

Examples of State Supreme Courts Upholding Mandatory Vaccinations

"That statute is a particular expression of the police power of the state; and as such, in the preservation of the health of the people, there can be no real doubt of its constitutional validity, even though its effect is to commit to the municipal authorities a measure of discretion with respect to the circumstances under which the power thus delegated shall be made effective."

Herbert v. Demopolis School Bd. of Educ., 197 Ala. 617 (1916).

"According to the great weight of authority, it is within the police power of the State to require that school children be vaccinated . . . and that . . . [it] does not violate the constitutional rights of anyone, on religious grounds or otherwise."

Seubold v. Fort Smith Special Sch. Dist., 237 S.W.2d 884, 887 (Ark. 1951).

"This effort to prevent the spread of contagion in a direction where it might do the most good was for the benefit and protection of all the people..."

French v. Davidson, 143 Cal. 658 (1904).

"There is an implied assent on the part of every member of society that his own individual welfare shall, in cases of necessity, yield to that of the community; and that his property, liberty, and life shall, under certain circumstances, be placed in jeopardy, or even sacrificed, for the public good."

State v. Hay, 126 N.C. 999 (1900).

". . . the state in its sovereignty may use all legitimate power to protect the individual, as well as to protect the community. The purpose of vaccination is to establish immunity, not simply to erect a bar when an epidemic is threatening or likely. When this fact is kept in view, the vaccination laws will be better understood and more fully appreciated."

Rhea v. Board of Education of Devils Lake Special School Dist. 41 N.D. 449 (1919).

