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## Discovering William Cook: Ten Sources for Reconstructing the Life of a Lawyer

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# Discovering William Cook: Ten Sources for Reconstructing the Life of a Lawyer\*

Margaret A. Leary\*\*

*Ms. Leary uses a case study to describe ten categories of resources for reconstructing a Manhattan lawyer's life. These resources answer questions about his law practice, scholarship, personal life, personality, values, and philanthropy. The case study uses today's resources to look far back into the details of the life of William W. Cook, who gave his fortune to the University of Michigan Law School.*

¶1 On Sunday, September 21, 1924, news of William W. Cook's gift of a Lawyers Club and dormitory to the University of Michigan Law School was front page top and center in the *New York Times*. The *Times* covered that first gift, and Cook's subsequent ones, ultimately including his entire estate, with respect if not awe.<sup>1</sup> Cook was a Manhattanite. Why would he send his fortune out west to Michigan? This article uses Cook as a case study to illustrate major resources that could be used by others to reconstruct the life of a lawyer.

¶2 Why would a man give his entire \$246 million fortune to a law school he scarcely visited after graduation? How did he earn that fortune? What was he like, how did he become the nation's leading scholar and practitioner of corporation law, and why did he write a final, nonlaw book we might find racist and bigoted today? Did the opinions expressed in that book affect his gift to the law school? Who did he love, who were his family and friends, and where did he live, work, and play? Why did a young man from a small town in Michigan go to Manhattan and almost immediately join a prestigious Masonic Lodge and achieve great success? These questions led me to research Cook's life. The path I took to answer them could be followed by anyone seeking similar information about an American lawyer.

¶3 I have reconstructed Cook's life<sup>2</sup> because his gifts to the University of Michigan Law School, in the form of a handsome collegiate gothic quadrangle of

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\* © Margaret A. Leary, 2008. This is a revised version of a winning entry in the open division of the 2007 AALL/LexisNexis Call for Papers Competition.

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1. Cook's estate in 1930, at \$12 million, was the second largest philanthropic gift in the country that year. The largest, from Edward Harkness, was \$31.3 million. Cook's was the largest to a single institution. *Gifts to Philanthropy at Huge Total in 1930*, N.Y. TIMES, Feb. 15, 1931, at 115.

2. I am writing a biography of Cook. This article uses only a small amount of the information I have gathered. For a brief biography, see Margaret A. Leary, William W. Cook: Brief Biography (Oct. 2006), <http://www.law.umich.edu/library/cook/Pages/cookbriefbio.aspx>. For a list of Cook's writings, see William W. Cook's Written Work (June 1, 2007), <http://www.law.umich.edu/library/cook/Pages/cookwritings.aspx>.

four buildings, and a huge endowment, were of the highest importance to the law school, and may have briefly made it the richest law school in the country, extraordinary for a public institution.<sup>3</sup> Everyone connected with Michigan knows about the gift but few know more about Cook than that he practiced law in Manhattan, wrote about corporate law, and made the gifts. His final book, *American Institutions and Their Preservation*,<sup>4</sup> was long an embarrassment, locked away in the library and almost never mentioned.

¶4 Cook inspired me: his goal was to make the University of Michigan Law School the best in the nation, and he persisted for more than ten years toward that end. My research revealed how he overcame an obstreperous and conniving dean, changes in the presidency of the university, legal difficulties, and financial hurdles. He died thinking he had succeeded, but his former wife nearly derailed his estate plan by claiming their 1898 divorce had been invalid and that she deserved half the estate. Whether she succeeded was another question I wanted to answer. The looming question about Cook was why no one knows more about him, and why no one has cared enough about him, since his death in 1930, to answer the questions.

¶5 My research required ten kinds of resources. Although I present the resources one after the other, the process was not linear; it was loopy, iterative, and required persistence. My description of each type of resource includes examples, not everything I found. I chose examples to answer the questions posed above.

¶6 The ten types of resources are:

1. Background material on the events, places, organizations, and times in which Cook lived
2. Basic biographical information
3. General bibliographical and factual sources
4. Primary sources: archives, census, property, and similar records, and congressional material
5. The judicial system: trial, appellate, probate, and other courts

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3. Cook's gift, worth about \$20 million in 1930 (his estate of \$12 million plus the money he had given previously for a number of buildings), would be worth \$246 million in 2007 (conversion done on Federal Reserve Bank of Minneapolis, What Is a Dollar Worth?: CPI Calculator, <http://minneapolisfed.org/research/data/us/calc> (last visited Oct. 23, 2007) [hereinafter CPI Calculator]). This far exceeds gifts that have put the names of individuals on entire law schools. See Robert M. Jarvis, *A Brief History of Law School Names*, 56 J. LEGAL EDUC. 388, 392–96 (2006).
  4. WILLIAM W. COOK, *AMERICAN INSTITUTIONS AND THEIR PRESERVATION* (2d ed. 1929) (two vols.). The first edition, one volume, was published in 1927. Cook had begun work on a third edition when he died. There is a remarkable degree of similarity between Cook's book and ALEXIS DE TOCQUEVILLE, *AMERICAN INSTITUTIONS AND THEIR INFLUENCE* (John C. Spencer ed., Reeve trans., 1851), a reprint of the first volume, "complete and entire" (*id.* at vi), of de Tocqueville's *Democracy in America*. Had I not accidentally found the latter during a search for the former, I would not have thought to compare the two works. Cook seems to have borrowed the "institutions" and other concepts from de Tocqueville, just as he borrowed his conclusions about various races and ethnic groups from other writers. For more information on Cook's book, see ¶ 9, *infra*.

6. Clubs, lodges, and other social organizations
7. Professionals Cook used, such as architects and piano builders
8. Secondary sources, legal and general
9. People
10. My own imagination, creativity, and passion for the subject.

### Background Material

¶7 My work required a sound knowledge of conditions in the United States, particularly in Michigan and New York, and of developments in the law during Cook's lifetime. As I worked, I continually gathered background information from reputable scholarly books and articles. A sampling includes Zinn's *A People's History of the United States*,<sup>5</sup> Dunbar & May's *Michigan: A History of the Wolverine State*,<sup>6</sup> Burrows & Wallace's *Gotham: History of New York City to 1898*,<sup>7</sup> and Trager's *The New York Chronology*.<sup>8</sup> Other background reading covered events worthy of entire books: the economic collapse in 1893;<sup>9</sup> the four-way presidential election of 1912;<sup>10</sup> the Triangle shirtwaist fire,<sup>11</sup> which drove the development of unions in New York City; the influenza pandemic of 1918;<sup>12</sup> and tuberculosis, the disease that killed Cook.<sup>13</sup> When I learned that Cook's legal work was for John, and later Clarence, Mackay's telegraph and cable companies, I researched the history of those methods of communication,<sup>14</sup> and of the great war John Mackay

