The Origins of the Teapot Dome Investigation

By Burl Noggle

About fifty miles north of Casper, Wyoming, a formation of eroded Parkman sandstone looms up out of the bare sagebrush flats. Although it resembles a disfigured human hand, this geologic fault is called Teapot Rock. It overlooks a nine-thousand-acre expanse of land containing an important oil deposit which was set aside in 1915 as United States Naval Oil Reserve Number Three. Men in the oil business, associating the pool with the landmark, have long referred to this reserve as Teapot Dome. In the 1920's this designation became much better known as the name of one of the major political scandals in American history. Before it became a national scandal, however, the Teapot Dome oil reserve was one part of a continuing dispute between a small, dedicated group who advocated conservation of natural resources and a secretary of the interior who did not. Much of the historic debate over conservation in the United States was summed up in this battle, with two of the protagonists, Gifford Pinchot and Albert B. Fall, personifying the forces for and against conservation. Oil reserves constituted one issue, timber reserves and the forestry service another, in a running battle between the conservationists and Secretary Fall, which began soon after he entered the cabinet in 1921. This dispute, which came to focus finally on Teapot Dome, has not hitherto been made part of the narrative of the scandal.

In June, 1920, at its national convention in Chicago, the Republican party nominated Warren G. Harding for president of the United States. To Gifford Pinchot, a great and luminous name in the American conservation movement, as well as to many other friends of conservation, Harding seemed entirely acceptable as a candidate. One of these conservationists, a key figure in the Teapot Dome story, was a Washington lawyer named Harry A. Slattery.
A bachelor all his life, Slattery married himself to conservation, bestowing upon it fidelity and loving care from an early career with the Inland Waterways Commission to the very day he died. From 1909 to 1912, he was secretary to Pinchot. From 1912 to 1917, he was secretary of the National Conservation Association, "the organized voice of the Conservation Movement in America." Throughout his career, Slattery was investigator, counsel, legislative draftsman, and confidant for numerous friends of conservation in Congress, as well as for others in private life. In 1920, Slattery was practicing law in Washington, but still burrowing, as had been his custom, through the Congressional Record and other government publications, and through a variety of metropolitan daily newspapers. He was corresponding regularly with Gifford Pinchot, with numerous friends of conservation, and with a selected circle of newspaper reporters and columnists.

As the 1920 presidential campaign opened, Slattery felt that the Republicans were firm supporters of conservation. Harding's platform had "emphasized the Republican devotion to . . . conservation." It was "no secret," said Slattery, "that this plank in the platform was written by the conservationists." In the late summer Harding's publicity man, Judson Welliver, a close acquaintance of Slattery's, invited him to come to Marion, Ohio, where Harding was conducting a front-porch campaign. There Slattery helped to prepare an address on conservation for Harding. Slattery later described the speech as "a direct commitment for the conservation policies — strong and clear-cut."

At about this same time Slattery arranged a meeting between Pinchot and Harding. To Harding's campaign manager, Slattery wrote: "Just before he left Washington, Senator Harding was anxious to have Mr. Pinchot come [to Marion] and go over with


2 For biographical information on Slattery, see his unpublished autobiography, "From Roosevelt to Roosevelt," and his voluminous personal papers, Duke University Library.


4 Slattery, "From Roosevelt to Roosevelt," 74-75.
him the conservation, agricultural and other progressive matters in which GP had worked.” Pinchot agreed to make the trip, and Slattery’s suggestion was accepted by the Marion headquarters. Late in August, Pinchot, following his visit to Marion, publicly endorsed Harding’s candidacy. As one newspaper phrased it, Pinchot was “much pleased” with Harding’s views on conservation.5

Gifford Pinchot, in 1920, was a private citizen of Milford, Pennsylvania, who thought of himself as a Roosevelt Republican. Indeed, he had made the first of several annual pilgrimages to the Rough Rider’s grave, perhaps to live again those days of the Roosevelt administration when the conservation movement reached its first fruition and Pinchot enjoyed a power he had never since held. In 1910-1911, during the heated clashes of the Ballinger-Pinchot controversy, President William H. Taft had demanded and received Pinchot’s resignation as chief forester of the United States. To many of the public, and certainly to his numerous close followers, Pinchot was a martyr to conservation. And in private life he continued to dominate the conservation movement, providing it with an inspirational leadership.7

6 Slattery to Elijah Hanson, July 13, 1920; Slattery to John C. McCarl, July 17, 1920; Slattery to John Snure, July 17, 1920; Hanson to Slattery, July 23, 1920; McCarl to Slattery, July 26, 1920; Snure to Slattery, July 28, 1920, Slattery Papers.

labor, he, as much as any single man, made conservation a crusader's program and over the years revealed consummate skill in promoting and protecting the movement that he considered, in large measure, his peculiar creation. In 1920, one of his great fights lay immediately ahead.

When Harding swept into office with ease in November, receiving over sixteen million votes out of the twenty-five million votes cast, the friends of conservation had reason to feel secure. The campaign had assured them that Harding would support their policies. Furthermore, soon after the victory Pinchot was called to Marion again. There he talked about forestry with Harding, who also had him submit a list of five men as possible candidates for the post of secretary of the interior. Harding said that he was anxious to support a conservation program, and wanted a man for the office who would promote conservation as an administration policy.\(^8\) To R. C. Bryant at Yale Forestry School, Pinchot wrote that his talk with Harding was "most satisfactory." And he added: "Altogether I am much better pleased with the situation than I expected to be a month ago."\(^9\) But even as Pinchot was writing to Bryant, the political scene was changing with the appearance of a new actor.

Late in the afternoon of November 15, 1920, Senator Albert B. Fall of New Mexico arrived at Brownsville, Texas. That night he dined and talked with his old Senate companion, President-elect Harding, who was spending a brief vacation with friends near Brownsville.\(^10\) Fall, who was chairman of the Senate subcommittee on Mexican Affairs, had been an acidulous critic of President Woodrow Wilson's policy toward Mexico, and at the 1920 Republican Convention he had written the party plank on Mexican policy. Behind Fall when he settled in New Mexico Territory in 1886 lay a Kentucky childhood and education, and several years of rough toil and gold-prospecting in Texas and northern Mexico. In New Mexico, he had waxed rich and strong and acquired a goodly share of that broad land. In 1907, he had opened a law office in Las Cruces and had gone into politics. Until William Jennings Bryan "muddied the pond," as Fall expressed it, he had been a Democrat.

\(^8\) John Lathrop to Pinchot, March 11, 1924, Pinchot Papers, Box 235.
\(^9\) Pinchot to R. C. Bryant, January 4, 1921, ibid.
As Democrat, and then as Republican, he held several political offices in the Territory, and when New Mexico became a state in 1912 he was elected as a Republican to the United States Senate. In Washington, this frontier baron with his wide-brimmed hat and easy drawl soon became a conspicuous figure. His background hinted of a hard but lucrative struggle for wealth and of a strong political ambition, nurtured by frontier individualism. As a senator, Fall created close friendships as well as bitter enmities. One of his more intimate cronies was the colleague who sat next to him in the Senate, Warren G. Harding of Ohio. Perhaps it was this friendship that had brought Fall to Brownsville during Harding's winter of indecision, when the President-elect struggled to select a cabinet.

