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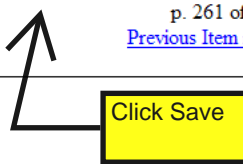
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of *scire facias* are equivalent to service when the party resides or is found within the court's jurisdiction, *Brown v. Wygant*, 163 U. S. 618; but not when he is a non-resident. *Owens v. Henry*, 161 U. S. 642. It would appear that the exigencies of the occasion justified the injunction.

**PUBLIC SCHOOLS—CONDITIONS OF ATTENDANCE—VACCINATION ACTS—CONSTITUTIONALITY.—VIEMEISTER v. WHITE**, 84 N. Y. SUPP. 712.—*Held*, that a statute requiring vaccination of children as a condition of their attendance on public schools is constitutional, as being a valid exercise of the police power of the State.

Vaccination as a condition precedent to a pupil's admission to public schools has given rise to conflicting decisions in the courts. There are but two cases directly in point. *Abeel v. Clark*, 84 Cal. 226; *Bissell v. Davison*, 65 Conn. 183. The conflict of decisions is found in suits brought because of vaccination regulations promulgated at the discretion of local boards of education. Some of these decisions hold that it is unconstitutional for such boards so to limit the privilege of public education, except when an epidemic of smallpox actually threatens. *Blue v. Beach*, 155 Ind. 121; *Mathews v. Board of Education*, 127 Mich. 530. In this last case it is admitted that a statute requiring vaccination at all times would be constitutional. The weight of authority, however, holds that boards have the power to require it under

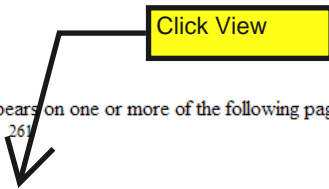


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