

= William Howard Taft =

William Howard Taft ( September 15 , 1857 ? March 8 , 1930 ) served as the 27th President of the United States ( 1909 ? 1913 ) and as the 10th Chief Justice of the United States Supreme Court ( 1921 ? 1930 ) , the only person to have held both offices . Taft was elected president in 1908 , the chosen successor of Theodore Roosevelt , but was defeated for re @-@ election by Woodrow Wilson in 1912 after Roosevelt split the Republican vote by running as a third @-@ party candidate . In 1921 , President Warren G. Harding appointed Taft chief justice , a position in which he served until a few weeks before his death .

Taft was born in Cincinnati in 1857 . His father Alphonso Taft was a U.S. Attorney General and Secretary of War . William Taft attended Yale and was a member of Skull and Bones secret society like his father , and after becoming a lawyer was appointed a judge while still in his twenties . He continued a rapid rise , being named Solicitor General and as a judge of the Sixth Circuit Court of Appeals . President William McKinley appointed Taft civilian governor of the Philippines . In 1904 , Roosevelt made him Secretary of War and he became Roosevelt 's hand @-@ picked successor . Taft declined repeated offers of appointment to the Supreme Court , believing his political work more important .

With Roosevelt 's help , Taft had little opposition for the Republican nomination for president in 1908 , and easily defeated William Jennings Bryan for the presidency that November . In the White House , he focused on the Far East more than European affairs , and repeatedly intervened to prop up or remove Latin American governments . Taft sought reductions to the tariff , then a major source of governmental income , but the resulting bill was heavily influenced by special interests . His administration was filled with conflict between the conservative wing of the Republican Party , with which Taft often sympathized , and the progressive wing , toward which Roosevelt moved more and more . Controversies over conservation and over antitrust cases filed by the Taft administration served to further separate the two men . Roosevelt challenged Taft for renomination in 1912 . Taft used his control of the party machinery to gain a bare majority of delegates , and Roosevelt bolted the party . The split left Taft with little chance of re @-@ election , and in Wilson 's victory won only Utah and Vermont .

After leaving office , Taft returned to Yale as a professor , continuing his political activity and working against war through the League to Enforce Peace . In 1921 , President Harding appointed Taft chief justice , an office he had long sought . Chief Justice Taft was a conservative on business issues , but under him , there were advances in individual rights . In poor health , he resigned in February 1930 . After his death the next month , he was buried at Arlington National Cemetery , the first president and first Supreme Court justice to be interred there . Taft is generally listed near the middle in historians ' rankings of U.S. presidents .

= = Early life and education = =

William Howard Taft was born September 15 , 1857 , in Cincinnati , Ohio , to Alphonso Taft and Louise Torrey . The Taft family was not wealthy , living in a modest home in the suburb of Mount Auburn . Alphonso served as a judge , ambassador and in the cabinet , as War Secretary and Attorney General under Ulysses S. Grant .

William Taft was not seen as brilliant as a child , but was a hard worker ; the demanding parents pushed their five boys toward success , tolerating nothing less . He attended Woodward High School in Cincinnati . At Yale College , which he entered in 1874 , the heavyset , jovial Taft was popular . One classmate described him succeeding through hard work rather than being the smartest , with sterling integrity . In 1878 , Taft graduated , second in his class out of 121 . He attended Cincinnati Law School , and graduated with a Bachelor of Laws in 1880 . While in law school , he worked on The Cincinnati Commercial newspaper , edited by Murat Halstead . Taft was assigned to cover the local courts , and also spent time reading law in his father 's office ; both activities gave him practical knowledge of the law that was taught in no class . Shortly before graduating from law school , Taft went to the state capital of Columbus to take the bar examination

and easily passed .

= = Rise in government ( 1880 ? 1908 ) = =

= = = Ohio lawyer and judge = = =

After admission to the Ohio bar , Taft devoted himself to his job at the Commercial full @-@ time . Halstead was willing to take him on permanently at an increase in salary if he would give up the law , but Taft declined . In October 1880 , Taft was appointed assistant prosecutor for Hamilton County ( where Cincinnati is located ) , and took office the following January . Taft served for a year as assistant prosecutor , trying his share of routine cases . He resigned in January 1882 after President Chester A. Arthur appointed him Collector of Internal Revenue for Ohio 's First District , an area centered on Cincinnati . Taft refused to dismiss competent employees who were politically out of favor , and resigned effective in March 1883 , writing to Arthur that he wished to begin private practice in Cincinnati . In 1884 , Taft campaigned for the Republican candidate for president , Maine Senator James G. Blaine , who lost to New York Governor Grover Cleveland .

In 1887 , Taft , then aged 29 , was appointed to a vacancy on the Superior Court of Cincinnati by Governor Joseph B. Foraker . The appointment was good for just over a year , after which he would have to face the voters , and in April 1888 , he sought election for the first of three times in his lifetime , the other two being for the presidency . He was elected to a full five @-@ year term . Some two dozen of Taft 's opinions as a state judge survive , the most significant being *Moores & Co. v. Bricklayers ' Union No. 1* ( 1889 ) if only because it was used against him when he ran for president in 1908 . The case involved bricklayers who refused to work for any firm that dealt with a company called Parker Brothers , with which they were in dispute . Taft ruled that the union 's action amounted to a secondary boycott , which was illegal .

It is not clear when Taft met Helen Herron ( often called Nellie ) , but it was no later than 1880 , when she mentioned in her diary receiving an invitation to a party from him . By 1884 , they were meeting regularly , and in 1885 , after an initial rejection , she agreed to marry him . The wedding took place at the Herron home on June 19 , 1886 . William Taft remained devoted to his wife throughout their almost 44 years of marriage . Nellie Taft pushed her husband much as his parents had , and she could be very frank with her criticisms . The couple had three children , of which the eldest , Robert , became a U.S. senator .

= = = Solicitor General = = =

There was a seat vacant on the U.S. Supreme Court in 1889 , and Governor Foraker suggested President Harrison appoint Taft to fill it . Taft was 32 and his professional goal was always a seat on the high court . He actively sought the appointment , writing to Foraker to urge the governor to press his case , while stating to others it was unlikely he would get it . Instead , in 1890 , Harrison appointed him Solicitor General of the United States . When Taft arrived in Washington in February 1890 , the office had been vacant two months , with the work piling up . He worked to eliminate the backlog , while simultaneously educating himself on federal law and procedure he had not needed as an Ohio state judge .

New York Senator William M. Evarts , a former Secretary of State , had been a classmate of Alphonso Taft at Yale . Evarts called to see his friend 's son as soon as Taft took office , and William and Nellie Taft were launched into Washington society . Nellie Taft was ambitious for herself and her husband , and was annoyed when the people he socialized with most were mainly Supreme Court justices , rather than the arbiters of Washington society such as Theodore Roosevelt , John Hay , Henry Cabot Lodge and their wives .

Although Taft was successful as Solicitor General , winning 15 of the 18 cases he argued before the Supreme Court , he was glad when in March 1891 , Congress created a new judgeship for each of the United States Courts of Appeal and Harrison appointed him to the Sixth Circuit , based in

Cincinnati . In March 1892 , Taft resigned as Solicitor General to resume his judicial career .

= = = Federal judge = = =

Taft 's federal judgeship was a lifetime appointment , and one from which promotion to the Supreme Court might come . Taft 's older half @-@ brother Charles , successful in business , supplemented Taft 's government salary , allowing William and Nellie Taft and their family to live in comfort . Taft 's duties involved hearing trials in the circuit , which included Ohio , Michigan , Kentucky , and Tennessee , and participating with Supreme Court Justice John Marshall Harlan , the circuit justice , and judges of the Sixth Circuit in hearing appeals . Taft spent eight years of his life , from 1892 to 1900 , in personal and professional contentment .

According to historian Louis L. Gould , " while Taft shared the fears about social unrest that dominated the middle classes during the 1890s , he was not as conservative as his critics believed . He supported the right of labor to organize and strike , and he ruled against employers in several negligence cases . " Among these was Voight v. Baltimore & Ohio Southwestern Railway Co . Taft 's decision for a worker injured in a railway accident violated the contemporary doctrine of liberty of contract , and he was reversed by the Supreme Court . On the other hand , Taft 's opinion in United States v. Addyston Pipe and Steel Co. was upheld unanimously by the high court . Taft 's opinion , in which he held that a pipe manufacturers ' association had violated the Sherman Antitrust Act , was described by Henry Pringle , his biographer , as having " definitely and specifically revived " that legislation .