Perhaps it was friendship, also, that took Fall to Marion in mid-December, when he again conferred with Harding, after which he told reporters that Harding did not bring up cabinet matters. "But," added Fall, "whether I said anything about the cabinet is another question." A week later, the Chicago Tribune reported that Harding had decided upon at least three cabinet appointments, one of whom was Fall for secretary of the interior. Late in January, 1921, Harding went to Florida as a guest of Senator Joseph S. Frelinghuysen of New Jersey, and with him was Fall. The press wires from Miami on January 30 reported that Fall was in line for the Interior Department post. Finally, on March 1, Harding announced from Marion that he was choosing Fall as secretary of the interior. Meanwhile he had been filling in the other cabinet names,

11 For biographical information on Fall, see obituary note in New Mexico Historical Review (Santa Fe), XXI (January, 1946), 78-80; William A. Keleher, The Fabulous Frontier (Santa Fe, 1945); Owen P. White, "Five El Paso Worthies," American Mercury (New York), XVIII (December, 1929), 433-40; and William G. Shepherd, "How Carl Magee Broke Fall's New Mexico Ring," World's Work (New York), XLVIII (May, 1924), 29-40.

12 Harry Daugherty wrote that Fall and Harding were accidentally thrown into "intimate friendship by the assignment of seats in the Senate . . . which placed them side by side for six years." Harry M. Daugherty, The Inside Story of the Harding Tragedy (New York, 1932), 76-80.

15 See Walter E. Edge, A Jerseyman's Journal (Princeton, 1948), 120-21. Edge, a senator from New Jersey, considered himself "particularly fortunate" in being "the only companion of the President-elect while he was resting at the Hotel Ponce de Leon at St. Augustine" in February. According to him, Harding's appointments of such close personal friends as Fall and Harry M. Daugherty (attorney general) "were, as he often said, personal appointments and obligations." Ibid., 121-22.
and when he appeared before the Senate on Inauguration Day to present the nominations, his old chums and former colleagues cheered him tumultuously. The burst of applause which followed the reading of Fall's name seemed to show that his Senate friends approved his selection.  

The friends of conservation, however, were aroused. While Harding had fished and golfed and gradually put together his cabinet, they had consulted each other in growing anxiety. A telegram to Gifford Pinchot in late February asked: "How is Fall on Conservation?" Pinchot replied: "Don't quote me yet on Fall. Want to go carefully over his record in Senate and other records not immediately available. He has been with exploitation gang, but not a leader. Has large personal holdings in mining and other resources in this country and Mexico. Trouble ahead."  

His examination of the record was not reassuring, and two days after the inauguration he wrote: "On the record, it would have been possible to pick a worse man for Secretary of the Interior, but not altogether easy." This judgment was later to be expressed more specifically by another conservationist, who pointed out that the position of secretary of the interior "called for a man with a strong appreciation of public rights and interests," and said: "Fall was condemned as absolutely unfit for such a post by every detail of his record in the Senate. He had been an exploiter, and a friend of the exploiters. He had always opposed the conservation movement."  

To Harry Slattery, thinking back to the Republican campaign and his own contacts with it, "announcement of the Harding Cabinet... came as something of a shock." The appointment of Fall, he said, "placed in the key conservation post in the Cabinet one who for years had bitterly opposed the conservation program as a Senator." Both Slattery and Pinchot also expressed concern over the selection of Edwin Denby as secretary of the navy. Pinchot recalled that as a congressman from Michigan during the Taft administration Denby had been a member of the committee which reported in favor of Ballinger. "I went to Detroit afterwards," he

16 Cong. Record, 67 Cong., 1 Sess., 7 (March 4, 1921); New York Times, March 5, 1921, pp. 1, 9.  
17 Walter Darlington to Pinchot, and Pinchot to Darlington, February 24, 1921, Pinchot Papers, Box 237.  
18 Pinchot to Samuel McCune Lindsay, March 6, 1921, ibid., Box 239.  
20 Slattery, "From Roosevelt to Roosevelt," 75.
said, "and helped beat him for re-election. Why he should have been appointed, nobody seems to know." Furthermore, according to Slattery, the conservationists were also worried over the fact that "several assistant secretaries were appointed in the Navy and Interior Departments and in the Department of Justice who were not likely to be friends from their past records and affiliations." 21

Spurred by their fears and suspicions, the conservationist leaders went to work almost at once to preserve the cause of conservation from the despoiling hands of the new secretary of the interior. They realized, however, that until they could produce positive evidence relating to a more or less specific issue it would be necessary to proceed with caution, and their first attention was directed toward the maintaining of a close watch upon developments which might affect the conservation program. Thus when, soon after Harding's inauguration, Slattery received a request from The Survey, a liberal fortnightly magazine, for an article of "1,000 words on Fall and the Department of the Interior" which would be "a straight fact story," he first procrastinated and, two months later, finally declined to contribute the article. 22 At that time he was still seeking the "straight facts" about Fall, still searching for more substantial evidence than he had yet uncovered.

Not long after Fall took over the Interior Department, Slattery heard that he was moving out "many trained and zealous public servants" and surrounding himself with his personal friends, and that as a result a "lowering tone was going down through the whole Department." Soon afterwards there came the unbelievable rumor that Fall had by executive order secured the transfer of the naval oil reserves from the Navy Department into his own hands. "This was so bold a move," Slattery said, "that it at first did not sound true." 23 If true, this might mean that Fall was preparing the way for a direct assault on one of the most important conservationist gains of the two preceding presidential administrations.

During the Taft administration, a concerted drive by the Navy Department and the friends of conservation had brought about the creation of two great naval oil reserves on government lands in

21 Pinchot to Lindsay, March 6, 1921, Pinchot Papers; Slattery, "From Roosevelt to Roosevelt," 75.
22 S. Adele Shaw to Slattery, March 21 and April 14, 1921; Slattery to Shaw, April 4, April 5 and June 2, 1921, Slattery Papers.
23 Slattery, "From Roosevelt to Roosevelt," 81-82.
California. Then in 1915 President Wilson had set aside the Teapot Dome tract in Wyoming as Naval Oil Reserve Number Three. Taft and Wilson had specifically designated these three areas as oil reserves for the exclusive use of the United States navy, but throughout the Wilson administration, conservationists, determined to maintain them as reserves, were engaged in a contest with private oil interests who were equally determined to obtain rights to lease portions of the government oil lands. Harry Slattery expressed a common viewpoint of the conservationists when he referred to the oil in these reserves as "a supply laid up for some unexpected emergency," and insisted that it should be left underground, intact, and safe "as an insurance policy for national defense." During the Wilson years, Secretary of the Interior Franklin K. Lane alienated Pinchot and his friends over the leasing issue. In the cabinet itself a running fight developed between Lane and Secretary of the Navy Josephus Daniels, who was backed by Pinchot, Senator Robert M. La Follette of Wisconsin, and a number of naval officers. Daniels wanted the naval oil reserves entirely closed to leasing. Lane felt that individuals with claims filed upon the oil lands before they were withdrawn had a legitimate complaint. Wilson usually sided with Daniels, but there was bickering within the administration, and at least one interdepartmental feud.

Finally, in 1920, Daniels managed to acquire control of the reserves. Working through the House Naval Affairs Committee, he pushed through a special amendment to the 1920 naval appropriations bill. The amendment directed the secretary of the navy to


26 Peffer, Closing of the Public Domain, 127-28; Ise, United States Oil Policy, 335 ff; J. Leonard Bates, "Josephus Daniels and the Naval Oil Reserves," Proceedings of the United States Naval Institute (Annapolis), LXXIX (February, 1953), 171-79; Slattery, "Story of the Teapot Dome Scandal," 19. See Daniels to William C. Redfield, February 2, 1924, Josephus Daniels Papers (Division of Manuscripts, Library of Congress), Box 578, for Daniels' statement that "Wilson stood with me throughout the whole controversy when Lane and I disagreed."
take possession of the naval oil reserves, and "to conserve, develop, use and operate the same in his discretion, directly or by contract, lease or otherwise." Thus the administration of the three reserves passed into the willing hands of a stubborn conservationist, and the friends of conservation felt that their precious oil reserves were secure. But when Harding came into office and Josephus Daniels returned home to North Carolina, Edwin Denby was moved in as head of the Navy Department. It was only about a month after he assumed office that Slattery heard the rumor that control of the reserves was being shifted, by executive order, from Denby to Fall.

