

### S. Holds Dry Culprits Liable To 2 Penalties

State, Federal Governments Both May Punish Single Violation of Prohibition Laws, High Court Rules

### Crime Double, Says Taft

Same Act May Constitute Two Offenses, He Decides in Pacific Bootleg Cases

From The Tribune's Washington Bureau  
WASHINGTON, Dec. 11.—The doctrine of double punishment was flatly repudiated by the Supreme Court of the United States today when it ruled that both the Federal government and the state government may punish violations of the prohibition laws.

The case was that of Arthur Magrini and four others who were charged by the Federal District Court in the State of Washington with making, transporting and possessing liquor and having the same charged to be brought against them in the Superior Court of Washington County, Washington, and they had been fined \$200 on each count.

They held that they could not twice be placed in jeopardy and subjected to two punishments for the same act, one under the national prohibition law and the other under state prohibition laws. The Supreme Court took a different view.

Dry Policy National, Taft Rules  
Chief Justice Taft, speaking for the court, said:

"The amendment was adopted for the purpose of establishing prohibition as a national policy, reaching every part of the United States and affecting transactions which are essentially local or interstate, as well as those pertaining to interstate or foreign commerce. The second section means that the policy effective shall exist in Congress in respect of the territorial limits of the United States and at the same time the power of the several states within their territorial limits shall not cease to exist."

"Each state, as also Congress, may exercise an independent judgment in selecting and shaping measures to enforce prohibition. Such as are adopted by Congress become laws of the United States and such as are adopted by a state become laws of that state. They may vary in many particulars, including the penalties prescribed, but this is an inseparable incident of independent legislative action in distinct jurisdictions."

"To regard the amendment as the source of the power of the states to adopt and enforce prohibition measures is to take a narrow and erroneous view of the matter. Save for some restrictions arising out of the Federal Constitution, chiefly the commerce clause, each state possessed that power to legislate prior to the amendment, and the probable purpose of the amendment was to give to the states a concurrent power to legislate in the same field."

"In effect, the second section of the Eighteenth Amendment puts an end to restrictions upon the states' powers arising out of the Federal Constitution and lets them legislate on the same subject as the national government, but it does not take down or displace prior state laws inconsistent with it."

Two Sovereignities Active  
"We have here two sovereignties, deriving power from different sources capable of dealing with the same subject matter within the same territory."

### Speejacks Berths in Home Port, Weary of World-Wondering

Mr. and Mrs. A. Y. Gower Jr., of Chicago, Back From 40,000-Mile Journey, Raise the Old Chantey, "There's No Place Like Home," on Landing

The Speejacks, ninety-eight feet long and sixty-four tons deadweight, the first motor boat to sail around the world, ended its travels yesterday by sailing into New York Harbor and tying up in the port from which it started on August 21, 1921.

"There is no place like home," observed A. Y. Gower Jr., of Chicago, owner of the boat, commodore of the Cleveland Yacht Club and vice-president of the Lehigh Portland Cement Company, as he stepped ashore. His sentiments were echoed by Mrs. Gower and the two other Americans who had made the hazardous journey of nearly 40,000 miles on the little craft. "No one has ever made such a trip before, I've heard," he said. "No one will ever do it again," he added, with a smile, "at least, never again for us."

Classed With Magellan  
"Aren't you proud to be in the same class with Magellan?" Mrs. Gower was asked.

"No, I can't say that I am," she laughed. "Mother dislikes notoriety, and from all the cable dispatches she has got the idea that I am in the same category as a prizefighter. But it's interesting to do something new, and I suppose I am the first woman to circumnavigate the world this way. Yet I can't think of it as something unusual. I suppose that is because New York looks more wonderful than

anything I have seen on the whole journey and it is good to be where you can sit and hear American English spoken."

Of the original party which set out from New York in the Speejacks only five returned, the others having gone ashore along the way. These were Mr. and Mrs. Gower, E. J. Ingraham, photographer; Jack Lewis, engineer, and William Souby, steward. In place of five of the American crew of seven that started, the boat brought back one Russian, one Chinese, one Scotchman, one Englishman and a Frenchman.

Motion Pictures of Trip  
During the trip more than 90,000 feet of film were taken by Ingraham, who was formerly photographer for Burton Holmes. These were taken for the private use of Mr. Gower, who has a motion picture machine in his home in Chicago.

