Frank Kellogg and the Origins of the Roosevelt-Taft Break
(1912)

THEODORE ROOSEVELT AND WILLIAM HOWARD TAFT, MARCH 4, 1909

Foreword

By

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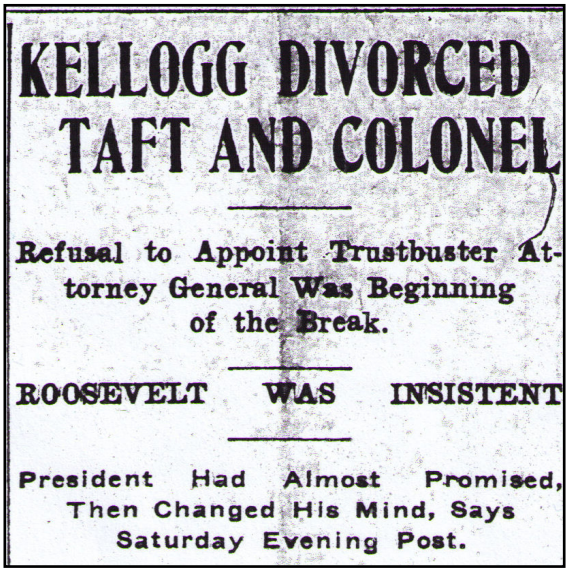
Editor, MLHP

On Friday, April 12, 1912, the *St. Paul Pioneer Press* carried a front page story describing the origins of the famous rift between former President Theodore Roosevelt and President William Howard Taft:



KELLOGG DIVORCED TAFT AND COLONEL

Refusal to Appoint Trustbuster Attorney General Was Beginning of the Break.

ROOSEVELT WAS INSISTENT

President Had Almost Promised, Then Changed His Mind, Says Saturday Evening Post.

The story was based on an article in *The Saturday Evening Post* that traced the "divorce" to Taft's supposed refusal to nominate Frank B. Kellogg Attorney General after assuring T. R. that he would.

During the Roosevelt years Kellogg, a partner in Davis, Kellogg & Severance, the leading law firm in St. Paul, began court proceedings against the Union Pacific Railroad and the Standard Oil Company for violating the Sherman Antitrust Act.[1] Because of the success of those cases, he acquired a national reputation as a "Trust Buster." Though

[1] **The Supreme Court ruled in favor of the government in both cases. *Standard Oil Co. v. United States*, 211 U. S. 1 (1911); and *United States v. Union Pacific Railroad Co.*, 226 U. S. 61 (1912), *later opinion*, 226 U. S. 470 (1913).**

not a member of T. R.'s inner circle, he was an "influential field advisor." [2]

The *Post's* article has colorful quotes from T. R., Kellogg and others that give it the veneer of being the "absolutely and irrefragably true" story of the start of this famous falling-out that it professes to be. Historians, however, believe that the estrangement had multiple causes and grew over time.[3] David Bryn-Jones, Kellogg's authorized biographer, refers to Roosevelt's disappointment about Taft's cabinet appointments but does not mention Kellogg:

> **Already Taft's failure to reappoint certain members of Theodore Roosevelt's cabinet and in particular General Luke Wright, in whose case Roosevelt felt that he had been given a definite assurance of reappointment, had created misgiving in the Colonel's mind. Months earlier there had been evidences of the beginnings of a drift into misunderstanding. "I am distressed, General," said Roosevelt in February, 1909, to the man whom he had appointed to succeed Taft as Secretary of War, "that you will not continue to be Secretary of War, but unfortunately you have been too close to me, I fear." And Archie Butt who quotes this remark, continues, "I learned from Mr. Loeb that you cannot get him to say anything,**

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[2] Edmund Morris, *Theodore Rex* 731 n. 506 (Random House, 2001). In his volume on T. R.'s presidency, Morris describes the Gridiron Dinner on December 12, 1908 that is the setting for much of the *Post* story but does not mention any scuttlebutt about Kellogg's possible cabinet appointment. Id. at 543. The indices to Morris's three volume biography do not list Kellogg, and he appears only in footnote 506 in the second volume. There is nothing in the final volume, *Colonel Roosevelt* (Random House, 2010), supporting the *Post's* story.