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5. HOWARD ZINN, *A PEOPLE'S HISTORY OF THE UNITED STATES: 1492–PRESENT* (perennial classic ed. 2001).
  6. WILLIS F. DUNBAR & GEORGE S. MAY, *MICHIGAN: A HISTORY OF THE WOLVERINE STATE* (3d rev. ed. 1995).
  7. EDWIN G. BURROWS & MIKE WALLACE, *GOTHAM: A HISTORY OF NEW YORK CITY TO 1898* (1999).
  8. JAMES TRAGER, *THE NEW YORK CHRONOLOGY* (2003).
  9. DOUGLAS STEEPLES & DAVID O. WHITTEN, *DEMOCRACY IN DESPERATION: THE DEPRESSION OF 1893* (1998).
  10. JAMES CHACE, *1912: WILSON, ROOSEVELT, TAFT & DEBS—THE ELECTION THAT CHANGED THE COUNTRY* (2004).
  11. DAVID VON DREHLE, *TRIANGLE: THE FIRE THAT CHANGED AMERICA* (2003).
  12. JOHN M. BARRY, *THE GREAT INFLUENZA: THE EPIC STORY OF THE DEADLIEST PLAGUE IN HISTORY* (2004).
  13. THOMAS DORMANDY, *THE WHITE DEATH: A HISTORY OF TUBERCULOSIS* (2000). I also used medical literature to find out how Cook's disease might have been diagnosed and treated in the 1920s. Typical resources included: L.S.T. BURRELL, *RECENT ADVANCES IN PULMONARY TUBERCULOSIS* (1929); LAWRASON BROWN, *RULES FOR RECOVERY FROM PULMONARY TUBERCULOSIS: A LAYMAN'S HANDBOOK OF TREATMENT* (1928); John F. Murray, *A Century of Tuberculosis*, 169 *AM. J. RESPIR. & CRIT. CARE MED.* 1181 (2004); Denis A. Mitchison, *The Diagnosis and Therapy of Tuberculosis During the Past 100 Years*, 171 *AM. J. RESPIR. & CRIT. CARE MED.* 699 (2004).
  14. E.g., JOHN STEELE GORDON, *A THREAD ACROSS THE OCEAN: THE HEROIC STORY OF THE TRANSATLANTIC CABLE* (2002); TOM STANDAGE, *THE VICTORIAN INTERNET: THE REMARKABLE STORY OF THE TELEGRAPH AND THE NINETEENTH CENTURY'S ON-LINE PIONEERS* (1998); *DEVELOPMENT OF SUBMARINE CABLE COMMUNICATIONS* (Bernard S. Finn ed., 1980) (containing reprints of articles originally published in various journals, 1858–1971) (two vols.).

waged to defeat the monopoly of Jay Gould's Western Union.<sup>15</sup> Because New York architects Edward York and Philip Sawyer designed the buildings Cook built, I explored the history of the firm and of New York architecture during Cook's time.<sup>16</sup> Each time a new topic emerged, I turned to high quality monographs for background. For contemporary accounts of people and buildings in New York City, I relied primarily on Moses King's books.<sup>17</sup>

¶8 *A History of American Law*<sup>18</sup> gave context to the legal environment during Cook's life. When I wanted to learn more about the development of corporation law, and then about the evolution of American corporations as business entities during Cook's lifetime, Horwitz's *The Transformation of American Law 1870–1960*<sup>19</sup> revealed Cook's importance to the former, while Chandler's *The Visible Hand*<sup>20</sup> deepened my understanding of the latter. In addition, Chandler's insights helped me understand the role of the telegraph and cable industry in the evolution of the modern industrial corporation.

¶9 A final example of nonlegal scholarship that informed my research is Higham's *Strangers in the Land: Patterns of American Nativism 1860–1925*.<sup>21</sup> Cook's final book, *American Institutions and Their Preservation*,<sup>22</sup> was locked away because it was an embarrassment, with chapter after chapter of judgments that the Irish, Poles, Italians, Negroes, Jews, and other groups were unsuited to help preserve American institutions, while the English, Welsh, and a few others were well-suited to the task. Higham's work helped me understand that Cook's final book was derivative, not original, and reflected typical thinking in the era of eugenics and nativism that culminated in the closing of the gates into the United States in the 1920s.

15. JULIUS GRODINSKY, *JAY GOULD: HIS BUSINESS CAREER 1867–1892* (1957); MAURY KLEIN, *THE LIFE AND LEGEND OF JAY GOULD* (1986); EDWARD J. RENEHAN, JR., *DARK GENIUS OF WALL STREET: THE MISUNDERSTOOD LIFE OF JAY GOULD, KING OF THE ROBBER BARONS* (2005).
16. Excellent resources were CHARLES LOCKWOOD, *BRICKS AND BROWNSTONE: THE NEW YORK ROW HOUSE 1783–1929* (2d ed. 2003); ROBERT A.M. STERN ET AL., *NEW YORK 1900: METROPOLITAN ARCHITECTURE AND URBANISM 1890–1915* (1983); DAVID GARRARD LOWE, *STANFORD WHITE'S NEW YORK* (1992). White designed an opulent Long Island estate for Clarence Mackay. LOWE, *supra*, at 214–17. York and Sawyer began their careers at White's firm, McKim Mead & White. *See id.* at 72–73.
17. MOSES KING, *KING'S HANDBOOK OF NEW YORK CITY* (photo. reprint 1972) (2d ed. 1893) (2 vols.); MOSES KING, *KING'S VIEWS OF NEW YORK 1896–1915 & BROOKLYN 1905* (photo. reprint 1980) (1915); MOSES KING, *NOTABLE NEW YORKERS OF 1896–1899* (1899) (especially valuable for its portraits and captions identifying the positions of the men included); MOSES KING, *KING'S HOW TO SEE NEW YORK* (1914).
18. LAWRENCE M. FRIEDMAN, *A HISTORY OF AMERICAN LAW* (3d ed. 2005).
19. MORTON J. HORWITZ, *THE TRANSFORMATION OF AMERICAN LAW 1870–1960: THE CRISIS OF LEGAL ORTHODOXY 65–108* (1992) (especially chapter 3, *Santa Clara Revisited: The Development of Corporate Theory*).
20. ALFRED D. CHANDLER, JR., *THE VISIBLE HAND: THE MANAGERIAL REVOLUTION IN AMERICAN BUSINESS* (1977).
21. JOHN HIGHAM, *STRANGERS IN THE LAND: PATTERNS OF AMERICAN NATIVISM, 1860–1925* (2d ed. 1988).
22. COOK, *supra* note 4.

### Basic Biographical Information

¶10 I knew from a history of the Michigan Law School<sup>23</sup> that Cook lived from 1858 to 1930, that he grew up in Hillsdale, Michigan, and graduated from Michigan's Literary and Law Schools in 1880 and 1882. He then went to New York City, practiced law, wrote about corporation law, and gave Michigan first a women's dorm and then the buildings for the Law Quadrangle, which were not completed until three years after his death in 1930. His marriage in 1889 to Ida Olmstead failed, and they divorced in 1898. Two other books<sup>24</sup> repeated these facts and added a few more about his family. The major histories of the university added only a few more facts.<sup>25</sup> A book about the Martha Cook Dorm<sup>26</sup> and books published at the dedications of the Law Quadrangle buildings<sup>27</sup> contained information that I could not confirm: that Cook worked at a Toledo law firm, Scribner Hurd Scribner, right after his graduation in 1882,<sup>28</sup> and that he was a clerk for attorney Frederic R. Coudert in New York.