Mr. Gower, who declared that during the whole trip his wife was the "gamest" member of the party, said he never once missed his regular trip at the wheel, two hours on and six hours off.

Mrs. Gower said that she and her husband would be in New York until Friday, he on business and she shopping, adding that women were wearing entirely different clothes than when she left here sixteen months ago. Friday they will leave for their home in Chicago. The Speejacks is to be laid up at the Consolidated Shipbuilding Corporation's works at Morris Heights, where she was constructed.

### Christopher on Way Here With Princess Anastasia, Will Sail on Olympic Dec. 13

LONDON, Dec. 11 (By The Associated Press).—Prince and Princess Christopher of Greece will sail on board the steamship Olympic for New York December 13.

Prince Christopher is a brother of former King Constantine of Greece. The Princess Anastasia is the former Mrs. William B. Leeds, widow of the American "tin plate" king.

### Mrs. Thompson Doomed To Die With Bywaters

London Jury Finds Both Guilty in Murder of Woman's Husband

LONDON, Dec. 11 (By The Associated Press).—Frederick Bywaters and Mrs. Edith Thompson were found guilty of the murder of Mrs. Thompson's husband, Percy Thompson, by a jury in Old Bailey to-day, and both were immediately afterward sentenced to death.

Bywaters is alleged to have stabbed Thompson while the latter was escorting his wife home from the theater. The defendant set up self-defense as a plea, but the prosecution had produced a mass of a voluminous correspondence between Mrs. Thompson and himself in an effort to prove that they deliberately planned to remove the woman's husband.

### La Savoie Delayed

HAVRE, Dec. 11.—The French Line Steamship La Savoie arrived here this evening twenty hours late on the voyage from New York. Her starboard engine was out of commission through the breaking of two low pressure pistons rods.

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### THE TRUTH

"—is also found in frank confession of error"

The Tribune will be glad to receive and publish corrections of inaccuracies in its columns.

Readers of The Tribune have called its attention to a misleading headline in the issue of December 9, put over the President's declaration of prohibition. The headline read, "Prohibition sties Demoralizing Factor in United States." The President in reality found demoralization not in prohibition but in violation of the law and corruption of the enforcement agencies.

In an account in The Tribune on December 3 regarding the Cunard liner Assyria being delayed at her pier reference was made to the Alps Drug Company. Through inadvertence it was erroneously said that the Alps Drug Company had gone out of business. The Alps Drug Company, a New York corporation, has been for years, and still is, engaged in business, with an office at 410 Eighth Avenue. This company states, by way of explanation of the court procedure which delayed the sailing of the Assyria, that the liquor involved was "duly and regularly entered, and that warehouse certificates of ownership were thereafter duly issued to the Alps Drug Company."

### Smith to Have Royal Welcome To State House

Five Days of Pomp and Ceremony to Make Inaugural of Governor Nation-wide in Interest, Friends Plan

### Tiger Dons Festal Garb

Victory Dinner for Successful Democratic Candidates To Be Given Next Monday

Governor-elect Alfred E. Smith's inauguration program, according to present plans, will cover five days and overshadow in magnificence anything ever staged in Washington or Albany. The friends of the Governor-elect made no secret of their intention to organize a setting for Mr. Smith's assumption of office that will arrest national attention and make Democrats all over the country better acquainted with the Governor-elect's qualifications for the presidential race in 1924.

Ordinarily the inauguration program covers two days. This time the Smith inauguration will embrace the following: Thursday, December 28—Reception by citizens of Albany, to be followed by a parade, which will include thousands of Tammy Hall men and Hyland Administration officeholders.

Friday, December 29—Public dinner by the Albany Chamber of Commerce.

Saturday, December 30—The Governor-elect's birthday. Celebration to last virtually all day, with a charity ball at the Tenth Regiment Armory in the evening.

Sunday, December 31—New Year's Eve dinner at the Hotel Ten Eyck.

Monday, January 1—Inauguration at the capitol. Parade and reception at the executive mansion.

As Governor Miller and his family will be unable to vacate the Executive Mansion until December 27 or 28 the Smiths will go to the Hotel Ten Eyck for a day or two.