[3] George E. Mowry writes:

> **This coolness was born not of a single incident but was of a series of events. One of the differences between the two men rose over Taft's selection of his Cabinet.**

***Theodore Roosevelt and the Progressive Movement* 121 (Univ. of Wis. Press, 1946) (citing Roosevelt biographer Henry Pringle's perception that T. R. "seized upon [Taft's cabinet selections] as a rationalization of his [subsequent] anger.").**

> **but he feels very deeply, nevertheless, the fact that Mr. Taft seems determined to sever all the ties which have bound them together in the past." And there were those, like Senator Lodge, who were already taking advantage of the situation to accentuate differences and increase discord.[4]**

Kellogg did not serve in Taft's cabinet but maintained cordial relations with him during most of his term. By the spring of 1912, however, it was clear that T. R. would challenge Taft for the nomination of the Republican Party at its convention in Chicago in June. This placed Kellogg, a leader of the Minnesota Republican Party, in a quandary. His biographer tells how he resolved it:

> **After 1910 Mr. Kellogg was loyal to both men, but gradually the personal attachment to "the Colonel" was proving the stronger and as relations became more and more strained between Roosevelt and Taft, the visits to Oyster Bay became more frequent. Sentiment had much to do with this, no doubt, for after all Roosevelt had been "the Chief" when Kellogg was entrusted with his most arduous and exacting legal undertakings, and he could never forget the unfailing sympathy of the President in those days of strenuous combat. Admiration for "the Colonel" was generally touched with deep emotion among those who came nearest to him and in this Kellogg was no exception. He still held that a Roosevelt candidacy for a third term would be a**

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[4] David Bryn-Jones, *Frank B. Kellogg: A Biography* 89 (G. P. Putnam's & Sons, 1937)(citations omitted). In a later passage Bryn-Jones writes:

> **Looking back, it is clear that the definite breach between Roosevelt and Taft came in October, 1911, with the filing of a suit for the dissolution of the United States Steel Corporation on the ground that it constituted a monopoly and that it had achieved its monopoly in part by the purchase of the Tennessee Coal and Iron Company four years previously with the consent of Roosevelt who was President at the time.**

Id. at 95.

> **misfortune, but he was not so sure now that the course of events might not force that issue.**
>
> **. . .**
>
> **Since the die was cast, Kellogg's course was clear. He could not desert the leader whom he had followed through so many stern campaigns and for whom he still had the highest regard. He cast in his lot with the Roosevelt forces, heading a Minnesota delegation to the Chicago Convention of 1912 pledged to Roosevelt. It was a forlorn hope as Kellogg knew. Just before the Convention he had another conversation with the Colonel. "Whatever happens," said Kellogg, "don't let people persuade you to run as an independent. Very few men are big enough to found a new political party here, and the time is not ripe. You can't do it, and can't afford to try. Let Taft run; he has so little chance of election that you may almost count on his defeat. Be a little patient and wait for your opportunity. It will come." . . . Almost immediately before the Convention he told Kellogg he thought he was right and that whatever happened, he would not be persuaded into an independent candidacy. "You can't go into a Convention as a candidate for nomination and then bolt the Convention. That won't do in this country," were Mr. Kellogg's final words to him on this occasion.** [5]

But T. R. soon changed his mind, formed the Progressive party — also known as the Bull Moose Party — and lost as expected in November to Woodrow Wilson. But he never lost the loyalty of Frank Kellogg, as his biographer writes:

> **During the exciting campaign that followed, Kellogg supported Roosevelt loyally in spite of his conviction that his candidacy was a mistake, that his chances of election were slight and that in the**

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[5] **Id. at 94-96.**

event of his defeat there was no likelihood of any permanency for the new party. He believed in the man and in his principles even though on this occasion he deplored his strategy. The result of the election was in accordance with Mr. Kellogg's expectations.[6]

The following article appeared first on pages 34-35 of the April 13, 1912 issue of the *Post*. It has no by-line. Photographs have been added by the MLHP. [7] It is complete.

