

NATIONAL HISTORIC LANDMARK NOMINATION

NPS Form 10-900

USDI/NPS NRHP Registration Form (Rev. 8-86)

OMB No. 1024-0018

WILLIAM HOWARD TAFT HOME

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United States Department of the Interior, National Park Service

National Register of Historic Places Registration Form

1. NAME OF PROPERTY

Historic Name: William Howard Taft Home (Updated Documentation and Name Change)

Other Name/Site Number: Alphonso Taft Home
William Howard Taft National Historic Site

Designated a National Historic Landmark by the Secretary of the Interior January 29, 1964.
Updated documentation October 31, 2016.

2. LOCATION

Street & Number: 2038 Auburn Avenue

Not for publication:

City/Town: Cincinnati

Vicinity:

State: OH

County: Hamilton

Code: 061

Zip Code: 45219-3025

3. CLASSIFICATION

Ownership of Property

Category of Property

Private:

Building(s): X

Public-Local:

District:

Public-State:

Site:

Public-Federal: X

Structure:

Object:

Number of Resources within Property

Contributing

Noncontributing

buildings 1

buildings 1

sites 1

sites 0

structures 0

structures 0

objects 0

objects 0

Total 2

Total 1

Number of Contributing Resources Previously Listed in the National Register: 1

Name of Related Multiple Property Listing: N/A

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**4. STATE/FEDERAL AGENCY CERTIFICATION**

As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this \_\_\_ nomination \_\_\_ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property \_\_\_ meets \_\_\_ does not meet the National Register Criteria.

\_\_\_\_\_  
Signature of Certifying Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
State or Federal Agency and Bureau

In my opinion, the property \_\_\_ meets \_\_\_ does not meet the National Register criteria.

\_\_\_\_\_  
Signature of Commenting or Other Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
State or Federal Agency and Bureau

**5. NATIONAL PARK SERVICE CERTIFICATION**

I hereby certify that this property is:

- Entered in the National Register
- Determined eligible for the National Register
- Determined not eligible for the National Register
- Removed from the National Register
- Other (explain): \_\_\_\_\_

\_\_\_\_\_  
Signature of Keeper

\_\_\_\_\_  
Date of Action

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**6. FUNCTION OR USE**

Historic: Single Dwelling                      Sub: residence

Current: Recreation and Culture              Sub: museum

**7. DESCRIPTION**

ARCHITECTURAL CLASSIFICATION: MID-NINETEENTH CENTURY: Greek Revival/Exotic Revival

**MATERIALS:**

Foundation: Stone

Walls: Brick

Roof: Metal (copper)

Other:

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**Describe Present and Historic Physical Appearance****Summary Paragraph**

The William Howard Taft Home, situated at 2038 Auburn Avenue in Cincinnati, Ohio, represents the only property with integrity to survive that is directly associated with the life of William Howard Taft (1857-1930), 27th President of the United States (1909–1913) and 10th Chief Justice of the United States Supreme Court (1921–1930). The Taft Home falls within a 0.51-acre parcel that represents the core of the 1.82-acre parcel owned by the Taft family at the time of William Howard Taft's birth. The Taft Home property features the original circa 1840 dwelling, and 1851 addition made to the building by William Howard Taft's father, Alphonso Taft, as well as several original and restored landscape features. In addition to the dwelling, the historic property includes a wrought iron and stone fence, gravel carriageway, system of brick walks, well, two cisterns, and three stone walls. This amended nomination describes these features and their contribution to the property, expanding on the documentation of the property prepared as part of a larger survey of historic properties completed by the federal government in 1963, and used to designate the Taft Home as a National Historic Landmark in 1964. It also considers recent scholarship in assessing Taft's legacy in American law, politics, and government.

The property also includes resources that are not historic, but which support the National Park Service administration of the William Howard Taft National Historic Site. These include boundary fencing and markers, interpretive features, and a storage building, which total 1 building, 1 structure, and 2 objects. Although the setting of the property is diminished by the late twentieth century addition of the Hamilton County Juvenile Court Youth Center and an apartment building and associated parking facilities on adjacent lands, the Taft Home possesses a high degree of integrity and continues to convey its historic associations with William Howard Taft.

**Setting**

The Taft Home was built circa 1840 as part of the Mt. Auburn neighborhood, a suburb of the city of Cincinnati, Ohio, developed during the mid- to late nineteenth century atop the hills that frame the downtown to take advantage of healthful breezes and picturesque views of the city.<sup>1</sup> The neighborhood became an important locus for the civic, social, industrial, business, cultural, and religious leaders of Cincinnati. Scores of homes were built along a grid of streets established over the sloped terrain of Mount Auburn between 1830 and 1900. Auburn Avenue, which became known as the 'Fifth Avenue' of Cincinnati, was the most prominent among them.<sup>2</sup> Homes were designed in a variety of architectural styles, including Federal, Greek revival, Italianate, Romanesque revival, and Georgian revival.

The Taft Home, located at 60 Auburn Street, occupied a long, narrow, rectangular lot that measured 100 by 769 feet. The house was sited atop an elevated knoll and faced west toward Auburn Street, located 50 feet away. From the top of the knoll, the property fell away in all directions, most dramatically to the east.

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<sup>1</sup> Antoinette J. Lee, *William Howard Taft: An Administrative History* (Omaha, Nebraska: National Park Service, 1986), Chapter 1; Edwin C. Bearss, *Historic Structure Report – Historical Data – Home, William Howard Taft National Historic Site, Ohio* (Denver, Colorado: National Park Service, October 1972), 5.

<sup>2</sup> James Parton, *Atlantic Monthly* (August 1867); Gale Brooks, National Register nomination "Mt. Auburn Historic District" (Cincinnati, Ohio: Ohio Arts Council, 1972), 4; Scruggs and Hammond, Inc., *Cultural Landscape Report: William Howard Taft National Historic Site, Cincinnati, Ohio* (Omaha, Nebraska: National Park Service, 1993), 9–13. Auburn Avenue was initially referred to as Auburn Street.

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**Overview Description of the Property**

The William Howard Taft Home is located within a city block bounded to the west by Auburn Avenue, to the north by Southern Avenue, to the east by Young Street, and to the south by Bodmann Avenue. The Hamilton County Juvenile Court Youth Center occupies a large portion of the block to the south of the property. The Taft Home falls within the larger William Howard Taft National Historic Site, a 3.64-acre property composed of six parcels—the 0.51-acre Taft Home parcel (Tract 01-101), an 0.08-acre buffer strip to its south (Tract 01-103), the 0.28-acre Taft Education Center parcel (Tract 01-102), a 0.65-acre parcel at the corner of Auburn and Southern avenues (Tract 01-104), a 1.05-acre parcel south of Southern Avenue (Tract 01-112), and a 1.07-acre parcel east of the house that contains a portion of the youth center and associated parking (Tract 01-106).

The 0.51-acre Taft Home parcel that edges Auburn Avenue is the core of the original family property. Set prominently within the parcel is the two-story Taft Home. A nineteenth-century fence, composed of limestone, sandstone, and wrought iron, delineates the edge of the property along Auburn Avenue, while paired sandstone piers and wrought iron gates mark the two entrances. The southern entrance, used by pedestrians, features a flight of stone steps that lead to a brick walk on axis with the front door of the house. Ornamental plantings edge the walk and the foundation of the house. The northern entrance is associated with a gravel carriageway that extends eastward into the property to the carriage shed, a contemporary structure built by the National Park Service to accommodate park storage needs. The carriageway is edged to the north by a stone wall and a wooden fence.

Additional brick walks extend north and south from the central walk. These lead to entrances into the house located to the north and south, and on the east end. The walk leading north includes brick stairs that traverse the descending topography. It connects to a side entrance at the basement level, which is used by park visitors to enter the house. Beyond the side entrance, the walk continues to the rear of the house where there are two additional entrances. One of these leads into the basement of the older part of the house, while the other accesses an addition built in 1851 by Alphonso Taft. Set within the brick walk near the entrance into the addition is a wooden cover that marks the location of a historic well. The walk approaching the second entrance is edged by a historic stone wall.

Behind the house, the property includes an interpretive feature—a hitching post and horse hobble—and small NPS boundary markers. The linear buffer that edges the historic property to the south includes a contemporary wooden screen fence that encloses HVAC units, and boundary fencing. Contemporary chain link fencing edges the property to the east. Trees and shrubs growing along the fence help to limit views of the adjacent Hamilton County Juvenile Court Youth Center property.

Together these features comprise the present-day cultural landscape that helps convey the property's historic associations with William Howard Taft. Several archeological investigations have been conducted on the Taft Home property since the National Park Service acquired it in 1971. The house and its environs are identified as an archeological site in the state of Ohio record (Ohio site 33HA431). These investigations have uncovered archeological evidence of nineteenth-century lifeways that supports our understanding of the historic property and which formed the basis for many of the restoration efforts. Features associated with the site include mid-late nineteenth century resources and material culture relating to the Taft family. The resources investigated archeologically have included the two cisterns; the 1851 addition, front porch, and building foundation; the evolution of construction evidence present within the basement; the walk system; and the carriageway.

The Taft Home property has not been subject to a comprehensive and systematic archeological survey. Previous surveys were targeted in nature and intended to address specific construction activity at the site. Current archeological studies do not provide sufficient information to support eligibility under National Historic

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Landmark Criterion 6. However, it is possible that future investigations may identify sufficient material cultural and/or deeply buried features to provide significant information to the Taft period of occupation at the property during the mid- to late nineteenth century.<sup>3</sup>

To the north, the property is edged by the Taft Education Center—an interpretive facility that also includes administrative offices—built by the National Park Service in 1999 to support the needs of visitors and park staff. To the north of the Taft Education Center is a parking area developed by the National Park Service for park visitors. A walkway leads to the Taft Home parcel from the parking area.

### **Contributing Building**

**William Howard Taft House** (National Park Service List of Classified Structures (LCS ID) 001379; William Howard Taft National Historic Site Historic Structure (HS) number 01) (one contributing building.) The William Howard Taft Home was designated a National Historic Landmark in 1964, and listed in the National Register of Historic Places in 1976.

The home purchased by Alphonso Taft in 1851 was built circa 1840 by G. and Mary Bowen as a two-story brick structure that measured approximately 39 feet by 21 feet in plan, and included a full walkout basement.<sup>4</sup> After his purchase of the property, Alphonso Taft added a 40-by-22-foot wing to the east of the original structure. The addition contained two stories and a full basement.

### **Exterior**

The Taft Home is of brick construction set atop a rubble limestone foundation. It features intersected hip roofs clad with copper. The walls in the lower two stories of the rear addition and the first story of the original structure are three wythes thick, while the upper story is two wythes thick.<sup>5</sup> The bricks are laid in American bond using a lime mortar, with one course of headers following every seven courses of stretchers.

As originally built in 1840, the house was in the Greek Revival style with wide flat pilasters, flat arch window and door lintels, and a paneled stepped roof parapet. In 1851-52 Alphonso Taft added a large brick wing on the rear, and very likely remodeled the exterior with picturesque trim characteristic of fashionable country houses. These details include wide overhanging roof eaves with modest scalloped vergeboard and an observation platform with openwork in the form of a cast-iron balustrade. The scalloped cornice ornament is reflected in the design of the simple west entrance portico roof cresting and the hooded north entrance portico that were likely remodeled as well.<sup>6</sup> These architectural details indicate an architectural sophistication that was characteristic of Cincinnati in the prosperous antebellum years. As such, it is representative of many Mt. Auburn neighborhood residences built during the mid-nineteenth century. The main (west facing) façade is symmetrically divided with a centered main front door and individual double-hung windows to either side. The current visitor entrance into the house is located through the main front door on the west side of the house.

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<sup>3</sup> Information based on opinions of and consultation with Ann Bauermeister, Archeologist and Acting Park Archeology Program Manager, Midwest Archeological Center (MWAC), Lincoln, Nebraska, February 19, 2015. Ms. Bauermeister further consulted with archeological personnel at MWAC involved in investigations at the national historic site. Based on Ms. Bauermeister's opinion and consultation with other archeological personnel, the William Howard Taft site is neither a contributing resource nor individually eligible for listing as part of the National Historic Landmark nomination update. However, future study may reveal evidence of information potential that would suggest this assessment be revisited.

<sup>4</sup> Lee, Chapter 1.

<sup>5</sup> A wythe is a continuous vertical section of masonry one unit in thickness. A wythe may be independent of, or interlocked with, the adjoining wythe(s).

<sup>6</sup> Bearss, *Historic Structures Report*, 8-9. The Peter Rawson Taft diaries cited in this report thoroughly document the wing and many of the changes. The new cornice and "observatory" are mentioned, but not the entrance porticos. However, it is very likely that the fashionable remodeling was done at the same time as the large addition and other documented changes.

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Three window openings on the second floor mirror the location of the lower level openings. The door stoop stands atop two steps and the door is sheltered by a projecting square colonnaded door hood, which is supported by two square columns with chamfered corners. The hood has a flat roof and projecting scalloped vergeboard detailing above the cornice. The historic paneled front entry door remains in place.

The wall surface of the main façade is smooth brick with a slightly projecting center bay and corner detailing giving the appearance of pilasters on the corners. A stepped brick detail bridges the transition between the wall surface and overhanging roof eave. An unornamented parapet wall projects at the roof line. The roof, though not visible, is a cross configuration of very shallow hipped roof. The hip crests in a north-south direction on the 1840s main body of the house and is capped by the detailed iron railing of the widows walk. The 1851 addition has a shallow hip that crests in an east-west direction. Decorative vergeboards surround the house from the eave and the projecting parapet wall. Each window has dark green shutters on either side of the opening. The house is currently painted a creamy yellow color with the solid stretch of foundation banding painted a contrasting dark red color.

The north façade reveals the significant slope of the lot through the building's expression of a full three stories in height at the rear as exhibited in the exposed basement level of the 1851 ell addition. The side entrance is located at the lower level, in what was the kitchen and has a simple contemporary door set within a protective shelter surround enclosed by wooden lattice. The entry is through a central arch. The shelter is painted to match the house. A sloping metal cap to this entry meets the enclosure with vergeboards that match those on the cornice surrounding the entirety of the house. The east (rear) elevation is a narrow, full three-story height with an entry door into the kitchen area, and two simple double-hung windows on each level. The south elevation clearly shows the connection between the Taft 1851 addition and the original circa 1840s footprint of the house. The south façade retains what was once an open sunporch in the corner between the main body and the ell. This two story corner sunporch is covered with wood slat mesh painted the same color as the house. Fenestration on this façade and throughout the house is double hung multi-light windows with dark green shutters. The sills and lintels of each window unit are painted a dark red color that helps to differentiate this detail from the main body of the house. The ell has star-shaped end points of the structural tie rods visible in the façade. These are painted the same color as the body of the house.

**Interior**

The interior of the house is currently used as museum display space. The first floor of the house is interpreted as the family residence during the period between William Howard Taft's birth in 1857 and his marriage in 1886, while the second floor exhibits interpretive panels detailing Taft's accomplishments as Governor-General in the Philippines, President of the United States, and Chief Justice of the United States Supreme Court.

Beneath the original circa 1840 house is the furnace room and a work room. The foundation walls here are brick and stone with a concrete floor. This area exhibits evidence of work conducted during the 1980s by the National Park Service to restore the house. The space was traditionally used as quarters for a hired hand, and for a billiard room. When the 1851 addition was constructed, Alphonso Taft built the stepped stone wall to afford access to the basement of the circa 1840 section of the home.

The former kitchen in the basement of the 1851 addition is used as an additional meeting space for visitors. Before construction of the Taft Education Center, this room was also used as classroom space. This portion of the basement has been significantly altered. All of the finishes are contemporary, with carpeting and sheetrock walls to accommodate groups. It also features track lighting, a drinking fountain, and a restroom. One of the family cisterns is interpreted through a Plexiglas cover in the floor. The former kitchen is connected to the rest of the house by a stairway that was added as part of the Taft addition.

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This stairway leads to the main floor of the ell and the main entry hall which contains the formal front door. The entry hall is a double loaded corridor with the original stair hugging the north wall, which is shared with the library. The floor is a painted oil cloth in an octagonal dark red, black, and cream pattern. The walls are covered with period-appropriate wallpaper. The stair to the second floor features a tapered round newel post with a two-tone wood pattern on the risers and treads. The side wall of the stair has a light and dark wood pattern. Two doors on the south wall of the hall lead into the formal parlor, while a single door on the north wall leads into the library. These openings are original (1840) and retain their wood trim, which is plain except for a crown molding over the lintel. All of the trim on the main level is faux painted with wood graining in a style that was popular in the mid-nineteenth century.

The parlor located off the hallway to the south consists of one large room, but was historically two rooms before the dividing wall was removed. The room is decorated with wall-to-wall carpeting, gold-leaf window pelmets, and full length puddled draperies, and is furnished with artifacts and decorative items owned by the Taft family, including family portraits of Alphonso and his wife, Louise. There are two matching Fry fireplace mantels in the room installed by Mrs. Taft in 1878. One is original to the house. The other was purchased from a nearby property and installed to replace the original mantel during building restoration efforts conducted by the National Park Service. The original mantel in that location was moved to an upstairs room in the house.

Across the hall is the family library. This room also contains an impressive Rogers fireplace mantel made of marble added in 1878. Period wallpaper and flooring are present, along with several decorative items known to have belonged to the family. A combination electric/gas three globe light fixture is centered in the room.

To the east of the library is the dining room. It also features an interesting period fireplace mantel that includes figural tiles around the fire box. The original trim and doors, with faux painting, remain intact, while wall-to-wall contemporary carpeting covers the floor. This room is currently used as the orientation room for the visitors.

Beyond this room is a space that was historically used as a nursery and later an adult bedroom. It contains a fireplace and stove for heat. This room marks the transition between the original house and the 1851 addition through a change in the size and configuration of the hallway doors. The doors within the addition have the same faux-painted trim as the older section of the house, but feature a tripartite transom window above to improve circulation in the warm summer months.

