said buildings.

Respectfully,

JOHN W. BRICKER,
Attorney General.

44.

APPROVAL, BONDS OF WELLSTON CITY SCHOOL DIST., JACKSON COUNTY, OHIO—\$6,500.00.

COLUMBUS, OHIO, January 20, 1933.

Retirement Board, State Teachers' Retirement System, Columbus, Ohio.