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[6] Id. at 97. The results of the election in November 1912, were:

	Popular Vote	Electoral Vote	% of popular Vote
Woodrow Wilson (Democratic)	6,294,284	435	41.83
Theodore Roosevelt (Progressive)	4,120,609	88	27.39
William H. Taft (Republican)	3,487,037	8	23.18
Eugene V, Debs (Socialist	900,742	0	5.99
Eugene Chafin (Prohibition)	208,115	0	1.38
Others	33,859	0	0.23

T. R. won Minnesota and its 12 electoral votes. Source: uselectionatlas.org (other sources record slightly different vote totals).

[7] It is not always easy to find the proper source of a photograph on the internet. With that disclaimer: The photo of the two presidents on page 1 was taken on Taft's Inauguration Day, March 4, 1909, and is from Mowry, note 3, opposite page 38. The photograph of Roosevelt on page 9, is dated 1912, and is from the George Grantham Bain Collection, Library of Congress. That of Kellogg on page 10 is undated and from successing.com. The photograph of Taft on page 13 is dated 1916 and from the Library of Congress (and wikimedia commons).

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The Senator's Secretary

ONE of the prevalent literary—if we may call it such—diversions of the period is the writing of the story of the beginning, progress and culmination of the break between those erstwhile bosom friends,“ Dear Theodore” and “Dear Will," known in public life as former President Roosevelt and present President Taft.

Being somewhat literary—after a manner of speaking—it is my intention to take a hack at that story myself, and I claim nothing for the narrative that shall follow except that it is absolutely and irrefragably true. It is the real story—that is, the real story of the beginning of the break, of the first dissension, of the primary incentive that led, through many and devious routes, to the avowed candidacy for the nomination this year by Mr. Roosevelt in opposition to the man whom he personally made president of the United States, whom he selected from all the candidates for the place, whom he nominated by the power of the presidency and its office holders, and whom he elected by the virtue of his overwhelming popularity. It is not to be the story of the subsequent clashes, and misunderstandings, and jealousies, and condemnations, and alleged ingratitude, and alleged intolerance and all other causes for the great rupture. It is only the story of the beginning, of the first rift in the lute, of the initial divergence.

Mr. Taft was elected president on November 3, 1908. There was a day or so of jubilation in the White House, and then

the course of the Government's business proceeded as smoothly as any business could proceed with the dynamic Roosevelt in direction. It had been apparent for weeks that Mr. Taft would defeat Mr. Bryan. That event was as certain as it was certain that election day would dawn.

Consequently, there had been tentative discussions among Republicans as to the division of the spoils by Mr. Taft and to tentative allotments of office, even before Taft's election was finally accomplished. The large concern at the moment was the personnel of the Taft Cabinet.

Taft's First Kick Over the Traces

Candidates for Cabinet places appeared right after election. Of course, strictly speaking, no man can be a candidate for a Cabinet place, for the Cabinet must be, or should be, of the personal selection of the president. But, nevertheless, various ways are found to push claims of various men for Cabinet places, and so politics, and not the personal desires of the president, cuts a large figure in the final selections. Men are "mentioned," you understand, usually at the suggestion of themselves or their friends, and the "attention of the president is called" to their qualifications, political strength and to the other impelling reasons for their selection.

The question of the attorney-generalship in the Taft Cabinet was important. Nobody had an idea that Mr. Taft would continue Charles J. Bonaparte, Mr. Roosevelt's attorney-general at the close of the Administration, in the office, and the friends of various men qualified for the place began to press the claims of various eminent lawyers. One man whose name was urged was Frank B. Kellogg, of St. Paul, Minnesota. Mr. Kellogg was then acting for the Government in the prosecution of the Standard Oil case. He had made a great reputation for himself. He was fitted in every way. Moreover, Colonel Roosevelt had the highest regard for his abilities and his character and his work, and Colonel Roosevelt was for him for attorney-general.