The stair accessing the upper floors of the addition is located at the back of the house. This stair matches the general design and configuration of the original stair at the front of the house, but the two stairs do not align in elevation. The connection between the addition and the original section of the house is separated by several steps. The hall corridor is wallpapered.

The upper floors historically housed the family and servant bedrooms. One of the rooms contains an elaborate wood-carved fireplace mantle with a tile surround. Most of the rooms contain exhibits about William Howard Taft's role in American politics, law, government, and judicial history. Stenciling on the walls and ceiling has been restored to reflect the Taft period of occupation of the house. Other areas of this second story space house utilities and storage.

**Integrity**

The house experienced a major fire in 1877 that burned off the roof and gutted the second floor, although the chimneys survived. Alphonso Taft hired J.W. Archer and Sons to reconstruct the upper floor and roof. In doing so the design was altered by raising the height of the second floor rooms (and the exterior windows). The new roof featured a galvanized metal cornice and paired brackets in the Italianate style. Both the first and



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second story windows on the primary façade received metal window caps as well. The repairs and interior remodeling of the house were recorded in the Taft family papers and are documented in the historic structures report.<sup>7</sup> Other important changes included the replacement of the entrance portico with a porch that extended across the façade. This was added by Albert and Ella Thompson around 1900 and was a Colonial Revival style feature.<sup>8</sup>

In 1964 when the restoration of the house was begun, the decision was made to restore the property to its appearance recorded in an 1867 photograph. Cincinnati architects Kiel, Wood & Kock developed plans to remove the 1877 fire changes on the exterior and c.1900 porch, reconstructing the earlier features. In 1971 the historic structures report documented the changes to the house since 1851, providing additional evidence to interpret the property to the period of William Howard Taft's childhood and young manhood (1857-1877).

Based on this restoration of the Taft Home by the National Park Service, the building retains integrity of location, feeling, and association. The only deviation from the historic footprint of the Taft Home is the two-story octagonal bay, approximately six feet by twenty-two feet in size, located along the south exterior wall of the rear wing. This feature replaced an earlier two-story piazza along the adjacent wall. Integrity of design, materials, and workmanship is modified by the reconstructed features noted in the extensive restoration of the building's exterior. The interior has been rehabilitated for public use and has diminished integrity of design, materials, and workmanship due to the alteration of many of the rooms for museum display, interpretation and storage/office use. The property's integrity of setting is somewhat diminished by the loss of neighboring residential properties such as the Burkhardt House to the south, and the addition of the Hamilton County Juvenile Court Youth Detention Center to the southeast and the Taft Education Center to the north.

### **Contributing Structure**

**Taft Home fence with retaining wall, gates, and steps** (LCS ID 070152; HS-02). The Taft Home fence edges the original Taft Home property along Auburn Avenue. It was constructed during the period of Taft family ownership, circa 1859–1863, likely at the time Auburn Avenue was widened in 1863. The National Park Service restored the wall and fence in 1974 when it was moved 6 inches to the west to conform to the correct property line.<sup>9</sup>

The wall portion of the fence is 3 feet high and composed of quarry-faced, ranged limestone ashlar surmounted by 4-inch thick rubbed finish sandstone caps. Inset into the capstone is a wrought iron fence. Five, 7-foot-high square dressed sandstone gate posts with chamfered corners and cross-gabled tops mark the property's southwest corner, pedestrian entry, and carriageway entry. The pier edging the carriageway to its south was moved from the adjacent Burkhardt property by Elbert Bellinger in 1940.<sup>10</sup> The historic street addresses of these two properties remain visible on the piers. The pedestrian and carriageway entrances are marked by swing-arm iron gates with concave tops. The pedestrian entrance leads to a flight of five tooled, bull-nosed sandstone steps edged by limestone cheekwalls.

The Taft Home fence retains sufficient integrity to convey its historic associations, although integrity of design is diminished by the addition of the gate post from the Burkhardt property. The fence contributes to the significance of the William Howard Taft Home property.

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<sup>7</sup> Bearss, *Historic Structures Report*, 90-111.

<sup>8</sup> *Ibid*, 141.

<sup>9</sup> Lee, Chapter 7; National Park Service, List of Classified Structures, August 26, 2013.

<sup>10</sup> National Park Service, List of Classified Structures, August 26, 2013.

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**Contributing Site**

The contributing site, located in the Mt. Auburn neighborhood in Cincinnati, is a long, narrow lot at the crest of the hilltop suburb. Essentially flat in the vicinity of the house, a series of retaining walls, many of them original, accommodate the slope of the land in all directions. Much of the lot retains its appearance from the period of significance, with some accommodation to its public use and several features reconstructed from documentary and archeological evidence. The site remains a significant setting for the historic house, punctuated by historic features. The front retaining wall, with its wrought iron fence and stone gateposts, is an especially important defining feature. The composition of the site is essentially intact, with reconstructed walks and drives following the historic patterns. Plantings are simple, with some intended to screen intrusive views. Since National Park Service acquisition of the site, several archeological investigations have been carried out, and the site's archeology is considered to remain a potential source of information about the Taft period.

***Features that contribute to the overall contributing site*****Taft Home brick walks (LCS ID 070153; HS-03).**

The sandstone steps that lead into the Taft Home property from Auburn Avenue are met by a 5 foot, 10 inch wide brick walk that continues to the formal entrance into the house. This walk, as well as additional walks that extend around the house to its north, south, and rear, are composed of red brick, dry laid in a herringbone pattern with an edging course. The walks are anchored in place by steel edging. The walk that extends around the house to the north includes several steps to traverse the descending topography. Metal handrails edge the stepped section of the walk for the safety of visitors. The handrails are similar in detailing to the metal fence that edges the Taft Education Center parcel along Auburn Avenue.

The brick walks were restored by the National Park Service in the 1990s based on documentation afforded in a 1988 historic structure report. The walks were designed to match a historic brick walkway system laid in 1851 for Alphonso Taft by Hunt & Lull.<sup>11</sup> Information about the historic walk system was secured through research and archeological investigations conducted in the 1970s and 1980s. Based on the investigations, a front or main walk was likely in place when the property was purchased by Alphonso Taft. Taft replaced this and added a second walk that continued around the house to the north to connect with the kitchen, as was typical of nineteenth century properties. The side walk would have been used to direct tradespersons to the service entrance. Taft also added a walk to provide access to the south entrance, and walks leading to the two rear entrances. The historic walks are thought to have been between 3 feet, 8 inches and 4 feet wide.

The restored walks retain sufficient integrity to convey their historic associations, although the integrity of design, workmanship, and materials is diminished by the wider profile and addition of handrails and steel edging. The restored brick walks contribute to the significance of the William Howard Taft Home property.

**Taft Home carriageway (LCS ID 070154; HS-04).**

The Taft Home carriageway is a gravel-surfaced road that extends east from Auburn Avenue toward the rear of the property. The entrance is marked by a pair of sandstone piers and a wrought iron gate. The carriageway is approximately 10 feet, 6 inches wide and relatively level. It is edged to the north by a historic stone wall and a contemporary wooden fence.

The carriageway was restored by the National Park Service in 1987 in conjunction with repair and restoration of the stone walls to its north, and utility improvements that included installation of a manhole cover within the road corridor. The carriageway originally extended 150 feet to a carriage house. Today, the carriageway leads to

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<sup>11</sup> See Mark A. Chavez, "Brick Walks: Historic Structures Report; William Howard Taft National Historic Site" (Omaha, Nebraska: National Park Service, July 1988).

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the carriage shed constructed by the National Park Service to support park storage needs and designed to approximate the form of the historic carriage house for interpretive purposes.

The restored carriageway retains sufficient integrity to convey its historic associations, although integrity of design is diminished by the inclusion of the manhole cover within the road and integrity of setting is diminished due to the presence of the contemporary wooden fence. The restored carriageway contributes to the significance of the William Howard Taft Home property.

**Taft Home well (LCS ID 070155; HS-05).**

The Taft Home well is a stone-lined structure approximately 3 feet in diameter located at the southeast corner of the east wing of the house. The well predates Taft family occupancy of the dwelling, and was likely built circa 1840–1850 by the Bowens. The well remained in use until c. 1900 when it was capped with a domed structure composed of brick and Portland cement. The well was stabilized by the National Park Service between 1982 and 1985 and covered with a wooden trap door for visitor safety.<sup>12</sup>

The Taft Home well is an original feature of the property that has been preserved and protected by the National Park Service. Although the well has been covered with a wooden trap door, it retains sufficient integrity to convey its historic associations. The well contributes to the significance of the William Howard Taft Home property.

**North stone wall.**

Located along the northern edge of the carriageway is a mortared limestone rubble stone wall with deeply raked joints. The wall extends eastward from the limestone and wrought iron fence at Auburn Avenue. The wall has a level top course for the first half of its 46-foot length. At Auburn Avenue, the wall stands approximately 2 feet, 4 inches above grade, and is 1 foot, 10 inches wide. The grade of the carriageway descends as it travels eastward. Because the top of the wall remains at a consistent elevation, the height of the wall as measured from the ground increases as it moves eastward. At the midpoint, the wall stands 3-1/2-feet in height. Here, however, the wall begins to angle downward. At its end, where it is met by a wooden gate, the wall measures 1-1/2 feet in height. Extending northward from the wall at the midpoint is an ell-shaped stone wall segment that screens a concrete pad and electrical box mounted to the wall. The wall extension includes an above ground section that is approximately 1-1/2 feet in height, as well as a below ground retaining section.

The National Park Service rehabilitated the wall, which marked the north boundary of the Taft Home property by 1868, in 1987.<sup>13</sup> The rehabilitation involved masonry repair, but also included structural improvements, such as the installation of a concrete core, as well as the accommodation of fire suppression features and an electrical box. Although these contemporary changes diminish the wall's integrity of design, materials, and workmanship, it retains sufficient integrity to convey its historic associations, and contributes to the significance of the William Howard Taft Home property.

**North retaining wall (LCS ID 070156; HS-06).**

Extending eastward along the edge of the carriageway is a stone retaining wall that follows the alignment of the north stone wall described above. It begins approximately in line with the northwest corner of the house and continues to the northeastern corner of the Taft Home property. This wall was built by Alphonso Taft in 1852 to contain the steeply sloping ground along the property's northeastern edge and prevent it from slumping at the margin of the carriageway, carriage house, and back lot. Although it historically stood approximately 5 feet above and 5 feet below the grade, only the below-grade section remains today. The wall is composed of rough-faced limestone laid with mortar. The National Park Service added a wooden fence on top of the wall for visitor

<sup>12</sup> National Park Service, List of Classified Structures, August 26, 2013.

<sup>13</sup> Wilson & Associates, Inc., drawings associated with the north retaining wall, drawing number 448/80015, October 1987.

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safety. The wall has been stabilized several times since original construction, including work conducted by the National Park Service circa 1982–1985. Intact mid-nineteenth century sections have been identified using mortar analysis.<sup>14</sup>

Although the wall has been stabilized and aboveground sections lost, the north retaining wall retains sufficient integrity to convey its historic associations. The north retaining wall contributes to the significance of the William Howard Taft Home property.

**Retaining wall south of Taft Home.**

A mortared limestone rubble retaining wall parallels the southern façade of the Taft Home addition, allowing for access to the basement level of the original house. The wall, which is 2 feet, 4 inches wide, extends for 40 feet, the length of the eastern addition. It was built by Alphonso Taft as part of the 1851 addition.

The wall steps down in four sections. The easternmost section is 3 feet, 1 inch in height. In the second section, the wall steps up to 6 feet, 3 inches in height. Each of the final two sections increases in height by approximately 1 foot. At its tallest, the wall reaches a height of 8 feet, 6 inches. The National Park Service has installed a metal railing into the top of the wall for visitor safety. This railing is approximately 2 feet, 9 inches in height, and steps down with the wall. Despite the addition of the handrail, the wall retains sufficient integrity to convey its historic associations, and contributes to the significance of the William Howard Taft Home property.

**Taft Home cisterns (2) (LCS ID 070157; HS-07).**

There are two historic cisterns on the property that were present during Taft family ownership—the main cistern and the filtering cistern. The main cistern, which is thought to pre-date Alphonso Taft's purchase of the home with a construction date of circa 1840–1850, is 12 feet, 2 inches deep by 15 feet, 2 inches in diameter. It is constructed of plaster, lined and parged with cement. Today, this cistern is covered with a tarp and sand, and not visible to visitors.

The filtering cistern is of similar construction. It was added by Alphonso Taft in 1851 to increase the water storage capacity for the household. It measures 13 feet deep by 12 feet, 9 inches in diameter, and has a 6 foot, 6 inch charcoal and sand deposit in the bottom. The cistern is capped with a brick and mortar dome with a 2-inch-diameter lead ring inlet.<sup>15</sup> Today, the filtering cistern is partially visible beneath a Plexiglas cover in the basement floor of the 1851 addition and presented as an exhibit for visitors.

The two cisterns were stabilized by the National Park Service in 1982–1985. Although integrity is diminished by the addition of the Plexiglas cover, tarp, and sand, the cisterns retain sufficient integrity to convey their historic associations, and contribute to the significance of the William Howard Taft Home property.

**Noncontributing Building****Carriage shed.**

The Taft Home property includes a contemporary building, referred to as the carriage shed, that is sited at the end of the gravel carriageway entering the site from Auburn Avenue. The carriage shed was constructed by the National Park Service in 1997 to accommodate park storage needs. It was designed to recall a carriage house present on the property during the Taft period of ownership.

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<sup>14</sup> National Park Service, List of Classified Structures, August 26, 2013.

<sup>15</sup> Ibid.

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The one-story structure measures 22 feet, 3 inches by 17 feet, 4 inches in plan. It features paired doors in the west (principal) elevation, edged by wall-mounted lights. A single door offset of center is in the south elevation. There are no other openings associated with the building. The exterior of the building is clad with HardiePlank clapboards painted grey to match a privacy fence located near the southeastern corner of parcel. The gable roof is clad with asphalt shingles. A vent is set into the peak of the roof on the southern gable end. The building is set on a concrete slab, and has a concrete landing at the door in the west elevation and a concrete stoop at the south entry. Based on its construction date, the carriage shed post-dates the period of significance and does not contribute to the significance of the property.

***Noncontributing features to the overall contributing site*****Contemporary fencing.**

Contemporary fencing edges portions of the north and east boundaries of the Taft Home property. Wooden fencing extends from the gate at the edge of the north stone wall to the eastern end of the 0.51-acre Taft Home property. The fence steps down the hill in segments with the grade. It is sited above the north retaining wall. The fence is composed of 4-by-4 posts set approximately 8 feet on center that support 1-by-4 inch boards at the top and bottom. Two-by-two pickets are set between the wood boards. A 1-by-4 board placed along the top finishes the fence. The posts have been cut to taper slightly at the top. The wood is unfinished and currently has a warm pine color but is weathering to gray. The fence was installed in 1999. Chain link fencing edges the east property boundary. The aluminum fencing, coated in black vinyl, stands approximately 5 feet in height. The fence was likely installed in 1997. The fencing post-dates the period of significance and thus does not contribute to the significance of the Taft Home property.

**Hitching post and horse hobble.**

An unpainted wooden 6-by-6 post with a tapered top is set into the ground near a large elm tree in the southeastern corner of the property. It is located in association with a small, round concrete object. These features are referred to as a hitching post and horse hobble in a 1991 photograph included in the 1993 cultural landscape report.<sup>16</sup> The hitching post and horse hobble post-date the period of significance. These features thus do not contribute to the significance of the Taft Home property.

**NPS boundary markers.**

Concrete cylinders inset with etched bronze markers are located in two places on the Taft Home parcel: near the southwestern corner of the property along Auburn Avenue and behind the carriage shed. These concrete cylinders, which denote National Park Service ownership, are 4 inches in diameter and extend approximately 4 inches above ground. The markers read "U.S. Dept. of the Interior; National Park Service; Unlawful to disturb. 10.0 S, 5.0 W." Although the date of origin of the markers is not currently known, they are thought to have been installed circa 1984. The boundary markers post-date the period of significance. These features thus do not contribute to the significance of the Taft Home property.

**Chronology of Development**

The house where William Howard Taft would be born was built circa 1840. His father, Alphonso Taft (1810–1891), purchased the house from Mary Bowen and the estate of G. Bowen, in 1851.<sup>17</sup> The Tafts immediately set out to enlarge the home to accommodate their family, adding a large forty-by twenty-two-foot wing behind the house to the east.<sup>18</sup> Both the original house and the addition contained two stories and a full basement. The Tafts made many other improvements to the house during their first year of occupancy, including faux painting

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<sup>16</sup> Scruggs and Hammond, 65.

<sup>17</sup> Bearss, 5.

<sup>18</sup> Ibid., 5–6.

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the woodwork trim, adding cabinets, carpeting, heating stoves, interior plumbing, and boilers for hot water, as well as a widow's walk. They also painted the house and the interior woodwork and added the cornice and shutters. Landscape improvements instituted by Alphonso and Fanny Taft included construction of a stone retaining wall, cistern, and privy, and the addition of brick walkways that extended between the road and the dwelling and connected the building entrances.

After the death of his first wife in 1852, Alphonso married Louise Torrey, a woman he met while visiting family in New England. Following their marriage in December 1853, the Tafts moved to the home on Auburn Street with Alphonso Taft's first two children. The Tafts would eventually add four children of their own to their family—William Howard in 1857, Henry Waters in 1859, Horace Dutton in 1861, and Fanny Louise in 1865.<sup>19</sup> In addition to the six children, they shared the house with Alphonso Taft's parents.

Alphonso and Louise Taft continued to improve the property, adding formal features in front of the house such as ornamental plantings, an ornamental urn, and a carriageway that led behind the house to a carriage house or stable northeast of the house. Behind the house, the steeply sloping land was terraced to accommodate service and agricultural uses. Further east, kitchen and vegetable gardens, an orchard, a honey bee yard, and a grape arbor were established to support household needs. The property is also thought to have included a barn or other outbuilding structures as well.<sup>20</sup> In 1863, following the widening of Auburn Street, the Tafts built a limestone, sandstone, and wrought iron fence along the west edge of the property.<sup>21</sup> The following year they added gas lighting. By 1869, the house was connected to the city water system.