¶11 The memorial in the Association of the Bar of the City of New York Yearbook<sup>29</sup> says that Cook began to write about corporation and trust law out of dissatisfaction with the existing books. An eminent scholar has favorably assessed Cook's contributions to the development of corporate law,<sup>30</sup> but without elaborating on his biography. Cook's obituary appeared in many newspapers, from the local Hillsdale paper<sup>31</sup> to the *New York Times*.<sup>32</sup> Cook is not in any of the standard biographies, such as *American National Biography*,<sup>33</sup> although he has a brief entry

23. ELIZABETH GASPAR BROWN, *LEGAL EDUCATION AT MICHIGAN, 1859–1959* (1959).
24. ILENE H. FORSYTH, *THE USES OF ART: MEDIEVAL METAPHOR IN THE MICHIGAN LAW QUADRANGLE* (1993); KATHRYN HORSTE, *THE MICHIGAN LAW QUADRANGLE: ARCHITECTURE AND ORIGINS* (1997).
25. KENT SAGENDORPH, *MICHIGAN: THE STORY OF THE UNIVERSITY* 249, 251, 284, 362 (1948); HOWARD H. PECKHAM, *THE MAKING OF THE UNIVERSITY OF MICHIGAN 1817–1967*, at 121, 141, 174 (1967).
26. MARION L. SLEMONS, *A BOOKLET OF THE MARTHA COOK BUILDING AT THE UNIVERSITY OF MICHIGAN: A HISTORY OF THE FIRST TWENTY YEARS* (1936).
27. For citations to the books issued at the dedication of the Lawyers Club in 1925, and the Law Quadrangle in 1933, and other books about the law school's architecture, see *Books and Articles with Information About William W. Cook* (June 1, 2007), <http://www.law.umich.edu/library/cook/cookfurtherreading.html>.
28. My research in local newspapers shows he went to Michigan City, Indiana, shortly after graduation, then back to Hillsdale, and then on to New York with no time in Toledo. He did work the previous summer, 1881, in that firm; his brother Chauncey appears to have worked in the Toledo firm in 1882–1883.
29. Henry Winthrop Hardon, *Memorial of William Wilson Cook*, in *THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, 1931 YEARBOOK*, at 365–66.
30. ALFRED F. CONARD, *COOK'S BOOKS: THE PUBLISHED WRITINGS OF WILLIAM W. COOK* (1994); Alfred F. Conard, *Cook and the Corporate Shareholder: A Belated Review of William W. Cook's Publications on Corporations*, 93 *MICH. L. REV.* 1724–38 (1995).
31. *William W. Cook Died Yesterday in Port Chester*, *DAILY NEWS* (Hillsdale, Mich.), June 5, 1930, at 1.
32. *W.W. Cook Dies: Was Noted Lawyer*, *N.Y. TIMES*, June 5, 1930, at 19.
33. *AMERICAN NATIONAL BIOGRAPHY ONLINE* (John A. Garraty & Mark C. Carnes eds., 2005), available at <http://www.anb.org> (last visited Oct. 23, 2007) (subscription required).

in *Who Was Who*,<sup>34</sup> two pages in a 1900 New York directory,<sup>35</sup> and one paragraph in the Rye Township bar directory.<sup>36</sup>

¶12 And that was it. The number of facts was small, since the sources repeated each other, and their accuracy was questionable because no work cited primary sources. I had little basic biographical information, and what I had was not reliable. I realized I had to hone my ability to question any and all assumptions—which required the even more difficult task of identifying my assumptions. The need to identify and question assumptions was constant throughout this project.

### General Bibliographical and Factual Sources

¶13 As my work progressed, each step brought new people, places, and organizations into play. I used general bibliographical and factual sources to gather basic information about new names. I used RLIN and WorldCat to search for books by and about people, places, and organizations, and for archives of individuals and organizations. Often, the best method was to go to a genealogical collection in the appropriate place. For example, to work on the question of whether Cook worked in the Scribner Hurd law office in Toledo in 1882, I went to the Toledo Public Library's genealogy and local history collection. There, I was able to use local histories to find out about the firm and its named partners, and then to use the Toledo directories to find personal addresses. I concluded that Chauncey Cook, William's favorite brother, had worked and lived in Toledo in 1882 and 1883, but that William had only been there in 1881, between his first and second years of law school.

¶14 After using RLIN and WorldCat to find books by or about each new name I encountered, I turned to *ProQuest Historical Newspapers*<sup>37</sup> for obituaries and other articles. For people, I did searches using all forms of a name.<sup>38</sup> The "most relevant first" sort helped when there were many results. I also searched these resources later in the project, for instance after I had identified all appellate cases on which Cook worked. To find out the facts behind these cases, I returned to *Proquest Historical Newspapers* and was able to put together the story behind almost all of them. For example, Cook's early clients included the daughter of the man who invented Carter's Little Liver Pills. Young Ms. Carter had been cheated out of her fortune by a

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34. 1 WHO WAS WHO IN AMERICA, 1897–1942, at 259 (1966).

35. 2 NEW YORK STATE'S PROMINENT AND PROGRESSIVE MEN 71–72 (Mitchell C. Harrison comp., 1900).

36. ARTHUR RUSSELL WILCOX, THE BAR OF RYE TOWNSHIP 192 (1918).

37. See Proquest Historical Newspapers, [http://www.proquestk12.com/productinfo/pq\\_historical\\_newspapers.shtml](http://www.proquestk12.com/productinfo/pq_historical_newspapers.shtml) (last visited Oct. 23, 2007) (subscription required).

38. Using all forms of the name is very important: e.g., "William W. Cook" or "W.W. Cook" or "William Wilson Cook." In sources relying on OCR of older text, I often used a second search string such as the above, substituting for "Cook" both "Cock" and "Cooke." The former occasionally appears from older text; the latter, because a reporter didn't confirm spelling.

scheming guardian/trustee. When I looked beyond the appellate opinion, I learned how popular the pills were, how they came to be such a favorite, and about an explosion at a pill-making operation in the basement of a Manhattan townhouse which injured many of the children working there. I also learned the back-story of a case in which Cook defended then-infamous Henry Ives against charges of stock market manipulation. Ives was hardly a heroic or innocent character, but Cook's knowledge of corporation law and his ability to fashion new remedies for shareholders made him an appropriate lawyer for Ives. Ives was eventually convicted and died very young, unable to revive his career.

¶15 I also searched congressional hearings and found Cook's testimony on two issues. In 1900 he argued that one of Mackay's companies, the Commercial Cable Co. of Cuba, should be allowed to construct a cable from the United States to Cuba. Bitter rival Western Union had an exclusive agreement with the Spanish rulers of Cuba. Cook argued that the Spanish-American war victory by the United States voided the agreement. The matter was decided by the Roosevelt administration in favor of Western Union in spite of Cook's efforts.<sup>39</sup> Cook also testified in the successful effort, two years later, to obtain authorization to construct a Pacific telegraph cable.<sup>40</sup> In that case, the question was whether the cable should be built by the private sector or the government. Cook's company got the authorization and built the cable.

### Primary Historical Resources

¶16 Primary historical resources were the hardest to locate and the hardest to use, but also the most rewarding. They included census records,<sup>41</sup> ships' passenger lists,<sup>42</sup> draft records,<sup>43</sup> property records showing ownership and improvements

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39. *Hearing Before the S. Comm. on Relations with Cuba*, 56th Cong. 1, 51 (1900) (statement of William W. Cook, Gen. Counsel, Commercial Cable Co. of Cuba); *Hearing Before the H. Comm. on Insular Affairs*, 56th Cong. 19, 56 (1900) (statement of William W. Cook, Gen. Counsel, Commercial Cable Co. of Cuba).
  40. *Hearing Before the S. Comm. on Naval Affairs*, 57th Cong. 17, 17 (1902) (statement of William W. Cook, Gen. Counsel, Commercial Pacific Cable Co.); *Hearing Before the H. Comm. on Interstate and Foreign Commerce*, 57th Cong. 60 (1902) (statement of William W. Cook, Gen. Counsel, Commercial Pacific Cable Co.).
  41. See Ancestry.com, <http://www.ancestry.com> (last visited Oct. 23, 2007) (subscription required); see also Barb Snow, Your Guide to Finding and Using U.S. Census Records, <http://www.barbsnow.net/census.htm> (last visited Oct. 23, 2007), for helpful information.
  42. Passenger lists are also available on Ancestry.com. See Ancestry.com, Immigration Records, <http://www.ancestry.com/learn/ContentCenters/contentCenter.aspx?page=immigration> (last visited Oct. 23, 2007).
  43. See Ancestry.com, Military Records, <http://www.ancestry.com/learn/ContentCenters/contentcenter.aspx?page=military> (last visited Oct. 23, 2007).

via building permits, county and city directories,<sup>44</sup> county and state histories,<sup>45</sup> and birth, death,<sup>46</sup> and marriage records. I also searched archival collections of documents created during the lives of individuals and organizations, such as universities and businesses.

