tention that it should be construed as a correlative or complementary clause to the clause immediately preceding it, thereby providing an additional or concurrent method for the adoption of children who are public charges.

The omission of a comma between the two clauses may not, on first impulse, appear significant, inasmuch as some writers omit a comma when the conjunction is used between the last two members of a series, but careful writers use the comma, and we must consider that the Legislature omitted the comma advisedly and in accordance with the best recognized usage, thus indicating that the clause "or of the county in which the child had a legal residence when it became a public charge" was not to be considered as a separate member of the series wherein it was inserted, but rather as supplementary to and a limitation on the clause "of the county where the child resides" and a part of the same member of the series, the series consisting of two members instead of three. Prior to the amendment of the statute in 1921, it read as follows:

> "Any proper person not married, or a husband and wife jointly, may petition the probate court of their proper county, or the probate court of the county in which the child resides, for leave to adopt a minor child not theirs by birth, and for a change of name of such child." (102 O. L. p. 305.)

By the amendment of 1921, in the manner in which it was done, the Legislature intended, in my opinion, to limit the broad language of the clause, extending jurisdiction in adoption proceedings to probate courts in the county where the child resided, by providing that, if the child is a public charge, only the probate court in the county in which such child had a legal residence when it became a public charge should have jurisdiction in adoption proceedings, unless the petitioners therefore instituted the proceedings in the county where they had a legal settlement.

I am of the opinion, therefore, in specific answer to your inquiry:

1. When a child who had a legal residence in any county of the state, other than Franklin, is permanently committed or transferred to the Board of State Charities, the bringing of that child by the board to Franklin County does not affect the former legal residence of the child in such a way as to give the probate court of Franklin County jurisdiction in proceedings which may be instituted for the adoption of the child. Such proceedings must be instituted in the probate court of the county where the child had a legal residence before it became a public charge, or in the county where the petitioner has a legal settlement.

2. In view of the answer to your first question, your second question need not be answered.

Respectfully,
GILBERT BETTMAN,
Attorney General.

725.

APPROVAL, BONDS OF BOWLING GREEN TOWNSHIP, MARION COUNTY—$2,977.49.

COLUMBUS, OHIO, August 10, 1929.

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