PROHIBITION WINS IN SENATE, 47 TO 8

Concurs in House Resolution Which Sets Limit of Ratification at Seven Years.

WON'T STAND, SAYS BORAH

Idaho Senator Raises Constitutional Point of Limitation—Texas to Act at Once.

Special to The New York Times.

WASHINGTON, Dec. 18.—The Senate, by a vote of 47 to 8, concurred today in the joint resolution, adopted by the House, providing for a vote by the States on the nation-wide prohibition amendment to the Constitution. Immediately the resolution was sent to the Secretary of State, who will notify the Secretaries of the various States of its adoption.

As concurred in by the Senate the resolution was changed from the form in which the Senate adopted it last Summer, when the time allowed the necessary ratification by three-fourths of the States, to make it operative, was fixed at six years. In the resolution as adopted by the House and concurred in today, the time limit is extended to seven years.

Senator Borah of Idaho raised the question of the constitutionality of the resolution, owing to the fixing of a time limit for its ratification. He maintained that Congress had no right to prescribe the time.

"It has no more right to say this resolution shall be inoperative in twenty or fifty years than seven years," said Senator Borah. "I believe it is unconstitutional as drawn."

Spccial to The New York Times.

AUSTIN, Texas., Dec. 18.—The pending amendment to th Federal Constitution will be ratified by the Legislature of Texas at a special session, to be held in the early part of the coming year. Although the session will be called for other specific purposes by Governor Hobby, there is no doubt that favorable action upon the amendment will be taken.

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