¶17 Archival records are included in WorldCat and RLIN, but the depth of cataloging coverage varies depending on whether a particular archival collection has a “finding aid”<sup>47</sup> in a digital, searchable format. My strategy was to search the archives of the Michigan Law School<sup>48</sup> first; when I realized how much correspondence there was with and about Cook, I also searched the archival records at the Bentley Historical Collection for all key people: University of Michigan presidents, members of the board of regents, law school deans, and others of influence during Cook’s time. This meant going paper by paper through dozens of boxes, which took weeks, but was richly rewarding. By copying relevant documents, noting their source, and arranging them chronologically, I put together a detailed history of Cook’s gifts. I could easily confirm major events because the *Proceedings of the University of Michigan Board of Regents* are available in full searchable text.<sup>49</sup>

¶18 I did similar research at Hillsdale College in paper trustees’ minutes<sup>50</sup> and the online college newspaper.<sup>51</sup> That paper also enabled me to track in great detail Cook’s frequent trips home and events in the lives of his family members. Young Willie<sup>52</sup>

44. See Barb Snow, City Directories (Sept. 22, 2006), <http://www.barbsnow.net/City%20Directories.html>. I used New York City directories in the New York Public Library, and Martindale-Hubbell directories in my library to identify the work and home addresses from 1882 to 1930 for Cook and other significant people; this helped me confirm his law partners. I also used Ann Arbor City directories and University of Michigan directories to find addresses. Identifying propinquity helped to confirm and explain relationships.
45. See Barb Snow, Your Guide to Using County & Local Histories in Your Genealogical Research, <http://www.barbsnow.net/CountyHistories.htm> (last visited Oct. 23, 2007).
46. Cook’s Medical Certificate of Death (obtained from New York City, Vital Records, <http://www.nyc.gov/html/records/html/vitalrecords/home.shtml>) shows he died at 2:15 p.m. on June 4, 1930, of chronic pulmonary tuberculosis, diagnosed on July 3, 1920, by Dr. Edward P. Eglee of New York City. His body was cremated and buried on June 6, 1930, at Port Chester, N.Y.
47. For a particular archival collection, such as the papers of an individual, there is usually a standard cataloging record. In addition, archives create “finding aids,” which provide significantly more detail: names of individuals and organizations whose documents are in the collection; presence of photographs or other nonprint material; a brief biography of the person or description of the organization. Most archives do not digitize the documents contained in a collection of papers, but they are increasingly providing the finding aids in digital form. See Bentley Historical Library, About Finding Aids, <http://bentley.umich.edu/EAD/about.php> (last visited Oct. 23, 2007).
48. University of Michigan Law School records at the Bentley Historical Collection. See, e.g., the finding aid at <http://quod.lib.umich.edu/cgi/f/findaid/findaid-idx?c=bhlead&idno=umich-bhl-0715> (last visited Nov. 12, 2007).
49. Board of Regents of the University of Michigan, Proceedings, <http://www.hti.umich.edu/u/umregproc> (last visited Oct. 23, 2007).
50. Available in the College Administration office, Hillsdale, Michigan.
51. Hillsdale College, Student Newspaper Collection, <http://archive.olivesoftware.com/Archive/Skins/Hillsdale/welcome.asp?QS=skin%3DHillsdale%26BP%3DOK> (last visited Oct. 23, 2007).
52. “Willie” is the name reported in the Census of 1860, Hillsdale Michigan. See Ancestry.com, *supra* note 41.

waded and fished in the St. Joe [Joseph] and Bawbeese, drove the cows between the home and the pasture up on college hill, played (but studied more) at public schools and college. . . . Reasonably active in the intricate political and other movements of the metropolis in his earliest years there, he rose to a large place in the law. . . .

. . . .

The “Will” Cook of Hillsdale . . . was so sober and poised that one would not look for a display of hilarity or blink of eye if he had hooked a twenty pound pickerel . . . [tugging] with quiet determination . . . at pole and line. . . . [T]he local college [dubbed] him “Doctor.”<sup>53</sup>

For more information about archival research, consult an archivist and see Burke’s *Research and the Manuscript Tradition*.<sup>54</sup>

¶19 The first result of my archival research was understanding the evolution of Cook’s philanthropy. In the early twentieth century, his favorite brother, Chauncey, was a Hillsdale College trustee. During that time, William Cook’s philanthropy started and grew. First, in 1905, he paid for a new furnace for a women’s dorm at Hillsdale College;<sup>55</sup> later he began to give substantial annual amounts to start and support a new Department of Domestic Science there.<sup>56</sup> In 1916, five years after University of Michigan President Harry Hutchins first approached Cook to ask him to donate money for a women’s dorm at Michigan, Cook ended his annual \$1,000 (\$21,000 in 2007<sup>57</sup>) gift to Hillsdale, because he felt the department should be able to stand on its own, which it did.<sup>58</sup> From giving to a women’s dorm at Hillsdale, Cook’s philanthropy enlarged, and by 1915 he had completed the gift of the Martha Cook Building, a women’s dorm at the University of Michigan. Cook selected the architects, but brother Chauncey oversaw the construction; William was too busy with his practice and writing in New York City. When the building was done, at a cost of \$400,000 (\$8 million in 2007), Cook gave it to the university and later hired Samuel Parsons to landscape.<sup>59</sup>

¶20 Cook, encouraged by Hutchins and also by law school dean Henry Bates, decided to make his next gift even grander: a Lawyers Club and dormitory for the law school. This concept eventually enlarged to include a second dormitory, the Legal Research building for the library and faculty offices, and Hutchins Hall for classrooms and more faculty offices. During the last decade of his life, 1921–1930, Cook’s correspondence and published writing<sup>60</sup> make clear the connection he saw between American institutions (a written constitution, popular sovereignty and a

53. Joseph W. Mauck, *Dr. Wm. W. Cook, Author* [sic], HILLSDALE COLLEGIAN, Jan. 20, 1928, at 2.

54. FRANK G. BURKE, RESEARCH AND THE MANUSCRIPT TRADITION (1997).

55. Trustees of Hillsdale College, Minutes, June 12, 1905, at 110.

56. *Id.* at 121.

57. The 2007 values of gifts in earlier years were calculated using the CPI Calculator, *supra* note 3.

58. Trustees of Hillsdale College, Minutes, June 16, 1916, at 409.

59. Samuel Parsons, Martha Cook Building, University of Michigan, Ann Arbor (1921) (Map) (photocopy in the Bentley Historical Collections, University of Michigan).

60. See William W. Cook’s Written Works, *supra* note 2.

republic, universal suffrage, federalism, a supreme court with power to declare statutes void, separation of the executive from legislative branch, universal public schools, town meetings, separation of church and state, and equality of opportunity) and the character of lawyers. I had found the powerful motive for his gifts to Michigan.

¶21 From *Proquest Historical Newspapers* and Michigan county histories<sup>61</sup> I was able to locate material about Cook's family, particularly his father, John Potter Cook. William Cook's career has remarkable parallels to his father's, although his father was not a lawyer. John P. Cook was a farmer, businessman, builder of railroads, and lumbering man. He owned many acres of white pine in Calhoun County, Michigan, and a sawmill, which was probably the source of most of his fortune. He was as respected as any contemporary lawyer, was elected to the State Senate, and was nearly nominated for governor in 1874,<sup>62</sup> when Cook was an impressionable sixteen. He was a member of the Michigan Constitutional Convention in 1850, and chaired the committee that drafted the new constitution's provisions on corporations.<sup>63</sup> The senior Cook was also one of the founders of Hillsdale College. From John, William learned the value of education, a respect for the law, the need for hard work, and an understanding of the political process.

