

## KNOX NEXT IN LINE FOR PRESIDENCY

Sherman's Death Leaves Office of Vice-President Vacant Until March 4.

## SENATE IS WITHOUT HEAD

Split in Republican Party Caused Inability to Choose President Pro Tempore and Now Body Must Settle Controversy.

WASHINGTON, Oct. 30.—(Special).—The death of Vice-President Sherman puts Secretary of State Knox in line for immediate succession to the Presidency in case of the death or disability of President Taft before March 4 next. Secretary of the Treasury Mac Veagh is now second in line for succession.

The office of Vice-President remains vacant until a new Administration comes into power, as the law does not provide for any succession to that office.

The Secretary of State, as next to the Vice-President in the line of succession, does not become Vice-President on the death of the one elected to fill the latter office. Barring the death or disability of the President, the sole function of the Vice-President is to act as president of the Senate.

In the absence of or in the case of death or disability of the Vice-President, the President pro tempore of the Senate becomes the regular presiding officer of that body.

New Law Changes Succession. Until the enactment of the new succession law, in 1887, the President pro tempore of the Senate, and after him the Speaker of the House of Representatives were the only two in line of succession to the Presidency, aside from the Vice-President.

The law providing that the President pro tempore of the Senate and the Speaker of the House should succeed to the Presidency in case of a vacancy in the office of the President upon the death of the President had been on the statute books since 1791. No emergency calling for the application of the succession law has arisen in the history of the Nation, but several times there has been no Vice-President standing between a President and a person not chosen directly by the people to succeed him in case of death.

The law was changed for two reasons, one being the possibility of a vacancy in the President's office—the Vice-President's office being already vacant—at a time between one Congress and another, when there was neither a President pro tempore of the Senate nor a Speaker of the House; the other reason being that the death of a President and Vice-President might, under the act of 1887, throw the entire control of the Government into the hands of the opposition party.

It was the idea of maintaining the same party control throughout the entire time for which an Administration had been chosen that mainly influenced the transfer of the succession from officers of Congress to officers of the Cabinet.

At present there is no president pro tempore of the Senate to succeed automatically to the duties ordinarily devolving on the Vice-President. This very fact is found to be one of the most serious situations resulting from the death of Vice-President Sherman. For several years the late Senator Frye, of Maine, was president pro tempore of the Senate, but he resigned the office when the illness which resulted fatally broke down his health.

No President Pro Temp Now. The Republican caucus then named Senator Gallinger, of New Hampshire, as its candidate for president pro tempore, and the Democrats named Senator Bacon, of Georgia. The insurgent Republicans refused to support Senator Gallinger, and cast their votes for Senator Clapp, of Minnesota.

This precipitated a deadlock. Day after day ballots were taken and finally, it being useless to keep on the play, all effort to select a president pro tempore was abandoned.

Subsequently, when Vice-President Sherman was absent for a long period on account of illness, the Senate, in order to conduct its business at all, was put to the expedient of choosing the president pro tempore to act temporarily only, and this was done through an amicable arrangement whereby Senator Gallinger and Senator Bacon alternated in the chair of the presiding officer.

The first duty that will confront the Senate when Congress convenes in December will be the election of a president pro tempore. The makeshift arrangement can no longer endure, in view of the permanent vacancy created by the death of the Vice-President. Perhaps with the mellowing of factional feeling to some extent after a settlement at the polls of some of its issues that engendered it, the Republicans may be able to come together again and name Senator Gallinger.

The tenure of the president pro tempore, if elected when Congress re-convenes, would in all probability be less than March 4 at the latest, when changes in the Senate are liable to make it easy for one party to choose without any division in its ranks.

HILLES CALLS COMMITTEE Successor on Ticket May Be Chosen After Election.

NEW YORK, Oct. 30.—Chairman Hilles, of the Republican National Committee shortly before 1 o'clock this morning announced that he had called a meeting of the National committee for November 12 in Chicago, to select a successor to Mr. Sherman, as the Republican candidate for Vice-President.