In 1896 , Taft became dean and Professor of Property at his alma mater , the Cincinnati Law School , a post that required him to prepare and give two hour @-@ long lectures each week . He was devoted to his law school , and was deeply committed to legal education , introducing the case system to the curriculum . As a federal judge , Taft could not involve himself with politics , but followed it closely , remaining a Republican supporter . He watched with some disbelief as the campaign of Ohio Governor William McKinley developed in 1894 and 1895 , writing " I cannot find anybody in Washington who wants him " . By March 1896 , Taft realized that McKinley would likely be nominated , and was lukewarm in his support . He landed solidly in McKinley 's camp after former Nebraska representative William Jennings Bryan in July stamped the 1896 Democratic National Convention with his Cross of Gold speech . Bryan , both in that address and in his campaign , strongly advocated free silver , a policy that Taft saw as economic radicalism . Taft feared that people would hoard gold in anticipation of a Bryan victory , but he could do nothing but worry . McKinley was elected ; when a place on the Supreme Court opened in 1898 , the only one under McKinley , the president named Joseph McKenna .

= = = Philippine years = = =

In January 1900 , Taft was called to Washington to meet with McKinley . Taft hoped a Supreme Court appointment was in the works , but instead McKinley wanted to place Taft on the commission to organize a civilian government in the Philippines . The appointment would require Taft 's resignation from the bench ; the president assured him that if he fulfilled this task , McKinley would appoint him to the next vacancy on the high court . Taft accepted on condition he was made head of the commission , with responsibility for success or failure ; McKinley agreed , and Taft sailed for the islands in April 1900 .

Many Filipinos had responded to the American takeover with a fierce resistance , seeking independence for the islands , but U.S. forces , led by military governor General Arthur MacArthur , Jr. had the upper hand by 1900 . MacArthur felt the commission was a nuisance , and their mission a quixotic attempt to impose self @-@ government on a people unready for it . The general was forced to co @-@ operate with Taft , as McKinley had given the commission control over the islands ' military budget . The commission took executive power in the Philippines on September 1 , 1900 ; on July 4 , 1901 , Taft became civilian governor . MacArthur , until then the military governor , was relieved by General Adna Chaffee , who was designated only as commander of American forces .

Taft sought to make the Filipinos partners in a venture that would lead to their self @-@ government ; he saw independence as something far off . Many Americans in the Philippines viewed the locals as racial inferiors , but Taft wrote soon before his arrival , " we propose to banish this idea from their minds " . Taft did not impose segregation at official events , and treated the Filipinos as social equals . Nellie Taft recalled that " neither politics nor race should influence our hospitality in any way " .

McKinley was assassinated in September 1901 , and was succeeded by Theodore Roosevelt . Taft and Roosevelt had first become friends around 1890 while Taft was Solicitor General and Roosevelt a member of the Civil Service Commission . Taft had , after McKinley 's election , urged the appointment of Roosevelt as Assistant Secretary of the Navy , and watched as Roosevelt became a war hero , Governor of New York , and Vice President of the United States . They met again when Taft went to Washington in January 1902 to recuperate after two operations caused by an infection . There , Taft testified before the Senate Committee on the Philippines . Taft wanted to have Filipino farmers to have a stake in the new government through land ownership , but much of the arable land was held by Catholic religious orders , priests who were mostly Spanish , and were often resented by the Filipinos . Roosevelt had Taft go to Rome to negotiate with Pope Leo XIII , to purchase the lands and to arrange the withdrawal of the Spanish priests , with Americans replacing them and training locals as clergy . Taft did not succeed in resolving these issues on his visit to Rome , but an agreement on both points was made in 1903 .

In late 1902 , Taft had heard from Roosevelt that a seat on the Supreme Court would soon fall vacant on the resignation of Justice George Shiras , and Roosevelt desired that Taft fill it . Although this was Taft 's professional goal , he refused as he felt his work as governor was not yet done . One reason for Roosevelt 's action was his desire to neutralize a potential rival for the presidency : Taft 's success in the Philippines had not gone unnoticed in the American press . The following year , Roosevelt asked Taft to become Secretary of War . As the War Department was responsible for the Philippines , Taft would remain responsible for the islands , and Root was willing to postpone his departure until 1904 , allowing Taft time to wrap up his work in Manila . After consulting with his family , Taft agreed , and sailed for the United States in December 1903 .

= = = Secretary of War = = =

When Taft took office as Secretary of War in January 1904 , he was not called upon to spend much time administering the army , which the president was content to do himself ? Roosevelt wanted him as a troubleshooter in difficult situations , as a legal adviser , and to be able to give campaign speeches as he sought election in his own right . Taft strongly defended Roosevelt 's record in his addresses , and wrote of the president 's successful but strenuous efforts to gain election , " I would not run for president if you guaranteed the office . It is awful to be afraid of one 's shadow . "

Between 1905 and 1907 , Taft came to terms with the likelihood he would be the next Republican nominee for president , though he did not plan to actively campaign for it . When Justice Henry B. Brown resigned in 1905 , Taft would not accept the seat although Roosevelt offered it , a position Taft held to when another seat opened in 1906 . Edith Roosevelt , the First Lady , disliked the growing closeness between the two men , feeling they were too much alike , and that the president did not gain much from the advice of someone who rarely contradicted him .

Alternatively , Taft wanted to be chief justice , and kept a close eye on the health of the aging incumbent , Melville Fuller , who turned 75 in 1908 . Taft believed Fuller likely to live many years . Roosevelt had indicated he was likely to appoint Taft if the opportunity came to fill the court 's center seat , but some considered Attorney General Philander Knox a better candidate . In any event , Fuller remained chief justice throughout Roosevelt 's presidency .

Through the 1903 Panamanian Revolution and the Hay @-@ Bunau @-@ Varilla Treaty , the United States had secured rights to build a canal in the Isthmus of Panama . Legislation authorizing construction did not specify which government department would be responsible , and Roosevelt designated the Department of War . Taft journeyed to Panama in 1904 , viewing the canal site and meeting with Panamanian officials . The Isthmian Canal Commission had trouble keeping a chief

engineer , and when in February 1907 John D. Stevens submitted his resignation , Taft recommended an army engineer , George W. Goethals . Under Goethals , the project moved ahead smoothly .

Another colony lost by Spain in 1898 was Cuba , but as freedom for Cuba had been a major purpose of the war , it was not annexed by the U.S. , but was , after a period of occupation , given independence in 1902 . Election fraud and corruption followed , as did factional conflict . In September 1906 , President Tomás Estrada Palma asked for U.S. intervention . Taft traveled to Cuba with a small American force , and on September 29 , 1906 , under the terms of the Cuban ? American Treaty of Relations of 1903 , declared himself Provisional Governor of Cuba , a post he held for two weeks before being succeeded by Charles Edward Magoon . In his time in Cuba , Taft worked to persuade Cubans that the U.S. intended stability , not occupation .

Taft remained involved in Philippine affairs . During Roosevelt 's election campaign in 1904 , he urged that Philippine agricultural products be admitted to the U.S. without duty . This caused growers of U.S. sugar and tobacco to complain to Roosevelt , who remonstrated with his Secretary of War . Taft expressed unwillingness to change his position , and threatened to resign ; Roosevelt hastily dropped the matter . Taft returned to the islands in 1905 , leading a delegation of congressmen , and again in 1907 , to open the first Philippine Assembly .

On both of his Philippine trips as Secretary of War , Taft went to Japan , and met with officials there . The meeting in July 1905 came a month before the conference which would end the Russo @-@ Japanese War with the Treaty of Portsmouth . Taft met with Japanese Prime Minister Katsura Tar? . After that meeting , the two signed a memorandum , with Japan indicating it had no desire to invade the Philippines , and the U.S. that it did not object to Japanese control of Korea . There were U.S. concerns about the number of Japanese laborers coming to the West Coast , and during Taft 's second visit , in September 1907 , Tadasu Hayashi , the foreign minister , informally agreed to issue fewer passports to them .

= = Presidential election of 1908 = =

= = = Gaining the nomination = = =

Roosevelt had served almost three and a half years of McKinley 's term . On the night of his own election in 1904 , Roosevelt publicly declared he would not run for re @-@ election in 1908 , a pledge he quickly regretted . But he felt bound by his word . Roosevelt believed Taft was his logical successor , although the War Secretary was initially reluctant to run . Roosevelt used his control of the party machinery to aid his heir apparent . On pain of loss of their jobs , political appointees were required to support Taft or remain silent .

A number of Republican politicians , such as Treasury Secretary George Cortelyou tested the waters for a run , but chose to stay out . New York Governor Charles Evans Hughes ran , but when he made a major policy speech , Roosevelt the same day sent a special message to Congress warning in strong terms against corporate corruption . The resulting coverage of the presidential message relegated Hughes to the back pages . Roosevelt reluctantly deterred repeated attempts to draft him for another term .