The Tammany speakers' bureau is planning a victory dinner on Monday next at the Hotel Commodore in honor of Governor-elect Smith and his associates on the Democratic ticket.

Besides Mr. Smith the guests of honor will include Lieutenant Governor-elect George R. Lunn, United States Senator-elect Royal S. Copeland, Secretary of State-elect James A. Hamilton, State Treasurer-elect George E. Shuler, State Comptroller-elect James W. Fleming, State Engineer and Surveyor-elect Dwight B. La Du, Attorney General-elect Carl Sherman, General Sessions Judge-elect Cornelius F. Collins, Supreme Court Justice-elect William Harman Black, Edward J. McGoldrick and Irving Lehman, Circuit Court Judge-elect John P. O'Brien and City Court Justice-elect John E. McGeehan. Jeremiah T. Mahoney will be the toastmaster.

It is expected that more than 2,000 will attend the dinner.

Mr. Smith returned yesterday to the Hotel Biltmore, where he and his family are living, after spending the week-end at Canoe Place Inn, Hampton Bays,

formerly Good Ground, the home of Charles F. Murphy, where he was in conference with the Tammany chieftain over Sunday. Others at the conference and golfing were Supreme Court Justice Robert F. Wagner, Surgeon General C. V. Rorabacher, Senator James J. Walker, Assemblyman Charles Donohue, Philip Donohue, treasurer of Tammany Hall; Norman E. Mack, of Buffalo, Democratic national committeeman; Comptroller-elect James W. Fleming, Mayor of Troy, and City Court Justice John E. McGeehan. At this conference and again yesterday the Governor-elect talked with the leaders about reorganizing the Transit Commission and the advisability of repealing the Mullin-Gage enforcement law and the scores of things mentioned in the Democratic state platform.

### Yellowley to Give Up Dry Office Here; City Agents Shift

Will Return to Job at Washington; Southern Moonshine Hunters to Look for Holiday Liquor Violators

E. C. Yellowley, acting prohibition director, will leave New York the second week in January to resume his duties as chief general agent for the United States, with headquarters in Washington. It was predicted yesterday in official circles. Mr. Yellowley himself admitted that his position here is not permanent, but said it was definite, and he did not know exactly when he would be withdrawn to resume his regular duties in Washington.

Reorganization of the prohibition forces in Manhattan and Brooklyn continued yesterday. Several agents were transferred to Manhattan, as was his chief assistant agent, John Davis. Four agents at least in Brooklyn are slated for dismissal and three more are to be transferred.

Mr. Green was first an agent in Brooklyn and then in Manhattan. His appointment is the result of dissatisfaction among the dry forces regarding methods of enforcement there.

It was said that a squad of the most

fearless revenue agents who ever operated in the Southern moonshine district, would soon be concentrated in New York to help enforce prohibition during the holidays. This move is said to have been favored by Mr. Yellowley and to have been approved by President Harding.

### Illinois Votes on New Code

Farmers May Carry Measure Over Labor's Hostility

CHICAGO, Dec. 11.—With a majority of the members of the Illinois Supreme Court favoring it, the proposed new state constitution promises to draw a heavy vote to-morrow. Chicago leaders for and against the proposal declare there will be no less than 600,000 votes cast on it in Chicago.

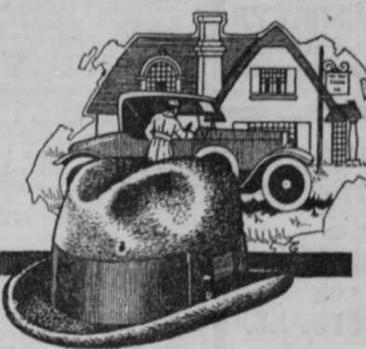
Labor unions and various religious associations are fighting the new constitution and Chicago is expected to vote against it three to one, but it is understood the farmers and others downstate, except in large cities, are strongly for it.

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Old English Silver Etc.  
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NEW YORK

## TIFFANY & Co.

FIFTH AVENUE & 37th STREET

### SILVER TABLEWARE SILVER TEA SETS



At Saks This Morning—  
An IMPORTANT OFFERING of  
**Velour HATS**  
FOR MEN  
at 5.75

## GRANDE MAISON DE BLANC Inc.

"The Trousseau House of America"

### USEFUL GIFTS

Swiss Embroidered Handkerchiefs from \$3.00 each  
Women's Lace Handkerchiefs from \$3.50 each  
Women's Initialed Handkerchiefs from \$10.00 per doz.