¶22 Census records enabled me to find where each person who was important in Cook's life lived in the years of the census, who lived in each household, their role or relationship to the head of the household, and what work they did. The census identified how many, what kind, and the nationality of servants in a household, and who the neighbors were. From 1910 on, Cook had live-in servants at both his houses (one a townhouse at 14 East 71st Street in New York, the other in the country at Port Chester), as had his childhood household in Hillsdale. An interesting tidbit in the census records is that, after their 1898 divorce, Ida Cook continued to refer to herself as Mrs. William W. Cook, while Cook never checked the "divorced" box, but always the "single" one, as if he had never married. The 1930 census shows Cook living in Port Chester in a home valued at \$30,000,<sup>64</sup> with no radio but a twenty-two-year-old maid born in Northern Ireland and a thirty-six-year-old housekeeper born in Scotland.

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61. The county histories are available at University of Michigan Library, Michigan County Histories and Atlases, <http://quod.lib.umich.edu/m/micounty> (last visited Oct. 23, 2007).

62. *The Michigan Reformers Adopt a Hard-money Platform*, CHICAGO TRIBUNE, Sept. 10, 1874, at 1 (stating that "The struggle for Governor was between the friends of the Hon. J.P. Cook of Hillsdale, and Henry Chamberlain," that Cook lost, and that Cook was a member of the state senate).

63. REPORT OF THE PROCEEDINGS AND DEBATES IN THE CONVENTION TO REVISE THE CONSTITUTION OF THE STATE OF MICHIGAN, at v, vii (1850), available at <http://www.hti.umich.edu/cgi/t/text/text-idx?c=moa;idno=AEW7788.0001.001>.

64. As of February 26, 2007, \$30,000 would be worth \$369,300. See CPI Calculator, *supra* note 3.

## The Judicial System

¶23 Judicial records are the most familiar to law librarians, although others might struggle to understand the hierarchy of courts, and the effect of jurisdictional changes over time, as new cities, towns, and counties emerged within the original boundaries. My comments assume an understanding of the judicial system and governmental structure in the geographic area being researched. My research interests were twofold: to uncover Cook as an appellate lawyer; and to use court records to find information about him as a person, property owner, and participant in, or subject of, litigation.

¶24 For the first purpose, Lexis and Westlaw enabled me to search for Cook as counsel,<sup>65</sup> and for Cook as author to find citations to his work. The first kind of search told me whom he had worked with: these included Robert G. Ingersoll, the well-known agnostic speaker and lawyer who died in 1899, and Charles Evans Hughes, during the periods between Hughes's roles in government and on the United States Supreme Court. Most of Cook's appellate cases were between 1895 and 1920, when he was general counsel for the Mackay telegraph and cable companies in New York, although there were several before 1895, when he was practicing with Thomas Waller and Harrison Wagner.

¶25 Cook litigated the relative rights of railways and telegraph companies (the latter's lines ran on the former's right of way); the responsibility of a telegraph company for an error in transmission that wrecked the meeting of the minds needed to form a contract; and the liability of a telegraph company for money, wrapped in newspaper, that went missing while in the possession of the company's messenger. Many of the later cases were convoluted and worked their way up and down the New York state court system over years. Others were in the courts of other states, since Mackay's business was national and international.

¶26 For the second purpose, finding information about Cook from court records, I will use four examples. The first involved using property records for Westchester County, New York, in the White Plains courthouse, to reconstruct Cook's acquisition of 174 acres of land from 1902 to 1907 for his estate in Port Chester, right on the Connecticut border. I identified each parcel, the cost, and the seller, so that I knew exactly when he had finished his acquisitions. I could also identify adjacent property owners, which confirmed my impression that the area was filled with wealthy and influential people, such as Richard Croker, Jr., son of the one-time Tammany Hall chief.

¶27 The second example of using court records was for events after Cook died. He left his Port Chester property to Presbyterian Hospital<sup>66</sup>—which built what

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65. See William W. Cook's Appellate Cases, <http://www.law.umich.edu/library/cook/Pages/cookcases.aspx> (last visited Oct. 23, 2007) (listing Cook's appellate cases, with a short description of each).

66. During much of the time Cook lived on East 71st Street in Manhattan, the Presbyterian Hospital was right down the block.

became the original Harkness Pavilion there—for its recuperating patients, with reversion to the University of Michigan when that use ceased. While Cook's estate was being settled, Westchester County instituted condemnation proceedings to take several acres of his land in Port Chester to extend the Hutchison Parkway. The proceedings were contentious, because the university claimed it should receive the compensation from the county since it would be the ultimate owner, and the university wanted the compensation to be higher than what the county proposed to pay. During proceedings over the value of the property, Cook's niece, Florentine Heath, gave many details about the landscaping on the property, Cook's investment (\$50,000 a year then, or \$615,000 now) in the landscaping, and his desire to live simply and not improve the house on the property, so that he could have more to leave to the university. The case was appealed, and from the appellate courts I was able to obtain transcripts of testimony, including Ms. Heath's.<sup>67</sup> From her testimony there emerged the image of a man living a solitary life in his last decade, devoted to writing his final books and articles and to increasing the beauty and value of his property, while saving the rest of his money to give to the university. Not many biographers can benefit from the sworn testimony of the nearest surviving relative of the biographee.

¶28 A third example is the probate records for Cook's property. In addition to the Port Chester estate, Cook built a Manhattan townhouse at 14 East 71<sup>st</sup> Street. When he died, the probate process required a detailed inventory of each property.<sup>68</sup> I did not need to try to find these in the New York probate court because they were more readily available in the records of the University of Michigan's financial operations, which had scanned them for easy access by authorized university employees. From these I learned every piece of furniture in both houses (at Port Chester, in the dining room, resting on a "worn oriental rug" was a "metal cot," where presumably Cook lay dying in the heat wave of early June 1930), each personal possession ("sterling silver cigar clip, monogrammed WWC"), the color and fabric of drapes, the age and color of the two horses, the car, and everything else Cook owned at his death. From New York City's property Web site,<sup>69</sup> I could deter-

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67. Transcript of Record at 78–83, *In re County of Westchester*, 277 N.Y.S. 26 (N.Y. App. Div. 1935); see also Reply Brief of Appellants, *In re County of Westchester*, 277 N.Y.S. 26; Brief of Defendant-Respondent-Appellant, *In re County of Westchester*, 277 N.Y.S. 26; Brief of Appellants, *In re County of Westchester*, 277 N.Y.S. 26. See Record on Appeal, *In re County of Westchester*, 198 N.E. 404 (N.Y. 1935); Reply Brief of Respondent-Appellant, *In re County of Westchester*, 198 N.E. 404; Brief of Defendant-Respondent-Appellant, *In re County of Westchester*, 198 N.E. 404; Brief of Appellants, *In re County of Westchester*, 198 N.E. 404.

68. Account 1-8, 9-40, *In re Judicial Settlement of . . . the Last Will and Testament of William W. Cook* (Schedule A1, listing Cook's personal effects at three addresses: 175 Ridge St., Port Chester, 14 East 71st St., New York City, and 74 Trinity Place, Room 1705, New York City, having a total value of \$19,937.50 (\$246,000 in 2007); Schedule A covered that personal property plus stocks, bonds, and cash, totaling \$10,553,552 (\$130,486,000 in 2007), and real property worth \$865,000 (\$10,648,150 in 2007). In 2007 dollars, the whole estate was worth \$141,134,150. See CPI Calculator, *supra* note 3.