Assistant Postmaster General Frank H. Hitchcock resigned from his office in February 1908 to lead the Taft effort . In April , Taft made a speaking tour , traveling as far west as Omaha before being recalled to go to Panama and straighten out another contested election . At the 1908 Republican National Convention in Chicago in June , there was no serious opposition to him , and he gained a first @-@ ballot victory . Yet , Taft did not have things his own way : he had hoped his running mate would be a midwestern progressive like Iowa Senator Jonathan Dolliver , but instead the convention named Congressman James S. Sherman of New York , a conservative . Taft resigned as Secretary of War on June 30 to devote his full @-@ time to the campaign .

= = = General election campaign = = =

Taft 's opponent in the general election was Bryan , the Democratic nominee for the third time in four presidential elections . As many of Roosevelt 's reforms stemmed from proposals by Bryan , the Democrat argued that he was the heir to Roosevelt 's mantle and that Taft was not . Corporate contributions to federal political campaigns had been outlawed by the 1907 Tillman Act , and Bryan proposed that contributions by officers and directors of corporations be similarly banned , or at least disclosed when made . Taft was only willing to see the contributions disclosed after the election , and tried to ensure that officers and directors of corporations litigating with the government were not among his contributors .

Taft began the campaign on the wrong foot , fueling the arguments of those who said he was not his own man by traveling to Roosevelt 's home at Sagamore Hill for advice on his acceptance speech , saying that he needed " the President 's judgment and criticism " . He for the most part supported Roosevelt 's policies . The candidate argued that labor had a right to organize , but not to boycott . Moneyed interests , that is , capital , must also obey the law . Bryan wanted the railroads to be owned by the government , but Taft preferred that they remain in the private sector , with their maximum rates set by the Interstate Commerce Commission , subject to judicial review . Taft attributed blame for the recent recession , the Panic of 1907 , to stock speculation and other abuses , and felt some reform of the currency ( the U.S. was on the gold standard ) was needed to allow flexibility in the government 's response to poor economic times . Specific legislation on trusts was needed to supplement the Sherman Antitrust Act . The constitution should be amended to allow for an income tax , thus overruling decisions of the Supreme Court striking such a tax down . Roosevelt 's expansive use of executive power had been controversial ; Taft proposed to continue his policies , but place them on more solid legal underpinnings through the passage of legislation .

Taft upset some progressives by choosing Hitchcock as Chairman of the Republican National Committee ( RNC ) , placing him in charge of the presidential campaign . Hitchcock was quick to bring in men closely allied with big business . Taft took an August vacation in Hot Springs , Virginia , where he irritated political advisors by spending more time on golf than strategy . After seeing a newspaper photo of Taft taking a large swing at a golf ball , Roosevelt warned him against candid shots .

Roosevelt , frustrated by his own relative inaction , showered Taft with advice , fearing that the electorate would not appreciate Taft 's qualities , and that Bryan would win . Roosevelt 's supporters spread rumors that the president was in effect running Taft 's campaign . This annoyed Nellie Taft , who never trusted the Roosevelts . Nevertheless , Roosevelt supported the Republican nominee with such enthusiasm that humorists suggested " TAFT " stood for " Take advice from Theodore " .

Bryan urged a system of bank guarantees , so that depositors could be repaid if banks failed , but Taft opposed this , offering a postal savings system instead . The issue of prohibition of alcohol entered the campaign when in mid @-@ September , Carrie Nation called on Taft and demanded to know his views . Taft and Roosevelt had agreed the party platform would take no position on the matter , and Nation left indignant , to allege that Taft was irreligious and against temperance . Taft , at Roosevelt 's advice , ignored the issue .

In the end , Taft won by a comfortable margin . Taft defeated Bryan by 321 electoral votes to 162 ; however , he garnered just 51 @.@ 6 percent of the popular vote . Nellie Taft said regarding the campaign , " There was nothing to criticize , except his not knowing or caring about the way the game of politics is played . " Longtime White House usher Ike Hoover recalled that Taft came often to see Roosevelt during the campaign , but seldom between the election and Inauguration Day , March 4 , 1909 .

= = Presidency ( 1909 ? 1913 ) = =

= = = Inauguration and appointments = = =

William Howard Taft was sworn in as president on March 4 , 1909 . Due to a winter storm that

coated Washington with ice , Taft was inaugurated within the Senate Chamber rather than outside the Capitol as is customary . The new president stated in his inaugural address that he had been honored to have been " one of the advisers of my distinguished predecessor " and to have had a part " in the reforms he has initiated . I should be untrue to myself , to my promises , and to the declarations of the party platform on which I was elected if I did not make the maintenance and enforcement of those reforms a most important feature of my administration " . He pledged to make those reforms long @-@ lasting , ensuring that honest businessmen did not suffer uncertainty through change of policy . He spoke of the need for reduction of the 1897 Dingley Tariff , for antitrust reform , and for continued advancement of the Philippines toward full self @-@ government . Roosevelt left office with regret that his tenure in the position he enjoyed so much was over and , to keep out of Taft 's way , arranged for a year @-@ long hunting trip to Africa .

Soon after the Republican convention , Taft and Roosevelt had discussed which cabinet officers would stay on . Taft kept only Agriculture Secretary James Wilson and Postmaster General George von Lengerke Meyer ( who was shifted to the Navy Department ) . Others appointed to the Taft cabinet included Philander Knox , the new Secretary of State , and Franklin MacVeagh as Treasury Secretary .

Taft did not enjoy the easy relationship with the press that Roosevelt had , choosing not to offer himself for interviews or photo opportunities as often as his predecessor had . His administration marked a change in style from the charismatic leadership of Roosevelt to Taft 's quieter passion for the rule of law .

= = = Foreign policy = = =

= = = Organization and principles = = =

Taft made it a priority to restructure the State Department , noting , " it is organized on the basis of the needs of the government in 1800 instead of 1900 . " The Department was for the first time organized into geographical divisions , including desks for the Far East , Latin America and Western Europe . The department 's first in @-@ service training program was established , and appointees spent a month in Washington before going to their posts . Taft and Secretary of State Knox had a strong relationship , and the president listened to his counsel on matters foreign and domestic . According to Coletta , however , Knox was not a good diplomat , and had poor relations with the Senate , press , and many foreign leaders , especially those from Latin America .

There was broad agreement between Taft and Knox on major foreign policy goals . The U.S. would not interfere in European affairs . The U.S. would use force if necessary to enforce the Monroe Doctrine in the Americas . The defense of the Panama Canal , which was under construction throughout Taft 's term ( it opened in 1914 ) , guided U.S. policy in the Caribbean and in Central America . Previous administration had tried to defend American business interests overseas , but Taft went a step further and used the web of American diplomats and consuls abroad to promote trade . Such ties , Taft hoped , would promote world peace . Taft promoted arbitration treaties with Great Britain and France , but the Senate was not willing to yield to arbitrators its constitutional prerogative to approve treaties .

= = = Tariffs and reciprocity = = =

At the time of Taft 's presidency , protectionism through the use of tariffs was a fundamental position of the Republican Party . The Dingley Tariff had been enacted to protect American industry from foreign competition . The 1908 party platform had supported unspecified revisions to the Dingley Act , and Taft interpreted this to mean reductions . Taft called a special session of Congress to convene on March 15 , 1909 to deal with the tariff question .

Sereno E. Payne , chairman of the House Ways and Means Committee , had held hearings in late 1908 , and sponsored the resulting draft legislation . On balance , the bill reduced tariffs slightly , but

when it passed the House in April 1909 and reached the Senate , the chairman of the Senate Finance Committee , Rhode Island Senator Nelson W. Aldrich , attached many amendments raising rates . This outraged progressives such as Wisconsin 's Robert M. La Follette , who urged Taft to say that the bill was not in accord with the party platform . Taft refused , angering them . Taft insisted that most imports from the Philippines be free of duty , and according to Anderson , showed effective leadership on a subject he was knowledgeable on and really cared about .

When opponents sought to modify the tariff bill to allow for an income tax , Taft opposed it on the ground that the Supreme Court would likely strike it down as unconstitutional , as it had before . Instead , they proposed a constitutional amendment , which passed both houses in early July , was sent to the states , and by 1913 was ratified as the Sixteenth Amendment . In the conference committee , Taft won some victories , such as limiting the tax on lumber . The conference report passed both houses , and Taft signed it on August 6 , 1909 . The Payne - Aldrich tariff was immediately controversial . According to Coletta , " Taft had lost the initiative , and the wounds inflicted in the acrid tariff debate never healed " .

