

an already weakened or bruised organ of sight is like supporting a cripple with papermache' crutches." *Ullom v. Boehm*, 142 A. 2d 19.

SOUTH CAROLINA

"Suffice it to say that the legislature of this State, as we have hereinbefore suggested, has given due recognition to the professional status of the practice of optometry, and, so far as the protection of professional rights is concerned, has placed it in a parity with other professions charged with important duties to the general public." *Ezell v. Ritholz*, 198 SE. 419 (S.C., 1938)

SOUTH DAKOTA

"The cases and legislative enactments involved further reveal that as to physicians, surgeons, and dentists advertising in the usual sense, and except for the professional card provided by our statute for the optometrist, is almost universally prohibited. It would seem that the public has as much need to be protected from quacks and charlatans in optometry as in dentistry or any other subdivision of medicine." *Norwood v. Parenteau*, 63 N.W. 2d 807, 813 (S.D. 1954)

TENNESSEE

"The complainants are engaged in the practice of optometry in the City of Nashville and advertise in show-windows, by cars, neon signs, etc., various articles used in the practice of their profession. The Section of the Act herein assailed, the same being Section 43, is the only Section which affects them in their business or profession. It * * * expressly prohibits them from advertising eye-glasses, spectacles, ophthalmic lenses, or prisms, or frames, or mountings, etc., and confers upon the Board the authority to suspend, or revoke any license of any holder for any alleged violation of the Act." The entire Act was held constitutional. *Seawell v. Beeler*, 287 S.W. 2d 54 (Tenn. 1956)

TEXAS

"* * * The statute [Medical Practice Act] is the result of the Legislature's effort, in the exercise of the police power, to preserve and protect the public health. There is implied an intent to take note of the organs of the body. The eye is the organ of vision. In the eye there are many parts, each performing a distinct function, but all designed by nature to produce the sense of sight."

"It seems obvious that defects of vision may result from disease of the eye and other organs of the body. It is conceded and the optometrist must discern that the impairment which he seeks to remedy by lenses is not consequent upon disease. It follows that, while the eye operates upon mechanical principles, it cannot be treated as a mechanism alone. Its vitality as an element of the human body cannot be overlooked. Other organs of the body function upon mechanical principles; for example, the heart as a pump, the muscles as levers; but they, like the eye, are nevertheless organs of the human body, and each organ is, to a degree, interrelated with all others." *Baker v. State*, 240 S.W. 924 (Tex. 1921)

VIRGINIA

"The advertising of the sale of glasses with optometrical service at a price certain is apt to be used as a lure and bait to the unwary and as a means of deception of those who are attracted by a seemingly low price without considering the degree of skill involved. It tends to promote unfair competition against those skilled in the profession. The 'barker' and others who make their livelihood out of human gullibility cannot apply their talents to human eyesight without serious consequences. The Legislature undoubtedly had these evils in mind when it adopted the Optometrical Act in its present form. Reasonable Statutory regulation of advertising involving professional services is proper where, in the absence of such legislation, great evils will follow." *Ritholz v. Commonwealth of Virginia*, 35 S.E. 2d 210 (Va. 1945)

WASHINGTON

"It is difficult to overestimate the importance of good sight. The use of lenses to improve vision, is very great, and the prescribing of properly prepared glasses and the advice, in proper cases, that glasses are unnecessary are equally important. Incalculable harm may result from improper diagnosis and advice in con-