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The MICHIGAN ALUMNUS

Extracts from the Will of the Late William W. Cook

"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.

Therefore, in order to accomplish this purpose, I give, devise, and bequeath unto my executors and trustees hereinafter named, and their successors, all the rest, residue and remainder of my estate, real, personal or mixed, of every nature, kind and description, wheresoever situate, and however held, to have and to hold the same forever, in trust, nevertheless, to hold, manage, invest, reinvest and administer the same; to collect and receive the income therefrom, in perpetuity, and to expend the net amount of such income in aiding and promoting Legal Education throughout the United States in the manner hereinafter set forth.

I trust that this gift of my residuary estate may cause others to realize that the University can no longer be extended in its main developments by state taxation alone, and that if its standards of scholarship and mental discipline, and its service to the state and nation, are to be maintained and advanced, they should be generous in their financial support. That University is and should be the pride of the State of Michigan."

The MICHIGAN ALUMNUS

THE ALUMNI—"In a very just sense and in a very large degree the fortunes of the University are committed to your hands."—DR. JAMES B. ANGELL.

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William W. Cook, University Benefactor

Noted New York Alumnus Dies at his Port Chester Home; His Will Makes Huge Additions to Already Most Generous Gifts

IT IS encouraging that those who have accumulated great wealth are manifesting the altruism and vision to contribute so generously to objects and means of social welfare. This recognition of an obligation to society is more and more evident and a portent of the perpetuity of established government and institutions. Michigan is fortunate in numbering among its alumni many with a disposition, purpose and ability to be helpful.

This attitude was personified in the life of William Wilson Cook, whose death on June 4th in New York marks the passing of one of our most distinguished alumni and benefactors.

Born in Hillsdale, Michigan, on April 16, 1858, the son of John Potter and Martha Wolford Cook, he was the ninth generation in lineal descent from Governor William Bradford of Plymouth Colony, Massachusetts. His early education was received in the public schools of Hillsdale, and in the preparatory department of Hillsdale College. He received his A.B. degree from the University of Michigan in 1880 and his degree in law in 1882.

From the University he went to the office of Frederick B. Coudert in the city of New York. It was in Mr. Coudert's office that he first met John W. Mackay and formed the friendship which continued until Mr. Mackay's death. Mr. Cook, as corporation counsel, assisted in building up the Postal Telegraph and Commercial Cable Companies, a work in which he was actively en-

By WALTER HULME SAWYER, '84h
Regent of the University

gaged until his retirement in 1921. From the time he left the University he was interested in the continued study of corporation law and published his first book when he was thirty years old. This work, *Cook on Corporations*, is now in its eighth edition and is recognized as the standard authority on the subject. He also wrote *Power and Responsibility of the American Bar* and *Principles of Corporation Law*.

Though forced by ill health to live quietly on his Port Chester estate for the past twelve years, his period of usefulness continued and, besides planning and supervising his project at the University of Michigan, he wrote what is perhaps his greatest work—*American Institutions and Their Preservation*. This book was first published in 1927 and the second edition appeared in 1929.

Making the University his beneficiary to such a vast extent, Mr. Cook makes use of the following explanation in his will, which clearly designates his motives:

"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 char-



—From an old portrait
WILLIAM WILSON COOK, '80, '82

acter 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.

"Therefore, in order to accomplish this purpose, I give, devise, and bequeath unto my executors and trustees hereinafter named, and their successors, all the rest, residue and remainder of my estate, real, personal or mixed, of every nature, kind and description, wheresoever situate, and however held, to have and to hold the same forever, in trust, nevertheless, to hold, manage, invest, reinvest and administer the same; to collect and receive the income therefrom, in perpetuity, and to expend the net amount of such income in aiding and promoting Legal Education throughout the United States in the manner hereinafter set forth.