About the same time that Slattery first caught this rumor, he also read a Navy News release of April 16, in which Secretary Denby made an announcement that gave him added concern. It was stated that Denby had decided to lease drilling rights in one of the California naval oil reserves to private oil companies, and that bids were to be opened soon. Denby admitted that this was the first time such rights were being granted and justified his decision by asserting that government oil was being drained by the wells of private companies operating on the rim of the naval oil reserve. In Slattery's view, whether or not the transfer rumor proved to be true, the reserves were evidently in danger from Denby's new policy. He quickly sent off a note to Pinchot: "Some good might come out of it if you would give me a note of introduction to TR, Jr. [Theodore Roosevelt, Jr., assistant secretary of the navy under Denby], and I could discuss this briefly with him." Pinchot promptly addressed a note to "Dear Ted," introducing Slattery as "a man in whom you may have complete dependence from every point of view. Not only will whatever he tells you be true, but you will find him thoroughly posted on whatever . . . he desires to take up with you . . . He is especially interested, as I am, in the oil policy of the Navy Department." 28

Slattery allowed the letter to Roosevelt to lie idle for a few weeks. Then, just three months after Harding came into office, the White

27 For the text of the amendment see Cong. Record, 66 Cong., 2 Sess., 6214-15 (April 28, 1920). The House agreed to the appropriation bill, with this amendment included, on June 1, 1920 (ibid., 8101), and the Senate approved it on the following day (ibid., 8162-63).

28 Slattery to Pinchot, April 25, 1921, and Pinchot to Theodore Roosevelt, Jr., April 28, 1921, Slattery Papers. A copy of the Navy News release of April 16, 1921, is also in Slattery Papers.
House announced on June 1 that the President had signed an executive order transferring the naval oil reserves from the Navy Department to the Department of the Interior. The action had been recommended jointly by Secretaries Denby and Fall, the announcement said, and the secretary of the interior now possessed authority to grant drilling rights in Reserve Number One in California, the only reserve thus far opened to drilling. Although this transfer gave Fall the reserves, Slattery still had confidence in the Roosevelt name. He went to the Navy Department, carrying Pinchot's letter with him. He told Roosevelt of the old "naval oil fights and of my knowledge of them, and the vital necessity of oil for the Navy." Roosevelt, according to Slattery, began showing irritation. When Slattery spoke of Fall's poor conservation record, Roosevelt "hit the ceiling." He told Slattery that Fall had been in his father's Rough Riders and that Slattery must not "say anything derogatory of this great friend." Slattery recalled that he and Roosevelt "sparred back and forth" for awhile, until Roosevelt "finally admitted he himself had carried the Executive Order, written by Fall and with Denby's approval, to President Harding . . . [who] then signed it." Slattery predicted to Roosevelt that Fall would "turn over the Naval reserves to private interests in the oil industry." Roosevelt, in anger, showed Slattery the door.  

The New York Times had placed the oil transfer story on page twelve, in a small block entitled "Fall Takes Over Navy Oil." But Slattery thought the executive order worthy of much more attention. He paid a visit to Senator La Follette, the old crusader, who had a reputation as a friend of conservation, and who had backed Secretary of the Navy Daniels in his successful efforts to secure naval control of the reserves. La Follette and Slattery had worked together on conservation problems in the past. Now once again they began a co-operative venture. La Follette, first learning of the oil transfer when Slattery told him about it, was disturbed at the news and encouraged Slattery to investigate the transfer.  

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29 See Slattery's account of this visit, "From Roosevelt to Roosevelt," 82-83. In the early 1930's, Slattery told Ralph Sucher, a former secretary of La Follette's, of his visit with Roosevelt. See Sucher memorandum, February 24, 1932, and Sucher to Slattery, February 24, 1932, Slattery Papers. The executive order is reprinted in Senate Committee on Public Lands and Surveys (68 Cong., 1 Sess.), Leases upon Naval Oil Reserves (3 vols., Washington, 1924), I, 177-78.  
31 See statement by Robert M. La Follette, Jr., at a dinner in honor of Slattery,
Urged on partly by La Follette and partly by his own interests, Slattery began a lengthy study of Fall’s conservation record. For ten months, quietly and exhaustively, he probed. During this time it became apparent that the oil transfer was only one part of a series of policies planned or inaugurated by Fall, which looked to Slattery like a major anti-conservation campaign. The oil transfer tended to shrink in importance as Slattery discovered evidence of plans in the Department of the Interior to enlarge private exploita-
tion of resources in Alaska and to bring all or part of the Forest Service — then in the Department of Agriculture — under control of the Department of the Interior. As Slattery probed Fall’s maneuverings he began reporting periodically to Pinchot, who eagerly spurred on the search, for when Fall touched the forest reserves he all but literally touched Pinchot’s soul.

From the time of his appointment as the first chief forester of the United States in 1905, Pinchot had looked upon the Forest Service as the seed-bed of the conservation movement. At the time of his appointment it constituted a bureau in the Department of the Interior, but under him it was soon transferred to the Department of Agriculture, and for the rest of his life he labored to keep it out of the hands of what he considered to be a predatory Interior Depart-
ment. The controversy with Secretary of the Interior Richard A. Ballinger in 1910, leading to Pinchot’s dismissal, served to fix his impressions more indelibly, and as Slattery reported evidence of Fall’s new plans, the former chief forester — whom Harold Ickes called “Sir Galahad of the Woodlands” — prepared again for battle with the Interior Department, aiming now at Fall.

Already Pinchot had tried to stop the oil transfer by Harding. Immediately after learning that “powerful oil interests were seek-


32 Slattery to Pinchot, June 6, 1921, Slattery Papers. Forest Service Chief William B. Greeley recalled that the Harding administration “was not three months old when Secretary [of Agriculture] Wallace told me gravely that we must be on our guard,” because a scheme was brewing to turn the national forests back to the Interior Depart-
ment, “and the scheming centered in the Secretary of the Interior.” Greeley, Forests and Men, 96.

33 Harold L. Ickes to Pinchot, May 18, 1940, copy in Slattery Papers. Written while Ickes was secretary of the interior, as part of a controversy between him and Pinchot over a current effort to transfer the Forest Service to the Interior Depart-
ment, this letter was a blistering criticism of Pinchot’s long series of activities against that Department. See also Ickes, “Not Guilty: Richard A. Ballinger — An American Dreyfus,” Saturday Evening Post (Philadelphia), May 25, 1940, pp. 9-11, 123-28.
ing to obtain through executive action what they had failed to accomplish through congressional action,” he made an urgent personal appeal to the President not to sign the executive order. His protest failed, said Pinchot, because Harding did not believe that he could arouse the country in the interests of oil as effectively as he had done earlier in the interests of forest conservation. But with the national program of forest conservation now jeopardized by Fall, Pinchot became an active and influential force behind the growing conservationist opposition to the new policies forming in the Department of the Interior.

