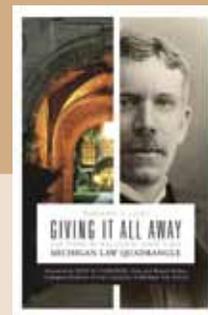


Giving It All Away: The Story of William W. Cook and His Michigan Law Quadrangle

By Margaret A. Leary, published by The University of Michigan Press—Ann Arbor (2011), 281 pages, softcover, \$50

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Reviewed by Henry M. Grix

The Law Quadrangle at the University of Michigan in Ann Arbor and the Martha Cook Residence Hall immediately to its east are monuments to the generosity of a single donor, William W. Cook. When Mr. Cook died in New York in June 1930 at age 72, he left virtually his entire estate, estimated at \$12 million, to the University of Michigan Law School. How did a driven New York lawyer who never returned to Ann Arbor after graduating from law school resolve to make what, adjusted for inflation, may be the largest gift ever made by a single individual to the University of Michigan? How did the university almost lose Mr. Cook's gifts because of false steps by law school dean Henry M. Bates, to say nothing of an unanticipated will contest launched by Ida Olmstead Cook, the wife Cook had divorced 32 years before his death?

Margaret A. Leary's *Giving It All Away: The Story of William W. Cook and His Michigan Law Quadrangle* is a meticulously researched and deftly told account of Cook's life and legacy. Leary, who recently retired as law library director and librarian at the University of Michigan Law School, displays a novelist's skill in relating the story of Cook's gifts that enabled construction of the monumental Law Quadrangle and still support legal research at the University of Michigan Law School. She opens her account dramatically with Cook's painful death from tuberculosis and the ensuing 1931 contest of his will. The contest was launched by Cook's ex-wife, who claimed the couple's divorce 32 years earlier in North Dakota was invalid and that she, accordingly, was entitled to

one-half of his estate as surviving spouse. Leary waits until later in the book to explain how the litigation was resolved favorably for the law school, but by referring to the will contest at the outset, the author announces one of her principal themes: how often and how close the university came to losing some or all of Cook's donation.

After the first chapter, Leary presents her story in chronological order. Born in 1858 in Hillsdale, Michigan, William Cook was the fourth child of John P. Cook (after whom one of the dormitories of the Law Quadrangle is named) and his second wife, Martha Cook (after whom the neighboring women's residence hall is named). A businessman and a member of the Michigan legislature, John Cook must have served as a forceful role model for his ambitious and most successful son, William. In his personal life, however, the son proved to be unlike his father. John Cook was widowed, remarried, and fathered 14 children (only 8 of whom survived to adulthood). By contrast, William Cook married only briefly and unhappily. Without descendants, he became a likely candidate to "give it all away."

Following the completion of his undergraduate and law studies in Ann Arbor, Cook moved to New York in 1882, then "the most technologically advanced city in the world." It was through the expansion of global communications that Cook made his fortune. After honing his skills in private practice, Cook became general counsel to the Mackay companies from 1895 through 1920. The Mackay companies included Postal Telegraph and Commercial Cable, which were the principal competitors of Western

Union (although, ironically, both ultimately merged into Western Union).

Cook was a workaholic, not only negotiating and litigating on behalf of the various Mackay companies but also producing significant scholarship. Five years after he graduated from law school, two major works were published in 1887: *Cook on Corporations* (a treatise that he regularly revised, with the final eighth edition appearing in 1923), and *Trusts*, dealing with the evils of monopolies.

Cook's pace must have left little time for personal matters. It therefore comes as a surprise that Cook assiduously wooed the lovely Ida Olmstead and married her in 1889. The marriage proved rocky from the start, and it seems the couple lived apart as often as they lived together. After nine years of marriage, Ida sued for divorce in North Dakota; William counterclaimed, asserting desertion. William Cook's counterclaim was granted, and court papers do not refer to any alimony or division of property. Although Ida was from a comfortable background, she appears to have been in financial distress throughout the rest of her life, a fact that led her to accept a modest lifetime annuity in settlement of her will contest.

If Cook's fortune was not to go to loved ones or his ex-wife, why did he resolve to leave it to U-M Law School? Early in his adult life, Cook had directed gifts primarily to Hillsdale College. Cook also might have been expected to leave an endowment to preserve the arboretum he created on his Long Island estate. At the same time, Cook held a number of convictions that drove him to support legal education at his alma

mater. He was prescient in recognizing that a public university could not achieve greatness while relying solely on taxpayer support, and he wanted to serve as an example of the importance of private philanthropy. Perhaps more importantly, Cook was convinced of the importance of lawyers and law schools to the continued success of key American institutions. The following words from Cook's will are carved in stone above the entrance to the Lawyers Club at the northwest end of the Law Quadrangle: "The character of the legal profession depends on the character of the law schools. The character of the law schools forecasts the future of America."

Despite Cook's commitment to legal education, the law school nearly lost his gifts due to a combination of his own prickliness and clumsy donor relations displayed by law school dean Henry M. Bates. Bates pressed Cook to fund, above all, legal research and new classroom space; Cook made clear his intention to first create handsome dormitories and a Lawyers Club, with funds for research and educational facilities (possibly) to follow. Leary particularly credits Harry B. Hutchins, a former law school dean and university president from 1910 through 1920, for intervening between dean and donor, reminding Bates that "[t]he donor is, after all, the donor."

In a fascinating final chapter, Leary explains "The Fate of Everyone Else" after Cook's death in 1930. She relates what happened to, among others, Ida Olmstead Cook, Dean Bates, and the Mackay family and its companies. Through a set of curious chances, the former Mrs. Cook—who continued to believe she had never been divorced—ended up living in Ann Arbor and, for a time, in the Michigan Union that sits across from the Law Quadrangle her former husband never saw. She reportedly wandered the streets of Ann Arbor asking "whether anyone wanted to know about William Cook's sex life." The author expresses her disappointment that she was unable to learn what Mrs. Cook had to say on the subject.

Giving It All Away concludes with three useful appendices: one exploring Cook's fiercely held but prejudiced social views, one analyzing his impressive contributions

to legal scholarship, and one describing his elegant townhouse designed by the architects of the Law Quadrangle that still stands on East 71st Street in New York City.

William Cook remains an elusive and contradictory figure. He displayed his concern for women by donating the funds to build the Martha Cook Residence Hall for women and leaving annuities for his nieces; at the same time, he was stingy in settling his divorce. Opposed to monopolies, Cook made his fortune as general counsel to companies that had worldwide reach and sought to triumph over their rivals. He devoted his final years to writing *American Institutions and their Preservation*, a treatise that, consistent with conventional views of his time, establishes a pecking order for the world's peoples and rationalizes strongly anti-Semitic views. Meanwhile, Cook counseled Mary Mackay, the daughter of his Ro-

man Catholic employer, Clarence Mackay, to follow her heart and marry Jewish-American songwriter Irving Berlin.

As a trusts and estates lawyer who long has admired the stately University of Michigan Law Quadrangle, I was riveted by Leary's vivid biography of the enigmatic Cook. *Giving It All Away* also will interest readers wanting to know more about America between the Civil War and the Great Depression and about how enduring major gifts are won—or lost. ■

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