In Taft 's annual message sent to Congress in December 1910 , he urged a free trade accord for Canada . Britain at that time still handled Canada 's foreign relations , and Taft found the British and Canadian governments willing . Many in Canada opposed an accord , fearing the U.S. would dump it when convenient as it had the 1854 Elgin - Marcy Treaty in 1866 , and American farm and fisheries interests were also opposed . After January 1911 talks with Canadian officials , Taft had the agreement , which was not a treaty , introduced into Congress and it passed in late July . The Canadian Parliament , led by Prime Minister Sir Wilfrid Laurier , had deadlocked over the issue . Canadians turned Laurier out of office in the September 1911 election . No cross - border agreement was concluded , and the debate deepened divisions in the Republican Party .

=== Latin America ===

Taft and his Secretary of State , Philander Knox , instituted a policy of Dollar Diplomacy towards Latin America , believing U.S. investment would benefit all involved , while keeping European influence away from areas subject to the Monroe Doctrine . Although exports rose sharply during Taft 's administration , the policy was unpopular among Latin American states that did not wish to become financial protectorates of the United States , as well as in the U.S. Senate , many of whose members believed the U.S. should not interfere abroad . No foreign affairs controversy tested Taft 's statesmanship and commitment to peace more than the collapse of the Mexican regime and subsequent turmoil of the Mexican Revolution .

When Taft entered office , Mexico was increasingly restless under the grip of longtime dictator Porfirio Díaz and many Mexicans backed his opponent , Francisco Madero . There were a number of incidents in which Mexican rebels crossed the U.S. border to obtain horses and weapons ; Taft sought to prevent this by ordering the army to the border areas for maneuvers . Taft told his military aide , Archibald Butt , that " I am going to sit on the lid and it will take a great deal to pry me off " . He showed his support for Díaz by meeting with him at El Paso , Texas , and Ciudad Juárez , Mexico , the first meeting between a U.S. and a Mexican president and also the first time an American president visited Mexico . The day of the summit , Frederick Russell Burnham and a Texas Ranger captured and disarmed an assassin holding a palm pistol only a few feet of the two presidents . Before the election in Mexico , Díaz jailed opposition candidate Madero , whose supporters took up arms resulting in both the ousting of Díaz and a revolution that would continue for another ten years . In the U.S. 's Arizona Territory , two citizens were killed and almost a dozen injured , some as a result of gunfire across the border . Taft would not be goaded into fighting and so instructed the territorial governor .

Nicaragua 's president , José Santos Zelaya , wanted to revoke commercial concessions granted to American companies , and American diplomats quietly favored rebel forces under Juan Estrada . Nicaragua was in debt to foreign powers , and the U.S. was unwilling that an alternate canal route fall into the hands of Europeans . Zelaya 's elected successor , José Madriz , could not put down the rebellion as U.S. forces interfered , and in August 1910 , the Estrada forces took Managua , the



capital . The U.S. had Nicaragua accept a loan , and sent officials to ensure it was repaid from government revenues . The country remained unstable , and after another coup in 1911 and more disturbances in 1912 , Taft sent troops ; though most were soon withdrawn , some remained as late as 1933 .

Treaties among Panama , Colombia , and the United States to resolve disputes arising from the Panamanian Revolution of 1903 had been signed by the lame @-@ duck Roosevelt administration in early 1909 , and were approved by the Senate and also ratified by Panama . Colombia , however , declined to ratify the treaties , and after the 1912 elections , Knox offered \$ 10 million to the Colombians ( later raised to \$ 25 million ) . The Colombians felt the amount inadequate , and requested arbitration ; the matter was not settled under the Taft administration .

= = = = Far East = = = =

Due to his years in the Philippines , Taft was keenly interested as president in Far Eastern affairs . Taft considered relations with Europe relatively unimportant , but because of the potential for trade and investment , Taft ranked the post of minister to China as most important in the Foreign Service . Knox did not agree , and declined a suggestion that he go to Peking to view the facts on the ground . Taft replaced Roosevelt 's minister there , William W. Rockhill , as uninterested in the China trade , with William J. Calhoun , whom McKinley and Roosevelt had sent on several foreign missions . Knox did not listen to Calhoun on policy , and there were often conflicts . Taft and Knox tried unsuccessfully to extend John Hay 's Open Door Policy to Manchuria .

In 1898 , an American company had gained a concession for a railroad between Hankow and Szechuan , but the Chinese revoked the agreement in 1904 after the company ( which was indemnified for the revocation ) breached the agreement by selling a majority stake outside the United States . The Chinese imperial government got the money for the indemnity from the British Hong Kong government , on condition British subjects would be favored if foreign capital was needed to build the railroad line , and in 1909 , a British @-@ led consortium began negotiations . This came to Knox 's attention in May of that year , and he demanded that U.S. banks be allowed to participate . Taft appealed personally to the Prince Regent , Zaifeng , Prince Chun , and was successful in gaining U.S. participation , though agreements were not signed until May 1911 . However , the Chinese decree authorizing the agreement also required the nationalization of local railroad companies in the affected provinces . Inadequate compensation was paid to the shareholders , and these grievances were among those which touched off the Chinese Revolution of 1911 .

After the revolution broke out , the revolt 's leaders chose Sun Yat Sen as provisional president of what became the Republic of China , overthrowing the Manchu Dynasty , Taft was reluctant to recognize the new government , although American public opinion was in favor of it . The U.S. House of Representatives in February 1912 passed a resolution supporting a Chinese republic , but Taft and Knox felt recognition should come as a concerted action by Western powers . Taft in his final annual message to Congress in December 1912 indicated that he was moving towards recognition once the republic was fully established , but by then he had been defeated for re @-@ election and he did not follow through .

Taft continued the policy against immigration from China and Japan as under Roosevelt . A revised treaty of friendship and navigation entered into by the U.S. and Japan in 1911 granted broad reciprocal rights to Japanese in America and Americans in Japan , but were premised on the continuation of the Gentlemen 's Agreement . There was objection on the West Coast when the treaty was submitted to the Senate , but Taft informed politicians that there was no change in immigration policy .

= = = = Europe = = = =

Taft was opposed to the traditional practice of rewarding wealthy supporters with key ambassadorial posts , preferring that diplomats not live in a lavish lifestyle and selecting men who ,

as Taft put it , would recognize an American when they saw one . High on his list for dismissal was the ambassador to France , Henry White , whom Taft knew and disliked from his visits to Europe . White 's ousting caused other career State Department employees to fear that their jobs might be lost to politics . Taft also wanted to replace the Roosevelt @-@ appointed ambassador in London , Whitelaw Reid , but Reid , owner of the New @-@ York Tribune , had backed Taft during the campaign , and both William and Nellie Taft enjoyed his gossipy reports . Reid remained in place until his 1912 death .

Taft was a supporter of settling international disputes by arbitration , and he negotiated treaties with Great Britain and with France providing that differences be arbitrated . These were signed in August 1911 . Neither Taft nor Knox ( a former senator ) consulted with members of the Senate during the negotiating process . By then many Republicans were opposed to Taft and the president felt that lobbying too hard for the treaties might cause their defeat . He made some speeches supporting the treaties in October , but the Senate added amendments Taft could not accept , killing the agreements .

Although no general arbitration treaty was entered into , Taft 's administration settled several disputes with Great Britain by peaceful means , often involving arbitration . These included a settlement of the boundary between Maine and New Brunswick , a long @-@ running dispute over seal hunting in the Bering Sea that also involved Japan , and a similar disagreement regarding fishing off Newfoundland . The sealing convention remained in force until abrogated by Japan in 1940 .

= = = Domestic policies and politics = = =

= = = Antitrust = = =

Taft continued and expanded Roosevelt 's efforts to break up business combinations through lawsuits brought under the Sherman Antitrust Act , bringing 70 cases in four years ( Roosevelt had brought 40 in seven years ) . Suits brought against the Standard Oil Company and the American Tobacco Company , initiated under Roosevelt , were decided in favor of the government by the Supreme Court in 1911 . In June 1911 , the Democrat @-@ controlled House of Representatives began hearings into United States Steel ( U.S. Steel ) . That company had been expanded under Roosevelt , who had supported its acquisition of the Tennessee Coal , Iron , and Railroad Company as a means of preventing the deepening of the Panic of 1907 , a decision the former president defended when testifying at the hearings . Taft , as Secretary of War , had praised the acquisitions . Historian Louis L. Gould suggested that Roosevelt was likely deceived into believing that U.S. Steel did not want to purchase the Tennessee company , but it was in fact a bargain . For Roosevelt , questioning the matter went to his personal honesty .

In October 1911 , Taft 's Justice Department brought suit against U.S. Steel , demanding that over a hundred of its subsidiaries be granted corporate independence , and naming as defendants many prominent business executives and financiers . The pleadings in the case had not been reviewed by Taft , and alleged that Roosevelt " had fostered monopoly , and had been duped by clever industrialists " . Roosevelt was offended by the references to him and his administration in the pleadings , and felt that Taft could not evade command responsibility by saying he did not know of them .