"In the expectation (not condition) that the Law School of the University of Michigan will continue to be maintained by the Regents of said University, (out of funds supplied by the State and or others substantially as great as at present) upon standards of efficiency and excellence, which correspond generally to those of the best law schools of the country, I direct that the net income of said trust shall be devoted by the trustees hereunder to aiding and developing the said Law School of the University of Michigan by expending the same for one or more of such of the following purposes as may from time to time be agreed upon by my said trustees and the Regents of the said University of Michigan; that is to say:

a. To construct and equip at the said University of Michigan, upon land to be furnished for that purpose by the Regents of said University, in the same general style and character as that of the Lawyers Club Building, such of the following buildings as may not be completed at the time of my death, first utilizing any trust funds that I may have set aside for that purpose in my lifetime:

1. A legal research building.
2. Additional dormitories for students.
3. A class room and administration building on the southwest corner of the 'Law Quadrangle.'
4. Such other dormitories and buildings outside of said 'Law Quadrangle' as may be deemed advisable by my said trustees and the Regents of said University for the accommodation of said law students and said Law School.

All dormitories constructed and equipped pursuant to the provisions of this subdivision shall be controlled and operated by the Lawyers Club of said University for its purposes, and shall be furnished by the said University with heat, light and power free of charge.

b. To establish and maintain in said University one or more departments for one or more of the following purposes:

1. To formulate and state all branches of the

law in a form intelligible to law students and lawyers and laymen.

2. To study and advocate (orally and by publication) improvements in criminal and civil procedure and other branches of law. To prepare and publish legal articles, pamphlets and text-books on important questions of the day, bringing to bear the jurisprudence and experiments in America and Europe; to study and write, historically, critically and analytically, on constitutional law, and judicial, executive, administrative and legislative problems and proposals.

3. To pay the salaries of research professors and their assistants, and the latter may be in whole or in part by fellowships.

3. To pay the incidental expenses of such Research Department.

5. To purchase books for the Law Library, other than books the University will continue to purchase as heretofore.

6. To publish productions of said department or departments, and also publish and sell at printer's cost my book on *American Institutions and Their Preservation*.

7. To engage eminent jurists and lawyers to deliver lectures at Ann Arbor, and to publish such lectures when desirable.

8. To pay higher salaries to professors in the Law Department generally so as to retain and obtain the highest class of professors.

9. To establish new law professorships and also fellowships.

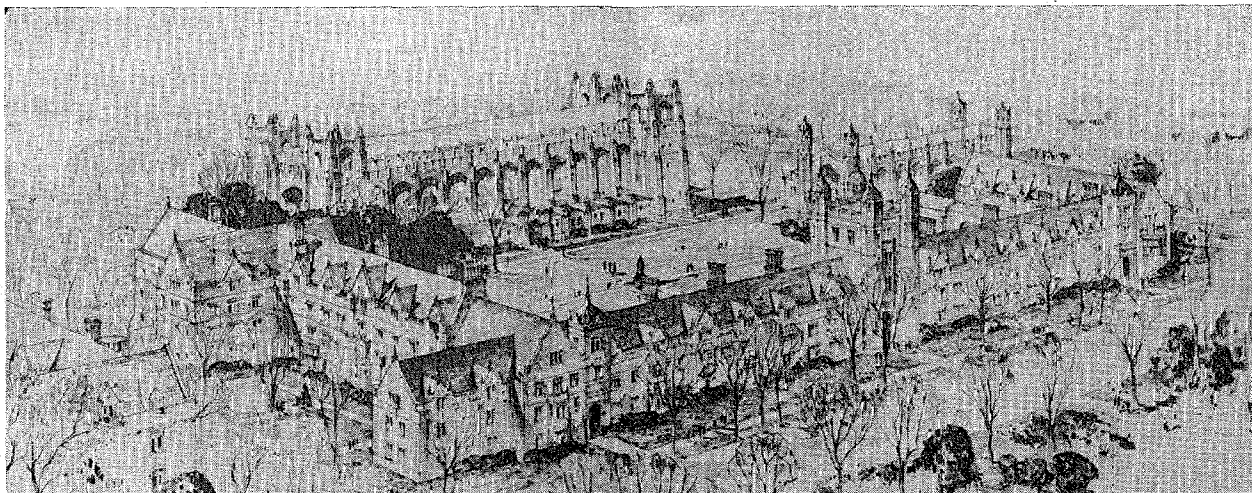
10. To inaugurate a professorship of or annual lecture courses on *American Institutions and Their Preservation*, either in the law department or literary department, or jointly for both, and to pay the salary of the professor thereof. This provision No. 10 to be mandatory.