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## Buckingham Shoes

for particular New York men

12.00



Very smart high models that combine both comfort and style to a most unusual degree. Exceptionally well-made of tan or black calfskin, with narrow or medium toes.

*Fifth Floor*



### A Most Exceptional Offering of Gold-Filled Wallets

at 2.50

Genuine pin seal wallets, in hip or three fold models, with four card pockets, space for pass and full length bill compartment. Every one is splendidly finished with calf lining and gold-filled clips and corners. Very handsome indeed, and really appreciable gifts!

IMPORTED  
**Cigarette Cases at 1.00**

—made of fine quality imported leather, and easily hold a full carton of cigarettes in a compact manner. Black or dark green to select from.

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## Saks & Company

BROADWAY at 34th STREET

The Card of Personal Greeting

### Unusual CHRISTMAS CARDS

in endless variety, executed in correct style. Imported and Domestic—quaint, unique and attractive Designs and Sentiments to suit every taste.

Christmas Cards with Greetings in French. Calendars with Daily Quotations in Foreign Languages.

## BRENTANO'S

Brokers in the World  
115th AVENUE and 27th ST.

Beginning Sat., Dec. 16, Store Will Be Open Evenings Till Christmas

## THE NEWS

For To-day Only

Cedar Chests \$20  
Taffeta Pillows \$2.39  
6x9 Sanford's Beauvais Axminster Rugs \$25

Known for Our Low Prices

## Bloomingdale's

26th to 60th—Lx. to 34 Ave.

## Franklin Simon & Co.

A Store of Individual Shops  
FIFTH AVENUE, 37th and 38th STS.

### A Fashion Newalty!

## PAISLEY CHIFFON SCARF KERCHIEFS

Seen at the smart restaurants—worn under the winter wrap to protect the gown and to add a note of color.

4.95  
Thirty-six Inches Square

Large shadowy squares of chiffon in Paisley colorings are the latest Paris fancy to be adopted by smart New York women, and because they are so new and useful they make unusual gifts.

FEMINE NECKWEAR SHOP—Street Floor

## Extending Human Life

"In fifty years, our doctors, hygienists and sport enthusiasts have added eleven years to the average span of human life, a gain of nearly 26 per cent. . . . the agencies of health protection are increasing everywhere . . ."

From The New York Evening Journal of November 21, 1922

THE scientific study of food has done more to prolong human life than any other branch of science.

VITOVIM BREAD is the result of one of the greatest achievements in the whole field of food chemistry. In VITOVIM BREAD you have the most nourishing white wheat bread, or bread of any kind ever baked.

Highly nutritious, most delicious to the taste, creamy white bread, rich in important vitamins, mineral salts and balanced proteins of wheat and milk, VITOVIM BREAD is the true staff of life.

It contains food elements needed by the human body for growth, for building muscle, bones, teeth, nerves and blood, for repairing natural wear and tear of the body, and for the preservation of health and vigor.

For a score of years, food scientists and the technical staff of the Ward Baking Company have been applying their efforts toward this present achievement.

Long continued animal feeding tests by scientists of our leading universities have proved the great nutritional value of this super loaf, and pronounce it the first perfect white bread. You will be interested to know that in these feeding tests, with nothing more than VITOVIM BREAD and water, various experimental animals were raised to full growth and maturity, to breed and reproduce even to the third and fourth generation. There never was a homemade loaf or any other loaf that could accomplish the same result.

Make Ward's VITOVIM BREAD the basis of every meal in your home. It means the better nourishment of yourself, your family, and especially growing children.

Better than "home-made" or any other bread ever baked

## WARD'S VITOVIM BREAD

Super-nutrition "Eat a pound a day" Place your order with your neighborhood dealer

The milk in VITOVIM costs more than the best family flour that goes into the loaf

### THE KEY TO HEALTH

## WARD BAKING COMPANY

All competitive breads—home-made bread, too—are challenged to equal the nutritional value of VITOVIM BREAD in public tests

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