Taft sent a special message to Congress on the need for a revamped antitrust statute when it convened its regular session in December 1911 , but it took no action . Another antitrust case that had political repercussions for Taft was that brought against the International Harvester Company , the large manufacturer of farm equipment , in early 1912 . As Roosevelt 's administration had investigated International Harvester , but had taken no action ( a decision Taft had supported ) , the suit became caught up in Roosevelt 's challenge for the Republican presidential nomination . Supporters of Taft alleged that Roosevelt had acted improperly ; the former president blasted Taft for waiting three and a half years , and until he was under challenge , to reverse a decision he had

supported .

= = = = Ballinger @-@ Pinchot affair = = = =

Roosevelt was an ardent conservationist , assisted in this by like @-@ minded appointees , including Interior Secretary James R. Garfield and Chief Forester Gifford Pinchot . Taft agreed with the need for conservation , but felt it should be accomplished by legislation rather than executive order . He did not retain Garfield , an Ohioan , as secretary , choosing instead a westerner , former Seattle mayor Richard A. Ballinger . Roosevelt was surprised at the replacement , believing that Taft had promised to keep Garfield , and this change was one of the events that caused Roosevelt to realize that Taft would choose different policies .

Roosevelt had withdrawn much land from the public domain , including some in Alaska thought rich in coal . In 1902 , Clarence Cunningham , an Idaho entrepreneur , had found coal deposits in Alaska , and made mining claims , and the government investigated their legality . This dragged on for the remainder of the Roosevelt administration , including during the year ( 1907 ? 1908 ) when Ballinger served as head of the General Land Office . A special agent for the Land Office , Louis Glavis , investigated the Cunningham claims , and when Secretary Ballinger in 1909 approved them , Glavis broke governmental protocol by going outside the Interior Department to seek help from Pinchot .

In September 1909 , Glavis made his allegations public in a magazine article , disclosing that Ballinger had acted as an attorney for Cunningham between his two periods of government service . This violated conflict of interest rules forbidding a former government official from advocacy on a matter he had been responsible for . On September 13 , 1909 Taft dismissed Glavis from government service , relying on a report from Attorney General George W. Wickersham dated two days previously . Pinchot was determined to dramatize the issue by forcing his own dismissal , which Taft tried to avoid , fearing that it might cause a break with Roosevelt ( still overseas ) . Taft asked Elihu Root ( by then a senator ) to look into the matter , and Root urged the firing of Pinchot .

Taft had ordered government officials not to comment on the fracas . In January 1910 , Pinchot forced the issue by sending a letter to Iowa Senator Dolliver alleging that but for the actions of the Forestry Service , Taft would have approved a fraudulent claim on public lands . According to Pringle , this " was an utterly improper appeal from an executive subordinate to the legislative branch of the government and an unhappy president prepared to separate Pinchot from public office " . Pinchot was dismissed , much to his delight , and he sailed for Europe to lay his case before Roosevelt . A congressional investigation followed , which cleared Ballinger by majority vote , but the administration was embarrassed when Glavis ' attorney , Louis D. Brandeis , proved that the Wickersham report had been backdated , which Taft belatedly admitted . The Ballinger @-@ Pinchot affair caused progressives and Roosevelt loyalists to feel that Taft had turned his back on Roosevelt 's agenda .

= = = = Civil rights = = = =

Taft announced in his inaugural address that he would not appoint African Americans to federal jobs , such as postmaster , where this would cause racial friction . This differed from Roosevelt , who would not remove or replace black officeholders with whom local whites would not deal . Termed Taft 's " Southern Policy " , this stance effectively invited white protests against black appointees . Taft followed through , removing most black office holders in the South , and made few appointments from that race in the North .

At the time Taft was inaugurated , the way forward for African Americans was debated by their leaders . Booker T. Washington felt that most blacks should be trained for industrial work , with only a few seeking higher education ; W.E.B. DuBois took a more militant stand for equality . Taft tended towards Washington 's approach . According to Coletta , Taft let the African @-@ American " be ' kept in his place ' ... He thus failed to see or follow the humanitarian mission historically associated with the Republican party , with the result that Negroes both North and South began to drift toward the Democratic party . "

A supporter of free immigration , Taft vetoed a bill passed by Congress and supported by labor unions that would have restricted unskilled laborers by imposing a literacy test .

= = = Judicial appointments = = =

Taft made six appointments to the Supreme Court , the most of any president except George Washington and Franklin D. Roosevelt . The death of Justice Rufus Peckham in October 1909 gave Taft his first opportunity . He chose an old friend and colleague from the Sixth Circuit , Horace H. Lurton of Georgia ; he had in vain urged Theodore Roosevelt to appoint Lurton to the high court . Attorney General Wickersham objected that Lurton , a former Confederate soldier and a Democrat , was aged 65 . Taft named Lurton anyway on December 13 , 1909 , and the Senate confirmed him by voice vote a week later . Lurton is still the oldest man to be made an associate justice . Lurie suggested that Taft , already beset by the tariff and conservation controversies , desired to perform an official act which gave him pleasure , especially since he thought Lurton deserved it .

Justice David Josiah Brewer 's death on March 28 , 1910 gave Taft a second opportunity to fill a seat on the high court ; he chose New York Governor Charles Evans Hughes . Taft told Hughes that should the chief justiceship fall vacant during his term , Hughes would be his likely choice for the center seat . The Senate quickly confirmed Hughes , but then Chief Justice Fuller died on July 4 , 1910 . Taft took five months to replace Fuller , and when he did , it was with Justice Edward Douglass White , who became the first associate justice to be promoted to chief justice . According to Lurie , Taft , who still had hopes of being chief justice , may have been more willing to appoint an older man than he ( White ) than a younger one ( Hughes ) , who might outlive him , as indeed Hughes did . To fill White 's seat as associate justice , Taft appointed Willis Van Devanter of Wyoming , a federal appeals judge . By the time Taft nominated White and Van Devanter in December 1910 , he had another seat to fill due to William Henry Moody 's retirement because of illness ; he named a Louisiana Democrat , Joseph R. Lamar , whom he had met while playing golf , and had subsequently learned had a good reputation as a judge .

With the death of Justice Harlan in October 1911 , Taft got to fill a sixth seat on the Supreme Court . After Secretary Knox declined appointment , Taft named Chancellor of New Jersey Mahlon Pitney , the last person appointed to the Supreme Court who did not attend law school . Pitney had a stronger anti @-@ labor record than Taft 's other appointments , and was the only one to meet opposition , winning confirmation by a Senate vote of 50 ? 26 .

Taft appointed 13 judges to the federal courts of appeal and 38 to the United States district courts . Taft also appointed judges to various specialized courts , including the first five appointees each to the United States Commerce Court and the United States Court of Customs Appeals . The Commerce Court , created in 1910 , stemmed from a Taft proposal for a specialized court to hear appeals from the Interstate Commerce Commission . There was considerable opposition to its establishment , which only grew when one of its judges , Robert W. Archbald , was in 1912 impeached for corruption and removed by the Senate the following January . Taft vetoed a bill to abolish the court , but the respite was short @-@ lived as Wilson signed similar legislation in October 1913 .

= = = 1912 presidential campaign and election = = =

= = = = Moving apart from Roosevelt = = = =

During Roosevelt 's fifteen months beyond the Atlantic , from March 1909 to June 1910 , neither man wrote much to the other . Taft biographer Lurie suggested that each expected the other to make the first move to re @-@ establish their relationship on a new footing . Upon Roosevelt 's triumphant return , Taft invited him to stay at the White House . The former president declined , and in private letters to friends expressed dissatisfaction at Taft 's performance . Nevertheless , he wrote that he expected Taft to be renominated by the Republicans in 1912 , and did not speak of himself

as a candidate .

Taft and Roosevelt met twice in 1910 ; the meetings , though outwardly cordial , did not display their former closeness . Roosevelt gave a series of speeches in the West in the late summer and early fall of 1910 . Roosevelt not only attacked the Supreme Court 's 1905 decision in *Lochner v. New York* , he accused the federal courts of undermining democracy , and called for them to be deprived of the power to rule legislation unconstitutional . This attack horrified Taft , who privately agreed that *Lochner* had been wrongly decided . Roosevelt called for " elimination of corporate expenditures for political purposes , physical valuation of railroad properties , regulation of industrial combinations , establishment of an export tariff commission , a graduated income tax " as well as " workmen 's compensation laws , state and national legislation to regulate the [ labor ] of women and children , and complete publicity of campaign expenditure " . According to John Murphy in his journal article on the breach between the two presidents , " As Roosevelt began to move to the left , Taft veered to the right . "

During the 1910 midterm election campaign , Roosevelt involved himself in New York politics , while Taft with donations and influence tried to secure the election of the Republican gubernatorial candidate in Ohio , former lieutenant governor Warren G. Harding . The Republicans suffered losses in the 1910 elections as the Democrats took control of the House and slashed the Republican majority in the Senate . In New Jersey , Democrat Woodrow Wilson was elected governor , and Harding lost his race in Ohio .