Secretary Fall was clearly showing interest in more than oil reserves in California and Wyoming. Soon after his appointment he began talking about the resources of Alaska. He culled through old reports and data. He had several conferences with President Harding, who finally, according to the New York Times, “told the Secretary . . . to go ahead and carry out the program which both are convinced will mean a greater Alaska.” The Times reported that Fall was impressed by the vast coal fields, the oil of high quality, and “the wonderful forests of Alaska, with, we hope, a future that is bright for the wood pulp and paper industries.” To Fall, Alaska’s greatest handicap was its decentralized administration. Division of authority led to conflict of authority. There was, he said, “just one way to develop Alaska, and that is to vest absolute authority in a single head . . . the President himself.” But Fall also had other solutions for the Alaskan bureaucracy. In particular, he had ideas about the forests in the Territory, as well as those in the states. He wanted to transfer the Forest Service to the Interior Department, or else have the functions of Interior moved over to Agriculture. Naturally, he preferred to preserve his own domain, and two months after he took office he had drawn up for Harding’s signature an executive order to transfer the Forest Service to the Interior Department. Later, in July, he supported an alternative procedure of effecting the transfer by congressional action.

34 Remarks of Pinchot, reported and quoted in Philadelphia Public Ledger, March 5, 1924. Also reported in New York Times, March 5, 1924, p. 2.
36 Secretary of the Interior, Annual Report, 1921 (Washington, 1921), 7; Slattery,
At Slattery's suggestion, Pinchot sought a conference with Fall, who agreed to a meeting on July 29. Pinchot reported afterwards that at the meeting Fall was “most gratified that I had asked to see him, and expressed himself generally in a most friendly manner.” According to Pinchot, Fall “specifically and definitely” did not want the administration of Alaskan forests transferred to his Department. He merely wanted “control of the business end of timber sales,” leaving with the Forest Service in Agriculture “the marking of timber, and other details of the management on the ground.” During the conversation, Pinchot was given a confidential copy of a congressional bill which included Fall’s views on Alaskan development.  

Pinchot had mixed reactions to his talk with Fall. To Frederick H. Newell, a conservation pioneer, he wrote immediately about “a long and very satisfactory conference.” But to an old Bureau of Fisheries expert, John N. Cobb at Juneau, Alaska, Pinchot dispatched a less optimistic note. He related to Cobb the gist of his conversation with Fall, pointing out that Fall did not want the forests transferred to Interior, but did want “to take control of the business end of timber sales.” Pinchot thought that “such a separation would not work well for fairly obvious reasons,” and asked Cobb to do what he could “to promote the keeping of the whole forest problem in the hands of the men who are best able to handle it — very obviously, the Forest Service men themselves.”  

To Frederick E. Olmsted, consulting forester at Stanford University, Pinchot sent notes on his interview with Fall, as well as those from


37 Slattery to Pinchot, July 20 and July 23, 1921; Pinchot to Slattery, July 22 and July 25, 1921, Slattery Papers. A copy of “Confidential Committee Print, 67 Cong., 1 Sess., House Bill,” given to Pinchot on July 29, 1921, by Fall, and “Notes of G. P.’s talk with Secretary Fall, on Friday afternoon, July 29, 1921,” are in the Slattery Papers. Pinchot sent these to Slattery “for the files of the Conservation Association,” with an explanation that “These notes were made immediately after the talk, and accurately represent the position taken by the Secretary.” Pinchot to Slattery, September 26, 1921, Slattery Papers.

38 Pinchot to Frederick H. Newell, August 1, 1921, Pinchot Papers, Box 240; Pinchot to John N. Cobb, August 1, 1921, ibid., Box 237. Pinchot began his note to Cobb with a parenthetical complaint over mistreatment by Harding: “The President evidently forgot his promise to consult me on the appointment of a Governor of Alaska. I knew nothing of Scott Bone’s appointment until it was made, and am very far from being pleased with it. It is clear that Bone’s position approaches far more closely that of the Seattle exploiters than . . . that of the real Alaskans like yourself.”
a subsequent conversation with Harding. Olmsted found them "most instructive," and predicted: "Off hand, I should say it looks like a fight, for I doubt if anything else will knock sense into their big business heads. I haven't the slightest doubt . . . that the lumber interests are behind Fall and coaxing him along." Olmsted thought that "an open fight on the whole conservation business would be an excellent thing. With the . . . present administration . . . out and out for big business, there is bound to be a lot of damage done secretly, anyway; why not have a show-down?" 39

Pinchot already had decided to look for a showdown. By late summer of 1921 he evidently had become convinced that Fall was attacking the government's entire conservation program. When Pinchot reached this stage in his thinking he set in motion a maneuver which he had used successfully fifteen years earlier as chief forester. He began enlisting the aid of the press, this time in a publicity war on Fall. Slattery was a key figure in the propaganda campaign, and by September he had managed to place in the Christian Science Monitor the first of four stories on forestry, written by E. A. Sherman, associate forester of the United States. Essentially, the articles defended the status quo in Alaska. Slattery thought they had "a good slant." Ten days later, Slattery reported to Pinchot: "In addition to . . . the Monitor . . . I have got NEA, Chicago Tribune, New York Tribune, Federated Press, and Consolidated folks to use a part or all of it. It is good stuff." 40

In early December, 1921, as Fall continued with his plans, Pinchot began calling out new reserves and adopting new tactics. On August 10, Senator Harry S. New of Indiana had introduced a bill to implement some of Fall's Alaskan proposals; and on November 16, Senator William H. King of Utah had proposed a bill to transfer the national forests to Interior.41 Pinchot mustered the state forestry associations against both bills. He wired a friend in Massachusetts that "Efforts to transfer Forest Service . . . is [sic] serious and threatening. Suggest Massachusetts Forestry Association take strong action [against the proposed forestry bills], and communicate with all Massachusetts Senators and Representatives, also with President." He informed R. C. Bryant at Yale Forestry

39 Frederick E. Olmsted to Pinchot, December 5, 1921, Pinchot Papers, Box 240.
40 Slattery to Pinchot, September 22 and October 2, 1921, Slattery Papers.
41 Cong. Record, 67 Cong., 1 Sess., 4805 (August 10, 1921), and 7746 (November 16, 1921).
School that he was going to write to all the forestry associations. "Generally," he said, "I am starting to stir things up. The situation is thoroughly serious, and while we are going to beat them in the end, it is going to take some fighting." Pinchot hoped that the executive committee of the Society of American Foresters could take action. "If so, what they say ought to be sent to every Senator and Congressman, and to all members of the Cabinet." Bryant replied: "As President of the Society . . . I have been trying to stir up opposition to the King Bill. . . . You will be the leader in the fight . . . as you have always been and . . . you may rely upon our support in any way that you need it." 42

From the state forestry associations, as well as from any other source, Pinchot wanted pressure put upon the administration to prevent the Forest Service transfer. As he told a close friend, "Fall has made up his mind to get the Service, and Harding is on the fence." As a result, Pinchot himself was "seriously disquieted by the situation." In his opinion, of course, Fall had no justification for the transfer: "The argument our way is . . . overwhelming, but argument as compared with letters from the folks back home is a mighty ineffective means of persuasion." 43

By mid-December, 1921, Pinchot could write that the fight was "going merrily on." Furthermore, Secretary of Agriculture Henry C. Wallace had "at last got his fighting clothes on" and Pinchot was confident of success.44 By Christmas, he was even more optimistic. To his brother Amos, he wrote: "I think we have won our fight on the transfer." 45 Certainly his press campaign was booming. The American Forestry Association was able to publish a news sheet, made up largely of excerpts from newspapers throughout the