69. See New York City Property, Your Property Information, <http://nycserv.nyc.gov/nycproperty/nynav/jsp/stmtassesslst.jsp> (last visited Oct. 23, 2007), which shows, among other information, that the

mine the subsequent owners of the property, and the changes and improvements they made. A photo of the townhouse appeared in 1914, showing all the floors,<sup>70</sup> and I obtained a 1940 photograph of the building.<sup>71</sup> This research was aided by the Avery Library of Columbia University's excellent guide to researching New York City buildings.<sup>72</sup>

¶29 Some of the most important court documents for my research were also easier to find in the Michigan archives than at the court, for instance those for Ida Cook's 1931 suit for half of Cook's estate, the final example of my use of court records. I used copies in the University of Michigan archives: surrogates' court opinions and the even more informative briefs and correspondence of the parties in the suit. Ida claimed half of Cook's estate on the ground that their North Dakota divorce in 1898 had not been valid.<sup>73</sup> Ultimately the case was settled, but the two-year delay was costly for the university, because Cook's estate consisted of stocks and bonds whose value declined 18% between 1930 and 1932.<sup>74</sup> James A. Foley, a highly respected surrogate of probate court, heard Ida's claims and approved the eventual settlement, in which Ida received \$160,000 and dropped her suit.<sup>75</sup> Ironically, Ida spent her last days in Ann Arbor, where she lived with a niece who was in graduate school at the University of Michigan. In 1941 and 1942 Ida lived across the street from the law quadrangle built by her former husband,<sup>76</sup> who never saw it because he died three years before its completion.

### Clubs and Lodges

¶30 When I searched every document in the boxes of law school records at the University of Michigan archives, I found Cook's certificate of membership in the

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market value of Cook's townhouse increased from \$10 million in 2003–04, to \$20 million in 2007–08.

70. See *Twenty-Ninth Annual Exhibition of the Architectural League of New York*, THE AMERICAN ARCHITECT, Mar. 4, 1914.
71. See New York City Government, Records: Tax Photographs, <http://www.nyc.gov/html/records/html/taxphotos/home.shtml> (last visited Oct. 23, 2007).
72. Columbia University Libraries, Avery Architectural and Fine Arts Library, New York City Buildings: Research Guide, <http://www.columbia.edu/cu/lweb/indiv/avery/nycbuild.html> (last visited Oct. 23, 2007).
73. North Dakota was, briefly, a popular place for New Yorkers to divorce, because it allowed process by mail, three months' residency, and desertion as grounds. The fame of North Dakota divorces is shown by a cartoon in *The World*, May 29, 1898, at 28, with captions such as "Divorced in one Dakota day," and "From the receipt of testimony, 7 a.m. till the granting of the decree, 4 p.m., nine hours." Reproduced in NICHOLSON BAKER & MARGARET BRENTANO, *THE WORLD ON SUNDAY: GRAPHIC ART IN JOSEPH PULITZER'S NEWSPAPER (1898–1911)*, at 12 (2005).
74. Estimated using the CPI Calculator, *supra* note 3.
75. *End Suit over Cook Will*, N.Y. TIMES Dec. 25, 1931, at 8; confirmed by documents in James O. Murfin Papers, Box 8, Cook Estate, Michigan Historical Collections, Bentley Library.
76. See POLK'S DIRECTORY OF CITY OF ANN ARBOR (1941) and POLK'S DIRECTORY OF CITY OF ANN ARBOR (1942) (both showing Ida Cook as "widow of William," at 530 S. State, the address of the Michigan Union, which rented rooms).

Kane Lodge. It didn't mean anything to me, but I remembered it. Months later, a Michigan colleague<sup>77</sup> listened patiently to me talk through my questions about Cook. "Why did someone from such a small town in Michigan go to New York, and how did he achieve such immediate and long-term success?" I wondered. In what seemed a complete non sequitur, she asked "Was Cook a Mason?" I replied not that I knew of, and the conversation moved on. Only weeks after that did it click: was the Kane Lodge a Masonic Lodge? Yes, it was one of the most prestigious in New York. I contacted the Grand Lodge of Masons in New York,<sup>78</sup> and with help from the Livingston Library<sup>79</sup> quickly found the historian for the Kane Lodge, who performed a great deal of searching in old records and sent me copies of the records of Cook's membership, including the names of his sponsors. I also found, through WorldCat, a few documents published by the lodge, including the program for a special event that William Cook attended, as did one Ida Olmstead, in 1888; the two were married the next year. I suspect, but have no direct evidence, that Cook had Masonic connections from Hillsdale,<sup>80</sup> explaining both his early entry into Kane Lodge and his connections to other powerful Manhattanites.

¶31 I also found in Cook's papers references to the Blooming Grove Hunting and Fishing Club,<sup>81</sup> in what Cook called "the wildest part of eastern Pennsylvania." Finding this club was difficult, but I did find it, and through the kindness of the manager, I was able to visit and drive around its 20,000 acres, and allowed to enter and photograph the cottage<sup>82</sup> that Cook built there in 1901. Cook also owned over 900 desirable acres adjacent to the club. Through the manager, I communicated with the club's unofficial historian, who documented a series of letters between Cook and the club's management in the mid-1920s, which remarkably paralleled the nature of Cook's relationship with the University of Michigan. In both cases, Cook remained cagey about just what he had promised, and for when, and modified the conditions of the proposed gift, to the great consternation of the prospective recipient. The university was more patient than the club, which gave up its negotiations with Cook in 1925. More than sixty years later, the club finally purchased the property Cook had offered but never gave.<sup>83</sup>

¶32 Cook's membership in this club is evidence that he moved in the highest circles and could afford the best. The club was founded in 1871; founders included

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77. Sallyanne Payton, William W. Cook Professor, Michigan Law School.

78. See Grand Lodge F. & A.M. State of New York Home Page, <http://www.nymasons.org/cms> (last visited Oct. 23, 2007).

79. See Chancellor Robert R. Livingston Masonic Library of Grand Lodge, About the Livingston Masonic Library, <http://www.nymasoniclibrary.org/library/index.htm> (last visited Oct. 23, 2007).

80. From records and books in the Hillsdale Public Library, I have confirmed Masonic membership for two of Cook's brothers and friends of his father.

81. See FRANK L. FROMENT, HISTORY OF THE BLOOMING GROVE HUNTING AND FISHING CLUB, 1871-1999 (1999).

82. *Id.* at 122-23 (there is a photo plate of the cottage between pages 122 and 123); see also Leary, *supra* note 2.

83. FROMENT, *supra* note 81, at 115-16, 183, 269, 271-72.

Ezra Cornell, Chauncey M. Depew, and David Dudley Field.<sup>84</sup> Early members included William K. Vanderbilt,<sup>85</sup> and much later, members of the Pew family.<sup>86</sup>

¶33 Cook also belonged to the Union League Club, but after reviewing microform of the club's records I could not find evidence that he was active. I did learn that he joined only after the death in 1901 of his former father-in-law, Dwight Hinckley Olmstead. Dwight Olmstead was a well-known lawyer and investor in West Side New York real estate, who almost single-handedly reformed the system of land recording in Manhattan: he invented the lot and block system,<sup>87</sup> and lobbied long and hard for its adoption. That information is typical of what I found searching the *ProQuest Historical Newspapers* and other secondary sources described below.<sup>88</sup>

### Professionals in Cook's Life

¶34 William Cook learned from his father to appreciate gardening and architecture. My research found that Cook's income supported his use of the best professionals. Understanding their contribution to the aesthetics of his life informed my understanding of his aspirations for the buildings at Michigan. I have already mentioned the role of Samuel Parsons in the landscaping for the Martha Cook dormitory.<sup>89</sup> Parsons also designed at least part of the landscape at Cook's Port Chester estate; photos of the dry-laid stone wall with plantings in the interstices appear in at least two books.<sup>90</sup>

¶35 For his Manhattan townhouse, Cook commissioned a custom-made "art case" piano from the Steinway company. The piano was delivered in 1913 to 14 East 71st Street.<sup>91</sup> Family rumor had it that Cook was romantically involved with an opera singer, who died young and tragically, and that the piano was for her to play while she sang for him. Other rumors said that Cook had several other custom pianos made for his friends, so I investigated myself at the Steinway factory in Astoria, Queens. The records are not arranged by purchaser, but rather chronologically and by type of piano. After seven hours of careful scrutiny, I could find only

84. *Id.* at 9, 18–24.

