

question has on several occasions been the subject of consideration by the State Department, and in each case it was held that citizenship cannot be conferred upon an alien child by adoption.

On February 26, 1870, Secretary Fish held that the only mode of adoption by which a private person can confer citizenship upon an alien is that of marrying a female of foreign birth. Under the present law, however, citizenship cannot be thus conferred by marriage.

Again, in 1872, Secretary Fish held that a citizen of the United States cannot by adopting a child of foreign nativity confer on such child the privileges of citizenship in the United States.

Secretary Frelinghuysen in 1884 expressed the view that a child born of foreign parents is not by an act of adoption under a state law brought within any of the provisions of the laws of the United States prescribing United States citizenship. In this case the act of adoption took place in America.

Secretary Bayard in 1886 declined to grant a passport to a Chinese woman who had been adopted in China by an American citizen and who desired to go to Japan as a medical missionary in the service of an American missionary society. See Moore's Digest of International Law, Vol. 3, pages 484 and 485.

I am therefore of the opinion that an alien minor adopted abroad by a citizen of the United States would not be recognized in Ohio as an American citizen.

Respectfully,
EDWARD C. TURNER,
Attorney General.

2553.

APPROVAL, BONDS OF THE VILLAGE OF RICHMOND, LAKE COUNTY,
OHIO—\$21,000.00.

COLUMBUS, OHIO, September 7, 1928.

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

2554.

MAYOR—ASSUMING VILLAGE OFFICE AFTER JULY 25, 1927—COUNCIL
CANNOT INCREASE COMPENSATION DURING TERM.

SYLLABUS:

A village council is without authority to enact an ordinance attempting to provide for an increase of compensation for a mayor who assumed office subsequent to July 25, 1927, the effective date of House Bill No. 99, which ordinance purports to provide compensation, in the way of a fixed sum and not dependent on conviction, for the trial of each ordinance case and such compensation to be paid in addition to the salary fixed by such council for such office. Such a mayor is without lawful authority to receive such compensation so provided.