Bailey v. Alabama was followed in *Taylor v. Georgia* [29] and *Pollock v. Williams*,[30] in which statutes of Georgia and Florida, not materially different from the one voided in *Bailey*, were held unconstitutional. Although the Georgia statute prohibited the defendant from testifying under oath, it did not prevent him from entering an unsworn denial both of the contract and of the receipt of any cash advancement thereunder, a factor that, the Court emphasized, was no more controlling than the customary rule of evidence in *Bailey*. In the Florida case, notwithstanding the fact that the defendant pleaded guilty and accordingly obviated the necessity of applying the *prima facie* presumption provision, the Court reached an identical result, chiefly on the ground that the presumption provision, despite its nonapplication, "had a coercive effect in producing the plea of guilty."

Pursuant to its section 2 enforcement powers, Congress enacted a statute by which it abolished peonage and prohibited anyone from holding, arresting, or returning, or causing or aiding in the arresting or returning, of a person to peonage.[31]

The Court looked to the meaning of the Thirteenth Amendment in interpreting two enforcement statutes, one prohibiting conspiracy to interfere with exercise or enjoyment of constitutional rights,[32] the other prohibiting the holding of a person in a condition of involuntary servitude.[33] For purposes of prosecution under these authorities, the Court held, "the term 'involuntary servitude' necessarily means a condition of servitude in which the victim is forced to work for the defendant by the use or threat of physical restraint or physical injury, or by the use or threat of coercion through law or the legal process." [34]

Situations in Which the Amendment Is Inapplicable

The Thirteenth Amendment has been held inapplicable in a wide range of situations. Thus, under a rubric of "services which have from time immemorial been treated as exceptional," the Court held

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[29] 315 U.S. 25 (1942).

[30] 322 U.S. 4 (1944). Justice Reed, with Chief Justice Stone concurring, contended in a dissenting opinion that a state is not prohibited by the Thirteenth Amendment from "punishing the fraudulent procurement of an advance in wages." Id. at 27.

[31] Ch. 187, § 1, 14 Stat. 546, now in 42 U.S.C. § 1994 and 18 U.S.C. § 1581. Upheld in Clyatt v. United States, 197 U.S. 207 (1905); *see also* United States v. Gaskin, 320 U.S. 527 (1944). *See also* 18 U.S.C. § 1584, which is a merger of 3 Stat. 452 (1818), and 18 Stat. 251 (1874), dealing with involuntary servitude. *Cf.* United States v. Shackney, 333 F.2d 475, 481–83 (2d Cir. 1964).

[32] 18 U.S.C. § 241.

[33] 18 U.S.C. § 1584.

[34] United States v. Kozminski, 487 U.S. 931 (1988). Compulsion of servitude through "psychological coercion," the Court ruled, is not prohibited by these statutes.