85. *Id.* at 24.

86. *Id.* at 91, 138, 207, 234, 261, 296.

87. *See* DWIGHT HINCKLEY OLMSTEAD, REFORMS IN LAND TRANSFER, WITH SUGGESTIONS FOR AN IMPROVED SYSTEM (1902). *See also* *Dwight H. Olmstead Dead*, N.Y. TIMES, Oct. 11, 1901, at 9.

88. *See* text at ¶¶ 37–41 *infra*.

89. *See supra* note 59.

90. AMERICAN LANDSCAPE ARCHITECTURE 123 (P.H. Elwood Jr. ed., 1924); SAMUEL PARSONS, THE ART OF LANDSCAPE ARCHITECTURE 174–75 (1915) (plate between 174–75).

91. Records of the Steinway Piano Company, 1 Steinway Place, Astoria, Queens, consulted by the author in October 2004, with assistance from Michael Mohr, David Kirkland, and Kent E. Webb. I examined the serial number books (all pianos produced by Steinway, including the custom-built "art case" pianos) for 1900 to 1915, and 1920–21. Cook's piano is number 162362, made from sketch 771, Jan. 15, 1913, and sent unfinished to the Hayden [furniture] company, then delivered to Cook's townhouse.

the one piano commissioned by Cook. But I did find the original records for Cook's piano, which, recently restored, is in the Martha Cook building.

¶36 Cook employed architects Philip Sawyer and Edward York for his townhouse, Martha Cook, and all the law quad buildings. That story appears elsewhere.<sup>92</sup> Artisans who worked on the house included Attilio Piccirilli (sculpture), Samuel Yellin (iron work), and Rafael Guastavino (clever tiled arched ceilings). The house was richly furnished with the custom art case Steinway grand piano, tapestries, velvet drapes, and beautiful woodwork. Of all these, I have only found records for York and Sawyer,<sup>93</sup> and Steinway,<sup>94</sup> to illuminate Cook's relationships.

### Secondary Sources

¶37 Just as I used newspapers throughout my research, I relied on many other secondary sources but used them for more than the usual purposes. HeinOnline<sup>95</sup> provided full text for all the articles Cook wrote in the hundreds of periodicals there. I also searched for the various forms of Cook's name<sup>96</sup> to find how others had cited Cook's work. I did the same in ProQuest's APS [American Periodical Series] Online files of nineteenth- and early-twentieth-century periodical literature.<sup>97</sup> I was surprised to find that Cook published articles about how to better organize the railroads, and about the dangers of trusts and other combinations, in such popular magazines as *The North American Review*<sup>98</sup> and *McClure's*.<sup>99</sup> This added to my understanding of Cook's influence, and also made me aware that Cook's books were noted by, and reviewed in, the popular literature as well as publications for lawyers. I found two articles about the Blooming Grove Hunting and Fishing Club that included Cook's name; one about a terrible fire in 1909,<sup>100</sup> and the other about a dinner in New York City in 1903.<sup>101</sup>

¶38 I also found JSTOR<sup>102</sup> particularly useful in finding reviews of *American Institutions and Their Preservation* and how it was received by the general public.

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92. See Margaret A. Leary, *William W. Cook and his Architects Edward York and Philip Sawyer*, LAW QUADRANGLE NOTES, Fall/Winter 2003, at 8.

93. Correspondence with York and Sawyer is scattered throughout several collections at the Bentley Historical Library, University of Michigan, including law school records, and the Harry B. Hutchins, James O. Murfin, Alexander Ruthven, and Henry Moore Bates papers.

94. See *supra* note 91.

95. See HeinOnline, <http://heinonline.org> (last visited Oct. 23, 2007) (subscription required).

96. See *supra* note 38.

97. See ProQuest, American Periodical Series Online, [http://www.proquest.com/products\\_pq/descriptions/aps.shtml](http://www.proquest.com/products_pq/descriptions/aps.shtml) (last visited Oct. 23, 2007) (subscription required) [hereinafter ProQuest APS].

98. William W. Cook, *A Governmental Railroad Holding Company*, 187 N. AM. REV. 886 (1908).

99. William W. Cook, *Industrial Democracy or Monopoly? How American Railways Can Be Taken over for the People Safely and Easily*, MCCLURE'S, Jan. 1912, at 352.

100. *Blooming Grove Club's Loss*, FOREST & STREAM Feb. 27, 1909, at 342.

101. *The Blooming Grove Dinner*, FOREST & STREAM, Apr. 18, 1903, at 310.

102. See JSTOR: The Scholarly Journal Archive, <http://www.jstor.org> (last visited Oct. 23, 2007) (subscription required).

Searches in historical newspapers helped with that as well. The Making of Modern Law,<sup>103</sup> containing e-books in American and English legal history of the nineteenth and early twentieth centuries, also provided the text of Cook's books and books that had cited Cook. This added evidence about Cook's significance as a writer.

¶39 The above sources are familiar, and available, to most law librarians. Another source may not be as familiar as a daily tool: Google Books.<sup>104</sup> This much-discussed burgeoning resource functions, for the researcher, as a deeply enhanced way to find mention of a known person, place, or event. Enhanced, that is, far beyond what cataloging achieves. It is not a way to find a book and read it, but rather a way to find a book that might be useful. This is not the place to describe or debate the constantly evolving Google project,<sup>105</sup> but through it I learned things about Cook that I doubt I could have found without Google Books.

¶40 Using my standard search for variants of Cook's name in Google Books, I found a reference to him in Ida Tarbell's *History of the Standard Oil Company*.<sup>106</sup> I retrieved only a snippet and a page reference, so I went to the university library and borrowed the book. There I found that Cook's book on trusts<sup>107</sup> had inspired David K. Watson, Attorney General of Ohio, to bring suit against Standard Oil of Ohio for six violations of Ohio statutes. Before Watson found Cook's book—at a bookstore he browsed at lunchtime—he had not been able to obtain a copy of the actual trust agreement. But the entire agreement was in Cook's little book and enabled Watson to see exactly how the agreement violated Ohio's laws.<sup>108</sup>

¶41 Google Books also helped me uncover details about another element of Cook's life: his role in the purchase, by a syndicate of Eastern capitalists, of all the companies that ran street railways in Detroit in 1891. Using a tip from a story in the *New York Times*,<sup>109</sup> I identified dates closely enough to find Detroit newspaper articles with details of the transactions, and to find other books about the

103. See Gale, *The Making of Modern Law*, <http://www.gale.com/ModernLaw> (last visited Oct. 23, 2007) (subscription required).

104. See Google, *Google Books Library Project*, <http://books.google.com/googlebooks/library.html> for Google's description (last visited Oct. 23, 2007).

105. See University of Michigan Library, *MBooks: Michigan Digitization Project*, <http://www.lib.umich.edu/mdp> (last visited Oct. 23, 2007), for the University of Michigan Library's description of its part of the Google project.

106. IDA M. TARBELL, *THE HISTORY OF THE STANDARD OIL COMPANY* 160 (David M. Chalmers ed., 1966). The Google snippet said, "It was written by William W. Cook of the New York bar, and cost fifty cents. Mr. Watson bought the book and spent the . . ." Tarbell's book originally appeared as a series of articles in *McClure's* from 1902 to 1904, so I might also have found this in the ProQuest APS database, see *supra* note 97.