Mr. Hilles made the following statement: "The National convention, which met in Chicago in June, delegated to the National committee power to fill vacancies on the National ticket. The death of Mr. Sherman, candidate of the Republican party for Vice-President at the coming election, makes it incumbent upon the National committee to nominate a candidate in his place. The nomination, however, cannot possibly be made prior to the election next Tuesday. Such a nomination can properly be made only after due and reasonable notice to all the members of the committee. Such notice cannot be given in less than six days.

"It is manifestly impossible to hold such a meeting prior to the election. Meantime no difficulty or inconvenience arises to the voters at the election next Tuesday, because the votes to be cast then are for electors and not for candidates for either President or Vice-President and the death of Mr. Sherman therefore does not affect the validity of the election of the electors.

"I have called a meeting of the National committee to meet upon the 12th day of November in the City of Chicago, at the Auditorium Hotel, at 12 o'clock noon, to select a successor to the late James S. Sherman, as candidate of the Republican party for Vice-President of the United States."

## LATE VICE-PRESIDENT, HIS WIDOW AND TWO OF HIS SONS.



(Continued From First Page.)

for vice-presidential honors, was to have spoken here tomorrow night in behalf of the Roosevelt Progressive ticket, but his address, like all other events of the kind, has been deferred. The Democrats also signified their intention of removing a Wilson and Marshall banner which had been placed across one of the city streets and of suspending all political activity until after the funeral.

In the course of his tribute Mayor Baker said: "Mr. Sherman has long been identified with the business interests of Utah. He was ever alert in taking advantage for the city. His home life was beautiful. It was a model for all American families. He found the greatest pleasure when surrounded by those who loved him as a husband and father, and it is there that his genial presence will be missed. Stricken as he was with an illness which required constant watchfulness, Mr. Sherman bore it with a fortitude which exemplified the strong characteristics of the man."

The Mayor ordered that the flags on all city buildings should be placed at half mast and suggested that a similar course be followed with all other flags in Utah. Not since early this morning, when his attending physician made the final announcement of his inability to do more for Mr. Sherman's relief, had there been the least probability of saving the patient's life, or even of prolonging it for any considerable time.

Weakness Is Marked. Dr. Peck, however, remained with his patient all day, but did little for him beyond administering an occasional hypodermic injection of morphia.

Due both to the presence of excessive uramic acid and to the sedative employed, Mr. Sherman lay in a state of coma throughout the greater part of the day. Only twice did he throw off the dense stupor which enthralled him. On neither of these occasions was he conscious for more than a few minutes. During one of the intervals of consciousness he got out of bed and stood on the floor for a brief period. His weakness was such, however, that he was soon compelled to lie down. A circumstance which in itself marked the rapid advance of his malady. Yesterday he walked about his room a great deal and in his delirium insisted that while he did not want a re-nomination, he did not want an education. Mr. Sherman told the physician when he urged him to arrange for a brief and informal notification, "but you don't know about politics."

Notification Taxes Strength. "I suggested," said Dr. Peck tonight, "that it would be better for him to receive the notification committee in the parlor of his home. I tell them he did not want a re-nomination, he would accept in a spirit of loyalty and let that suffice. When it became apparent that he would not yield to my suggestions, I urged him to make a speech of not more than five minutes. Instead, he spoke for more than half an hour. Two days later the exertions of notification day began to tell on the patient and he began to fail."

Dr. Peck said the Vice-President apparently had not worried over the outcome of the campaign. "His peace of mind was more disturbed over his illness, as several of his relatives have died from the same disease," continued the physician. "Mr. Sherman did not want a re-nomination but he was loyal and accepted it with the understanding that he was not to take an active part in the campaign."

When his name was being considered as a candidate for the Vice-Presidency before the Republican National committee, Mr. Sherman consulted Dr. Peck as to whether he would better accept because of his physical condition, but the doctor told him he did not care to advise him upon so grave a question.

Illness Developed in 1908. The first discovery that Mr. Sherman's kidneys were affected was made at the beginning of the National campaign in 1908.

At that time he was suffering from gall stones and his physicians informed him that one of the kidneys had become diseased and advised moderation in work and diet.

