

General Code, emphasis is placed upon the following wording: "whether before or after trial" and of course there can be no trial without previous indictment.

It is, therefore, my opinion that under the circumstances set forth in your request, the defendant who is not under indictment but who has been bound over to the grand jury, is not until after indictment a person accused of crime pending in the Court of Common Pleas within the meaning of Section 13441-1, General Code, and may not be committed to the Lima State Hospital until after indictment.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

1428.

APPROVAL—BONDS OF WAYNE TOWNSHIP RURAL
SCHOOL DISTRICT, BUTLER COUNTY, OHIO, \$32,000.00.

COLUMBUS, OHIO, November 4, 1937.

The Industrial Commission of Ohio, Columbus, Ohio.

GENTLEMEN:

RE: Bonds of Wayne Township Rural School Dist.,
Butler County, Ohio, \$32,000.00.

I have examined the transcript relative to the above bonds purchased by you. These bonds comprise all of an issue of school improvement bonds dated October 1, 1937, bearing interest at the rate of $3\frac{3}{4}\%$ per annum.

From this examination, in the light of the law under authority of which these bonds have been authorized, I am of the opinion that bonds issued under these proceedings constitute a valid and legal obligation of said school district.

Respectfully,

HERBERT S. DUFFY,
Attorney General.