42 Pinchot to Bryant, December, 1921, and Bryant to Pinchot, December 6, 1921, Pinchot Papers, Box 236.
43 Pinchot to Philip Wells, December 8, 1921, ibid., Box 243. Wells was a counsel of the National Conservation Association, and a long-time legal adviser and friend of Pinchot's.
44 Pinchot to Olmsted, December 12, 1921, ibid., Box 240. Pinchot had called Harding's selection of Henry C. Wallace as secretary of agriculture "the best appointment" in the cabinet (Pinchot to Lindsay, March 6, 1921, ibid., Box 239), and he understood and sympathized with Wallace's desire to avoid an open break with Fall at this particular time. See especially Pinchot to Barrington Moore, December 20, 1921, ibid., Box 240, in which he said: "We do not want to put the President into a position of backing the transfer [of the Forest Service] as a necessary incident of defending Fall."
45 Pinchot to Amos Pinchot, December 23, 1921, ibid., Box 240.
country, all of them attacking Fall, the proposed transfer, or both. On March 8, 1922, the Association sent directly to President Harding, to Congress, and to newspapers throughout the country, a special sheet, captioned “The Case of the People vs. the Proposal to Transfer the U. S. Forest Service to the Department of the Interior,” in which it presented “a résumé of the editorial opinion of the country denouncing the proposed plan to take the Forest Service out of the Department of Agriculture.” In April, American Forestry magazine claimed that “As a result of widespread information, the opposition [to the transfer] has become most pronounced. The newspapers are practically a unit in protesting against the proposal and scores of influential organizations have condemned it.”

Whatever their effect upon Congress and the President, the conservation crusaders finally pierced Fall’s armor. Vigorously, he struck back. He complained to Harding about the “impropriety” of the “vicious and unwarranted attack” by Pinchot and by the Forest Service itself upon “the head of a coordinate department of the Government,” and he accused the Department of Agriculture and Secretary Wallace of fathering “vicious propaganda” against him and his policies. In a “Memorandum to the Press,” a twelve-page document which he had drawn up, Fall strongly defended his forest and general conservation policies and scathingly denounced “Pinchotism.” Toward Alaska he remained obdurate; the country must be opened up, and its natural resources exploited. When portions of this memorandum appeared in the press, Slattery joyfully clipped them and sent them to Pinchot, saying: “You will note by these . . . that Mr. Fall has been having a nice time digging himself in a hole that he won’t be able to get out of so easy. You will get some laughs out of some of it.” Slattery thought that


47 American Forestry (Washington), XXVIII (April, 1922), 200, with a photographic reproduction of the special sheet, which included comments from Country Gentleman, the Christian Science Monitor, the Pittsburgh Post, the Pueblo Journal, and various other papers and magazines.

48 Wallaces’ Farmer (Des Moines), March 24, 1922, p. 8; New York Times, March 7, 1922, p. 2, quoting a letter from Fall to “Chairman of one of the principal committees of the House.”

49 Copy of Fall’s memorandum, dated March 4, 1922, Slattery Papers.
Pinchot now should "sit tight just like the Secretary [Wallace] and let the heathen rage." 50

President Harding apparently was bewildered by all the noise over conservation, and wondered which side to support. Loyal to Fall as friend, the President, after having supported him in the Alaska proposals, had now become silent about forestry. Aware of his many limitations, and lonely for the press room of his old newspaper at Marion, Harding was, nevertheless, trying to be a president. About the same time that Fall was striking back at the conservationists, the New York Times reported "a widening in the gulf" between the President and his Secretary of the Interior. There were "surface indications" that Fall might soon resign. The Times said nothing about the conservation struggles, but observed that during the first year of the Harding administration, the President had "become attached to the point of view and the counsel of Secretary Hughes and Secretary Hoover." Fall, meantime, had become "a mere member of the Cabinet." 51

The conservationists' relentless pressure upon Fall continued to tighten, but it soon began to focus more on oil than on forests. On March 10, Slattery made a prepared speech at a luncheon at the Ebbitt House in Washington, where he spoke before a forum of the National Popular Government League. Judson King, the executive secretary and driving force of the League, had asked Slattery to present the "facts" on the current controversy over the Forest Service. Slattery made a robust speech. He struck hard at Fall, and argued strongly for leaving the Service in Agriculture. Having covered his subject, he spoke further, almost parenthetically, about the naval oil reserves. "I think Mr. Fall will be asked a few questions about his stewardship," he said. "And one of these... will be about the leasing of the oil lands in Naval Reserve Number One... to... a Doheny interest." Although it is not entirely clear from the speech, it is likely that the reference was to a lease granted by Fall on July 12, 1921, shortly after he acquired control of the reserves from the Navy Department, in which he awarded to Edward L. Doheny the right to drill offset wells in Reserve Number One. There had been little criticism of this lease, since the drainage by

50 Slattery to Pinchot, March 7, 1922, ibid. See also "Secretary Fall Appeals for Help," American Forestry, XXVIII (April, 1922), 207.

adjoining wells was evident and the bidding for the lease had been open and competitive. Slattery gave it as his opinion, nevertheless, that Congress would be inquiring about Fall’s private leases of the reserves, since “we have heard stories about Mr. Fall being quite friendly with large interests of an oleaginous nature.”

Immediately after the forum, a slow fuse began to burn under Harding’s cabinet. Secretary Wallace had sent a stenographer to the luncheon to take notes on Slattery’s remarks, and Wallace himself carried these notes to the President. But Harding evidently was not going to give full support to one cabinet member against another. He would not alter the action taken some nine months earlier which transferred control of the naval oil reserves to Fall, but he did postpone decision on the proposed transfer of the Forest Service. Wallace then stirred up a row in a cabinet meeting by broaching the question of Fall’s conservation policies; and he was reported to have told the cabinet that if the Forest Service was transferred, he would resign, call public meetings in large cities of the Midwest, and put before the country “the case against Fall and his colleagues—forests, oil, and everything.”

The month of March, 1922, which saw Wallace taking a more vigorous role in opposition to Fall, marked also a change in direction of the conservationists’ attack on Secretary Fall’s policies. Since the summer of 1921 the major target had been that part of his program which contemplated change in the Forest Service, with the oil conservation issue temporarily on the shelf. After March the relative importance of forests and oil began to shift, and oil conservation policies soon made the forestry issue a secondary question. The change is marked, too, by Pinchot’s announcement, two days after Slattery’s March speech, of his candidacy for the governorship of Pennsylvania. Pinchot’s energies were now turned mainly to state politics, and he seemed content in the belief that the Forest Service was safe from Fall. Slattery and other conservationists, however, did not slacken their drive. The “Fall war” was still going on. By the end of March, Slattery was writing to Philip Wells that although “the transfer scrap has died down... I am still afraid that

52 Quotations from the speech appear in a copy of a National Popular Government League Bulletin, March 10, 1922, in the Slattery Papers. For the Doheny lease, see Ise, United States Oil Policy, 372.
Harding is going to side with Fall.” It was not encouraging news, he said, “to hear that Fall has been to White House twice lately and had long pow-wows with Harding.” To another conservationist, Slattery wrote: “Something must be done. . . . Our friends in American Forestry evidently fear to offend the Powers that Be — and GP is all absorbed with his Pa. campaign. You and I could conspire together to throw a few brickbats — certainly the situation is going to need it.”

But where find the brickbats? For more than a year the conservationists had been probing for weaknesses in Fall’s defenses; yet their latest barrage had merely forced him to cover — and perhaps only temporarily. Then Slattery stumbled upon an opening, one that caused the campaign against Fall to soar off into new dimensions.

