

Opinion of the Court

The same principle explains the other two cases relied on by *Yates*. In *Williams v. North Carolina*, 317 U.S. 287 (1942), the defendant was convicted of bigamous cohabitation after the jury had been instructed that it could disregard the defendants' Nevada divorce decrees on the ground either that North Carolina did not recognize decrees based on substituted service or that the decrees were procured by fraud. *Id.*, at 290–291. The former of these grounds, we found, violated the Full Faith and Credit Clause. We continued:

“[T]he verdict of the jury for all we know may have been rendered on that [unconstitutional] ground alone, since it did not specify the basis on which it rested. . . . No reason has been suggested why the rule of the *Stromberg* case is inapplicable here. Nor has any reason been advanced why the rule of the *Stromberg* case is not both appropriate and necessary for the protection of rights of the accused. To say that a general verdict of guilty should be upheld though we cannot know that it did not rest on the invalid constitutional ground on which the case was submitted to the jury, would be to countenance a procedure which would cause a serious impairment of constitutional rights.” *Id.*, at 292.

The third case cited by *Yates*, *Cramer v. United States*, 325 U.S. 1 (1945), was our first opportunity to interpret the provision of Article III, §3, which requires, for conviction of treason against the United States, that there be “two Witnesses to the same overt Act.” The prosecution had submitted proof of three overt acts to the jury, which had returned a general verdict of guilty. After a comprehensive analysis of the overt-act requirement, *id.*, at 8–35, we found that two of the acts proffered by the prosecution did not satisfy it, *id.*, at 36–44, and accordingly reversed the conviction. “Since it is not possible,” we said, “to identify the grounds on which *Cramer* was convicted, the verdict must be set aside if any