During the 1860s, Alphonso Taft became increasingly involved in politics. In 1876, the Tafts left Cincinnati for Washington, D.C., when Alphonso was appointed U.S. Secretary of War, and later Attorney General, under President Ulysses S. Grant.<sup>22</sup>

While they were away, the house at 60 Auburn Avenue was rented. In 1877, it was severely damaged in a fire. The Tafts returned to repair the house.<sup>23</sup> As part of the work, Alphonso elected to increase the height of the upper story to 11 feet. He also oversaw the plastering of damaged walls, the addition of a new veranda, a new iron cornice around the building, new sills, and new flooring in the dining room. Taft chose to increase the size of the window in the parlor, which involved installation of a new sash and shutters. New wallpaper and decorative painting and other finishes were added to the interior of the addition. In 1878, Mrs. Taft added the Fry fireplace mantel in the parlor and the Rogers fireplace mantel in the library.<sup>24</sup> William Howard Taft returned to Cincinnati in 1878 to live in the remodeled house while attending Cincinnati Law School.

Alphonso was appointed in 1882 to the position of U.S. Minister to Austria-Hungary, followed by an appointment to Russia in 1884. While the Tafts were abroad, they leased the house to tenants. In 1885, Alphonso and Louise returned to the house and Cincinnati, and were in residence there when William Howard Taft married Nellie Herron in 1886.

In 1889, Alphonso Taft decided to retire and move to San Diego, California. Alphonso Taft died in California in 1891. His body was returned to Cincinnati, and Alphonso Taft was buried in Spring Grove Cemetery.

After Alphonso's death, Louise Taft decided to return to live with family in Connecticut and lease the house. The first tenants, the Hunneville family, rented the property until 1899. The subsequent tenants, Judge and Mrs.

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<sup>19</sup> *Ibid.*, 13–15, 33, 39.

<sup>20</sup> Scruggs and Hammond, 13, 18–19, 22; Bearss, 5.

<sup>21</sup> Scruggs and Hammond, 10.

<sup>22</sup> *Ibid.*

<sup>23</sup> Scruggs and Hammond, 4-5.

<sup>24</sup> Bearss, 91.

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Albert C. Thompson, rented the property for a short time before purchasing the house from Louise Taft in 1899. The Thompsons owned the house until 1912. During their tenure, the Thompsons removed the veranda and replaced it with a single-story front porch that extended the full width of the house. They also razed the two-story wooden piazza and replaced it with a single-story conservatory, and demolished the two-story stable and two other outbuildings.<sup>25</sup>

After Judge Thompson's death in 1910, Mrs. Thompson offered it to the city for use as a playground. Unable to receive a commitment from the municipality, Mrs. Thompson sold the house to Colonel and Mrs. Ernest H. Ruffner in 1912. During their ownership, the Ruffners added interior bathrooms, an extension to the north elevation of the dwelling, a second story sleeping porch above the conservatory, a third cistern, and a grape arbor.<sup>26</sup> Upon Colonel Ruffner's death in 1937, the house passed to Ruffner's daughter, Mrs. Violet R. DuBus. She was the first to begin discussions with local groups, including the newly-formed William Howard Taft Memorial Association, about protecting the house in order to memorialize and recognize William Howard Taft's birthplace and family home.

The William Howard Taft Memorial Association (the Association) was formed in 1934, and incorporated in July of 1937, with a stated purpose to "plan, promote, erect, and collect funds for a national memorial in honor of William Howard Taft." The organization's first priority was to acquire the Taft Home. Plans for acquisition unfortunately coincided with the efforts of William Howard's eldest son, Robert A. Taft, to secure the 1940 Republican nomination for president. Concerned that a campaign to secure funds for the acquisition and memorialization of the house would conflict with Taft's efforts to raise funds for the campaign, the Association did not immediately pursue acquiring the house.

Although Mrs. DuBus desired to sell the property, she gave the Association until April of 1940 to decide whether they would purchase it. Unable to raise enough money to pay the \$12,500 asking price for the property, they declined to make an offer and the property was instead sold to Elbert E. Bellinger, who owned the neighboring Leopold Burkhardt house.<sup>27</sup> Bellinger immediately told the Association that he would be happy to discuss selling the house to them whenever they were ready. At the same time, Bellinger proceeded to make several changes to the property. At the time of its acquisition, Bellinger described the house as in poor condition, indicating that termites had infested the kitchen and basement, and there were cracks in the brick walls on both sides of the 1851 addition. Bellinger's initial efforts focused on stabilizing the house. These were followed by its conversion into several apartments, including three units on each of the upper floors and one on the ground floor. The work entailed subdividing rooms, adding doors, removing and replacing flooring, removing and storing fireplace mantels, and adding kitchens and bathrooms.

Mt. Auburn's racial composition began to change around this time, including a large influx of African American residents. In poor health, Bellinger considered an offer from an African American undertaker to establish a funeral parlor in the house, before deciding to retain the property on the advice of his attorney. In 1950, Hamilton County announced plans to construct a new youth detention facility in the Mt. Auburn neighborhood. To reduce some of his maintenance and management responsibilities, Bellinger decided to sell the Burkhardt House to Hamilton County as a site for the planned facility and move into the first floor apartment of the Taft Home. Before the County demolished the Burkhardt House to make way for the facility, Bellinger salvaged fixtures and gate posts. Bellinger also constructed a wooden fence across the rear of the lot in 1951 after selling the eastern portion of the original Taft Home parcel to Hamilton County.<sup>28</sup>

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<sup>25</sup> Scruggs and Hammond, 23, Bearss, 141.

<sup>26</sup> Bearss, 147.

<sup>27</sup> Lee, Chapter 2.

<sup>28</sup> Bearss, 153; Lee, Chapter 6.

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While the Bellingers lived in the Taft Home, its condition continued to deteriorate. Committed to their vision of establishing a house museum and memorial to honor William Howard Taft in the home, the Association continued to raise funds, targeting the 100<sup>th</sup> anniversary of Taft's birth in 1957 as a goal for its purchase.<sup>29</sup> Senator Robert A. Taft died in 1953, a year after losing his third bid for the Republican nomination in 1952, this time to Dwight D. Eisenhower. By the late 1950s the Taft family had become more amenable to participating in the acquisition of the house. Robert's younger brother, Charles Phelps Taft (1897–1983), who was also a politician, active at the local level, began to take an interest in the history of the house during this time and joined the Association. It was also at this time that the Bellingers began actively trying to sell the house. Their asking price was \$75,000, even though the property was only valued at \$35,000.

Charles Taft first approached Hamilton County about their interest in purchasing the property in support of the adjacent youth detention facility. He suggested that they consider establishing a memorial to President Taft on the ground floor, while using the second floor for offices. He believed the museum would serve as an inspiration to the residents of the detention center, and that the two buildings could be connected by an enclosed corridor. Taft even offered to have the family pay for any remodeling that would be necessary to accommodate these uses within the home. The County never pursued the idea, despite Charles' efforts.<sup>30</sup>

When it became clear that the County did not plan to acquire the property, Charles Taft brokered a deal with Bellinger in 1961 that allowed him to remain in the house until his death, while the Association assumed responsibility for management and maintenance of the house. The complex arrangement resulted in a 100-year lease for the Association, and their securing first right of refusal to purchase the house from Bellinger's heirs for \$35,000 upon his death.

During the early 1960s, recognition of the historic importance of the Taft Home grew, resulting in the property's designation as a National Historic Landmark in 1964. Also during the early 1960s, the Association began planning for the restoration of the house, engaging architects Frederick Kock and Paul Kiel and landscape architect Henry E. Kinney to guide the effort.<sup>31</sup> Their goal was to return the building to its condition prior to the 1877 fire, and open a house museum that would interpret and honor all members of the Taft family.<sup>32</sup> In order to restore the property to its pre-1877 appearance, they planned to use a circa 1868 photograph as a guide. Projects would include lowering the roof to its original height, reinstating a widow's walk, removing the south façade bay window, restoring the configuration of the upstairs windows in the southwest rooms that had been shortened when the roof was raised following the fire, removing the front porch and replacing it with a stoop and door hood, and removing the partitions added during the 1940s apartment conversion.<sup>33</sup>

Soon after its designation as a National Historic Landmark, the federal government began to explore the possibility of including the presidential birthplace as a unit of the National Park System where they might honor the contributions of William Howard Taft and interpret the environment in which his character was shaped during his formative years.<sup>34</sup> In 1966, Charles Taft, inspired by designation of the Herbert Hoover birthplace cottage as a unit of the National Park System, became a supporter of this idea.

In 1967, Elbert Bellinger died. Charles Taft quickly borrowed \$35,000 to purchase the property, loaned it to the Association, and helped execute the purchase agreement, in conformance with the stipulations in the lease

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<sup>29</sup> Lee, Chapter 1.

<sup>30</sup> Ibid.

<sup>31</sup> Bearss, 160.

<sup>32</sup> Ibid., 157.

<sup>33</sup> Ibid., 160.

<sup>34</sup> Lee, Chapter 3.



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agreement. Following their acquisition of the property, the Association donated it to the federal government in 1969.

On December 2, 1969, President Richard M. Nixon signed Public Law 91-132 establishing the William Howard Taft National Historic Site.<sup>35</sup> The property encompassed a 0.51-acre portion of the original Taft lot. In 1972, an adjacent 0.28-acre parcel, referred to as the Cross property, was acquired by the William Howard Taft Memorial Association, and an extant apartment building demolished before the property was donated to the National Park Service for inclusion in the national historic site. For many years, the lot was used for visitor parking.

Following acquisition of the property in 1969, the National Park Service immediately began devising a plan to improve the condition of the house, while furthering the goal of restoration. A master plan prepared in 1970 suggested the National Park Service “restore the exterior of the William Howard Taft house, limiting interior restoration to that needed to support effective interpretation and suggest the nineteenth-century décor.”<sup>36</sup>

National Park Service historians, archeologists, and architects visited the property in 1971 to initiate work on various studies.<sup>37</sup> Documentation of the property through a historic structures report suggests that previous restoration efforts had removed material installed between the 1940s and the 1960s, leaving unfinished areas within the house. Surviving Taft-era building fabric was also identified.

In 1974, stabilization work was completed by Fred L. Schille Co. of Cincinnati based on an interim plan prepared by Cincinnati architect William J. Miller. This work involved encasing the foundation walls of the original block in concrete, tuckpointing and painting the brick of the original block, and erecting a plywood protective structure around the rear wing.<sup>38</sup>

On November 10, 1978, congressional legislation provided for an adjustment of the William Howard Taft National Historic Site boundary to include a 0.79-acre lot at the corner of Southern Avenue and Young Street. The parcel was to be used for bus parking. The parcel was acquired in 1973 by Hamilton County and transferred to the National Park Service in 1985 before being developed for parking. Three additional parcels were included in the boundary adjustment—a buffer strip south of the Taft Home, an access road, and an existing parking area.<sup>39</sup> The buffer strip, for which Hamilton County had granted a perpetual easement for screening purposes in December 1969, was transferred to the federal government in 1979.<sup>40</sup>

In 1981, the National Park Service prepared a second master plan that outlined the additional work considered essential to the restoration of the property.<sup>41</sup> The 1981 master plan was followed by additional studies intended to guide the restoration work. In 1987, the carriageway and adjacent stone wall were restored. In 1988, the National Park Service prepared a historic structure report to document the history of walks on the property, particularly during Taft family ownership.<sup>42</sup> The present-day brick walks were restored in the 1990s based on the documentation provided in the report.

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<sup>35</sup> Bearss, 163.

<sup>36</sup> Lee, Chapter 5; see also National Park Service, *Master Plan for the William Howard Taft National Historic Site* 1970.

<sup>37</sup> Lee, Chapter 3.

<sup>38</sup> *Ibid.*, Chapter 7.

<sup>39</sup> *Ibid.*, Chapter 4.

<sup>40</sup> *Ibid.*, Chapter 4; National Park Service, Denver Service Center, “Boundary Adjustments/Land Acquisition William Howard Taft National Historic Site, Ohio,” Drawing number 448/20012A, January 1977.

<sup>41</sup> See National Park Service, *Master Plan for the William Howard Taft National Historic Site*, 1981.

<sup>42</sup> Mark A. Chavez, “Brick Walks, Historic Structure Report, William Howard Taft National Historic Site” (Omaha, Nebraska: National Park Service, July 1988).

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In 1993, the National Park Service prepared a cultural landscape report to guide restoration of the landscape.<sup>43</sup> Plantings were added to beds in front of the house based on the report, and a building was constructed at the end of the restored carriageway that recalled the historic Taft carriage house.

In 1995, Hamilton County replaced the circa 1950 youth detention facility with a larger facility. The new building was set back some distance from the road, with a portion of the building and associated parking facilities extending into the historic Taft Home property.

In 1999, the National Park Service built the Taft Education Center on the parcel north of the Taft Home, and established walks, a small parking area, and other features to accommodate visitors. In 2001, Congress passed H.R. 1000, which authorized additional adjustments to the boundary of William Howard Taft National Historic Site, including the exchange of the lot at the corner of Southern Avenue and Young Street with a 1-acre parcel of land closer to the Taft Home that involved the SABIS International School of Cincinnati, owner of one of the parcels. The boundary adjustment also included acquisition of the ¾-acre parcel at the corner of Auburn and Southern avenues that contained a twentieth-century apartment building.

Construction of a new larger visitor parking area was completed in 2008 on the parcel acquired by the National Park Service through exchange. The parking area was connected to the Taft Home property by a concrete walk.

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<sup>43</sup> See Scruggs and Hammond, Inc., *Cultural Landscape Report: William Howard Taft National Historic Site, Cincinnati, Ohio* (Omaha, Nebraska: National Park Service, 1993).



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**State Significance of Property, and Justify Criteria, Criteria Considerations, and Areas and Periods of Significance Noted Above.****Summary Statement of Significance**

The William Howard Taft Home, located in Cincinnati, Ohio, features the house where William Howard Taft, 27th president of the United States (1909–1913) and 10th chief justice of the United States Supreme Court (1921–1930), was born and spent his formative years. While living in the house, Taft gained an understanding of, and appreciation for, the law, diplomacy, and public service from his father, Alphonso Taft, who served as Secretary of War and Attorney General under President Ulysses S. Grant. William Howard Taft's character and ambitions were shaped to a large degree by the lessons and leadership afforded by his parents, as well as other family and community members.

The William Howard Taft Home is significant under Criterion 2 (associated with the lives of persons nationally significant in the history of the United States) and National Historic Landmark theme IV (Shaping the Political Landscape in the areas of Politics/Government and Law) for its association with President Taft. The Taft Home is the only property with integrity to survive that is directly associated with this nationally significant figure in American history. As such, it represents a significant resource for understanding the contributions of William Howard Taft and other members of his family, who were influential both locally and nationally in politics, law, and the justice system. The period of significance for the property extends from 1857, the year of Taft's birth, until 1891, when his father, Alphonso Taft, died and his mother moved elsewhere. Taft also left Cincinnati at this time for Washington, D.C. to become Solicitor General of the United States.

The William Howard Taft Home was designated a National Historic Landmark on January 29, 1964, for its association with President William Howard Taft. The property was identified as significant under the theme of Political and Military Affairs (XXII), for the period 1865–1912. The property was administratively listed in the National Register of Historic Places in October 1966. In 1976, National Register documentation for the William Howard Taft National Historic Site, established in 1969, was prepared. The property is also a contributing feature of the Mt. Auburn Historic District National Register listing.

**National Historic Landmark Nomination Update**

This National Historic Landmark nomination update has been prepared to address changes that have been made to the property since 1963, including acquisition by the federal government and inclusion within William Howard Taft National Historic Site, which is also listed in the National Register of Historic Places, and restoration of the house as well as historic landscape features. This nomination also references recent scholarship regarding the contribution of William Howard Taft to American law and politics, while serving as president of the United States and chief justice of the Supreme Court, as well as Governor-General of the Philippines and United States Secretary of War, among other nominated and elected posts.

This nomination also indicates a name change for the property. When the property was first designated a National Historic Landmark, Taft's son Charles Taft requested that the certificate and plaque also honor his grandfather and suggested that it read "Alphonso Taft Home, birthplace of William Howard Taft." Because the property is significant at the national level principally for its association with William Howard Taft, the name change in this nomination identifies the property as the William Howard Taft Home.

**Significance Evaluation**

The William Howard Taft Home served as the location where William Howard Taft received his formative education and introduction to politics, law, and public service, which also provided the basis for the personal

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qualities that enabled him to become head of two of the three branches of the United States government, a feat that has never been duplicated. During William Howard Taft's formative years, the Taft family was an integral part of the social, intellectual, and political elite of Cincinnati, as well as the state of Ohio. The Tafts hosted many important visitors and participated in national movements, such as abolitionism, temperance, and women's suffrage. At home, as elsewhere, the Tafts mingled with politicians, businessmen, and military leaders who later influenced the course of American history. The home was also the setting for lessons for the Taft children in which their character and ambition were shaped. It represents the environment that was instrumental in molding Taft's character and philosophy, qualities that directly shaped his professional life and achievements throughout his years in public service. The house "provides the visual setting and intangible climate of family in which the President was brought up."<sup>44</sup> His formative years spent in the home in Cincinnati with his family instilled a great sense of integrity and a driving work ethic, as well as deep seated dedication and commitment to public service, which influenced both his term as president of the United States and his role as chief justice of the United States Supreme Court.

