

positor is that of debtor and creditor and substantially the relation of bank and its depositor.

It is, therefore, my opinion that the corporation as set out in your communication to the extent of soliciting and receiving such deposits and issuing such certificates of indebtedness is engaging in a banking business."

It is my opinion that this opinion covers the situation as stated in your communication. I see no reason for disagreeing with the holding of my predecessor, and I therefore reaffirm the views therein expressed and, answering your specific question, it is my opinion that the corporation described in your communication, to the extent of soliciting and receiving such deposits and issuing such certificates of indebtedness, is engaging in a banking business.

Respectfully,
GILBERT BETTMAN,
Attorney General.

185.

APPROVAL, ABSTRACT OF TITLE TO LAND OF JOHN H. VADEN IN
NILE TOWNSHIP, SCIOTO COUNTY.

COLUMBUS, OHIO, March 12, 1929.

HON. CARL E. STEEB, *Secretary, Ohio Agricultural Experiment Station, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of your recent communication, submitting for my examination and approval corrected abstract of title, corrected deed, Encumbrance Estimate No. 4774, and Controlling Board certificate, relating to the proposed purchase of the southeast, northwest and southwest quarters of Ohio State University Lot No. 115 in Nile Township, Scioto County, Ohio, now owned by one John H. Vaden, and which lands are more particularly described in Opinion No. 112, directed to you under date of February 21, 1929.

In the abstract as originally submitted, some uncertainty appeared as to whether the whole of the taxes for the year 1928 had been paid or only the taxes for the first half of said year. By the corrected abstract now submitted, it appears that all of the taxes for the year 1928 have been paid. I am, therefore, of the opinion that said John H. Vaden now has a good and merchantable fee simple title to said lands, free and clear of all encumbrances whatsoever.

In the former opinion of this department above referred to, the warranty deed tendered by said John H. Vaden to the State of Ohio was disapproved for the reason that Ohio State University Lot No. 115, which includes the lands here in question, was not correctly described. The errors in the description of said lot pointed out in said former opinion have been corrected, and said deed is hereby approved.

Encumbrance Estimate No. 4774 and the Controlling Board certificate were referred to and approved in my former opinion. I am herewith returning said corrected abstract of title, corrected deed, Encumbrance Estimate and Controlling Board certificate.

Respectfully,
GILBERT BETTMAN,
Attorney General.