107. WILLIAM W. COOK, *TRUSTS: THE RECENT COMBINATIONS IN TRADE, THEIR CHARACTER, LEGALITY AND MODE OF ORGANIZATION, AND THE RIGHTS, DUTIES AND LIABILITIES OF THEIR MANAGERS AND CERTIFICATE HOLDERS* (1888).

108. See TARBELL, *supra* note 106, at 160–61; see also COOK, *supra* note 107, at 78–94 (the Standard Oil of Ohio Trust Agreement).

109. *Bought by Eastern Capital: A Syndicate Pays Five Millions for Detroit's Street Railroads*, N.Y. TIMES, July 24, 1891, at 8.

history of Detroit street railways. I searched the title of one book<sup>110</sup> in Google to find other books that had cited it. I learned that Cook represented the purchasing consortium, ran the street railways himself briefly in 1891, and remained one of the owners from 1891 to 1894. The consortium began the transition from horses to electricity to power the streetcars. This improvement was long overdue; Detroit was one of the last major cities<sup>111</sup> to make the conversion from horses to either cable or electricity,<sup>112</sup> and there had been riots over that earlier in 1891.<sup>113</sup> The only drawback to Google Books is that so much is added every day that one's work never ends.

### People

¶42 I have referred above to people who helped me: Jim Reitz, the man who researched Kane Lodge history; Scott Savini, the manager of the Blooming Grove Hunting and Fishing Club; and Ted Cart, the member there who researched its records. Many others helped in the course of their employment in governmental offices or historical societies when I sought court records, property descriptions, and old plat maps. All were helpful, friendly, and competent, and belong in this category.

¶43 I want in this section to illustrate the other ways in which personal contacts help to research about a person. My Cook research has been aided beyond description by several of his family members, one of whom is old enough to have personal memories of Cook and interested enough in the family to have drawers of letters, photos, and diaries.<sup>114</sup> Another family that has helped is that of Ida Olmstead, Cook's wife for nine years. I was fortunate to find that family's historian, Larry McGill, Ida Cook's grandnephew, and he supplied me with that most precious possible resource: copies of Cook's letters to Ida, and photographs of them and their families from 120 years ago. My advice is to enlist the help of a genealogist, early, for help with such specialized research, which is an art and science in itself. A

110. GRAEME O'GERAN, *A HISTORY OF THE DETROIT STREET RAILWAYS 105-09* (1931).

111. San Francisco installed cable in the early 1870s, Chicago followed in 1882, Philadelphia in 1883, and by the early 1890s cable served 28 cities. See WILLIAM D. MIDDLETON, *THE TIME OF THE TROLLEY 45-49* (1967). The first completely electric system opened in Montgomery, Ala., in 1886. See *id.* at 65. "[In Detroit, prior to 1891] the old company had been very slow about making improvements. Horses were still the motive power. Detroiters were often twitted with the fact that Port Huron and Sault Ste. Marie were ahead of them with electric railways." 1 *THE CITY OF DETROIT, MICHIGAN 1701-1922*, at 392 (Clarence M. Burton ed., 1922).

112. O'GERAN, *supra* note 110, at 93: "In 1890 Detroit was woefully lacking in modern street car equipment. While New York, Cleveland, and many other large cities had definitely adopted electric motive power, Detroit, apparently, was contented to jog along with the old horse-drawn vehicle."

113. GEORGE B. CATLIN, *THE STORY OF DETROIT 618* (1923). See also *The Octopus Sold: An Eastern Syndicate Buys the Detroit City Railway*, DETROIT FREE PRESS, July 24, 1891, at 1; *Big Street Car Deal: A Transaction Involving Many Millions at Detroit*, CHI. DAILY TRIB., July 24, 1891, at 2; *A \$5,000,000 Deal in Street Railways*, WASH. POST, July 24, 1891, at 2.

114. Ann Bradford Cook, Cook's grandniece.

genealogist colleague<sup>115</sup> found Ida's relative. I hired a genealogist<sup>116</sup> to search Manhattan birth and death records to confirm that there probably had not been a child born, in Manhattan, to Cook and his wife.

### Yourself

¶44 Don't neglect yourself as a resource. You are the one with the ever-increasing store of knowledge and notes. Organize and use them, review them, think about them, step back and put each piece in context and in perspective. Talk to people about your project, ask what they think, what they would do, and use their ideas. I've mentioned the colleague who asked, "Was Cook a Mason?" Other helpful questions have been "Why did Cook write *American Institutions and Their Preservation*?"<sup>117</sup> and "Did Cook impose his ideas about the suitability of various races to American institutions on the university?"<sup>118</sup> An inspirational question was "Are you writing a book about Cook?"<sup>119</sup>

¶45 The second way to help yourself is to make a constant and conscious effort to identify and question your assumptions. When I found that many, many libraries owned *American Institutions*, I assumed that meant the book found favor and was purchased by many libraries in response to demand. When I searched historical newspapers, including many small town papers and general journals, for references to the book, I found a lukewarm acceptance, which challenged my assumption. Then I found a stack of correspondence about the book in Cook's archival files and carefully examined each letter. My original assumption of a favorable audience disappeared when I realized that almost every letter was one of thanks: Cook had given away dozens, if not hundreds, of copies of the book.

¶46 I close with an assumption that cost me hours of time and brought me into what was unnecessary conflict with a court employee. In seeking transcripts of the trial over the value of Cook's Port Chester property when it was condemned by Westchester County for a road expansion, I went to the trial court. Isn't that where testimony is given? The court first said they had lost the index books. Then they said they couldn't find the case in the index books. Then they said they could not find the transcripts. I gritted my teeth through it all, marked my calendar for followup calls and letters, and assumed that eventually someone in the court would find what I sought. I toyed with the idea of going back to White Plains. One day I said: this isn't working. Step back and think. As I thought, I realized an extremely

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115. Barbara Snow, whose Web site is invaluable for genealogy-related research: [www.barbsnow.net](http://www.barbsnow.net).

116. George J. Weinmann, Weinmann's Genealogical Service, 55 Jewell St., Brooklyn, NY 11222-3507.

117. Prof. Rebecca Scott, University of Michigan Dept. of History and Law School.

118. Many of those who have heard me speak about Cook.

119. Prof. Brian W. Simpson, University of Michigan Law School. I had become fascinated with Cook when I found his letters scattered in documents at the Michigan Historical Collection and decided to find out more about him during a time when I needed a new project. I didn't realize how much I had learned until I was talking about Cook to Prof. Simpson.

embarrassing fact: the case had been appealed, up not one but two levels in the New York system. Of course the transcripts were no longer with the trial court; they had been shipped to the appellate courts, first one, then the second. I contacted both courts and in two weeks had copies of the transcripts and the opinions of both courts.

### Conclusion

¶47 My journey to discover William Cook was one others can take to put together the life of a lawyer. The journey was enlightening, educational, and gratifying. The ten categories of resources I used should help a researcher discover the life of any American lawyer.

¶48 A bronze plaque in Hutchins Hall, the last building Cook gave to Michigan, contains the answer to the question: why did Cook make his magnanimous gift? Cook supplied the answer in his will of August 1929, ten months before he died. In his own words:

Believing, as I do, that American institutions are of more consequence than the wealth or power of the country; and believing that the preservation and development of these institutions have been, are, and will continue to be under the leadership of the legal profession; and believing also that the future of America depends largely on that profession; and believing that the character of the law schools determines the character of the legal profession, I wish to aid in enlarging the scope and improving the standards of the law schools by aiding the one from which I graduated, namely, the Law School of the University of Michigan.<sup>120</sup>

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120. A copy of the will is on file in the Bentley Historical Collections, University of Michigan, James O. Murfin Papers, Box 8, Misc. Cook Estate, 3d file.