This house is the only remaining property associated with William Howard Taft. He spent the majority of his first 25 years calling this residence his home. He lived in the house full time until he departed for college at Yale in 1874, but returned to Cincinnati to study law in 1878 and lived at the house with his family. Alphonso rented the house for three years during a tenure as Minister to Austria-Hungary between 1882 and 1885, but William stayed in Cincinnati and monitored the property. Upon his father's death in 1891 the house was leased before being sold, while Taft moved to Washington, D.C. to assume the position of Solicitor General of the United States. While in college at Yale he lived in several rooming houses and dormitories none of which survive. Taft and his wife Helen later occupied three residences in Cincinnati between 1892 and 1900. These properties were at 1763 E. McMillan Street, 3<sup>rd</sup> and Lawrence Streets, and E. Annwood Place. None of these properties survive today. Taft also stayed briefly at his half-brother Charles Taft's home at 316 Pike Street in Cincinnati. It was here where he accepted the Republican nomination for President in 1908. The Charles Taft House is currently a National Historic Landmark (designated in 1976 as the Baum-Taft House) and is listed for its architectural significance as an outstanding example of Greek Revival architecture. During Taft's tenure as Solicitor General, the Tafts resided in a house in Washington, D.C., at 5 DuPont Circle NW. Additionally, they resided between 1904 and 1908 at 1603 K Street NW when he returned from his service in the Philippines to become Secretary of War. Both of these properties have been demolished. Taft bought a property at 2215 Wyoming Avenue NW to serve as his residence during his Supreme Court years. This property, though extant, is now the Embassy of Syria, and has been significantly altered to accommodate this function. His vacation retreats in Georgia and Massachusetts have either been demolished, moved, or converted to apartments. Of his four retirement homes in Connecticut, two have been demolished. The other two are thought to have been substantially altered.<sup>45</sup>

William was an exemplary student and followed the family tradition of attending Yale College. When he graduated in June 1878, as the second ranked student in his class, he was chosen class orator by his peers. Taft went on to attend Cincinnati Law School. After passing the bar, Taft found work as a lawyer. In 1886, he married Helen Herron.

William Howard Taft was heavily influenced by his father in the study of law, and also eventually became involved in the national political arena. Alphonso Taft was himself a prominent lawyer who was appointed Secretary of War by President Ulysses S. Grant, and minister to Austria-Hungary and later Imperial Russia by President Chester A. Arthur. Like his father, William Howard Taft received several presidential appointments, including judge of the Sixth Judicial Circuit Court (1892–1900); administrator and Governor-General of the

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<sup>44</sup> Lee, Chapter 9.

<sup>45</sup> National Park Service, *Presidential Sites: An Inventory of Historic Buildings, Sites and Memorials Associated with the Former Presidents of the United States*, Washington, D.C. Generated in response to Public Law 96-199 (1980), 198).

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Philippine Islands (1900–1904); and United States Secretary of War (1904–1908). Even though Taft preferred the law and aspired to sit on the Supreme Court, the Republican Party chose him to follow Theodore Roosevelt as their presidential candidate in 1908. Elected 27th president of the United States, his presidency (1909–1913) followed the Progressive era led by President Theodore Roosevelt (1901–1909). Taft was considerably more conservative than Roosevelt and struggled to bridge the progressive and conservative factions within his party during his presidency. Despite his conservative leanings, Taft's presidency was marked by the initiation of eighty antitrust lawsuits, more than occurred during Roosevelt's presidency, and the direct election of Senators.

Although nominated by the Republican Party to run again for president in 1912, Taft lost the election to Woodrow Wilson. By this time, the Republican Party had become severely polarized. Following the Republican convention, the liberal wing split off to form the Progressive Party. The split contributed to Wilson's victory by dividing allegiances and party votes.

After leaving the White House, Taft served as Professor of Law at Yale University from 1913 to 1921. In 1921 President Warren G. Harding appointed Taft as chief justice of the United States Supreme Court, a position Taft held until February 3, 1930, when he retired due to health considerations. William Howard Taft died in Washington, D.C. on March 8, 1930.

Taft is significant in American history as the 27th president of the United States and as 10th chief justice of the Supreme Court. Taft is the only American to lead two branches of United States government.

**Law**

The William Howard Taft Home is significant in the area of Law for its association with William Howard Taft, an accomplished lawyer and constitutional law educator who served in numerous important positions throughout his career, including chief justice of the United States Supreme Court. Taft was inspired by and received early training in the law while living in the home on Auburn Avenue from his father, Alphonso Taft, himself an accomplished lawyer.

William Howard Taft enjoyed a long and distinguished career in law and public policy. After graduating from Yale in 1878, William Howard Taft received his Juris Doctor degree from Cincinnati Law School in 1880, and was admitted to the Ohio State Bar Association later that year. In October 1880, Taft was appointed assistant prosecutor of Hamilton County.<sup>46</sup> In 1887, Taft was appointed to serve as judge on the Superior Court of Cincinnati. In 1890, Taft was appointed Solicitor General of the United States, the third highest position in the Department of Justice, before being named as a judge on the United States Court of Appeals for the Sixth Circuit in 1891. In 1892, Taft accepted an appointment as a judge of the Sixth U.S. Circuit Court of Appeals with jurisdiction over Ohio, Michigan, Kentucky, and Tennessee. While on the court, Taft also served, from 1896 to 1900, as a professor of law and dean of the Cincinnati Law School.

Taft's law career was interrupted by the first of several political appointments in 1900, when President William McKinley named Taft Governor-General of the Philippines. Taft continued receiving political appointments until he was elected president in 1908. Following his loss to Woodrow Wilson in 1912, Taft returned to his true passion: the law as professor of constitutional law at Yale University. Taft is the only former president to teach law full time following completion of his term.<sup>47</sup> Taft continued to teach at Yale University Law School until he was appointed Chief Justice of the United States Supreme Court by President Warren G. Harding in 1921. Taft continued in the position for nine years until health considerations led him to resign from the court. During his

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<sup>46</sup> Bearss, 117.

<sup>47</sup> Michael J. Gerhardt, *The Forgotten Presidents: Their Untold Constitutional Legacy* (New York, New York: Oxford University Press, 2013), 171.

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tenure, Taft led the court in interpreting the Constitution in decisions on cases that would have profound effect on laws and legislation at both the state and federal level.

### Politics/Government

The William Howard Taft Home is also significant in the area of Politics/Government for its association with William Howard Taft, who served as 27th president of the United States (1909–1913), Secretary of War under President Theodore Roosevelt (1904–1908), and the first civil governor of the Philippine Islands (1901–1904). Taft was one of only six individuals whose first popularly-elected office was the presidency. Taft also had one of the broadest professional backgrounds in public service when elected, following his work as judge, Secretary of War, and civil governor of the Philippine Islands. Taft's presidency is one of the few that ratified more than one constitutional amendment and appointed six judges to the United States Supreme Court. His strong opinions on the importance of clearly separating the branches of government, and limiting the power of the presidency, are key components of his legacy in United States history.

As president, Taft emphasized antitrust, tariff, and worker rights legislation, but was also a strong proponent of private property rights. He believed that the power vested in the president was limited to that articulated in the Constitution or granted through an act of Congress. As a result, he allowed Congress a much more powerful and influential role in developing legislation than many other presidents. Nonetheless, Taft is known for influencing several important bills and Congressional actions during his presidency, including the initiation of eighty antitrust lawsuits, Constitutional amendments for Federal income tax and direct election of Senators, and the setting of railroad rates by the Interstate Commerce Commission. Taft's inclination to avoid influencing legislative outcomes, did, however lead to the Payne-Aldrich Tariff Act controversy, and likely cost him the 1912 election. As president, Taft was slow to recognize the value of public opinion. He regularly refused to use the press as a way to enhance his popularity or sway public opinion on topical issues of the day. In fact, he even refused to campaign for re-election in 1912, which may have helped contribute to his landslide loss.

Despite his disappointments while in office, Taft continued to apply his education and aptitude for government after leaving the White House. Following his presidency, Taft published several important books on government during and immediately following his tenure as professor of law at Yale.<sup>48</sup> These publications were often based on speeches presented to groups and organizations, which were then published as collections.

As chief justice of the United States Supreme Court, Taft is known for several notable political achievements. Taft's combination of legal knowledge, judicial temperament, and political-administrative skill were instrumental in his success in leading the court. Although not as effective in this arena while president, Taft proved himself to be one of the most politically astute chief justices in history. He was able to effect substantial change in the administrative operations of the courts due in part to his political prowess and connections. His work on the Judiciary Act of 1925 marked the beginning of the modern Supreme Court era, allowing the court to play a more prominent role in the United States government system, and defined court authority and practices that remain in effect today.<sup>49</sup>

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<sup>48</sup> Publications penned by Taft include *Ethics in Service* (based on addresses delivered in the Page Lecture Series in 1914. New Haven, Connecticut: Yale University Press, 1915); *The President and His Powers* (based on a collection of 1915 speeches to Columbia University. New York, New York: Columbia University Press, 1916); *Popular Government; Its Essence, Its Permanence and Its Perils* (New Haven, Connecticut: Yale University Press, 1913); and *Liberty Under Law: An Interpretation of the Principles of Our Constitutional Government* (New Haven, Connecticut: Yale University Press, 1922). These essays and speeches are also available in an eight volume series *The Collected Works of William Howard Taft*, with various editors, published between 2001 and 2004. (Athens, Ohio: Ohio University Press.)

<sup>49</sup> Peter G. Renstrom, *The Taft Court: Justices, Rulings, and Legacy* (Santa Barbara, California: ABC-CLIO, 2003), 184.

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## Area History

The William Howard Taft Home is located in the Cincinnati, Ohio, neighborhood of Mt. Auburn. The area was first settled by James Key in 1819, the same year that Cincinnati became a city, and was first known as Key's Hill. Located along the Ohio River, Cincinnati was a bustling metropolis during the first half of the nineteenth century that could be hot, crowded, humid, and dirty. The bucolic and elevated terrain of Key's Hill began to attract others to build homes in the area during the 1820s and 1830s. When the land was formally platted in 1837, the name was changed to Mt. Auburn, in honor of the rural cemetery outside of Boston, Massachusetts. Auburn Avenue, likely established circa 1808, was the main thoroughfare through the neighborhood. Many of the wealthy businessmen and community leaders who were attracted to the Mt. Auburn neighborhood built large estates along the ridge of the hilltop along Auburn Avenue, often with towers to take advantage of the view. The most prevalent architectural style within the neighborhood was Italianate.<sup>50</sup> The city of Cincinnati annexed part of the Mt. Auburn neighborhood in 1849, a process that was completed in 1870.<sup>51</sup>

## Taft Family History

Alphonso Taft, the patriarch of the Ohio Tafts, was born on November 5, 1810, in the Vermont uplands. His father Peter Rawson Taft was also a lawyer and served as a judge of probate and county courts in the New England area. His wife Sylvia Howard bore him one child, Alphonso. Alphonso Taft grew to value his parent's philosophy of living on a budget and getting an education. Alphonso left the Vermont farm to attend Yale in 1833, thus beginning a long family legacy at the University. He spent some time considering where he would permanently reside. He considered Pennsylvania and New York, but the competition and character of the bar in New York were not to his liking, while Pennsylvania did not appeal to his senses. He sought an established city with a substantial population, but desired to venture no farther west than the Mississippi River.

Visiting Cincinnati, Ohio, Taft became impressed with the size of the city, which had grown from 14,000 people in 1804 to more than 40,000 in the 1830s, as well as the potential to earn a salary as a lawyer of \$3,000 to \$5,000 per year. He secured a position with a local law firm, became involved in politics working on the election of the Harrison-Tyler ticket in 1840, and returned to Vermont to marry Fanny Phelps in 1841.<sup>52</sup> He returned to Cincinnati with his wife and his parents to live at 4<sup>th</sup> and Vine Streets. Alphonso and Fanny had five children; only two, Charles Phelps (1843) and Peter Rawson II (1845) survived past infancy.

His law firm thrived, and he and Fanny became involved in cultural, social, and development issues which included his passion for the transportation industry. Fanny soon became ill, however. Although Alphonso moved the family to the Mt. Auburn neighborhood in 1851 in an attempt to help her convalesce in the hills above the city, taking advantage of the cleaner air and more open suburban neighborhood, Fanny died the following year.<sup>53</sup>

With two children ages 7 and 10, Alphonso soon remarried, and in 1853 brought his new wife Louise Marie Torrey from Massachusetts to his Mount Auburn home. Despite an 18 year age difference (he was 43 and she was 25), their marriage lasted 38 years. In addition to raising young Charles Phelps Taft and Peter Rawson Taft II, Alphonso and Louise had five children together. Their eldest surviving child, William Howard Taft, was born September 15, 1857. Other children included Samuel Davenport (surviving only 18 months), Henry

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<sup>50</sup> Brooks, 4; Scruggs and Hammond, 10.

<sup>51</sup> Scruggs and Hammond, 10–11.

<sup>52</sup> Henry F. Pringle, *The Life and Times of William Howard Taft: A Biography*, 2 vols. (New York, New York: Farrar and Rinehart, Inc., 1939), I: 9-11.

<sup>53</sup> Scruggs and Hammond, 5-6.



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Waters (1859), Horace Dutton (1861), and a young daughter Fanny Louise (1865). All of their male children attended Yale, received degrees in law, and returned to Cincinnati to practice.<sup>54</sup>

During these years of establishing a law business and a family, Alphonso's professional life thrived and grew with positions increasingly challenging in responsibility and status. For his contributions to the Union cause during the Civil War, Taft was appointed to the Ohio State Supreme Court in 1865, a position he later retained when it became an elected post. (He initially refused the appointment because the pay was less than he would make in his law career. However, after evaluating his carefully invested savings, and weighing the importance of the position, he accepted the judgeship.)

While William Howard Taft was away at college, Alphonso ran for governor in 1875, but lost the Republican nomination to Rutherford B. Hayes. In 1877, under the Presidential administration of Rutherford B. Hayes, a fellow Ohio politician, he moved to Washington, D.C. to become United States Secretary of State, then United States Attorney General. In 1882, President Chester A. Arthur named Alphonso to the position of U.S. Minister to Austria-Hungary in 1882, followed by an appointment to Russia in 1884. After three years of service he and Louise returned to the Auburn Avenue home in 1885. They stayed in the house until Alphonso Taft decided to spend his retirement in the pleasant climes of California, and in 1889 they moved permanently to San Diego. He died in 1891 and his body was returned to Cincinnati to be laid out in the Auburn Avenue house.<sup>55</sup> Alphonso Taft was buried in Cincinnati's Spring Grove Cemetery.

### **William Howard Taft's Childhood and Education**

William Howard Taft was born on September 15, 1857 in Cincinnati, Ohio. He grew up in an atmosphere rich with family and an intense pressure to succeed at all he did. He attended Woodward High School and left home to attend Yale in 1874. He returned after graduation to attend law school at Cincinnati Law School and live at home with his parents. After leaving the home at Auburn Avenue he returned for family visits between 1874 and 1886 when he married Nellie Herron and moved to the Walnut Hill area of Cincinnati.

In a letter penned in 1854, Louise Taft described life in the neighborhood as  
Surrounded with fine residences, so shut out from the sight of the city that it seems like a village by itself. We can see the city and the river from the upper windows and from the top of the house. There are about fifty families living on the hill, many of them New England people, all acquainted with each other and very neighborly and social. There are none among them remarkably intellectual or highly cultivated though some of them are very wealthy and make quite a show. They are all friendly and pleasant neighbors.<sup>56</sup>

### **Early Judicial and Political Career, 1880–1900**

William Howard Taft was admitted to the Ohio bar in 1880. Soon thereafter, Taft was appointed Assistant Prosecutor of Hamilton County, Ohio, a post he could serve while living in Cincinnati. Taft was appointed the local Collector of Internal Revenue for the 1<sup>st</sup> District in Cincinnati in 1882 and five years later, he was appointed judge of the Superior Court of Cincinnati. President Benjamin Harrison appointed Taft Solicitor General of the United States in 1890. At the age of 32, Taft became the youngest person to hold this position. In 1891, Taft began to serve as a judge on the newly-created United States Court of Appeals for the Sixth Circuit

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<sup>54</sup> *Ibid.*, 8.

<sup>55</sup> *Ibid.*, 9-11.

<sup>56</sup> Louise Taft to Mrs. Susan Torrey, Jan. 14, 1854, Library of Congress, William Howard Taft Papers, Series 1.

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Court, and received the required Senate confirmation for the appointment in 1892. While in this position, Taft also accepted the position of dean and professor of constitutional law at the University of Cincinnati in 1896.

**Administrator and Governor-General of the Philippines, 1900–1904**

In 1900, President William McKinley appointed Taft to serve as chairman of the Second Philippine Commission designed to organize a civilian government in the Philippines, following its transfer to the United States from Spain as part of the 1898 Treaty of Paris that ended the Spanish-American War. Although he accepted the administrative position with the encouragement of his wife, Helen Taft, it was also with the understanding that McKinley might later nominate him to serve as a justice of the United States Supreme Court. Upon his appointment to the commission, Taft moved his family to the islands. In 1901, he was appointed Governor-General to oversee a transition to civil government in the country. Vice President Theodore Roosevelt strongly supported the appointment, noting:

A year ago a man of wide acquaintance both with American public life and American public men remarked that the first Governor of the Philippines ought to combine the qualities which would make a first-class president of the United States with the qualities which would make a first-class Chief Justice of the United States and that the only man he knew who possessed all these qualities was judge William H. Taft of Ohio.

As Governor-General, Taft faced the daunting task of establishing a stable government in the Philippines while slowly reducing the influence of the United States military occupation of the islands. Taft was relatively successful in achieving these goals, although he believed that the United States would need to maintain a presence in the country for many years to come due to challenges associated with establishing a stable government. Taft was afforded executive as well as legislative powers as part of his position and issued hundreds of laws, established a judicial system to replace earlier Spanish ordinances, helped to create a system that allowed for popular election of a president and vice president and other administrative offices, and oversaw the development of new transportation and communications infrastructure.<sup>57</sup>

While Taft was in the Philippines, President William McKinley was shot and killed in September 1901. After Theodore Roosevelt was sworn in as president, he began implementing progressive policies. Within the year, he offered Taft the first of two Supreme Court nominations. Taft would refuse both in order to finish his work in the Philippines.