Although Fall had controlled the naval oil reserves since the executive order of May 31, 1921, Slattery had discovered little overt activity in the Interior Department which would document his anxiety. True, Fall had granted Doheny the right to drill offset wells in Reserve Number One, but this was not major exploitation of the reserve. Fall was also reopening old hearings on certain oil claims decided against great oil companies during the Wilson administration, and was rendering decisions now in their favor. Yet this knowledge brought only frustration to the conservationists; Fall’s behavior was highly suspect in their eyes, yet it was legal. Some time in early March, 1922, Slattery decided to search for fire beneath the oil smoke. His speech at the Ebbitt House luncheon had indicated a growing interest in the oil question, though, as he had stated there, the forest transfer was “the real issue.” Perhaps he decided that Fall could be brought to bay on the Forest Service through a flanking attack on oil. Whatever his thoughts, on March 15 he sent Senator La Follette a noteworthy letter.

Slattery had it “on reliable authority,” he reported, that Fall had just leased a large acreage within Reserve Number One to the Doheny oil interests, the same group which had earlier been granted the limited right to drill offset wells. He reminded La Follette that this reserve “was the one the naval experts said was best fitted to store oil underground for naval use.” Fall had also recently re-

54 Slattery to Wells, March 30, 1922; Slattery to H. H. Chapman, March 15 and March 31, 1922, Slattery Papers.
opened another oil claim case; and the naval coal reserve in Alaska, also transferred to Fall, was "known to be up for private leasing." Slattery had drawn up a proposed Senate resolution that would direct the secretary of the interior to send to the Senate a list of all oil leases made by Interior within Naval Reserves One and Two, with full details on them; all executive orders and other papers in Interior files authorizing or regulating such leases; and "all correspondence, papers, and files showing and concerning the application for such leases and the action of . . . Interior . . . thereon." Slattery told La Follette that he would be glad to go over the resolutions with the Senator at any time. La Follette replied soon afterwards: "I am interested in this . . . and hope you will take it up at your earliest convenience." 55 Actually, Slattery had little more than hunches at this point, and his letter to La Follette represented an effort to seize the initiative in another skirmish in the "Fall war." As he informed Philip Wells in Connecticut, "We still have our scheme to launch a few bolts at Mr. F. under cover — and I hope you will hear it clear to Middletown when it comes through." 56

Early in April, 1922, Slattery had a long talk with La Follette. They decided "that a Senate resolution would be the only way to get at the facts," and they began to gather data to incorporate in a resolution calling for information from Fall. On April 6, La Follette wrote to Josephus Daniels, whose protection of the reserves while secretary of the navy had won La Follette's approval. He told Daniels of his intentions to bring the question before the Senate "at the first opportunity." It had surprised him that no naval officer connected with the reserves and aware of their significance had made any adverse comment on Fall's oil policy. Would Daniels offer an opinion on the situation? 57 The same day La Follette began searching for necessary documents. Harding's executive order of May 31, 1921, transferring the reserves, had never been published and was not filed in the customary section at the State Department. La Follette wrote to Secretary of State Charles Evans Hughes "asking for copies of the President's orders relating to naval oil

55 Slattery to La Follette, March 15, 1922; La Follette to Slattery, March 20, 1922, ibid.
56 Slattery to Wells, March 30, 1922, ibid.
57 La Follette to Daniels, April 6, 1922, quoted in Sucher memorandum, February 24, 1932, Slattery Papers.
and coal reserves." 58 Without replying, Hughes sent the letter to Fall, who, La Follette claimed, did not reply. 59 La Follette managed to procure a copy of the executive order and upon reading it decided that it was illegal and that Harding had no authority to issue it.

Gradually, more evidence began to filter in to La Follette. Daniels, replying to La Follette's letter of April 6, suggested that La Follette consult Rear Admiral Robert S. Griffin, who had been Chief of the Navy's Bureau of Engineering for over eight years, and who had opposed the naval oil reserve transfer. 60 La Follette gave Slattery letters of introduction to Admiral Griffin and to several other naval officers, including Captain John Halligan, "one of the Navy's experts on oil." Slattery saw them all. The Admiral, though retired, was still a member of the Naval Consulting Board; thus, wrote Slattery, he was "in a delicate position, since . . . Denby was his chief, but he clearly indicated his hope that the Senator would force an investigation." He told Slattery: "If they get into this thing, they will find stranger things in heaven and earth than we have dreamed of." Slattery reported the interview to La Follette, "and the significance of Admiral Griffin's remark was not lost upon him." 61 La Follette was also soliciting viewpoints of other naval officers, "men, who, he knew had stood staunchly against the transfer or leasing of the reserves"; but he learned that they had all been ordered to distant stations. This news, too, aroused his suspicions. 62

59 The Sucher memorandum of February 24, 1932, indicates that La Follette never received an answer from Fall, and that when Fall produced the supposed reply eighteen months later, La Follette decided that it had been drafted at a later period to avoid any charges of concealment. See Sucher memorandum, Slattery Papers. On the other hand, La Follette, Robert M. La Follette, II, 1045, refers to a letter from Fall to La Follette, dated April 12, 1922, without questioning when it may have been written. Fall's letter, whenever written, is printed in Leases upon Naval Oil Reserves, I, 265-66.
60 Daniels to La Follette, April 15, 1922, cited in La Follette, Robert M. La Follette, II, 1048.
61 The quotations are from Slattery, "From Roosevelt to Roosevelt," 87.
62 Sucher memorandum, February 24, 1932, Slattery Papers. On April 8, 1922, Slattery, still in his role as publicist, wrote to John E. Lathrop of the New York World: "You have no doubt noticed a war that has begun on Secretary Fall along the Potomac. . . . I want to ask if you can put a few spikes in the schemes of this gent . . . and if I might take the liberty of furnishing you some 'dope' now and then." Two days later, Lathrop replied that he would be glad to receive news about Fall's conservation plans. Slattery to Lathrop, April 8, 1922; Lathrop to Slattery, April 10, 1922, Slattery Papers.
Perhaps the conservationists forced Fall’s hand; or, conceivably, he was preparing the way for other announcements to follow later. At any rate, on April 7, he announced the adoption by the Interior Department of a policy for protecting the government against further losses of oil in the California reserves. He estimated that around twenty-two million barrels of oil had been lost through failure of the Wilson administration to drill protective offset wells there. This loss was irrecoverable, and Interior could only inaugurate a drilling campaign to save the oil that still remained in the ground. This campaign already had started. Fall announced leases on Reserve Number Two to companies with preferential rights to drill, based upon claims held prior to withdrawal of the land by President Taft. No definite contracts, other than the limited one to Doheny of July 12, 1921, had yet been made for Reserve Number One, but a permanent policy was “being rapidly formulated” whereby the government would receive a portion of the oil produced, and would store it in steel tanks for future needs by the navy.63

In his statement Fall committed a sin of omission. He failed to announce that on this same day, April 7, he had leased the entire area of Teapot Dome to oil man Harry Sinclair. Slattery learned of the lease three days later.64 On April 14, Slattery’s private information became public, when the Wall Street Journal carried a front-page report that Fall had leased Teapot Dome to Sinclair’s Mammoth Oil Company. Interior officials, the paper reported, had indicated that “the arrangement ... marks one of the greatest petroleum undertakings of the age and signalizes a notable departure on the part of the government in seeking partnership with private capital for the working of government-owned natural resources.”65

In the meantime, the investigation of Fall’s conservation policy had begun to slip from the hands of the conservationists into those of the United States Senate and the public press. At the same time that La Follette was writing to Daniels and Hughes, Senator John B. Kendrick of Wyoming began receiving telegrams and letters from his constituents, asking him to inquire into rumors that Teapot Dome had been, or was about to be, leased to private interests. Kendrick asked the Interior Department for information, and on

64 Memorandum by Slattery, dated April 10, 1922, Slattery Papers.
April 10 received a reply that no contract for a lease had been made. The rumors echoed beyond Wyoming, and newspapers tried to get a verification. They, too, learned nothing. But they, as did Kendrick, began to dig. On April 15, the day after the Wall Street Journal story appeared, Kendrick rose in the Senate and introduced a resolution. He proposed that the secretaries of the Navy and Interior departments “inform the Senate, if not incompatible with the public interests,” about “all proposed operating agreements” upon the Teapot Dome reserve. The Senate agreed to Kendrick’s resolution without comment and without a roll call vote.