When Colonel Roosevelt is for anybody he is for that person hard. He was enthusiastic for Kellogg, and he told Mr. Taft that Kellogg was the one man in all the country fitted to be

attorney-general and to carry out the Roosevelt corporation policies. Colonel Roosevelt had various talks with Mr. Taft on the subject, and became convinced that Mr. Taft would appoint Kellogg. Consequently, Roosevelt told Kellogg and the friends of Kellogg that the matter was as good as settled. This all occurred in the time between election day, November 3, 1908, and the opening day of Congress, December 7, 1908. Mr. Roosevelt told others, also, and the word passed in the inner circle that Kellogg was likely to be the next attorney-general. Kellogg's friends thought so, and they were elated.

The Gridiron Club gave its first dinner for that season at the New Willard Hotel on the night of December 12, 1908—Saturday night. At that dinner there was a friend of Kellogg who had known him from boyhood, who had been active in pushing the claims of Kellogg, who was one of the closest and most intimate friends of Colonel Roosevelt, a man of much importance in the business and financial world. Also at that dinner were many members of the Roosevelt Administration, many senators, representatives, and scores of the biggest men of the country from all states and leaders in every walk of life. President Roosevelt sat at the

right hand of the presiding officer at the dinner and President-elect Taft sat next to President Roosevelt. Vice-President Fairbanks sat at the left of the presiding officer, and Vice-President-elect Sherman next to Fairbanks. The others were scattered abut the room.

Mr. Taft had come up from Augusta, Georgia, to attend the dinner. He intended to take the train at midnight that night, go to New York for a few days and then go back to Georgia. It was his plan to leave New York on Thursday, December seventeenth, and go back to the South without stopping in Washington.

What Frank B. Kellogg Missed

The Gridiron Club had fun with its distinguished guests, and the distinguished guests had fun with the Gridiron Club. The outgoing and the incoming presidents were lampooned and came back sturdily. It was a big night. The dinner was over at midnight. As the guests were going out a United States senator, whose name it is not necessary to mention, stopped to speak with the friend of Kellogg mentioned above. The senator knew that the other man was a friend of Kellogg, but he also knew that the business connections of the other man were such that he might naturally, from business reasons, be averse to seeing a trustbuster like Kellogg in the Cabinet. So the senator, rather jubilantly, said to Kellogg's friend: "Well, we've got it fixed so Kellogg won't be in Taft's Cabinet."

“Is that so?” asked the other man rather lamely, for he had been told by President Roosevelt that the matter was as good as settled.

“It certainly is,” chuckled the senator.

“We fixed it today. Frank Kellogg won't get the place. That’s decided upon—fixed,” and he moved off, still chuckling. The other man found Kellogg, who was at the dinner—or, at any rate, in the hotel.

“Frank,” he said, “you won’t be appointed attorney-general.”

“What do you mean?” gasped Kellogg.

“I mean just what I said. You won’t be appointed attorney-general by Mr. Taft.”

“How do you know that?” asked Kellogg.

“I can't tell you how I know, but I know. I have no doubt that my information is correct. You won’t get the place.”

“But,” insisted Kellogg, “I have been assured by President Roosevelt that I am to have the place.”

“That may be,” said the friend. “Mr. Roosevelt has told me he thinks Mr. Taft will appoint you, but I know differently.”

Next morning the friend called up the White House and made an appointment to see the President. Meantime Mr. Taft had gone to New York. The appointment was for Monday morning, December fourteenth, at eleven o’clock.

The friend of Kellogg went to the White House. “Theodore," he said to President Roosevelt, “Mr. Taft doesn't intend to appoint Frank Kellogg attorney-general.”

“You're crazy!” exclaimed the President.

“Why, I have every assurance that he will appoint Kellogg."

“Has Mr. Taft ever said so in so many words?”

“No,” Mr. Roosevelt replied, “but I have urged him strongly to appoint Kellogg, telling him how necessary I think it is to have Kellogg in that place to continue my policies, and it is my opinion that he intends to appoint him.”

“Well, he doesn't intend to appoint him. Some other man will get the place.”