**United States Secretary of War, 1904–1908**

President Roosevelt wrote to Taft in March of 1903 that, “The worst calamity that could happen to me...is impending because Root (Secretary of War Elihu Root who collaborated with Taft on many Philippine issues) tells me that he will have to leave me next fall. I wish to heaven that I did not feel as strongly as I do about two or three men in public life. But I do. I want to ask you whether if I can persuade Root to stay until a year hence, you cannot come back and take his place.”<sup>58</sup> Commenting on Taft’s qualifications for the position, Root assured that, “no man in the country had recently exhibited such unusual ability, both administrative and legislative.”

The decision to accept the position of U.S. Secretary of War was difficult for Taft in many ways. He was exceedingly popular in the Philippines and enjoyed his work there. He was also concerned about the low compensation of a cabinet member and the cost of living in Washington, D.C. Roosevelt assured him that he

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<sup>57</sup> Miller Center, *American President: William Howard Taft (1857–1930)*, available online at <https://millercenter.org/president/taft>.

<sup>58</sup> Pringle, I: 251-252.

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and his wife had been able to make ends meet with small sacrifices, and anticipated that Taft would not have a problem supporting his family and needs on the wages earned. To alleviate these concerns, his brother Charles offered to supplement his \$8,000 annual income with another \$6,000 per year. This, coupled with health issues faced by Taft while living in the Philippines, helped to sway his decision. Taft announced in December 1903 that he would accept the position of U.S. Secretary of War to replace Root. Root provided his accolades with a letter stating, "I consider you one of the most valuable assets of the United States."<sup>59</sup>

Taft and Root maintained a close and friendly relationship filled with mutual respect for each other's abilities. The friendship between Taft, Root and Roosevelt continued throughout Taft's presidency up until the election of 1912. They often referred in correspondence to each other as the Three Musketeers, in reference to the book by Alexander Dumas.

During Taft's three-year tenure (1904-1907) as U.S. Secretary of War, he was instrumental in negotiating the Treaty of Portsmouth in 1905 that ended the Russo-Japanese War. He also initiated the second occupation of Cuba when he established the Provisional Government of Cuba under the terms of the Cuban-American Treaty of Relations. In addition, one of Taft's main duties as U.S. Secretary of War was to supervise building the Panama Canal.

### **The Presidency, 1909–1913**

Taft has been referred to as one of the forgotten presidents by scholar Michael J. Gerhardt. Taft's rankings in presidential history regularly put him in the solid middle to lower-half of all presidents. It is possible that this assessment reflects the fact that his presidency was bracketed between two of the most well-respected and highly-ranked presidents: Theodore Roosevelt and Woodrow Wilson. However, Taft was one of the few presidents in American history to have ratified more than one constitutional amendment, and to have appointed six justices to the Supreme Court, the second most of any president in a single term. Under his administration the 16<sup>th</sup> amendment to the constitution, which allowed for a federal income tax, and the 17<sup>th</sup> amendment, which provided for the direct election of senators (previously they were elected by the state legislators) were both ratified. Taft brought to the presidency extensive experience in public service, including his legal career as an Article III judge, his administrative duties in the Philippines, and his work as Secretary of War under President Theodore Roosevelt.<sup>60</sup>

Taft also suffered personal tragedy while in office. Although Helen Taft was looking forward to her residency at the White House as First Lady, perhaps more than the President, she suffered a severe stroke a few weeks after her husband's inauguration that left her unable to speak. She spent the remainder of her husband's term in Beverly, Massachusetts, where they owned a summer home. William Howard Taft spent many hours by her bedside teaching her to speak again.<sup>61</sup>

Taft also never felt fully comfortable or confident in his role as president. While Theodore Roosevelt had built an administration that was known for attempting to curb the power of large corporations, known as "trust-busting," Taft was at heart more conservative. Taft himself stated in a letter to Roosevelt after his first year that

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<sup>59</sup> Ibid, I: 255.

<sup>60</sup> Gerhardt, 176. Taft was one of only five presidents elected from a cabinet position Taft is also one of the six presidents whose role as Chief Executive was his first popularly elected office. He was the first president of the lower contiguous 48 states when Arizona entered the union in 1912. Taft enjoyed some of the more whimsical firsts as president, as well. He was the first president to throw the first ball at opening game of baseball season, the first to own a car, and a legacy adopted by many of his predecessors, the first to play golf.

<sup>61</sup> James Chace, *1912: Wilson, Roosevelt, Taft & Debs-The Election that Changed the Country* (New York, New York: Simon & Schuster, 2004), 31.

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It is now a year and three months since I assumed office and I have had a hard time. I do not know that I have had harder luck than other presidents but I do know that thus far I have succeeded far less than have others. I have been conscientiously trying to carry out your policies, but my method for doing so has not worked smoothly...My year and two months have been heavier for me to bear because of Mrs. Taft's condition. A nervous collapse, with apparent symptoms of paralysis...made it necessary for me to be as careful as possible to prevent another attack. Mrs. Taft is not an easy patient and an attempt to control her only increased the nervous strain.<sup>62</sup>

The political climate when Taft took office was dynamic and exciting with a national administrative and legislative body full of controversial, but strong and generally appealing personalities. Hot issues of the day included conservation, labor law, and expansionism. The political environment established in the first decade of the twentieth century involved attaining goals and achievements through sheer force of personality and influence, rather than by staid executive processes. Reform and change saw great expansion under Theodore Roosevelt, but slowed significantly under Taft due primarily to his aversion of wielding his power outside his rigid interpretation of the executive office. Taft placed himself in a more conservative role as president, one that staunchly deferred to process, rather than the more dynamic and popular progressive role of his predecessor. Taft became president with virtually no experience in popularly elected public office. His extensive judicial experience and temperament left him with a major gap in his ability to navigate the sophisticated and controversial politics of the day. His positions on significant legislation began an ideological divide within the Republican Party. Taft had to deal with the seemingly constant presence of Roosevelt battling for political attention. The differences between Taft and Roosevelt, and the split of the Republican Party between conservatives and progressives, guaranteed Taft's demoralizing defeat to Woodrow Wilson in the 1912 presidential election.

His term between two seasoned politicians in Roosevelt and Wilson shone an even brighter light on Taft's lack of experience in public office. History reflects that his position between these two presidents, who are regularly listed among the top ten in American history, impacted the country's perception of Taft's quiet affable nature and strong constitutional point of view. The opinion of Taft as a President through history can be attributed to his heavy reliance on the limited powers of the presidency, his diminished recognition of the power of public support, and his refusal to attempt to sway public opinion through outreach, speeches, and public appearances. Where Roosevelt constantly sought and influenced the public through dynamic speeches and publicity in contemporary news journals to expand his power base, Taft did not value, seek, or participate in efforts to influence his public appeal. Wilson's eloquent and highly educated nature also served his public perception quite well. These administrations utilized the requirements of their role to sway public opinion by opining eloquently and dramatically during speeches and annual messages. This often swayed and influenced Congress on the executive's position and preferred outcome of various pending legislation, as well as bolstering public support. Taft, however, labored long hours on speeches that were crafted from a legal perspective using technical jargon and often were so long and tedious they had to be delivered in multiple installments. His lack of recognition for the value of the journalist to contribute in spreading his message resulted in a poor public opinion of the office.<sup>63</sup>

Taft's strong judicial background guided a unique and thorough process of weighing all sides of issues and identifying his position regardless of the public point of view. Taft established and refined strong selection criteria for appointing federal judges, and he held up the judiciary as the leader in protecting against, "invasions

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<sup>62</sup> Chace, 12.

<sup>63</sup> Gerhart, 175.

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of private property rights and an overbearing national government.”<sup>64</sup> Taft was a man of great intellect and integrity who led the country with deference to the constitutional limits of the presidency. Though his ranking as president general falls in the middle of all office holders, he managed to navigate many of the political, economic, and social issues of his time with integrity and some achievement. He brought a strong judicial point of view to the office and that singularly drove his decision-making process.<sup>65</sup>

Taft’s presidency occurred at a time when technological advancements made communication and transportation much easier. He fully adopted modern technology of the time and was considered the first “motoring president” for his use of the automobile.<sup>66</sup> He believed technology contributed to the efficiency of the office, and that trains, automobiles, telephones, and the telegraph “shrank space and time, allowing the president to squeeze more from his four years in office than any other president before him.”<sup>67</sup> He utilized the telephone and gave a speech by telephone in Boston to a dinner being held in New York. He communicated with Boy Scouts by wireless telegraph from hundreds of miles away. Being a sports fan, he received status updates on the 1912 World Series while traveling by boat along the eastern seaboard. Ironically, Theodore Roosevelt did not embrace motoring during his presidency, as he equated automobiles with privilege and the upper class. Taft built the first White House garage in 1909 and purchased the first automobiles for the presidency. He would end up traveling thousands of miles by automobile during his term and his love of auto touring gave attention to the good roads movements and driver safety issues.<sup>68</sup> It was one year after his presidency that the Lincoln Highway Association was formed to develop a cross-continental motoring route. The American Automobile Association (AAA) thrived during his regime, and held up the Tafts as the “National Autoists” in their American Motorist publication.<sup>69</sup> In addition, he endorsed the development of, and government participation in, purchasing the first airplanes developed by Orville and Wilbur Wright.

Taft was singular in the rich constitutional legacy he brought to the office. He viewed the office as subservient to Congress in policy making and only acted on powers he believed were clearly outlined in the Constitution or by an act of Congress. This was a decidedly different approach from the dynamic and forceful personality of his predecessor, as well as the eloquent and strong administration of his successor. Many other office holders lead with the authority they believed was theirs unless expressly prohibited by the Constitution. This contextual difference in the interpretation of the power and role of the Presidency greatly influenced public perception and the credibility of Taft’s administration. His belief also supported his wholehearted commitment to the complete separation of government powers and limited government. Taft’s strict interpretation of the presidential role became a model to avoid.<sup>70</sup>

Notable issues during Taft’s presidency include tariffs, trust-busting, and conservation. Tariffs were a major issue for his administration, and lowering or raising them significantly in one direction or another could pit the differing factions of the Republican Party against one another. Taft attempted to straddle a centrist line and encouraged reformers to work for lower rates while at the same time negotiating deals with conservative leaders to keep the rates high. The Payne-Aldrich Tariff Act of 1909 was the resulting legislation dealing with the issue, and it did not succeed in satisfying any part of the party. The legislation went against the Republican Party platform during the election of 1908, pledging to revise tariffs, which was inferred to be lowering the existing high tariffs. Taft supported a lower tariff, but Senators Aldrich and Payne produced a bill mostly raising rates.

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<sup>64</sup> Ibid., 172–173.

<sup>65</sup> Lewis L. Gould, *Four Hats in the Ring: The 1912 Election and the Birth of Modern American Politics* (Lawrence, Kansas: University Press of Kansas, 2008), xii.

<sup>66</sup> Michael L. Bromley, *William Howard Taft and the First Motoring Presidency* (Jefferson, North Carolina: McFarland & Company, Inc., Publishers, 2003), 5.

<sup>67</sup> Ibid., 352.

<sup>68</sup> Ibid., 5.

<sup>69</sup> Ibid., 224.

<sup>70</sup> Gerhardt, 177.

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Rather than involving himself in the legislative process to manipulate the outcome of the legislation, Taft chose to stand back and let the process unfold without his influence. In an attempt to buffer the negative reception of the act, Taft chose to fully support the tariff, which resulted in his successful alienation of all sides.<sup>71</sup> Taft's rhetoric about Payne-Aldrich, which he signed into law on August 5, 1909, resulted in a major split in the ideals of the party. The party was so radically divided that a year later the congressional elections heavily favored progressive Republicans and Democrats. Taft was unable to recover from his support of this bill within his Party. Roosevelt also shared his disappointment in the process, but believed that Taft's actions would result in the Republican Party losing its credibility in the next election.

Although the two men's relationship had become rocky, Roosevelt realized that his support of Taft would be critical in the 1910 congressional elections. He, along with Senator Henry Cabot Lodge and the director of the U.S. Forest Service Gifford Pinchot, chose to support Taft. However, that support was tepid, and was felt by the general public. Roosevelt wrote that Taft was, "...An excellent man under me, and close to me. For eighteen months after his election he was a rather pitiful failure, because he had no real strong man on whom to lean, and yielded to the advice of his wife, his brother Charley, the different corporation lawyers who had his ear, and various similar men." He stated that reelecting Taft would be, "on the whole the best thing for the country."<sup>72</sup> Roosevelt became the chairman of the New York state Republican convention but lost that position when the party appointed Taft's Vice-President James Sherman, thus effectively switching Taft's loyalties to the conservative faction of the Republican Party. Roosevelt continued his efforts to unite the party by traveling across the country supporting progressive platform issues such as income and inheritance taxes, workers compensation, and downward revision of tariffs.

Though the tariff issue in 1909 and 1910 became a wedge that increased the fracture within the Republican Party, the controversy over the actions of conservationist Gifford Pinchot, Roosevelt's director of the U.S. Forest Service, and Richard Ballinger, Taft's Secretary of the Interior, drove that split deeper. Conservationists were highly regarded and conservation was an issue at the forefront of American politics of the time. Pinchot maintained his role as chief forester and continued his service to the country under Taft. However, because Taft decided he would not retain all of Roosevelt's administrative cabinet, he refused the recommendation of James R. Garfield for Secretary of the Interior and went with his own selection of Richard Ballinger. Ballinger and Pinchot both became embroiled in controversy. Pinchot's loyalty clearly resided with the previous administration, and his staunch refusal to follow the policies and procedures established by Taft resulted in his eventual dismissal from his position. Pinchot was of the opinion that results were more important than procedures and backed Taft into a corner by refusing to follow his direction.<sup>73</sup> Henry Graves was appointed to the position after Pinchot's departure. Pinchot corresponded about his dismissal with Roosevelt, who was hunting in Africa at the time. This added to Roosevelt's rift with Taft and his preparedness to politic upon his return to the country.

Ballinger came to the office of Secretary of the Interior with a challenge to maintain and grow the amount of lands in the public trust for conservation purposes. His tenure was staunchly supported by Taft despite controversy over charges that Ballinger was involved in selling land to large corporations to develop for waterpower. The controversy only increased when Louis R. Glavis, an investigator with the General Land Office, began a dialogue with Pinchot, who was complaining about Ballinger's involvement in land deals in the Chugach National Forest in Alaska. This situation resulted in a large public controversy, with Taft throwing his support behind both Pinchot and Ballinger for their commitment to conservation. Ballinger requested a formal investigation in an effort to support his position of no wrong-doing, and though he was exonerated, a backdated report and the overall controversy called into question Ballinger's credibility. Taft refused to request or accept

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<sup>71</sup> Pringle: I, 122.

<sup>72</sup> Chace, 38.

<sup>73</sup> Lurie, 112.

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his resignation, despite recommendations from his staff, until after the Republican Party was soundly defeated in the midterm election of 1910. Ballinger left his post in March 1911.<sup>74</sup>

Ballinger aided in establishing new laws that allowed Taft to remove public lands from private development, placing more acres under conservation protection during his one term than Roosevelt had in two terms. However, the controversies over Ballinger-Pinchot and Payne-Aldrich overshadowed Taft's accomplishments during his first two years in office.

Taft's support of the Payne-Aldrich Tariff Act marked a turning point in his presidency from which he never fully recovered. He isolated himself and alienated many liberal Republicans who eventually left the party to form the Progressive Party. His administration did continue to follow Roosevelt's lead in breaking up large corporations. Most notable was Taft's efforts to break-up Standard Oil, which was eventually dissolved in 1911. Another major schism between Taft and Roosevelt resulted from his attack on U.S Steel Corporation that focused on the company's acquisition of the Tennessee Coal and Iron Company, a transaction that was approved and supported by President Roosevelt in 1907. The suit went so far as to identify Roosevelt as a co-respondent in the case, even though no action could be taken against him.<sup>75</sup>

Despite the progressive achievements that occurred during Taft's presidency, such as the initiation of eighty antitrust lawsuits, more even than had occurred during the Roosevelt administration, pursuit of constitutional amendments for Federal income tax and direct election of Senators, and the setting of railroad rates by the Interstate Commerce Commission, the party became bitterly divided with the progressive wing increasingly unhappy with Taft.

### **Election of 1912**

The Presidential election of 1912 proved to be a pivotal event in American politics. The Republican Party was divided between conservatives and progressives due to the political and personal rift between President Taft and former president Teddy Roosevelt as well as controversial legislation. Roosevelt openly criticized Taft's policies, his selection of cabinet members and key political appointees, and expressed his disappointment in Taft's selection of advisors. This resulted in a four party presidential ticket that included Democrat Woodrow Wilson, Socialist Eugene Debs, Republican Taft, and the breakaway progressive Roosevelt. Roosevelt claimed he was as strong and fit as a Bull Moose thus lending the nickname to his new party known as the Bull Moose Party.

During Taft's presidency, his policies and support of Payne-Aldrich Tariff Act of 1909 had led to his secure support and leadership of the conservative wing of the Republican Party, while Roosevelt became the leader of the progressive wing. The progressives favored an eight hour work day for federal employees, promoted ecological conservation, were sympathetic to and supportive of labor unions, and recommended the popular election of federal and state judges. The conservatives supported increased tariffs on imported goods in the hopes of persuading consumers to buy American-made products, but did not support labor unions, or the popular election of judges. Taft's firing of forester, conservationist, and Roosevelt's friend, Gifford Pinchot, as the chief of the U.S. Forest Service in 1910 contributed to his unpopularity among progressives.

It was during the 1912 election that many of the delegates named to the national conventions were identified through primary elections for the first time. Progressives favored the popular election of delegates as a way to limit the power of political party bosses. Once elected, delegates could vote for their preferred candidate at their

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<sup>74</sup> Lurie, 113.

<sup>75</sup> Goodwin, 668. The concern was that Roosevelt exceeded his authority to support an illegal merger of the two companies, thus involving him in a "lawless act."