While Kendrick’s call for this information on Teapot Dome was evidently motivated largely by pressure from his own constituents, he was standing, consciously or not, against a background erected by the friends of conservation, who had labored steadily since the day Fall was named secretary of the interior. In time, Kendrick alone might have instigated a full-dress investigation of Fall’s oil leasing policy. Yet, until April 15, he had not entered the “Fall war”; and even then he merely questioned, rather than attacked, Fall’s policy. In late April, however, his position would be greatly reinforced by La Follette, demanding an exhaustive investigation of “this entire subject of leases upon naval oil reserves.” La Follette was incited to activity by Slattery, who, with the encouragement and aid of Gifford Pinchot, had kept alive a continuing campaign, already over a year old, against Secretary Fall.

On April 18, while Fall was on an inspection tour of Reclamation Bureau projects in the West, acting Secretary of the Interior Edward C. Finney formally announced the leasing of Teapot Dome.

Three days later, in response to Kendrick’s resolution, Finney officially notified the Senate and sent it a copy of the contract by which Sinclair’s Mammoth Oil Company had been given a lease on the entire area of Naval Oil Reserve Number Three. Under the terms of this contract the government was to receive royalties of 12½ to 50 per cent on the production of the wells. The lease was for twenty years and, in customary oil lease language, “so long thereafter as oil or gas is produced in paying quantities from said

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66 See Cong. Record, 67 Cong., 2 Sess., 11785 (August 25, 1922), for Kendrick’s account of his activities concerning Teapot Dome in early April, 1922. See also New York Times, March 12, 1924, p. 6, and Ike, United States Oil Policy, 357.
lands." An unusual provision stipulated that the government was not to receive its royalty in oil or in cash payment, but in oil certificates. These could be exchanged for fuel oil and various petroleum products, could be redeemed in cash, or could be exchanged for oil storage tanks—all such exchanges to be with the Mammoth Oil Company. 69

When Finney announced the Teapot Dome lease, he also indicated that Edward L. Doheny's Pan-American Petroleum and Transport Company was being awarded a contract on parts of the California oil reserves. By April 25 the terms were arranged. The navy's royalty oil from the reserves was to be exchanged for storage tanks that Doheny would construct at Pearl Harbor, along with docks, wharves, and other facilities for fueling the fleet. The Doheny contract also stipulated that if future leases should be given for any or all of the California reserve, Doheny's company would have a preference right to the lease.70

The two contracts received little publicity. Finney's announcement, as did Kendrick's resolution, raised hardly a ripple outside conservation and oil circles. The Democratic New York World merely criticized the administration's secretiveness over the new oil policy, saying: "The whole transaction lends color to the theory of underground government . . . and the Harding administration can thank only itself for standing in a bad light before the country." 71 But the country, and evidently the press, knew little about any mysterious maneuverings in the Interior Department. John Lathrop of the World asked Slattery for facts, "and I don't care whom they hit," he added. "If you have . . . provable facts—fire them along." 72

Slattery, too, wanted some facts. He had a surplus of hunches, and every day was picking up rumors and opinions to support them. Soon after his talk with Admiral Griffin he was visited by Captain John Halligan, one of the naval officers he had seen earlier. Slattery described their conversation in his diary: "We had a long talk. He showed me that Griffin, [Commander Nathan H.] Wright, and [Commander H. A.] Stuart, including himself, protested Executive Order on Naval Reserves, also data showing Stuart knew nothing

69 The contract is printed in Leases upon Naval Oil Reserves, I, 6-21.
70 Ibid., I, 296-98.
71 New York World, April 19, 1922.
72 Lathrop to Slattery, April 21, 1922, Slattery Papers.
of Teapot Dome; that Wright was out on Naval Reserve in California, knew nothing of Doheny deals — also letter of Stuart in protest . . . to Admiral John K. Robison, and long one to Denby. . . . This is going to be a national scandal before all is over.” 73

Slattery conveyed whatever information he possessed, as well as his fears, to La Follette. On April 21, a week after the news of the Teapot Dome lease had appeared in the Wall Street Journal, La Follette introduced in the Senate a resolution which, with one major addition, was almost a carbon copy of the one Slattery had suggested to him in the middle of March. Since the Teapot Dome lease had now been added to the book of suspicions, the original resolution was adjusted to include it in the call for information. La Follette asked that the secretary of the interior be directed to send to the Senate all the facts about the leasing of Naval Oil Reserves One, Two, and Three to private persons or corporations. He wanted a list of all oil leases, all executive orders and papers authorizing or regulating those leases, and all correspondence, papers, instructions, requests, arguments, and actions relating to them in the files of the Interior Department. As with Kendrick, the Senate offered no objection, and the Vice-President ordered that the resolution be printed, and lie upon the table, as La Follette had requested. This resolution called only for information, not an investigation; but, as Slattery noted, it “could not be met with any brief perfunctory reply such as had been given in response to the Kendrick resolution. Nor could the excuse be put forward that the Department did not know what information was desired by the Senate.” 74

On April 28, Josephus Daniels’ Raleigh News and Observer offered the editorial opinion that “Every day since the reserves were created there has been a well oiled propaganda to open them — and the recent action, wholly indefensible, promises to be the subject of congressional investigation.” 75 La Follette and Slattery had already set out to make the promise fact. As Slattery expressed it, “the war on Fall goes merrily on.” And he wrote to Pinchot’s secretary in Milford, Pennsylvania, explaining an inability to make

73 Extract from Slattery diary, quoted in Slattery, “From Roosevelt to Roosevelt,” 87.
74 Cong. Record, 67 Cong., 2 Sess., 5792 (April 21, 1922) ; Slattery, “From Roosevelt to Roosevelt,” 84.
75 Raleigh News and Observer, April 28, 1922.
a visit there: "I could not . . . leave [Washington] just when the Fall resolution was coming up. Confidentially, it would have completely bogged down because I know most of the facts." ⁷⁶ The "Fall resolution" about which Slattery wrote referred to the new action which La Follette was to take in the Senate, amending and amplifying his resolution of April 21. Since Fall had failed to explain or justify his recent oil leases in any way, La Follette decided that he must try to smoke him out by calling for an investigation. Just before noon on April 28, as he left his office to go to the Senate floor, La Follette said: "I am going just as far as I can in the charges I make. . . . I can't prove that there has been corruption but if we get this investigation I am confident it will be shown." ⁷⁷

La Follette's afternoon speech to the Senate was a strong performance. In scathing language he sketched a history of the oil reserves, recalling past exploitation and subterfuges used to gain private entry. He referred to the 1921 transfer of the reserves by executive order, and warned his party colleagues that "we can not afford to permit a record to be made here which will parallel the record of Mr. Ballinger." He condemned the Interior Department as "the sluiceway for a large part of the corruption to which this Government of ours is subjected." The leases which had followed the transfer of the oil reserves to this department had come "as a distinct shock to the country." La Follette asked the Senate why it should not inquire "who were the real organizers of the Mammoth Oil Co. who were to be favored by the Government with a special privilege in value beyond the dreams of Croesus?" A great national policy had been reversed, and the nation was endangered. Congress and the public should have the facts. For these reasons, he was amending his resolution of April 21, and now asking that the Senate Committee on Public Lands and Surveys "be authorized to investigate this entire subject of leases upon naval oil reserves . . . and to report its findings and recommendations to the Senate." La Follette asked for unanimous consent that his resolution be taken up immediately for adoption. Reed Smoot, Republican, of Utah, objected; he wanted to study the proposal first. La Follette replied that it was nothing more than a request for an inquiry. Smoot still

⁷⁷ La Follette, Robert M. La Follette, II, 1048.
wanted to read it. On that note, the day’s session ended. The
next afternoon, following a brief debate, the Senate adopted the
resolution by a unanimous vote—fifty-eight to none, with thirty-nine Republicans voting for an investigation of their party’s ad-
iministration. Perhaps by coincidence, that same afternoon the
Senate received a copy of the Teapot Dome contract from Secretary
Fall himself, in further response to the Kendrick resolution.

