

And Congressman Jacobs put it very well when he said that he who pays the fiddler calls for the tune.

In this connection, may I say that if the District of Columbia comes along and prohibits the practice of optometry by unlicensed laymen and by corporations, it will be getting itself in line with the general body of American law throughout the United States, and this general body of law is stated very succinctly in American Jurisprudence which is, of course, the encyclopedia on law, where it states:

It is generally held that in the absence of express statutory authority, a corporation may not engage in the practice of optometry either directly or indirectly through the employment of a duly registered optometrist.

Now, there was some questioning going on this morning in connection with the King Optical Company.

Mr. Chairman, I have here what purports to be a copy of the minutes of the meeting of the general membership of the National Association of Optometrists and Opticians, Inc. Dr. Rowe represented them here this morning. This is a meeting that was held on February 15, 1961. And Mr. Ritholz was present at that meeting. This is the same man who later served five years in the penitentiary in the state of Michigan. And it is interesting, in these minutes, to note that Mr. Ritholz reviewed the finances of the Association and volunteered to help in raising the funds necessary to get the public relations program under way. Subsequently, the question of electing a president and an assistant treasurer came up. Mr. Ritholz was nominated and unanimously elected as assistant treasurer.

Further, a resolution was made and carried that the disbursing of all of the Association's funds should be subject to the approval and the countersigning of the checks by Mr. Ritholz. Such checks carried two signatures; one signature by an Association representative and the second one the signature of Mr. Ritholz.

I am somewhat familiar with the Ritholz operation in some of the states, particularly in the state of Missouri where they operated the King Optical Company, registered under a fictitious name in that state.

It was argued in the Supreme Court of Missouri, on the 29th day of September. It was a suit that Robert Bressler and others brought against the State Board of Optometrists. They were trying to set aside the optometric rule in the state of Missouri which would strike at the subterfuges which King Optical Company, one of the key members of the National Association of Optometrists and Opticians, were engaging in. What are they doing there? They are guaranteeing to an optometrist a certain amount of money that he will make per week. They go in and they lease the premises, and then they partition off a little cubbyhole for an optometrist and put him in this little cubbyhole. This is based upon the depositions which I will be happy to make available, the depositions of the men involved, the optometrists employed by King and Lee, and so on. And then, what do they do? To get around the law, they agree, supposedly, to pay some rent to King Optical Company, but instead of that, what they do, they send a check to King at Chicago, and they pay the telephone bills in their own name, and then the Ritholz organization, the King Optical Company, sends back a cashier's check to Missouri reimbursing them for the amount of the rent and the telephone bill and all of the other expenses.