The advice was followed in the latter but not in the former respect. Sherman continued to eat and drink in the simplest foods; but he persisted in giving the closest personal attention to his official duties as well as to his extensive business interests. So completely did he keep himself occupied that Dr. Peck found in this fact the principal reason for the Vice-President's breakdown.

Visiting all sections of the country, and making many speeches daily, he failed in no effort which a loyal party man and a vigorous man could make in that campaign and when ultimately his labors were crowned with success and he was elevated to the Vice-Presidency, he vigorously turned his attention to the duties of that office.

Sherman Works Hard. Never content to be a figurehead, he undertook to develop the Vice-Presidential position of usefulness. As a result he became one of the recognized advisers of the Administration and he exerted unusual influence among the members of the Senate. He gave much time and attention to parliamentary questions and he kept the politics of the country at his fingers' ends.

Apparently Mr. Sherman did not weaken until last Spring. Required by the tense parliamentary situation in the Senate to be in his seat constantly during the recent session of Congress, he began to fail in March. A medical examination then revealed Bright's disease in an advanced form and he was advised to suspend all labors and devote himself to an effort to counteract the ravages of the disease by building up his physical system as a whole.

LONG PUBLIC LIFE REVIEWED Mr. Sherman Not Orator, but Effective in Legislative Councils.

WASHINGTON, Oct. 30.—The twenty-seventh Vice-President of the United States, and the only one re-nominated, was christened James Schoolcraft Sherman. But in nearly a quarter of a century of public life, "Jim" Sherman was to his intimates, and probably half the Nation, known as "Sunny Jim," a sobriquet earned by a never-failing, all-year-round sunny disposition.

Mr. Sherman belonged to the school of Republicanism nowadays popularly called "regular," and he fought his political battles without compromise or flinching. The events he helped to bring about in his delirium, while in his right mind today he recognized Mrs. Sherman and Dr. Peck and spoke to them in familiar and endearing terms.

Mr. Sherman's rapid decline in health dated from August 31, when he was formally notified of his nomination for Vice-President to Dr. Peck. He was warned that the exertion incident to the ceremonies might have an ill effect, but insisted that the program as arranged be carried out. "You may know all about medicine," Mr. Sherman told the physician when he urged him to arrange for a brief and informal notification, "but you don't know about politics."

Defeat Not Lasting. Two sessions of Congress found Mr. Sherman defeated and out of office, but not for long.

Harry W. Bentley, of Booneville, Oneida County, beat him by fewer than a thousand votes in the race for the Fifty-second Congress. In the interim Mr. Sherman went back to Utah, built up his law practice and returned to the Fifty-third Congress with a signal victory. He remained in the House without defeat to the Sixtieth Congress, when he was nominated and elected Vice-President on the ticket with Mr. Taft.

His first years in the House brought him into close association with leaders. Joseph W. Bailey, later a Senator; Brockbridge, Bryan, Bourke, Cockran, Crisp, Dabzell, Dingley, Dooliver, Henderson, Payne, Paynter, Raynor, Reed, Wadsworth, "Fighting Joe" Wheeler and a score of others whose names became household words in discussion of the tariff and other National policies, were his fellows. The Senate had such men as Aldridge, Allison, Coddell, Delah, Frye, Gorman, Hoar, Hill, Teller Vest and Wolcott. Not all were Republicans, but all were "Jim" Sherman's friends, and in such an environment he worked to a high place in the councils, and finally was numbered one of the "big five" in the House.

Red Carnation His Favorite. Cannon, Dabzell, Payne, Sherman and Tawney were the great quintet during the comparatively recent years in which Congress was Republican. Each of them invariably wore a red carnation for a boutonniere, and when Mr. Sherman went to preside over the Senate and occupy the coveted marble room in the other wing of the Capitol, he took the custom with him, and the flower always appeared at every session of the upper House.

Any review of Mr. Sherman's life would not be complete without reference to his work in the House. Briefly, there is recorded no time when he moved the galleries to applaud by a debate from the floor, changed any votes by eloquence. But the statistics bear marks of his work in committee and caucuses, and the results of his labors on the rules committee, the Interstate Commerce committee and other branches of the machinery of the House.