When the Senate adopted La Follette’s resolution, the initiative
passed to the Senate Committee on Public Lands and Surveys. The
conservationists, who had initially led the campaign against Fall,
withdrew to the position of observers, though occasionally they
scurried back with aid and suggestions. Hearings did not begin
until eighteen months after the Senate had approved the investiga-
tion. Slattery believed that Reed Smoot and his Republican cohorts
on the committee delayed any investigation until after the con-
gressional election in the autumn of 1922; but Senator Thomas J.
Walsh, the Democratic prosecutor on the committee, later com-
mented: “It is scarcely fair to Smoot to charge him with the de-
lay.” Nevertheless, the committee dallied, and the explanation
for their behavior is not clear. Perhaps Smoot did procrastinate
from partisan motives. Possibly feeling about Teapot Dome, ex-
cept among those directly involved, bordered on unconcern. Senator
Walsh himself seemed unaware of the sensations implicit in Teap-
Dome, and perhaps therein lies the better explanation for the
delay.

Once his resolution had passed, La Follette, looking for a bell-
wether among the Public Lands Committee members, had urged
Walsh to “take the leadership in investigating.” Senator Kendrick
joined La Follette in his plea. Walsh, already holding more com-
mittee assignments than any man in the Senate, accepted with re-
luctance and hesitation. Even months later, on the very eve of
the committee’s first hearing, duty, more than interest, appeared to

79 Ibid., 6097 (April 29, 1922). The Democrats provided the remaining 19 affirma-
tive votes. There were 38 senators not voting: 21 Republicans and 17 Democrats.
80 Slattery, “Story of Teapot Dome,” 52; Walsh to Lewis Gannett, June 9, 1928,
Thomas J. Walsh Papers (Division of Manuscripts, Library of Congress).
81 La Follette, Robert M. La Follette, II, 1051-52; Thomas J. Walsh, “The True
History of Teapot Dome,” Forum (New York), LXXII (July, 1924), 1-12; J.
be motivating him. To a Montana correspondent he wrote: "I am handling this Teapot Dome matter at his [La Follette's] special insistence and urgent request." In addition Walsh realized that Smoot and other Republican members of the committee were unsympathetic to the probe, and this helped to persuade him to take informal command of a committee chaired by a Republican and containing a Republican majority.

La Follette gave Walsh all the evidence that he had gathered on Fall. Then in June, 1922, Walsh suddenly received more material than he could handle. Fall, in response to the resolution, sent to the Senate a truckload of documents. Slattery had anticipated that Fall would try to swamp the committee with a mass of material too voluminous to permit a full analysis of all items. Soon after Fall's documents arrived at the committee rooms, La Follette and Slattery held a conference at Walsh's office, where they agreed that Slattery should work through the great mass during the summer, "and be ready for the hearings on the oil leases in the fall." 

Slattery went through the material, and occasionally La Follette also turned a hand to the analysis. But their hopes for hearings in the fall had to be abandoned. Instead of beginning the hearings, Walsh started what he later called "a laborious study" of the evidence. Between June, 1922, and October, 1923, a period of some sixteen months, he made "a critical analysis of the lease itself"; he studied past legislation relevant to the leasing; and he sent letters to "all journals which had exhibited any special interest in the subject," asking for the sources of statements they had made in their columns. Most of this activity he crammed into the summer and fall of 1923, for he had been slow to suspicion, and not until then did his distrust of Fall fully develop. It was characteristic of Slattery and Pinchot to see corruption at once in any program endangering conservation. Walsh, however, did not react like Pinchot, and unless Fall's policy was positively shaded with corruption, Walsh was not the man to oppose it. But by March 12, 1923, Walsh was becoming "very much interested" in the hearings, then scheduled to begin in the fall when the next session of Congress opened. 

82 Walsh to J. T. Carroll, October 10, 1923, Walsh Papers, Box 374.
83 Slattery, "From Roosevelt to Roosevelt," 90; Walsh, "True History of Teapot Dome," Forum, LXXII (July, 1924), 1-12; Leases upon Naval Oil Reserves, I, 24-68.
84 Walsh, "True History of Teapot Dome," Forum, LXXII (July, 1924), 1-12.
Meantime, Fall resigned as secretary of the interior. On January 2, 1923, eight months after the Senate had approved La Follette's resolution, the White House announced that Fall had entered the cabinet at great financial sacrifice; now he was resigning, effective March 4, in order to devote his time to business affairs in the South-west. Although he and Harding still were friends, Fall reportedly was piqued over several acts and shortcomings of the Harding administration and Congress. One source of his vexation, his friends asserted, was the "long undercover controversy" over proposals "to transfer to the Department of Agriculture many bureaus now under the Interior Department," and the failure to accomplish his plans for reorganizing Alaska. 86

If Fall included the pending oil investigation among his grievances, the Times did not report it. Nevertheless, Harry Slattery believed that "the threat of the coming . . . investigation . . . drove Fall out of the . . . Cabinet." Slattery was in upstate New York on his way home when he heard of Fall's resignation; and he wrote in his diary: "His demise gave me satisfaction all the way to New York." For Slattery, Fall's resignation marked "the end of one phase of the oil fight." 87 Pinchot saw a connection between Fall's resignation and his feud with the conservationists, and wrote in one letter: "I had a good deal to do, I think, with the decision of Fall to resign." 88 Several friends wrote to Pinchot, asking him to propose various names to Harding for successors to Fall, and to one of them he replied: "President Harding credits me with having had something to do with forcing Fall's resignation, which I am by no means disposed to deny, and, therefore, any action I might take would hurt rather than help the man I would recommend." 89

As Fall retired, he revealed his chagrin over the accusations lately thrown at him. In an article which the New York Times called "Secretary Fall's Soliloquy on Quitting Harding Cabinet," he wrote of the obligations facing persons in government service and the obstacles which worked against a full public understanding of their actions. By implication his own career was clearly in his thought. "The public mind," he said, without full information on decisions

87 Slattery, "From Roosevelt to Roosevelt," 90-91, including quotations from his diary.
88 Pinchot to John E. Ballaine, February 15, 1923, Pinchot Papers, Box 244.
89 Pinchot to Marshall McLean, February 5, 1923, ibid., Box 250.
and actions taken, cannot "crystallize into judgments unless information is conveyed to it thereafter." To Fall, history had shown "that such information is often never acquired, or, if so, [it is] after the object of this public attack has not only gone out of the public service, but has departed from life." 90

Fall would not have to wait so long for a judgment. On October 22, 1923, hearings before the Senate Committee on Public Lands and Surveys began. Thereafter, the Teapot Dome investigation, rooted in a conservation feud and nourished for eighteen months past by political caretakers, began to bloom in profusion.