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respective state conventions, after which the candidates would progress to the national convention, where one would win the support of the national party, and become the party representative on the ballot. Twelve states held primary elections in 1912. Robert La Follette won two of the first four primaries in North Dakota and Wisconsin, while Roosevelt won nine, including Illinois, Pennsylvania, Nebraska, Oregon, Maryland, California, Ohio, New Jersey and South Dakota. Taft won only Massachusetts. The loss of his home state of Ohio was likely the greatest blow of his campaign.<sup>76</sup>

The Republicans held their convention at the end of June in Chicago. Elihu Root, a friend to both Taft and Roosevelt, was chosen by the delegates to chair the convention. Taft quickly received the support of the southern states and conservative delegates. When it became clear, as the delegates began to vote, that Roosevelt would not receive the nomination, he began to consider breaking away from the party, despite understanding that a division in the Republican Party could result in a Democratic victory. In a last-ditch effort to keep the party together during the convention, he attempted, but failed, to form an alliance with Robert La Follette to gain the nomination.

When Taft received the nomination, Roosevelt left the convention, followed by his supporters. He accused Taft of cheating by allowing illegitimate delegates to vote. An essay attributed to Elihu Root who had connections with both administrations wrote scathingly about Roosevelt's reaction to this loss. Root wrote about Roosevelt's accusation of delegate fraud at the Republican convention contributing to his loss, suggesting that he "charges theft and robbery because he is stung by the bitterness of defeat; because he has no other excuse to offer for failure; and because he knows that wild condemnation will always find some ears willing to listen."<sup>77</sup>

Roosevelt's supporters reconvened in Chicago in August, and held a unique gathering. The delegates were generally of the working class, but included social workers, teachers, and businessmen. There were also more immigrants, Jews, and Catholics than had typically been represented at a Republican convention in the past.<sup>78</sup> Also attending this convention were black delegates from several states, and the first women delegates to participate in the convention of a major political party. Jane Addams, the founder of Hull House in Chicago, a settlement house for immigrants, was one of the leaders of the convention, and part of Roosevelt's "female brain trust," along with Frances Kellor and Florence Kelley. Roosevelt was a strong supporter of women's right to vote. Roosevelt believed that the country would soon support women's suffrage. The convention was funded by Frank Munsey, a publisher, and George Perkins, a banker.

During Roosevelt's acceptance speech he stated that the progressives should make a "contract with the people: for a modern industrial society" which included federal reforms to support industry such as the minimum wage, end of child labor, insurance for "hazards of sickness, accident, invalidism, involuntary unemployment, and old age...." Rather than trust busting big corporations Roosevelt proposed regulating business instead of breaking it apart. Roosevelt's speech was epic and likened the election to the Battle of Armageddon. It resulted in extensive criticism of Roosevelt in the national press. Roosevelt chose Hiram Johnson, the governor of California as his running mate.

The platform of the Bull Moose Party included the support of labor unions, limiting campaign spending, conservation ethics, women's suffrage, an eight-hour work day, safer workplaces, and unemployment, retirement and health insurance. One shortfall of the Roosevelt campaign was a lack of support for equal rights for African Americans. Because he needed the Deep South to win the election, he knew that supporting this issue would lose the white voters in the south. He allowed "lily white" political parties in the former Confederate states, and acquiesced to the demands of John M. Parker a progressive supporter from New Orleans

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<sup>76</sup> Lewis L. Gould, "1912 Republican Convention; Return of the Rough Rider" in *Smithsonian Magazine*, available online at <https://www.smithsonianmag.com/history/1912-republican-convention-855607/> (accessed October 1, 2014).

<sup>77</sup> Lurie, 171.

<sup>78</sup> Chace, 161.



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who warned Roosevelt that southerners, “cannot and will not under any circumstances tolerate the negro.”<sup>79</sup> Roosevelt was for voting rights for African Americans and was against lynching. He also gave African Americans more government jobs in the north than previous administrations. In addition, Roosevelt was still remembered as the president who invited Booker T. Washington to the White House in 1901, and who dined with two African Americans in Providence, Rhode Island. However, he believed his quest for the presidency was worth the sacrifice of these beliefs in order for the chance to obtain the support of the south, and thus the Office of the President. This strategy failed, and went against the core tenants of the Progressive or Bull Moose Party’s social justice platform.<sup>80</sup>

Roosevelt and Wilson were the clear front runners in the election. Roosevelt’s dynamic personality and Wilson’s lead in the south eclipsed both Taft and Debs. Taft, who never relished his role as president, and always detested campaigning, chose not to campaign at all. His disappointment in Roosevelt and the loss of their friendship most likely contributed to his deference of politicking. Taft thought Wilson an opportunist who changed his opinion so often it was unclear what he actually believed. Taft lamented the advice he consistently received from his advisors to campaign and get his name in the headlines. He believed he needed to preserve his presidential dignity and was quoted as stating, “I have been told that I ought to do this, ought to do that...that I do not keep myself in the headlines. I know it, but I can’t do it. I couldn’t if I would, and I wouldn’t if I could.”<sup>81</sup> Taft believed his biggest accomplishment was besting Roosevelt during the Chicago convention. With Taft’s refusal to campaign, he was labeled a “dead cock in the pit” by Roosevelt. He gave only two major speeches between the end of the convention and the election in November. He remained committed to running as a traditional conservative. Taft spent most of the month of September in Beverly, Massachusetts, relaxing and playing golf, out of the public light.

Adding to Taft’s difficulties was the death of his vice president, James Sherman, on October 30, 1912, which left Taft without a running mate just one week prior to the election. He quickly identified Nicholas Murray Butler, president of Columbia University, as his new running mate.

Two weeks prior to this tragedy, Roosevelt was campaigning in Milwaukee when he was shot while driving to his speech location. A bullet penetrated his chest passing through his coat and the copy of his fifty-page speech. Even though his chest was bleeding, he continued on to the auditorium and spoke for more than an hour to a rousing crowd. He was immediately transported to a hospital in Chicago where tests revealed the bullet lodged one inch from his heart near a broken rib. Doctors chose not to remove the bullet. Many believed that this dramatic event would seal Roosevelt’s successful election.<sup>82</sup> When he traveled to New York’s Madison Square Garden for one of his final major speeches prior to the election, he was greeted by a crowd of 16,000 people who cheered for nearly 45 minutes before Roosevelt could begin his speech. Not to be overshadowed by the Progressives, Woodrow Wilson later gave a pivotal speech at the same location; the crowd that had gathered to see Wilson cheered him for more than an hour before he could speak.

The election results were as expected. Even with the popularity of Roosevelt, especially after his gunshot wound, the division among the Republican Party was too much to overcome. Taft only carried two states with 8 electoral votes, Roosevelt won six states with 88 electoral votes, and Wilson won forty states with 435 electoral votes. Taft did not achieve a majority popular vote in any state, Roosevelt carried one state, and Wilson carried eleven states. In all Wilson received 6,293,454 votes, Roosevelt received 4,119,538, Taft came in third with

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<sup>79</sup> Chace, 163.

<sup>80</sup> Ibid., 165.

<sup>81</sup> Ibid., 200.

<sup>82</sup> Ibid., 233.

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3,484,980, and Debs the Socialist came in with 901,873.<sup>83</sup> Taft's eventual loss in the presidential election suggested as "thorough a repudiation of Taft and his administration as anyone could have predicted."<sup>84</sup>

The numbers clearly indicate that had the Republicans not been split, the vote totals would have overwhelmed the totals that Wilson received. As a result Wilson became only the second Democrat elected president since the Civil War.

The *New York World* reflected on the election that (Theodore Roosevelt) "chose to wreck the organization (of the Republican Party). He preferred the applause of the day to the veneration of the centuries." The *World* also indicated that time eventually would be much more accepting and sympathetic of Taft than the popular vote may have suggested by stating that ... "blameworthy as he has been in some respects, the fate that has overtaken him was not deserved. There will be a revision of the popular judgment as to him and it will be tempered by knowledge and sympathy..." The paper stated his defeat was ensured but "only treachery and ingratitude could it be made so overwhelming."<sup>85</sup>

After this election the Progressive or Bull Moose Party did not thrive. The formation of the party was mostly because of the popularity and support of Roosevelt rather than representation of specific political issues or platforms not already a focus of the two main parties. Roosevelt returned home and planned his next adventure in South America, traveling the following year to explore the River of Doubt a tributary of the Amazon.

### **Taft's Presidential Legacy**

A one-term, mid-ranking president with an affable personality and physical bearing unparalleled by any other office holder, William Howard Taft left a presidential legacy that deserves some recognition. His achievements are often clouded in the controversies of the day. Taft's lack of dynamism and refusal to promote his actions has left his administration with an unwarranted negative impression. He was affable and honest, but considered dull and somewhat boring. His personality is reflected in his presidential addresses that were lengthy, thoroughly detailed, and often presented in multiple stages because of their length. His message to Congress in 1912 was so long that he gave it in separate speeches over several weeks. Taft's utilization of the automobile also contributed to the lack of attention on his presidency. He traveled more extensively than many other presidents before him and no other president had utilized the car to his extent. He would often be absent from the White House for months at a time touring the country and vacationing, thus missing the opportunity to have a part in important issues.<sup>86</sup>

A standard measure of his success includes his achievements in antitrust enforcement and conservation issues. Taft worked with Congress to enact legislation to protect public lands. He managed to place more land in the public domain than his predecessor, Theodore Roosevelt, who is known for his achievements in conservation. Taft's staunch support of the conservation issue was clouded by the open discord between himself, Roosevelt, and Gifford Pinchot. Pinchot and Roosevelt heartily disagreed with Taft's methods, and their open refusal to acknowledge process went against Taft's ethical and moral code in office. Taft was adamant that the way to succeed in conservation was to establish appropriate legislation to acquire lands for public conservation purposes. Though this process upset many, it had a long term effect on the power given to Congress. Whereas executive orders lasted only through a presidential term or until later overturned or challenged, Congressional

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<sup>83</sup> Ibid., 238. His total of the vote is also of note in this election as it was the largest share of the popular vote that a Socialist candidate had ever won for president.

<sup>84</sup> Ibid.

<sup>85</sup> Ibid., 172.

<sup>86</sup> Ibid., 198.

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legislation is much harder to change and therefore had a longer legacy. In affording the power to Congress rather than the president, Taft created a lasting conservation policy.<sup>87</sup>

For antitrust issues, Taft chose to focus on enforcing the Sherman Antitrust Act. Taft carefully selected which law suits to pursue. Unlike Roosevelt, Taft did not distinguish between what he thought were good and bad or positive and negative trusts. He enforced the law regardless and as a result he managed more prosecutions in his one term than Roosevelt's seven years as president.<sup>88</sup>

Many consider the Payne-Aldrich Tariff one of the defining moments in Taft's presidency. Taft's credibility was questioned as a result of the tariff. His reluctance to involve himself in the legislative process resulted in an act that went against the reduction in tariffs that the Republican Party had sought, and his support of the Tariff became a "self-inflicted wound that shaped the rest of the presidency."<sup>89</sup> This Act, along with the Pinchot-Ballinger controversy and the constant cloud of discontent and discord between Roosevelt and Taft, caused the beginning of major rifts in the party. These rifts would lead to the Republican loss of the White House in 1912.

Taft thought an income tax would help alleviate some of the pressure of the tariff, but he was limited by a Supreme Court decision in the 1890s which made the source of the income in an income tax determine whether or not it could constitutionally contribute to the support of the Federal Government. In his efforts to respect the opinion of the courts and maintain his belief in the role of an income tax, in 1909 Taft proposed a constitutional amendment to allow a federal income tax. In 1913 in the waning days of his presidency the 16<sup>th</sup> Amendment to the Constitution was eventually ratified. This was quickly followed by another important accomplishment, ratification of the 17<sup>th</sup> amendment, which provided for the direct election of senators.<sup>90</sup>

Taft utilized the power of the veto only on legislation he believed was unconstitutional. He used the veto thirty-nine times during his term. Taft made six appointments to the Supreme Court, including Horace Lurton, Charles Evans Hughes, Edward D. White, Willis Van Devanter, Joseph Rucker Lamar, and Mahlon Pitney.<sup>91</sup> In his term as president he appointed 45 percent of the sitting federal judges in the United States, effectively influencing the lower courts in their support of private property rights. In total, he made fifty-one appointments to the bench, the second largest number of any president.<sup>92</sup>

The Federal Corrupt Practices Act was passed during his administration. The Act limited contributions from private corporations to political campaigns. This law, along with some refinements and derivations, stayed in effect as the country's primary campaign finance law until 1971. Taft's impact on human rights can be seen in his commitment to the Mann Act that prohibited the transporting of people across state lines for the purposes of prostitution or immoral acts.<sup>93</sup>

Taft believed in women's rights and suffrage, even though these positions were sometimes overshadowed by Roosevelt's public support for women through his "women's brain trust." Taft wrote during his high school years in Cincinnati about his staunch support of co-education and universal suffrage stating that, "there is no

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<sup>87</sup> Gerhardt, 176.

<sup>88</sup> Ibid., 197.

<sup>89</sup> Lewis L. Gould, *The William Howard Taft Presidency* (Lawrence, Kansas: University Press of Kansas, 2009), 51.

<sup>90</sup> Lurie, 106.

<sup>91</sup> Ibid., 24–129. Edward White was a sitting justice whom Taft appointed as chief justice. He was subsequently able to appoint an additional justice to the court.

<sup>92</sup> Gerhardt, 181.

<sup>93</sup> Ibid., 182.

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mental inferiority on the part of girls.”<sup>94</sup> This, as well as many of his other political insights, can clearly be traced to the influence of his family and his youth on Auburn Avenue.

**Constitutional Law Professor, 1913–1921**

Following his devastating loss in 1912, Taft returned to Yale to teach constitutional law. While at Yale, he wrote three books on government. He relished his return to the legal world where his strengths and intelligence shone.

In 1918, President Woodrow Wilson created the National War Labor Board because of World War I. Wilson appointed former President William H. Taft as co-chair. Taft made significant strides and reflected the more progressive side of his party through his tenure on the National War Labor Board during which time he worked toward minimum wage legislation, collective bargaining for employees, and against “yellow dog contracts” an agreement where employees commit to not joining a union. Taft is also credited with creating the Department of Labor in 1913 when he signed the bill establishing it as a Cabinet level department.

**Chief Justice of the United States Supreme Court, 1921–1930**

William Howard Taft was appointed 10<sup>th</sup> Chief Justice of the United States Supreme Court on June 30, 1921, by President Warren G. Harding. Taft replaced Chief Justice Edward White, who had become ill.<sup>95</sup> Throughout his career, Taft’s greatest aspiration had been a position on the Supreme Court, which he described as a “sacred shrine.”<sup>96</sup> As he assumed his new post, Taft’s enthusiasm for the new position led him to note “I don’t recall ever being president.” William Howard Taft served as Chief Justice between 1921 and 1930, stepping down due to health considerations only a month before his death. Taft dominated the Court for almost a decade.<sup>97</sup> Although Taft has been criticized for his lack of political savvy during his term as president, he would prove himself as one of the most politically astute chief justices. It was likely his combination of legal knowledge, judicial temperament, and political administrative skills that made him a distinctive chief justice.<sup>98</sup> During his term on the Court, Taft “completely refashioned the role of the chief justice and at the same time modernized the structure of the federal court system.”<sup>99</sup> Taft provided “administrative and technical leadership second to none.” His ability to secure consensus in the majority of the Court’s opinions, at least until 1927 when a wider gulf arose among the justices in terms of interpreting the Constitution, was often spectacular. He proved to be a “superb judicial leader and architect,” even in the face of occasional division.<sup>100</sup>

Taft’s record as Chief Justice is considered important for several reasons, principally in the area of administrative reform. Taft’s Court administrative achievements were substantial and have proven far-reaching. In the opinion of one Court historian, “As judicial architect, Taft ranks second only to Oliver Ellsworth, who originally devised the judicial system” in 1789.<sup>101</sup> Taft’s first goal was to streamline the federal judiciary, from the district level to the Supreme Court. Because Congress had never used its power to construct a unified, well-

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<sup>94</sup> Lurie, 7.

<sup>95</sup> Richard G. Frederick, *William H. Taft (A Volume in the First Men, America’s Presidents Series)* (New York, New York: Nova Science Publishers, Inc., 2010), 170–171.

<sup>96</sup> As quoted in Pringle, II: 951.

<sup>97</sup> David H. Burton, *Taft, Holmes, and the 1920s Court; An Appraisal* (Cranbury, New Jersey: Associated University Presses, 1998), 115.

<sup>98</sup> Renstrom, 184.

<sup>99</sup> *Ibid.*, from Melvin I. Urofsky, and Pau Finklenan, *A March of Liberty: A Constitutional History of the United States*, Vol. 2. 2<sup>nd</sup> edition (New York, New York: Oxford University Press, 2002), 627.

<sup>100</sup> Henry J. Abraham, *Justices, Presidents, and Senators: A History of the U.S. Supreme Court Appointments from Washington to Clinton*, Rev. ed. (Lanham, Maryland: Rowman & Littlefield, 1999), 141.

<sup>101</sup> Alpheus Thomas Mason, “William Howard Taft, 1857–1930,” in Friedman and Israel, eds., *Justices of the United States Supreme Court*, III: 2109.

