

thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

Senator Rebecca L. Felton, appointed during the recess of the Senate on October 3, 1922, to fill a vacancy, was the first woman to sit in the Senate (VI, 156). Senator Walter F. George was elected to fill the vacancy on November 7, 1922. Mrs. Felton took the oath of office on November 21, 1922, and Senator George took the oath November 22, 1922 (VI, 156). Discussion as to the term of service of a Senator appointed by a State executive to fill a vacancy (VI, 156).

The right of an elector to vote for a Senator is fundamentally derived from the United States Constitution (United States v. Aczel 219 F.2d 917 (1915)) and may not be denied in a discriminatory fashion (Chapman v. King, 154 F.2d 460 (1946), cert. denied, 327 U.S. 800 (1946); Forssenius v. Harman, 235 F. Supp. 66 (1964), affd., 380 U.S. 529 (1965)).

## AMENDMENT XVIII.<sup>a</sup>

[See Amendment XXI, repealing this Amendment]

SECTION 1. [After one year from the ratification of this article the manufacture, sale, or transportation of intoxicat-

§ 239. Prohibition of intoxicating liquors.

<sup>a</sup>The 18th amendment to the Constitution of the United States was proposed to the legislatures of the several States by the 65th Congress on December 18, 1917, and was declared in a proclamation by the Secretary of State dated January 29, 1919, to have been ratified by the legislatures of thirty-six of the forty-eight States. The dates of these ratifications were: Mississippi, January 8, 1918; Virginia, January 11, 1918; Kentucky, January 14, 1918; North Dakota, January 25, 1918; South Carolina, January 29, 1918; Maryland, February 13, 1918; Montana, February 19, 1918; Texas, March 4, 1918; Delaware, March 18, 1918; South Dakota, March 20, 1918; Massachusetts, April 2, 1918; Arizona, May 24, 1918; Georgia, June 26, 1918; Louisiana, August 3, 1918; Flor-

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ing liquors within, the importation thereof into, or the exportation thereof from the United States and all territories subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

SECTION 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

SECTION 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.]

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ida, December 3, 1918; Michigan, January 2, 1919; Ohio, January 7, 1919; Oklahoma, January 7, 1919; Idaho, January 8, 1919; Maine, January 8, 1919; West Virginia, January 9, 1919; California, January 13, 1919; Tennessee, January 13, 1919; Washington, January 13, 1919; Arkansas, January 14, 1919; Kansas, January 14, 1919; Alabama, January 15, 1919; Colorado, January 15, 1919; Iowa, January 15, 1919; New Hampshire, January 15, 1919; Oregon, January 15, 1919; Nebraska, January 16, 1919; North Carolina, January 16, 1919; Utah, January 16, 1919; Missouri, January 16, 1919; Wyoming, January 16, 1919. Ratification was completed on January 16, 1919. The amendment was subsequently ratified by Minnesota, January 17, 1919; Wisconsin, January 17, 1919; New Mexico, January 20, 1919; Nevada, January 21, 1919; New York, January 29, 1919; Vermont, January 29, 1919; Pennsylvania, February 25, 1919; Connecticut, May 6, 1919; and New Jersey, March 9, 1922. Rhode Island rejected the amendment.