After the election , Roosevelt continued to promote progressive ideals , a New Nationalism , much to Taft 's dismay . Roosevelt attacked his successor 's administration , arguing that its guiding principles were not that of the party of Lincoln , but those of the Gilded Age . The feud continued on and off through 1911 , a year in which there were few elections of significance . Wisconsin Senator La Follette announced a presidential run as a Republican , and was backed by a convention of progressives . Roosevelt began to move into a position for a run in late 1911 , writing that the tradition that presidents not run for a third term only applied to consecutive terms .

Roosevelt was receiving many letters from supporters urging him to run , and Republican office @-@ holders were organizing on his behalf . Balking on many policies by an unwilling Congress and courts in his full term in the White House , he saw manifestations of public support he believed would sweep him to the White House with a mandate for progressive policies that would brook no opposition . In February , Roosevelt announced he would accept the Republican nomination if it was offered to him . Taft felt that if he lost in November , it would be a repudiation of the party , but if he lost renomination , it would be a rejection of himself . He was reluctant to oppose Roosevelt , who helped make him president , but having become president , he was determined to be president , and that meant not standing aside to allow Roosevelt to gain another term .

= = = Primaries and convention = = =

As Roosevelt became more radical in his progressivism , Taft was hardened in his resolve to achieve re @-@ nomination , as he was convinced that the progressives threatened the very foundation of the government . One blow to Taft was the loss of Archibald Butt , one of the last links between the previous and present presidents , as Butt had formerly served Roosevelt . Ambivalent between his loyalties , Butt went to Europe on vacation in early 1912 . He sailed for home in April on the *Titanic* and died in its sinking , a death Taft found hard to accept as his body was not recovered .

Roosevelt dominated the primaries , winning 278 of the 362 delegates to the Republican National Convention in Chicago decided in that manner . Taft had control of the party machinery , and it came as no surprise that he gained the bulk of the delegates decided at district or state conventions . Taft did not have a majority , but was likely to have one once southern delegations committed to him . Roosevelt challenged the election of these delegates , but the RNC overruled most objections . Roosevelt 's sole remaining chance was with a friendly convention chairman , who might make rulings on the seating of delegates that favored his side . Taft followed custom and remained in Washington , but Roosevelt went to Chicago to run his campaign and told his supporters in a

speech , " we stand at Armageddon , and we battle for the Lord " .

Taft had won over Root , who agreed to run for temporary chairman of the convention , and the delegates elected Root over Roosevelt 's candidate . The Roosevelt forces moved to substitute the delegates they supported for the ones they argued should not be seated . Root made a crucial ruling , that although the contested delegates could not vote on their own seating , they could vote on the other contested delegates , a ruling that assured Taft 's nomination , as the motion offered by the Roosevelt forces failed , 567 ? 507 . As it became clear Roosevelt would bolt the party if not nominated , some Republicans sought a compromise candidate to avert the electoral disaster to come ; they were unsuccessful . Taft 's name was placed in nomination by Warren Harding , whose attempts to praise Taft and unify the party were met with angry interruptions from progressives . Taft was nominated on the first ballot , though most Roosevelt delegates refused to vote .

= = = = Campaign and defeat = = = =

Alleging Taft had stolen the nomination , Roosevelt and his followers formed the Progressive Party . Taft knew he would almost certainly be defeated , but concluded that through Roosevelt 's loss at Chicago the party had been preserved as " the defender of conservative government and conservative institutions . " He made his doomed run to preserve the Republican Party . Governor Woodrow Wilson was the Democratic nominee . Seeing Roosevelt as the greater electoral threat , Wilson spent little time attacking Taft , arguing that Roosevelt had been lukewarm in opposing the trusts during his presidency , and that Wilson was the true reformer .

Reverting to the pre @-@ Roosevelt custom that presidents seeking re @-@ election did not campaign , Taft spoke publicly only once , making his nomination acceptance speech on August 1 . He had difficulty in financing the campaign , as many industrialists had concluded he could not win , and would support Wilson to block Roosevelt . The president issued a confident statement in September after the Republicans narrowly won Vermont 's state elections in a three @-@ way fight , but had no illusions he would win his race . He had hoped to send his cabinet officers out on the campaign trail , but found them reluctant to go . Senator Root agreed to give a single speech for him .

Vice President Sherman had been renominated at Chicago ; seriously ill during the campaign , he died six days before the election , and was replaced on the ticket by the president of Columbia University , Nicholas Murray Butler . But few electors chose Taft and Butler , who won only Utah and Vermont , for a total of eight electoral votes . Roosevelt won 88 , and Wilson 435 . Wilson won though he had only a plurality of the popular vote and less of it than Taft and Roosevelt combined . Taft had hoped to better Roosevelt in the popular vote , but finished with just under 3 @.@ 5 million , over 600 @,@ 000 less than the former president . Taft was not on the ballot in California , due to the actions of local Progressives , nor in South Dakota .

= = Return to Yale ( 1913 ? 1921 ) = =

With no pension or other compensation to expect from the government after leaving the White House , Taft contemplated a return to the practice of law , from which he had long been absent . Given that Taft had appointed many federal judges , including a majority of the Supreme Court , this would raise questions of conflict of interest at every federal court appearance and he was saved from this by an offer for him to become Kent Professor of Law and Legal History at Yale Law School . He accepted , and after a month 's vacation in Georgia , arrived in New Haven on April 1 , 1913 to a rapturous reception . As it was too late in the semester for him to give an academic course , he instead prepared eight lectures on " Questions of Modern Government " , which he delivered in May . He earned money with paid speeches and with articles for magazines , and would end his eight years out of office having increased his savings . While at Yale , he wrote the treatise , Our Chief Magistrate and His Powers ( 1916 ) .

Taft had been made president of the Lincoln Memorial Commission while still in office ; when Democrats proposed removing him for one of their party , he quipped that unlike losing the

presidency , such a removal would hurt . The architect , Henry Bacon , wanted to use Colorado @-@ Yule marble , while southern Democrats urged using Georgia marble . Taft lobbied for the western stone , and the matter was submitted to the Commission of Fine Arts , which supported Taft and Bacon . The project went forward ; Taft would dedicate the Lincoln Memorial as chief justice in 1922 . In 1913 , Taft was elected to a one @-@ year term as president of the American Bar Association ( ABA ) , a trade group of lawyers . He removed opponents , such as Louis Brandeis and University of Pennsylvania Law School dean William Draper Lewis ( a supporter of the Progressive Party ) from committees .

Taft maintained a cordial relationship with Wilson . The former president privately criticized his successor on a number of issues , but made his views known publicly only on Philippine policy . Taft was appalled when , after Justice Lamar 's death in January 1916 , Wilson nominated Brandeis , whom the former president had never forgiven for his role in the Ballinger @-@ Pinchot affair . When hearings led to nothing discreditable about Brandeis , Taft intervened with a letter signed by himself and other former ABA presidents , stating that Brandeis was not fit to serve on the Supreme Court . Nevertheless , the Democratic @-@ controlled Senate confirmed Brandeis . Taft and Roosevelt remained embittered ; they met only once in the first three years of the Wilson presidency , at a funeral at Yale . They spoke only for a moment , politely but formally .

As president of the League to Enforce Peace , Taft hoped to prevent war through an international association of nations . With World War I raging in Europe , Taft sent Wilson a note of support for his foreign policy in 1915 . President Wilson accepted Taft 's invitation to address the league , and spoke in May 1916 of a postwar international organization that could prevent a repetition . Taft supported the effort to get Justice Hughes to resign from the bench and accept the Republican presidential nomination . Once this was done , Hughes tried to get Roosevelt and Taft to reconcile , as a united effort was needed to defeat Wilson . This occurred on October 3 in New York , but Roosevelt allowed only a handshake , and no words were exchanged . This was one of many difficulties for the Republicans in the campaign , and Wilson narrowly won re @-@ election .