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coordinated system of courts, it was a system much in need of renovation.<sup>102</sup> In addition, the caseload of the courts had risen dramatically due to a great volume of litigation stemming from World War I and passage of the 18<sup>th</sup> Amendment, including civil and criminal cases involving espionage, civil liberties, and wartime contracts, as well as what would prove to be the burdensome effort to enforce National Prohibition. Prohibition alone produced a 10 percent increase in federal cases.<sup>103</sup>

In addition to the rise in Court business, Taft's concern for improving the operation of the entire judiciary arose from his own experience as a circuit court judge before he became President. Also serving as dean of the Cincinnati Law School at the time, his various experiences as a sitting judge and a law school administrator and professor allowed him to consider the faults of the system in detail. In June 1908, he had authored "The Law of the Country" for the *North American Review*, offering a point-by-point critique of the judicial system. Taft argued that "our failure to secure expedition and thoroughness in the enforcement of public and private rights in our Courts was the case in which we had fallen farthest short of the ideal conditions in the whole of our Government."<sup>104</sup> After leaving office and returning to law education, Taft renewed his consideration of the issue. By 1914, Taft had clarified his ideas for modernizing the court. He proposed in another article, "Attacks on the Court and Legal Procedures," that power be conferred "upon the head of the Federal judicial system, either the Chief justice or a council of judges appointed by him, or by the Supreme Court, to consider each year the pending judicial business of the country and to distribute the Federal judicial force of the country through the various district courts and intermediate appeals courts." Although he would later modify this stance to a degree, his early work as chief justice to reform the court system of operations followed the basic idea of his 1914 treatise.<sup>105</sup>

Based on these goals, Taft used his political prowess, knowledge of law, and deep respect for the Court to secure passage of two pieces of legislation designed to streamline court administration, personally introducing and promoting them to Congressional representatives. These were the Judicial Conference and Transfer Act of 1922 and the Judiciary Act of 1925. Taft worked tirelessly through several venues—the press, the American Bar Association, and members of Congress—to convey the importance of his proposed reforms. In the summer of 1922, in an appeal for efficiency based on responsibility, he conveyed to a gathering of the American Bar Association that "The situation is rather critical," due to "the accumulating mass of litigation growing out of the war, and especially claims against the government which, if allowed to come under the present law to the Supreme Court, will throw us hopelessly behind schedule."<sup>106</sup>

Taft also worried that a lack of ability on the part of the courts to efficiently render justice would diminish their relevancy and importance within the American governmental system. The greatest advantage of our plan of government over every other, Taft wrote, "is the character of the judicial power vested in the Supreme Court."<sup>107</sup> Because only Congress had the authority to revise court procedures, provide for more judges, and impart badly needed flexibility to the system, Taft knew he would have to lobby for support of his proposed reforms.<sup>108</sup> As noted by historian Richard Frederick, Taft "displayed astute politicking, something he had not always accomplished as President, in dealing with Congress."<sup>109</sup> (In 1925, the Judiciary Act passed the Senate

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<sup>102</sup> Burton, 115.

<sup>103</sup> Renstrom, 184.

<sup>104</sup> Burton, 116.

<sup>105</sup> Burton, 116-117, from William Howard Taft, "The Attack on the Courts and Legal Procedure," in *Kentucky Law Review* 5: 2 (November 1916), 3-24.

<sup>106</sup> Burton, 120, from William Howard Taft, "Possible and Needed Reforms in the Administration of Justice in Federal Courts," in *American Bar Association Journal* 8 (September 1922).

<sup>107</sup> Alpheus T. Mason, *The Supreme Court from Taft to Burger*, 3<sup>rd</sup> edition (Baton Rouge, Louisiana: Louisiana State University Press, 1979), 46-47.

<sup>108</sup> Burton, 117.

<sup>109</sup> Frederick, 172.

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by a vote of 36 to 16 and the House by a vote of 139 to 78.<sup>110</sup>) Although Taft was very much a conservative in his approach to the law, despite his role in Theodore Roosevelt's progressive administration, the legislation he proposed was in the progressive mode. In his efforts, he appropriated instrumentalism in government to achieve his purpose.<sup>111</sup>

The Judicial Conference and Transfer Act of 1922 created a new body—the Judicial Conference—which was to be chaired by the Chief Justice, and include judges from each circuit court and the chief judges from the courts of appeal. The members of the Judicial Conference were to be grouped into several committees that reported directly to the Chief Justice. They were concerned with matters such as court procedures, better defining the rules of evidence, and the transfer of judges. Taft is known to have occasionally added items to the agenda not specified in the original law, such as determining uniform punishments for Prohibition violators. In addition to his use of the Conference to maintain acceptable and proper caseloads, Taft also used it to streamline court administration. As an added benefit, the Conference served to increase the autonomy of the judicial branch. Through this action, Taft is considered the first chief justice to lead the federal judiciary as a whole in a meaningful way.<sup>112</sup>

The second bill, also largely passed due to Taft's promotional efforts, was the Judiciary Act of 1925, which is often referred to as the "Judges' Bill." The bill effectively shifted the Supreme Court's appellate jurisdiction to a discretionary responsibility, allowing the justices to give preference to cases they believed to be of national importance. The bill was meant to lessen the ever-increasing load of cases heard before the Supreme Court. During the early 1920s, the principal issues faced by the court included the government's introduction of an income tax in 1913, post-World War I readjustment, and Prohibition. After passage of the Act, the justices were able to select their cases by reviewing petitions for *writs of certiorari*—the submission of lower courts' decisions for review—and made rulings on the petitions. With at least four justices voting in the affirmative on a petition, the case would be heard by the Court. Otherwise, the justices could reject the petition without any ruling on the merits of the case. This procedure, still followed today, helped the Supreme Court operate more efficiently, potentially lessened the case load, and allowed the Court to dedicate its time to the cases that were most important from the standpoint of precedent and the Constitution.<sup>113</sup> As a result of his efforts, the significance of the cases decided by the Supreme Court increased substantially. More importantly, Taft's Judiciary Act marked the beginning of the modern Supreme Court era. The act allowed the Court to play a more prominent role in the U.S. governmental system and defines the Court's authority and practices to this day.<sup>114</sup>

Besides giving the Supreme Court more control over its docket, supporting new legislation, and organizing the Judicial Conference, Taft was able to secure general supervisory power over the scattered and disorganized federal courts for the Supreme Court and the Chief Justice. A final reform suggested by Taft—the overhaul of the judicial codes relating to rules of procedure—however, would not succeed.<sup>115</sup>

In 1929, Taft effectively argued in favor of the construction of a new Supreme Court building that would help to distance the court from Congress as a separate branch of the United States government. Until a new building would be completed in 1935, the court had met in the Old Senate Chamber of the Capitol building, where the Justices had no private chambers, and Taft's Conferences had been required to convene in a room in the Capitol's basement. The new 1935 home of the Supreme Court remains the building in use today.

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<sup>110</sup> Burton, 119.

<sup>111</sup> *Ibid.*, 118.

<sup>112</sup> Frederick, 172–173.

<sup>113</sup> *Ibid.*, 173.

<sup>114</sup> Renstrom, 184.

<sup>115</sup> Frederick, 177.

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In addition to these accomplishments, Taft has also been lauded for his leadership among the justices and the resulting Court dynamics. At the time of his appointment, the other eight justices included Oliver Wendell Holmes, Jr., generally considered one of the greatest Supreme Court justices of all time; Louis D. Brandeis, an important framer of Woodrow Wilson's New Freedom program, who was one of the liberal voices on the court; Willis Van Devanter; Mahlon Pitney; Joseph McKenna; James C. McReynolds; William Rufus Day; and John H. Clarke.<sup>116</sup> Taft himself had appointed Pitney and Van Devanter, and was instrumental in guiding Harding's choices of three new associate justices in 1922 and 1923. With Harding's additions, the Court acquired a conservative core that remained in place for much of the decade and was consistent with the politics of the dominant Republican Party. When Clarke resigned after Taft's first year, he was replaced by Utah Senator, George Sutherland. Pierce Butler was chosen to replace Justice Day in 1922, while Edward Sanford replaced Justice Pitney in 1923.<sup>117</sup>

For Taft, the qualities he sought in an associate justice included the ability to shoulder an appropriate share of the workload and a conservative outlook on Constitutional matters, particularly the guarantees of the 5<sup>th</sup> and 14<sup>th</sup> Amendments. His philosophy of constitutional interpretation was essentially historical contextualism. In contrast, he believed academics such as Felix Frankfurter of Harvard had influenced Wilson's choices of Brandeis and Clarke, who he believed were determined to undermine the Constitution.<sup>118</sup>

Taft was masterful in his ability to get along with the other Justices and to mold them in a way that resulted in a general agreement on cases, despite wide differences amongst principles and, sometimes personalities. Taft focused much of his attention on "massing" the Court to achieve unanimous opinions. Taft believed that the Court needed to perform a critical function in sustaining the constitutional system.<sup>119</sup> In order to perform this function, there had to be consensus on the Court. Aside from Justices Brandeis and Holmes, dissenting opinions were relatively few during Taft's term, with nearly 90 percent of all rulings during the period of 1921 to 1930 resulting in a unanimous decision.

Taft was also one of the most diligent workers within his own Court. When appointed, he explained to a friend that the "task I undertake is one of incessant labor and of critical responsibility."<sup>120</sup> Taft assigned himself the writing of more opinions than other justices. While Chief Justice, Taft wrote the opinion for a total of 256 cases. During the 1922 term, alone, he wrote approximately twice the number of the other eight justices.<sup>121</sup>

The Taft Court was a conservative body in a conservative era. It embraced the national priorities as reflected in the Republican administrations of the three Presidents in office during Taft's tenure as chief justice: Warren G. Harding, Calvin Coolidge, and Herbert Hoover. The principal legacy of the Taft Court was its perpetuation and revitalization of the laissez-faire jurisprudence associated with the Fuller and White Courts that preceded it. The Taft Court has been described as a Court that sustained the pro-business priorities that had been in place since the late 1880s. The Taft Court has also been evaluated as utilizing judicial activism to a heretofore unprecedented level in its efforts to protect private property from both federal and state regulation.<sup>122</sup> The Court thus served to insulate corporate America from the regulatory efforts put forth by federal and state politicians, and supported unregulated enterprise. For Taft, his role as chief justice provided an opportunity to move away from progressive expansionism, and restore the country to its traditional constitutional bases. He became increasingly convinced that the Supreme Court was a key protector of the institutions of property and contract

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<sup>116</sup> Ibid., 170–171.

<sup>117</sup> Ibid., 171–172.

<sup>118</sup> Ibid., 173.

<sup>119</sup> Renstrom, 185-186.

<sup>120</sup> Frederick, 178, from William Howard Taft to Walter L. Fisher, August 3, 1921. Fisher Papers, Box 5.

<sup>121</sup> Renstrom, 264.

<sup>122</sup> Ibid., 183.

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from the threats posed by those interested in restricting or regulating them. Taft's belief that individual liberty, which also meant economic liberty, was the foundation of our constitutional system drove his opinions on the Court to a great degree.<sup>123</sup>

In a lecture delivered at the University of Rochester in 1922, Taft noted that the Constitution "rests on personal liberty and the right of property, and that the former includes the right of property as it includes the right of contract and the right of labor." He defined the right of property as including the essential right to act in an independent manner as regards employment, and claimed that such a right motivated the individual and caused progress, noting "Destroy it and material progress ceases." While he acknowledged that materialism, selfishness, and plutocracy potentially result from the pursuit of wealth, he suggested that "these evils must not blind us, as they do blind many well-intentioned, dreamy reformers, to the fact that personal liberty and the right of property are indispensable to any possible useful progress of society."<sup>124</sup>

Constitutional scholar Paul Murphy has suggested that Taft's approach to protecting property interests involved the use of both broad and narrow precedents. He assumed the broad approach, involving the expansion of federal authority, allowed for the regulation of "activities detrimental to or of no consequence to legitimate business." Interpreting federal power over commerce broadly allowed the Court to strike down state regulatory attempts with the argument that such actions were reserved to the federal government. While the Court considered a broad approach in many cases, the Taft bloc of conservative justices also used narrow precedents to inhibit actions by federal lawmakers, citing the 10<sup>th</sup> Amendment, which reserved powers to the states. Using this approach, however, "necessitated a steady exercise in legal line-drawing by the justices, and injection of concepts of judicial reasonableness." While Taft found this to his liking—it enhanced the Court's powers—the process was unsatisfactory to others for its subjective application.<sup>125</sup>

Along with his opinions on the importance of private property rights, Taft delivered related opinions on organized labor. Beginning with the earliest cases for which he wrote the majority opinion, Taft indicated his opposition to the interests of labor. In both *American Steel Foundries v. Tri-City Central Trades Council* and *Truax v. Corrigan*, the Court overturned lower-court rulings favorable to labor groups, limiting the right to picket, and striking down an anti-injunction law. In both cases, the ruling also established some limitations on Section 20 of the Clayton Antitrust Act, meant to establish labor rights.<sup>126</sup> However, it is also notable that his record on this topic was mixed. In Taft's most interesting opinion, on a labor case involving a minimum wage for women in the District of Columbia known as *Adkins v. Children's Hospital* delivered in 1923, Taft wrote a dissenting opinion to the majority opinion that struck down the law. While he wrote of his skepticism regarding a more general application of the idea of a minimum wage to address practices of long hours and poor pay associated with sweatshops, he felt that, in this instance, applied to women, the law was sustained by legal precedents. In his opinion he stated "it is not the function of this Court to hold congressional acts invalid simply because they are passed to carry out economic views which the Court believes to be unwise or unsound." Of interest in this statement, as noted by historian Frederick, is the fact that "it appeared to most observers that, in fact, the Taft Court was marked by judicial activism, largely demonstrated by ruling against economic views contrary to the prevailing conservative views of the Court's majority, which included the Chief Justice."<sup>127</sup>

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<sup>123</sup> Ibid., 184-185.

<sup>124</sup> Frederick, 174, from Taft's lecture published as *Liberty Under Law* in 1922. Reprinted in *Collected Works of William Howard Taft*, VIII: 3-18.

<sup>125</sup> Frederick, 176, from Paul L. Murphy, *The Constitution in Crisis Times, 1918-1969* (New York, New York: Harper & Row, 1972), 58-60.

<sup>126</sup> Frederick, 174-175.

<sup>127</sup> Ibid., 175.



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Taft returned to a more conservative viewpoint a few months later in his opinion summarizing the unanimous Court decision in *Wolff v. Court of Industrial Relations*. The Court of Industrial Relations had been established in Kansas as a progressive measure intended to help lessen labor strife in the state. Among the powers assumed by the court was the right to compel owners and workers in “essential” industries to continue working during resolution of labor disputes. Using his particular focus on the 5<sup>th</sup> and 14<sup>th</sup> Amendments as they pertained to contracts and rights, Taft wrote that “Freedom is the general rule and restraint the exception,” dismissing the notion that the producers of food and clothing were operating in the “public interest,” as the Kansas court contended. Instead, Taft and the Court ruled that the Industrial Court had overstepped its regulatory bounds. The argument effectively ended any other significant attempts at business regulation in the states during the 1920s.<sup>128</sup>

In 1926, in *Myers v. United States*, Taft wrote what he considered to be one of his most important decisions. Taft noted that senatorial agreement was not necessary for the dismissal of Frank S. Myers, an appointed postmaster of Portland, Oregon, in his majority opinion in a 6 to 3 split over the President’s right to remove a postmaster. He combined historical research with his own Executive administrative experience, producing a 70-page argument that has been called his “greatest state paper.”<sup>129</sup> In the opinion, Taft argued that in order for the executive branch to function effectively, the President must be able to retain confidence in his subordinates, noting “The moment that he loses confidence in the intelligence, ability, judgment or loyalty of any one of them, he must have the power to remove him without delay.”<sup>130</sup> In his opinion, Taft appears to be drawing from personal experience during his Presidency and the Ballinger-Pinchot controversy.<sup>131</sup> The decision was reversed by the Supreme Court of 1935.<sup>132</sup>

Other cases that were to hold future ramifications included the 1928 decision in *Olmstead v. United States*, in which the Court ruled on the use of telephone wiretaps by the Justice Department in a Prohibition case. Taft was barely able to form a 5 to 4 majority in his attempt to uphold a lower court’s ruling that evidence obtained in such a manner was admissible. While the 4<sup>th</sup> Amendment had been used to argue that letters in the mail are protected from search, Taft deliberated that the same principle did not apply to “telephone wires reaching to the whole world from the defendant’s house or office,” suggesting that such wires “are not part of his house or office any more than are the highways along which they are stretched.”<sup>133</sup> The opinion held until 1967, when it was reversed by the Warren Court in *Katz v. United States*.<sup>134</sup>

Many of the opinions of the Taft Court did not hold up through the 1930s as the Great Depression and the New Deal led to changing ideas about private property and government regulation. Recent historical evaluation of the Court finds other aspects of its legacy to be mixed. Historian Peter Renstrom suggests that “The Taft Court was not reactionary, but it was not particularly insightful either.”<sup>135</sup> Others consider that many of its opinions invalidated actions that could have helped avoid the Great Depression, and in fact, the four pro-business Justices that remained on the Court after Taft resigned—McReynolds, Sutherland, Van Devanter, and Butler—would strongly oppose many of the regulatory efforts of the New Deal. Nonetheless, as Renstrom notes, the Taft Court “blurred the public-private distinction found at the center of classical legal thought, and its interstate commerce

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<sup>128</sup> *Ibid.*, 176.

<sup>129</sup> *Ibid.*, 176, from David H. Burton, *Taft, Holmes, and the 1920s Court: An Appraisal* (Madison, New Jersey: Fairleigh Dickinson University Press, 1998), 141.

<sup>130</sup> *Ibid.*, 176, in the *Collected Works*, VIII: 257–258.

<sup>131</sup> *Ibid.*, 176.

<sup>132</sup> Gilbert J. Black, ed., *William Howard Taft, 1857–1930; Chronology Documents–Bibliographical Aids* (Dobbs Ferry, New York: Oceana Publications, Inc., 1970), 29.

<sup>133</sup> Frederick, 176–177, in the *Collected Works*, VIII: 335.

<sup>134</sup> *Ibid.*, 176–177.

<sup>135</sup> *Ibid.*, 178, from Renstrom, *The Court*, 213.

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decisions seemed to suggest that most aspects of such commerce were within federal regulatory reach.”<sup>136</sup> Another Court historian, Alpheus Manson suggests that Taft’s reputation as a “very good” Chief Justice rests, not on his judicial philosophy, but on his ability as an administrator of the Court and his lobbying activities on behalf of the Court.<sup>137</sup>

Taft died in March of 1930, one month after leaving his post as Supreme Court Justice. William Howard Taft was interred in Arlington National Cemetery. First Lady Helen “Nellie” Herron Taft died May 22, 1943, in Washington, D.C., and was laid to rest beside her husband.

