CONSTITUTIONAL LAW—IMPRISONMENT FOR DEBT—"WORTHLESS CHECK" ACTS.—In a recent case the defendant was indicted for making and delivering a "cold check" under a statute punishing the making or delivering of a check, draft, or order for payment of money without sufficient funds, regardless of fraudulent intent or knowledge. *Held*, that the statute, since it did not make fraud an element of the crime, violated the provision in the state constitution forbidding imprisonment for debt, and was therefore void. *Burnham v. Commonwealth* (1929), 228 Ky. 410, 155 S. W. (2d) 256.

The constitutions of many of the states contain provisions prohibiting arrest and imprisonment for debt. Cases of fraud are usually excepted from this provision either expressly or by judicial interpretation. 5 C. J. 438. Statutes making it a criminal offense to issue a check without funds to meet it, the so-called "worthless check" acts, have been held generally not to violate constitutional provisions against imprisonment for debt. But in all these cases, with one exception, the statutes involved require the element of fraud in the transaction. Both knowledge on the part of the maker of the check or lack of funds and an intent to defraud are essential. *State v. Pilling* (1909), 53 Wash. 464, 102 Pac. 230; *State v. Meeks* (Ariz. 1926), 247 Pac. 1099. Or they require merely a knowledge of the insufficiency or lack of funds. *Hollis v. State* (1921), 152 Ga. 182, 108 S. E. 783; *State v. Avery* (1922), 111 Kan. 588, 207 Pac. 838; *State v. Yarboro* (1927), 194 N. C. 498, 140 S. E. 216. In the single exception noted, the case of *Neidlinger v. State* (1916), 17 Ga. App. 811, 88 S. E. 687, where the statute required neither intent to defraud nor knowledge of insufficiency or lack of funds, the court read into the statute a requirement of fraudulent intent, holding that unless the statute did require such intent it would be invalid, since it would violate the constitutional provision against imprisonment for debt. Although this is the only case which contains an express statement to this effect, the inference may be clearly drawn from the other cases that it is the requirement of fraudulent intent which relieves the statutes of constitutional objection.

The principal case, although it is the first case to hold a "worthless check" act unconstitutional, is in accord with the spirit of previous decisions upholding such acts where proof of fraudulent intent is made essential. And it is certainly consistent with the humane policy which has resulted in the near-extinction of the control of the creditor over the person of his debtor. P. S. A., '31.

CONSTITUTIONAL LAW—LEGISLATIVE ENCROACHMENT ON JUDICIARY—POWER OVER BAR ADMISSIONS.—Petitioner, having previously been disbarred by the Court of Appeals, applied to it for readmission to the practice of law. A statute provided that the Supreme Court should have the power of admission and disbarment, but that all applications for admission and readmission should be made to a board of governors of the state bar association. *Held*, that the statute is invalid as an encroachment on the power of the courts. Nevertheless, since the court believed that the procedure