When Wilson asked Congress to declare war on Germany in April 1917 , Taft was an enthusiastic supporter . Taft was chairman of the American Red Cross ' executive committee , occupying much of the former president 's time . He took leave from Yale to be co @-@ chairman of the National War Labor Board , tasked with assuring industrial peace . In February 1918 , the new RNC chairman , Will H. Hays , approached Taft seeking his reconciliation with Roosevelt . In May , Taft was in Chicago at the Blackstone Hotel , and when he heard that Roosevelt and his party were dining there , walked in on them . The two men embraced to the applause of the room , but the renewed relationship did not progress past outward friendliness before Roosevelt 's death in January 1919 . Taft later wrote , " Had he died in a hostile state of mind toward me , I would have mourned the fact all my life . I loved him always and cherish his memory . "

When Wilson proposed establishment of a League of Nations , with the League 's charter part of the Treaty of Versailles , Taft expressed public support . He was out of step with his party , whose senators were not inclined to confirm the treaty . Taft 's subsequent flip @-@ flop on the issue of whether reservations to the treaty were necessary angered both sides , destroying any remaining influence he had with the Wilson administration , and causing some Republicans to call him a Wilson supporter and a traitor to his party . The Senate refused to ratify the Versailles pact .

= = Chief Justice ( 1921 ? 1930 ) = =

= = = Appointment = = =

During the 1920 election campaign , Taft supported the Republican ticket , Harding ( by then a senator ) and Massachusetts Governor Calvin Coolidge ; they were elected . Taft was among those asked to come to the president @-@ elect 's home in Marion , Ohio to advise him on appointments , and the two men conferred there on December 24 , 1920 . By Taft 's later account , after some conversation , Harding casually asked if Taft would accept appointment to the Supreme Court , for if

Taft would , Harding would put him there . Taft had a condition for Harding : that having been president , and having appointed two of the present associate justices and opposed Brandeis , he could only accept the chief justiceship . Harding made no response , and Taft in a thank @-@ you note reiterated the condition and stated that Chief Justice White had often told him he was keeping the position for Taft until a Republican held the White House . In January 1921 , Taft heard through intermediaries that Harding planned to appoint him , if given the chance .

White by then was in failing health , but made no move to resign when Harding was sworn in on March 4 , 1921 . Taft called on the chief justice on March 26 , and found White ill , but still carrying on his work and not talking of retiring . White did not retire , dying in office on May 19 , 1921 . Taft issued a tribute to the man he had appointed to the center seat , and waited and worried if he would be White 's successor . Despite widespread speculation Taft would be the pick , Harding made no quick announcement . Taft was lobbying for himself behind the scenes , especially with the Ohio politicians who formed Harding 's inner circle .

It later emerged that Harding had also promised former Utah senator George Sutherland a seat on the Supreme Court , and was waiting in the expectation that another place would become vacant . Harding was also considering a proposal by Justice William R. Day to crown his career by being chief justice for six months before retiring . Taft felt , when he learned of this plan , that a short @-@ term appointment would not serve the office well , and that once confirmed by the Senate , the memory of Day would grow dim . After Harding rejected Day 's plan , Attorney General Harry Daugherty , who supported Taft 's candidacy , urged him to fill the vacancy , and he named Taft on June 30 , 1921 . The Senate confirmed Taft the same day , 61 ? 4 , without any committee hearings and after a brief debate in executive session . Taft drew the objections of three progressive Republicans and one southern Democrat . When he was sworn in on July 11 , he became the first and to date only person to serve both as president and chief justice .

= = = Taft Court membership timeline = = =

McKinley appointment Theodore Roosevelt appointment Taft appointment Wilson appointment Harding appointment Coolidge appointment

= = = Jurisprudence = = =

= = = Commerce Clause = = =

The Supreme Court , under Taft , posted a conservative record in Commerce Clause jurisprudence . This had the practical effect of making it difficult for the federal government to regulate industry , and the Taft Court also scuttled many state laws . The few liberals on the court ? Brandeis , Holmes , and ( from 1925 ) Harlan Fiske Stone ? sometimes protested , believing orderly progress essential , but often joined in the majority opinion .

The White Court had , in 1918 , struck down an attempt by Congress to regulate child labor in *Hammer v. Dagenhart* . Congress thereafter attempted to end child labor by imposing a tax on certain corporations making use of it . That law was overturned by the Supreme Court in 1922 in *Bailey v. Drexel Furniture Co .* , with Taft writing the court 's opinion for an 8 ? 1 majority . He held that the tax was not intended to raise revenue , but rather was an attempt to regulate matters reserved to the states under the Tenth Amendment , and that allowing such taxation would eliminate the power of the states . One case in which Taft and his court upheld federal regulation was *Stafford v. Wallace* . Taft ruled for a 7 ? 1 majority that the processing of animals in stockyards was so closely tied to interstate commerce as to bring it within the ambit of Congress 's power to regulate .

A case in which the Taft Court struck down regulation that generated a dissent from the chief justice was *Adkins v. Children 's Hospital* . Congress had decreed a minimum wage for women in the District of Columbia . A 5 ? 3 majority of the Supreme Court struck it down . Justice Sutherland wrote for the majority that the recently ratified Nineteenth Amendment , guaranteeing women the



vote , meant that the sexes were equal when it came to bargaining power over working conditions ; Taft , in dissent , deemed this unrealistic . Taft 's dissent in Adkins was rare both because he authored few dissents , and because it was one of the few times he took an expansive view of the police power of the government .

= = = Powers of government = = =

Taft in 1922 ruled for a unanimous court in *Balzac v. Porto Rico* . One of the Insular Cases , *Balzac* involved a Puerto Rico newspaper publisher who was prosecuted for libel but denied a jury trial , a Sixth Amendment protection under the constitution . Taft held that as Puerto Rico was not a territory designated for statehood , only such constitutional protections as Congress decreed would apply to its residents .

In 1926 , Taft wrote for a 6 ? 3 majority in *Myers v. United States* that Congress could not require the president to get Senate approval before removing an appointee . Taft noted that there is no restriction of the president 's power to remove officials in the constitution . Although *Myers* involved the removal of a postmaster , Taft in his opinion found invalid the repealed Tenure of Office Act , for violation of which his presidential predecessor , Andrew Johnson , had been impeached , though acquitted by the Senate . Taft valued *Myers* as his most important opinion .

The following year , the court decided *McGrain v. Daugherty* . A congressional committee investigating possible complicity of former Attorney General Daugherty in the Teapot Dome scandal subpoenaed records from his brother , Mally , who refused to provide them , alleging Congress had no power to obtain documents from him . Van Devanter ruled for a unanimous court against him , finding that Congress had the authority to conduct investigations as an auxiliary to its legislative function .

= = = Individual rights = = =

In 1925 , the Taft Court laid the groundwork for the incorporation of many of the guarantees of the Bill of Rights to be applied against the states through the Fourteenth Amendment . In *Gitlow v. New York* , the court by a 6 ? 2 vote with Taft in the majority , upheld *Gitlow* 's conviction on criminal anarchy charges for advocating the overthrow of the government ; his defense was freedom of speech . Justice Edward T. Sanford wrote the court 's opinion , and both majority and minority ( Holmes , joined by Brandeis ) assumed that the First Amendment 's Free Speech and Free Press clauses were protected against infringement by the states .

*Pierce v. Society of Sisters* was a 1925 decision by the Taft Court striking down an Oregon law banning private schools . In a decision written by Justice James C. McReynolds , a unanimous court held that Oregon could regulate private schools , but could not eliminate them . The outcome supported the right of parents to control the education of their children , but also , since the lead plaintiff ( the society ) ran Catholic schools , struck a blow for religious freedom .

*United States v. Lanza* was one of a series of cases involving Prohibition . *Lanza* committed acts allegedly in violation of both state and federal law , and was first convicted in Washington state court , then prosecuted in federal district court . He alleged the second prosecution in violation of the Double Jeopardy Clause of the Fifth Amendment . Taft , for a unanimous court , allowed the second prosecution , holding that the state and federal governments were dual sovereigns , each empowered to prosecute the conduct in question .

= = = Administration and political influence = = =

Taft exercised the power of his position to influence the decisions of his colleagues , urging unanimity and discouraging dissents . Alpheus Mason , in his article on Chief Justice Taft for the *American Bar Association Journal* , contrasted Taft 's expansive view of the role of the chief justice with the narrow view of presidential power he took while in that office . Taft saw nothing wrong with making his views on possible appointments to the court known to the White House , and was

annoyed to be criticized in the press . He was initially a firm supporter of President Coolidge after Harding 's death in 1923 , but became disillusioned with Coolidge 's appointments to office and to the bench ; he had similar misgivings about Coolidge 's successor , Herbert Hoover . Taft advised the Republican presidents in office while he was chief justice to avoid " offside " appointments like Brandeis and Holmes . Nevertheless , by 1923 , Taft was writing of his liking for Brandeis , whom he deemed a hard worker , and Holmes walked to work with him until age and infirmity required an automobile .