## Summary

The William Howard Taft Home is nationally significant under Criterion 2. Taft was born in the house at 2038 Auburn Avenue in Cincinnati, Ohio, on September 15, 1857. He lived there with his family until leaving to attend Yale in 1874. He returned in 1878 to live in the house while attending law school in Cincinnati. His parents and siblings occupied the house until it was rented after his parent’s departure for retirement in California, and eventually it was sold. Taft remained a frequent visitor to the house until his father’s death in 1891.

This house is preserved as the birthplace and family home of the 27<sup>th</sup> president. The house on Auburn Avenue is significant as the only remaining property associated with Taft’s childhood and early adulthood in his home town of Cincinnati. It represents the place where he matured and developed the character and work ethic that led him to become president of the United States and chief justice of the United States Supreme Court in addition to the many other roles he served in the U.S. government.

Taft was a respected lawyer with an intelligent and dedicated legal mind, who succeeded in several positions involving law, politics, and government. Over the course of his career, Taft served as Solicitor General of the United States, Federal Circuit Court judge, and Governor-General of the Philippines. Taft was popular and successful in the Governor-General role, and remained in Manila until 1903 when he returned to the United States to accept the position of Secretary of War under his good friend and political ally, President Theodore Roosevelt. Taft was an efficient and accomplished Secretary of War. Along with the President, he is credited with expediting the construction on the Panama Canal and establishing a temporary administration in Cuba. As co-chair of the National War Labor Board in 1918-1919, Taft worked toward minimum wage legislation, collective bargaining for employees, and against “yellow dog contracts” an agreement where employees commit to not joining a union.

William Howard Taft is the only person in American history to lead both the executive and judicial branches of government. As 27<sup>th</sup> president of the United States, Taft managed to place more land in the public domain than his predecessor, Theodore Roosevelt, thus giving him a prominent role in the conservation movement of his day. Taft also managed more prosecutions of anti-trust law suits in his one term than Roosevelt’s seven years as president. Toward the end of his presidency, the 16<sup>th</sup> Amendment to the Constitution, which allowed for a federal income tax, was ratified, and soon after the 17<sup>th</sup> Amendment to the Constitution, which provided for the direct election of senators, was also ratified. Taft had supported both of these amendments.

In addition, Taft would prove himself as one of the most politically astute chief justices of the Supreme Court. Taft’s record as chief justice is considered important principally in the area of administrative reform. Serving as chief justice between 1921 and 1930, stepping down due to health considerations only a month before his death,

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<sup>136</sup> Ibid, 177–178.

<sup>137</sup> Ibid., 178, from Alpheus Thomas Manson, *William Howard Taft: Chief Justice*, 3 vols. (New York, New York: Simon & Schuster, Inc., 1964), 299–305.

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Taft dominated the Court for almost a decade. Taft's Court administrative achievements were substantial and have proven far-reaching.

The Taft Home is the only surviving property with a direct association with this significant figure in American history and through the interpretation offered as part of the William Howard Taft National Historic Site affords visitors the opportunity to learn about William Howard Taft's life and accomplishments.

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Previous documentation on file (NPS):

 Preliminary Determination of Individual Listing (36 CFR 67) has been requested. Previously Listed in the National Register. NR#66000612; Listed 10/16/1966 Previously Determined Eligible by the National Register. Designated a National Historic Landmark. NR#66000612; Designated 10/15/1966 Recorded by Historic American Buildings Survey: # Recorded by Historic American Engineering Record: #

Primary Location of Additional Data:

 State Historic Preservation Office Other State Agency Federal Agency Local Government University Other (Specify Repository):**10. GEOGRAPHICAL DATA**

Acreage of Property: 0.51 acres

UTM References:	Zone	Easting	Northing
	16	715412	4332994

Verbal Boundary Description:

The William Howard Taft Home is located at 2038 Auburn Avenue in the Mt. Auburn neighborhood of Cincinnati, Ohio. This updated National Historic Landmark nomination includes only the property on which the house resides, which is surrounded by fencing on all sides. The parcel falls within the larger congressionally authorized 3.64-acre boundary of the William Howard Taft National Historic Site, a unit of the National Park System

The Taft Home National Historic Landmark boundary is located in the south west quadrant of the larger National Historic Site boundary as indicated in the sketch map labeled "William Howard Taft Home National Historic Landmark Resources, William Howard Taft National Historic Site". The house is located on a 0.51-acre parcel measuring approximately 100 feet at the west boundary immediately adjacent to Auburn Avenue, 220 feet on the north boundary between the residence and the visitor center, 100 feet on the east boundary between the residence and the drive connecting to the Hamilton County Juvenile Court Youth Center parking, and 220 feet on the south boundary between the residence yard and the street access drive to the Hamilton County Juvenile Court Youth Center.

Boundary Justification:

The boundary of the William Howard Taft Home includes the remaining resources historically associated with the birthplace and primary residence of William Howard Taft (until 1886) which maintain integrity.

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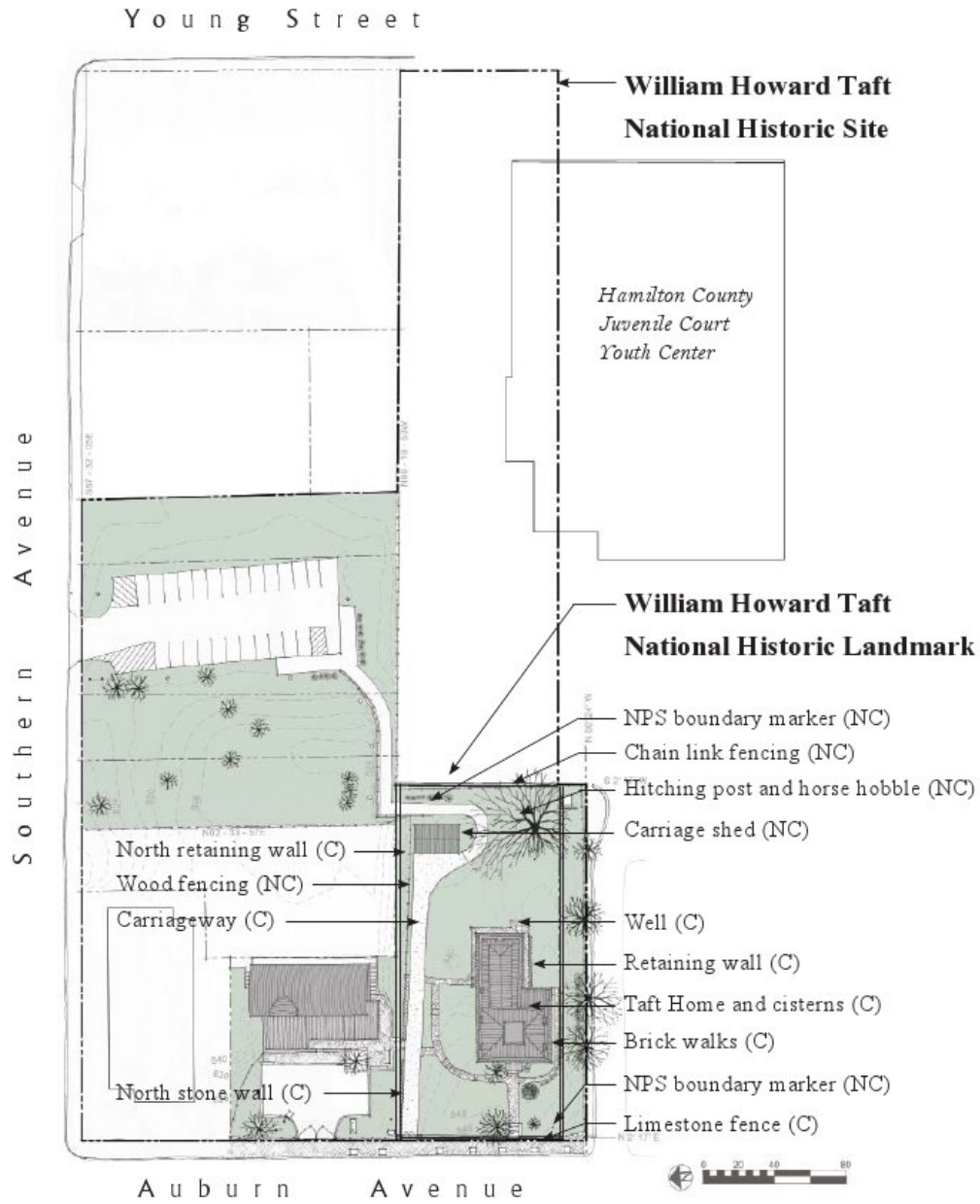
NATIONAL HISTORIC LANDMARKS PROGRAM  
September 17, 2015



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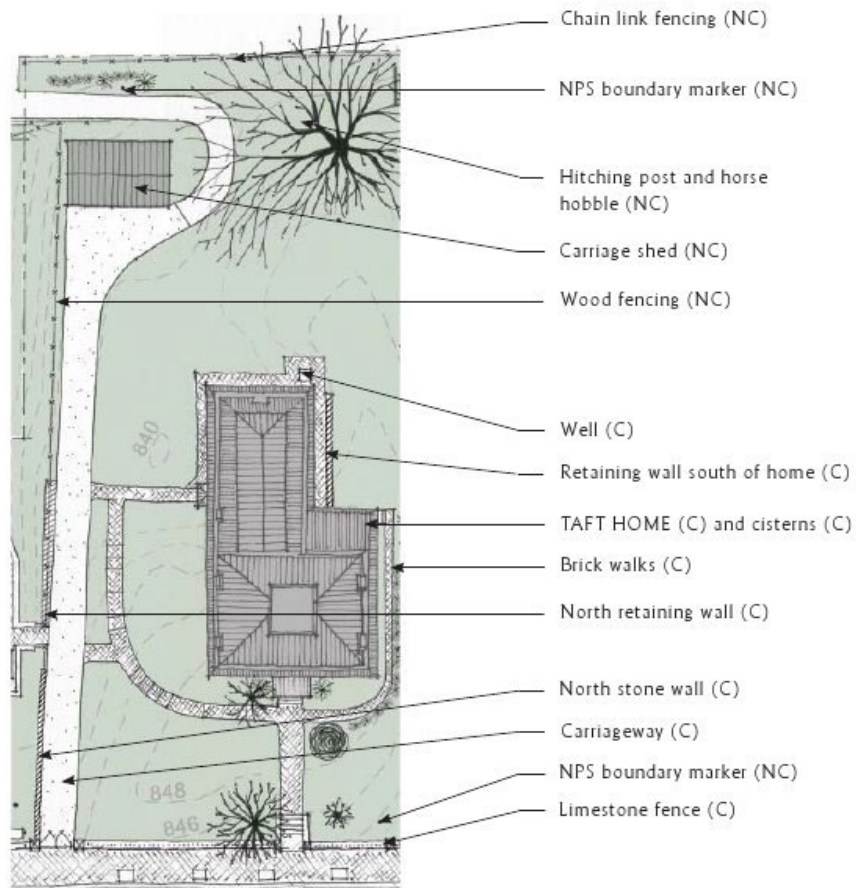


William Howard Taft Home National Historic Landmark Resources  
William Howard Taft National Historic Site

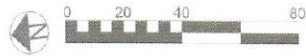
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A u b u r n    A v e n u e

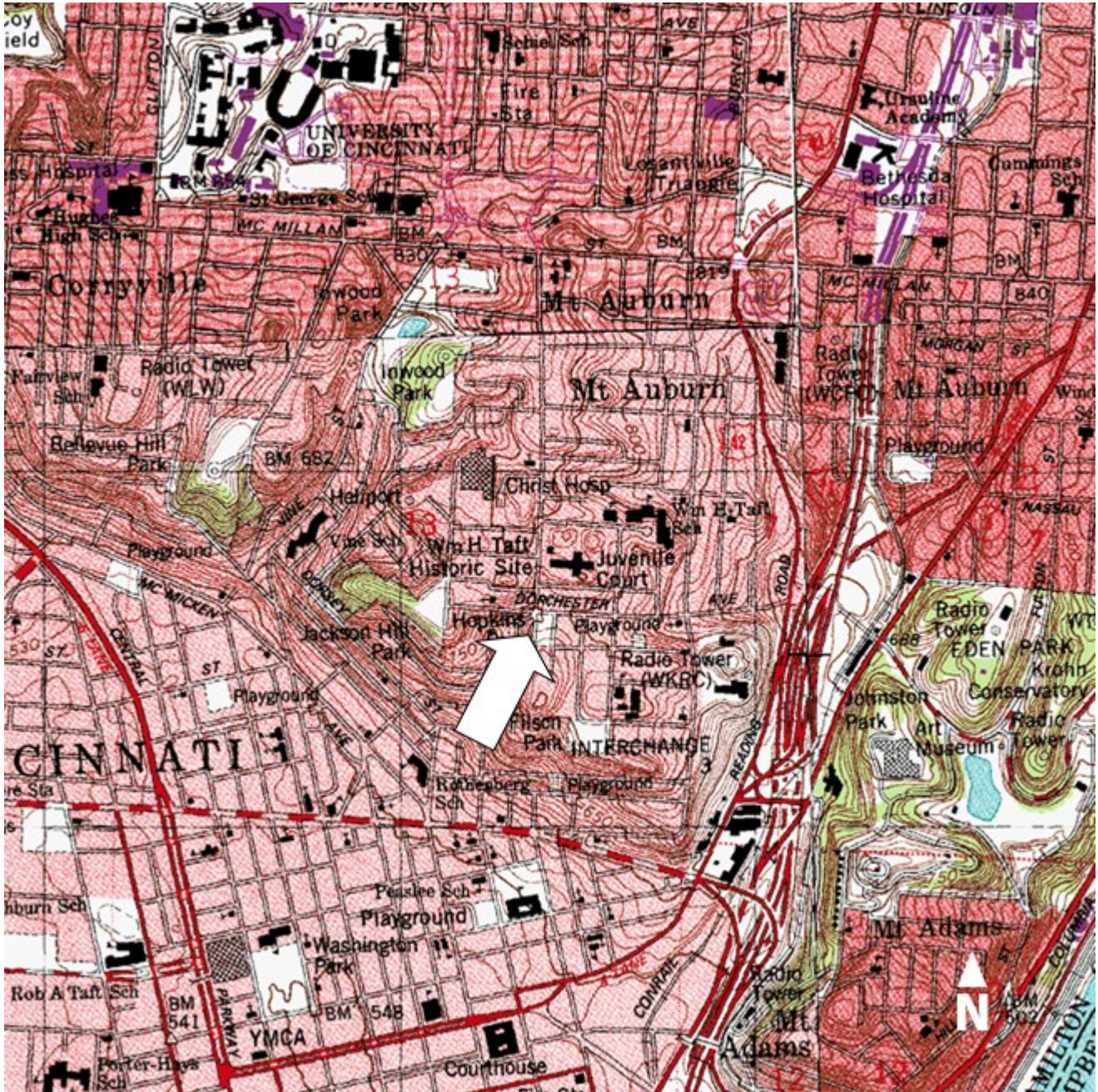


William Howard Taft Home  
National Historic Landmark Nomination  
Photo Station Points Map

# WILLIAM HOWARD TAFT HOME

United States Department of the Interior, National Park Service

National Register of Historic Places Registration Form



WILLIAM HOWARD TAFT HOME  
Cincinnati, Ohio

### UTM Reference

Zone	Easting	Northing
16	715412	4332994

# WILLIAM HOWARD TAFT HOME

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View of Taft Home, 2038 Auburn Avenue, Cincinnati, 1867  
Courtesy of the William Howard Taft Homestead Archives

**WILLIAM HOWARD TAFT HOME**

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William Howard Taft (seated center) and classmates at the Woodward High School  
Courtesy of Library of Congress (LD-DIG-ds-04250)

**WILLIAM HOWARD TAFT HOME**

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Taft family group (with wife and three children), June 18, 1911  
Courtesy of Library of Congress (LC-USZ62-90044)

**WILLIAM HOWARD TAFT HOME**

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William Howard Taft seated at desk, circa 1912  
Courtesy of Library of Congress (LC-USZ62-121727)

**WILLIAM HOWARD TAFT HOME**

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WILLIAM HOWARD TAFT HOME, Cincinnati, Ohio  
Main (west) façade  
Photo by Liz Sargent, March 2014



WILLIAM HOWARD TAFT HOME, Cincinnati, Ohio  
North and East (rear) elevations  
Photo by Liz Sargent, March 2014



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WILLIAM HOWARD TAFT HOME, Cincinnati, Ohio

East elevation

Photo by Liz Sargent, March 2014

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WILLIAM HOWARD TAFT HOME, Cincinnati, Ohio  
Wrought Iron and stone fence surrounding property  
Photo by Liz Sargent, March 2014



WILLIAM HOWARD TAFT HOME, Cincinnati, Ohio  
Gate in wall providing access to the carriageway  
Photo by Liz Sargent, March 2014

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WILLIAM HOWARD TAFT HOME, Cincinnati, Ohio  
Gate and steps in wall leading to front walk and entrance  
Photo by Liz Sargent, March 2014

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WILLIAM HOWARD TAFT HOME, Cincinnati, Ohio  
View east along Carriageway. Noncontributing carriage shed is at end of carriageway  
Photo by Liz Sargent, March 2014



WILLIAM HOWARD TAFT HOME, Cincinnati, Ohio  
Wood cover over the well  
Photo by Liz Sargent, March 2014

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WILLIAM HOWARD TAFT HOME, Cincinnati, Ohio  
Central corridor and staircase  
Photo by Melissa Dirr Gengler, March 2014

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WILLIAM HOWARD TAFT HOME, Cincinnati, Ohio

Front Parlor

Photo by Melissa Dirr Gengler, March 2014



WILLIAM HOWARD TAFT HOME, Cincinnati, Ohio

First floor library

Photo by Melissa Dirr Gengler, March 2014

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WILLIAM HOWARD TAFT HOME, Cincinnati, Ohio  
Second floor meeting/conference room  
Photo by Melissa Dirr Gengler, March 2014



WILLIAM HOWARD TAFT HOME, Cincinnati, Ohio  
Second floor museum displays  
Photo by Melissa Dirr Gengler, March 2014