

3340.

APPROVAL, BOND FOR THE FAITHFUL PERFORMANCE OF HIS DUTIES AS RESIDENT DISTRICT DIRECTOR IN LAWRENCE COUNTY—G. C. KINLEY.

COLUMBUS, OHIO, June 19, 1931.

HON. O. W. MERRELL, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted a bond in the penal sum^o of \$5,000.00 upon which the name of G. C. Kinley appears as principal and the name of the Globe Indemnity Company appears as surety.

Said bond is conditioned to cover the faithful performance of the duties of the principal, as Resident District Director in Lawrence County.

Finding said bond in proper legal form, I have endorsed my approval thereon as to form, and return the same herewith.

Respectfully,

GILBERT BETTMAN,

Attorney General.

3341.

CORPORATION — LEASING DEPARTMENT IN ITS STORE TO LICENSED OPTOMETRIST AND ADVERTISING IN ITS OWN NAME THAT IT MAINTAINS SUCH DEPARTMENT—ILLEGAL.

SYLLABUS:

1. *Corporations are not authorized to practice optometry in this state.*
2. *When a corporation leases space in its store to a licensed optometrist for an optometrical department and advertises in its own name that it maintains such department, such corporation is practicing optometry, regardless of whether or not the advertisements contain the statement that the department is in charge of a licensed optometrist.*

COLUMBUS, OHIO, June 19, 1931.

The Ohio State Board of Optometry, Columbus, Ohio.

GENTLEMEN:—Your letter of recent date is as follows:

“By a resolution, our Board has the following questions to submit to you, to-wit:

‘X, a corporation, operates a department store. Y, an individual, leases a small portion of said store and puts in a department of optometry, placing a licensed optometrist in charge. X, in advertising its departments under its own name, advertises the department of optometry in its store. In making sales in this department, all charges are made in the name of X, and put on X’s books and paid through X’s cashier. Is this a corporation engaged in the practice of a profession as defined in Section 8623-3?’

Further, can X carry an ad in its own advertising block indicating that it offers the services of a licensed optometrist?’

Our Board has several matters before it of which the above questions