Believing that the chief justice should be responsible for the federal courts , Taft felt that he should have an administrative staff to assist him , and the chief justice should be empowered to temporarily reassign judges . He also believed the federal courts had been ill @-@ run . Many of the lower courts had lengthy backlogs , as did the Supreme Court . Immediately on taking office , Taft made it a priority to confer with Attorney General Daugherty as to new legislation , and made his case before congressional hearings , in legal periodicals and in speeches across the country . When Congress convened in December 1921 , a bill was introduced for 24 new judges , to empower the chief justice to move judges temporarily to eliminate the delays , and to have him chair a body consisting of the senior appellate judge of each circuit . Congress objected to some aspects , requiring Taft to get the agreement of the senior judge of each involved circuit before assigning a judge , but it in September 1922 passed the bill , and the Judicial Conference of Senior Circuit Judges held its first meeting that December .

The Supreme Court 's docket was congested , swelled by war litigation and laws that allowed a party defeated in the circuit court of appeals to have the case decided by the Supreme Court if a constitutional question was involved . Taft believed an appeal should be usually be settled by the circuit court , with only cases of major import decided by the justices . He and other Supreme Court members proposed legislation to make most of the court 's docket discretionary , with a case getting full consideration by the justices only if they granted a writ of certiorari . To Taft 's frustration , Congress took three years to consider the matter . Taft and other members of the court lobbied for the bill in Congress , and the Judges ' Bill became law in February 1925 . By late the following year , Taft was able to show that the backlog was shrinking .

When Taft became chief justice , the court did not have its own building and met in the Capitol . Its offices were cluttered and overcrowded , but Fuller and White had been opposed to proposals to move the court to its own building . In 1925 , Taft began a fight to get the court a building , and two years later Congress appropriated money to purchase the land , on the south side of the Capitol . Cass Gilbert had prepared plans for the building , and was hired by the government as architect . Taft had hoped to live to see the court move into the new building , but it did not do so until 1935 , after Taft 's death .

= = Declining health and death = =

Taft is remembered as the heaviest president ; he was 5 feet 11 inches ( 1 @.@ 80 m ) tall and his weight peaked at 335 ? 340 pounds ( 152 ? 154 kg ) toward the end of his presidency , though this later decreased , and he weighed by 1929 just 244 pounds ( 111 kg ) . By the time Taft became chief justice , his health was starting to decline , and he carefully planned a fitness regimen , walking 3 miles ( 4 @.@ 8 km ) from his home to the Capitol each day . When he walked after work as well , he would usually go by way of Connecticut Avenue ; the crossing over Rock Creek he would often take was after his death named the Taft Bridge .

At Hoover 's inauguration on March 4 , 1929 , Taft recited part of the oath incorrectly , later writing , " my memory is not always accurate and one sometimes becomes a little uncertain " , misquoting again in that letter , differently . His health gradually declined over the near @-@ decade of his chief justiceship , and he wrote in 1929 , " I am older and slower and less acute and more confused . However , as long as things continue as they are , and I am able to answer to my place , I must stay on the court in order to prevent the Bolsheviki from getting control " .

Taft insisted on going to Cincinnati to attend the funeral of his brother Charles , who died on December 31 , 1929 ; the strain did not improve his own health . When the court reconvened on

January 6 , 1930 , Taft had not returned to Washington , and two opinions were delivered by Van Devanter that Taft had drafted but had been unable to complete because of his illness . Taft went to Asheville , North Carolina for a rest , but by the end of January , he could barely speak and was suffering from hallucinations . Taft was afraid that Stone would be made chief justice ; he did not resign until he had secured assurances from Hoover that Hughes would be the choice . Returning to Washington after his resignation on February 3 , Taft had barely enough strength to sign a reply to a letter of tribute from the eight associate justices . He died at his home in Washington on March 8 , 1930 .

Three days following his death , on March 11 , he became the first president and first member of the Supreme Court to be buried at Arlington National Cemetery . James Earle Fraser sculpted his grave marker out of Stony Creek granite .

= = Legacy and historical view = =

Lurie argued that Taft did not receive the public credit for his policies that he should have . Few trusts had been broken up under Roosevelt ( although the lawsuits received much publicity ) . Taft , more quietly than his predecessor , filed many more cases than did Roosevelt , and rejected his predecessor 's contention that there was such a thing as a " good " trust . This lack of flair marred Taft 's presidency ; according to Lurie , Taft " was boring ? honest , likable , but boring " . Scott Bomboy for the National Constitution Center wrote that despite being " one of the most interesting , intellectual , and versatile presidents ... a chief justice of the United States , a wrestler at Yale , a reformer , a peace activist , and a baseball fan ... today , Taft is best remembered at the president who was so large that he got stuck in the White House bathtub , " a story that is not true .

Mason called Taft 's years in the White House " undistinguished " . Coletta deemed Taft to have had a solid record of bills passed by Congress , but felt he could have accomplished more with political skill . Anderson noted that Taft 's prepresidential federal service was entirely in appointed posts , and that he had never run for an important executive or legislative position , which would have allowed him to develop the skills to manipulate public opinion , " the presidency is no place for on @-@ the @-@ job training " . According to Coletta , " in troubled times in which the people demanded progressive change , he saw the existing order as good . "

Inevitably linked with Roosevelt , Taft generally falls in the shadow of the flamboyant Rough Rider , who chose him to be president , and who took it away . Yet , a portrait of Taft as a victim of betrayal by his best friend is incomplete : as Coletta put it , " Was he a poor politician because he was victimized or because he lacked the foresight and imagination to notice the storm brewing in the political sky until it broke and swamped him ? " Adept at using the levers of power in a way his successor could not , Roosevelt generally got what was politically possible out of a situation . Taft was generally slow to act , and when he did , his actions often generated enemies , as in the Ballinger @-@ Pinchot affair . Roosevelt was able to secure positive coverage in the newspapers ; Taft had a judge 's reticence in talking to reporters , and , with no comment from the White House , hostile journalists would supply the want with a quote from a Taft opponent . And it was Roosevelt who engraved in public memory the image of Taft as a Buchanan @-@ like figure , with a narrow view of the presidency which made him unwilling to act for the public good . Anderson pointed out that Roosevelt 's Autobiography ( which placed this view in enduring form ) was published after both men had left the presidency ( in 1913 ) , was intended in part to justify Roosevelt 's splitting of the Republican Party , and contains not a single positive reference to the man Roosevelt had admired and hand @-@ picked as his successor . While Roosevelt was biased , he was not alone : every major newspaper reporter of that time who left reminiscences of Taft 's presidency was critical of him . Taft replied to his predecessor 's criticism with his constitutional treatise on the powers of the presidency .

Taft was convinced he would be vindicated by history . After he left office , he was estimated to be about in the middle of U.S. presidents by greatness , and subsequent rankings by historians have by and large sustained that verdict . Coletta noted that this places Taft in good company , with James Madison , John Quincy Adams and McKinley . Lurie catalogued progressive innovations that took

place under Taft , and argued that historians have overlooked them because Taft was not an effective political writer or speaker . According to Gould , " the clichés about Taft 's weight , his maladroitness in the White House , and his conservatism of thought and doctrine have an element of truth , but they fail to do justice to a shrewd commentator on the political scene , a man of consummate ambition , and a resourceful practitioner of the internal politics of his party . " Anderson deemed Taft 's success in becoming both president and chief justice " an astounding feat of inside judicial and Republican party politics , played out over years , the likes of which we are not likely to see again in American history " .

Taft has been rated among the greatest of the chief justices ; later Supreme Court Justice Antonin Scalia noted that this was " not so much on the basis of his opinions , perhaps because many of them ran counter to the ultimate sweep of history " . A successor as chief justice , Earl Warren , concurred : " In Taft 's case , the symbol , the tag , the label usually attached to him is ' conservative . ' It is certainly not of itself a term of opprobrium even when bandied by the critics , but its use is too often confused with ' reactionary . ' " Most commentators agree that as chief justice , Taft 's most significant contribution was his advocacy for reform of the high court , urging and ultimately gaining improvement in the court 's procedures and facilities . Mason cited enactment of the Judges ' Bill of 1925 as Taft 's major achievement on the court . According to Anderson , Taft as chief justice " was as aggressive in the pursuit of his agenda in the judicial realm as Theodore Roosevelt was in the presidential " .

The house in Cincinnati where Taft was born and lived as a boy is now the William Howard Taft National Historic Site . Taft 's son Robert was a significant political figure , becoming Senate Majority Leader and three times a major contender for the Republican nomination for president . A conservative , each time he was defeated by a candidate backed by the more liberal Eastern Establishment wing of the party .

Lurie concluded his account of William Taft 's career ,

While the fabled cherry trees in Washington represent a suitable monument for Nellie Taft , there is no memorial to her husband , except perhaps the magnificent home for his Court ? one for which he eagerly planned . But he died even before ground was broken for the structure . As he reacted to his overwhelming defeat for reelection in 1912 , Taft had written that " I must wait for years if I would be vindicated by the people ... I am content to wait . " Perhaps he has waited long enough .

= = Media = =