“By Godfrey!” shouted President Roosevelt, “we'll see about that!” He called in Secretary Loeb, and instructed Loeb to get in communication with Mr. Taft by long-distance telephone and to ask Mr. Taft to stop in Washington on his way back to Georgia. They got Taft to the telephone and it was arranged that Taft should stop over for a night in Washington instead of going straight back to Georgia.

It may be remembered that there was some newspaper speculation because Mr. Taft, on Thursday, December 17, 1908, stopped over-night at the White House with President Roosevelt instead of carrying out his announced plan of going back to Georgia without stopping at Washington. Mr. Taft did stay overnight at the White House on that date, and the reason he stayed overnight was because President Roosevelt asked him to. And the reason President Roosevelt asked him to was because President Roosevelt wanted to find out about the appointment of Kellogg as attorney-general.

President Roosevelt demanded the appointment of Kellogg. He went so far as to say he understood Mr. Taft had virtually promised the place to him for Kellogg. Mr. Taft called the attention of Mr. Roosevelt to the fact that he had not promised the place to Kellogg, that he had listened to the indorsements of Kellogg by Mr. Roosevelt and others

and had taken the matter under advisement. He said bluntly to Mr. Roosevelt that he had made no definite promise, and that if Mr. Roosevelt had that impression from his conversations about Kellogg it was an erroneous impression.

Moreover, Mr. Taft said he did not intend to appoint Kellogg. He said he had the highest admiration for Kellogg's abilities as a lawyer and for the work he had done and was doing in the Standard Oil case, but he did not think it wise to have as attorney-general in his Cabinet a man identified with a prosecution then in progress. He intended to continue Mr. Kellogg in the Standard Oil case, of course, and was confident of his success; but he desired to keep him where he was and not take him into the Cabinet. Besides, he wanted as attorney-general a lawyer who was not identified with any of the cases then pending, in order that he might be free to carry out the plans he, Taft, had in mind as to other legal policies of the Government.

Colonel Roosevelt urged Mr. Taft to reconsider and name Kellogg, but Mr. Taft refused. There was no anger in the conference. Both men were pleasant and polite and both firm, but Colonel Roosevelt was disappointed and, to tell the truth, shocked.

President Roosevelt had other candidates for office. He wanted George von Lengerke Meyer, who was his postmaster-general, retained by Mr. Taft in some Cabinet position. He wanted a place for William Loeb, Junior, his efficient secretary. Contrary to a current report, he did not ask that Jimmie Garfield should be retained as the head of the Department of the Interior or elsewhere. Mr. Taft made Mr. Meyer his secretary of the navy. That was not so hard of accomplishment, for it committed Taft politically in no way, and everybody in Massachusetts got in behind Meyer, both Senators Lodge and Crane being for him. The actuating motive for Lodge was to keep Meyer in public life in Washington and keep him out of Massachusetts, for he knew if Meyer went back to Massachusetts Meyer would run for senator against him, and might win. At any rate, everybody was for Meyer, including President Roosevelt, and Meyer got the place. Also Mr. Loeb was made collector of the Port of New York.

Still the rejection of Kellogg miffed President Roosevelt. Also it led to other evidences of cross purposes—not friction, perhaps, but irritation on the part of Mr. Roosevelt at least. It was the beginning of the break.

On March 3, 1909, the day before Mr. Roosevelt left the White House, a friend called on him—an intimate personal friend. They discussed Mr. Taft.

"He isn't acting right," said Mr. Roosevelt.

"Pshaw, Theodore!" said the friend, "he hasn't done anything that should offend you. Give him a chance. You can't expect to be ex-president and president too. He's going to be president after noon tomorrow, not you. Give him a chance."

"He isn't acting right," repeated Roosevelt doggedly. And the next day he left Washington for New York, and in a month or so sailed for Africa. ■

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Related Articles

James Grafton Rogers, "Frank Billings Kellogg," (MLHP, 2008) (published first, 1932).

Roger G. Kennedy, "Frank Billings Kellogg" (MLHP, 2008-2011) (published first, 1969).

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