In New York State politics, Mr. Sherman was a leading figure. He always was active in state conventions and a figure at all National gatherings of the party.

Mr. Sherman went to preside over the Senate just about at a time when what popularly is known as "Senatorial dignity" was beginning to feel its first break. In the chair Mr. Sherman was dignity itself, fair in his rulings, his colleagues said, quiet, firm, sure and seldom reversed on appeal.

Business Methods Introduced. But dignity, so far as the traditional Senatorial frock-coat and silk hat were concerned, generally was absent. He regarded his time presiding over the Senate as a day's business, to be attended to as if he were sitting in his bank in Utah, or at the treasurer's table of one of the many enterprises in which he had found a fortune and laid the foundation for another for his sons. He usually appeared in a business suit, on a hot day he wore a campaign tour, and he was not infrequently seen in a business suit, on a hot day he wore a campaign tour, and he was not infrequently seen in a business suit, on a hot day he wore a campaign tour.

## TAFT PAYS TRIBUTE TO VICE-PRESIDENT

Sobriquet of "Sunny Jim" Well Earned by Sherman, President Says.

## CHARACTER IS RATED HIGH

President Expresses Deep Personal Sense of Loss at Death of Vice-President and Friend; Qualities Are Extolled.

NEW YORK, Oct. 30.—President Taft's principal criticism after being informed of the death of Vice-President Sherman was made today just as the President was about to board his train for Washington after a day of festivities in connection with the launching of the battleship New York. The statement was as follows:

"News of the death of Vice-President James S. Sherman has just reached me, and, although it was not unexpected, it has filled my heart with sadness. I feel a sense of personal bereavement in the loss of a friend, who was a conscientious worker in the many undertakings in which we were engaged. It is an easy matter to pay tribute to his worth. He was a gentleman of splendid poise, of mental attainment, which he balanced by so fine a sense of justice that all who knew him respected him and admired him."

"The sobriquet which he has properly earned, and which was a tribute to a disposition that radiated sunshine and good will, readily explains that warm affection in which he was held by the many thousands who had come into personal contact with him. As a legislator and expounder of parliamentary law and practice, he achieved a reputation of National proportions before he was elevated to the high and dignified office of Vice-President of the United States. His service as Vice-President will be fittingly acknowledged by the United States Senate, which will be paid tribute to his marked earnestness. He was a Republican of sturdy principles and highly regarded, and he will be sadly missed in the many crises created by new problems arising and demanding wise consideration and practical solution."

"The sympathy of all his friends goes out to his widow and children, with whom he dealt in a relationship which may well be termed ideal. The sorrow of a Nation will be aroused by the news of his death. In the many tender tributes which will be paid publicly and privately to his memory will be found evidence of the optimism and sunlight shed among his associates. To those who would add their own, the more certain and sincere because of the close official and personal relationship that existed between us, and the opportunity this offers for the expression of our sympathy and admiration for his sterling and beautiful character."

The President said he expected to attend the funeral.

Governor Wilson Shocked.

PRINCETON, N. J., Oct. 30.—When Governor Woodrow Wilson reached home tonight from Burlington, where he spoke, he learned of the death of Vice-President Sherman. The Governor said he was shocked and expressed deep sorrow.

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SENATE TO ATTEND FUNERAL

Upper Body of Congress to Bear Expense of Obsequies.

NEW YORK, Oct. 30.—The Senate as a whole will be appointed as a committee to attend the funeral of Vice-President Sherman, according to announcement made here tonight by Senator Bacon, President pro tempore of that body.

Senator Bacon said that as soon as the date of the funeral is announced the Sergeant-at-Arms of the Senate would be notified by him to telegraph individuals to the members of the Senate, urging them to be present at the funeral.

Immediately on hearing of Mr. Sherman's death, Senator Bacon telegraphed to the Sergeant-at-Arms to take charge of and direct the funeral arrangements, subject to the wishes of the family. The expenses of the funeral would be borne by the Senate.

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