11. To assist the American Law Institute so far as its work is done at the University of Michigan.

c. To aid and improve the said Law School of said University in such other manner as my said trustees and the Regents of said University shall determine, so as to produce superior lawyers, judges, legislators and executives; in other words, intellectual and reliable leaders.

I trust that this gift of my residuary estate may cause others to realize that the University can no longer be extended in its main developments by state taxation alone, and that if its standards of scholarship and mental discipline, and its service to the state and nation, are to be maintained and advanced, they should be generous in their financial support. That University is and should be the pride of the State of Michigan.

It is my primary purpose and intention to create by this clause TENTH of this my Will a charitable trust for public educational purposes, as defined by the laws of the State of New York and Michigan, and the construction of all other provisions of



ARCHITECT'S DRAWING OF LAWYERS CLUB QUADRANGLE—THE GIFT OF WILLIAM W. COOK showing the completed structure in the foreground and to the right, as well as the John P. Cook Dormitory (to the left) and the Law Research Library in the background (now under construction)

this my will shall be subordinated to that end. Without limitation of the foregoing, I further direct that in case any of my purposes above described, which I believe to be charitable (as appears by this my Will), shall not be charitable in the technical meaning of the law of both of the States of New York and Michigan, the proper courts shall regard such purposes as non-existent, if this shall be necessary to uphold this will in whole or in part."

THE first evidence of his interest in assisting the University was shown by his gift of the beautiful dormitory bearing his mother's name. This building was opened for occupancy on September 15, 1915. It was designed by him as a demonstration of the advantages of dormitory housing and group life of girl students and as a social center. While he kept in close touch with its control and made frequent suggestions to the Board of Governors, the deed of gift contained no hampering or embarrassing provisions.

Among many editorial comments on the life and benefactions of Mr. Cook, the few which are here appended give a fairly comprehensive picture of his ideas and ideals:

"It was the welfare of his country that he had at heart when he wrote that (the explanation of his ideas in the use of the money left to the University), and it was his own alma mater that he would enable to render what he regarded as the highest possible service to his country. He would make the law and its administration as simple as possible and speed the course of justice to the end that the layman would more easily understand and appreciate its importance to the stability of the republic."—*Detroit Saturday Night*.

"Mr. Cook's benefactions, from beginning to end, bear the stamp of a deep and abiding affection for the school which gave him his degree, an affection understandable only by conceiving it as

one of the governing passions of his life."—*Detroit Free Press*.

"He lived much in a world of imagination, turning from the imperfection of the actual to the creations of his own mind, and then refusing to view them when they had been worked out in stone and steel, for fear, perhaps that they would not realize the splendor of his dreams. His buildings in Ann Arbor testify to his austerity, his respect for tradition, his idealism, even to the strength of his convictions."—*Detroit News*.

"Michigan and the nation alike profit from the bequest. Lawyers trained at Ann Arbor can be counted upon to become leaders in whatever community they pursue their practice. Mr. Cook has taken a very decisive and effective method of perpetuating his memory in the betterment of an entire profession, one that, in his belief, is the leader in the preservation and development of American institutions."—*Hillsdale News*.

"Mr. Cook's greatest claim to renown lay in something even more important than his generosity toward the University of Michigan. He was an internationally known authority on corporation law. He was author of a number of works on law. His greatest dream was for the establishment of a law laboratory on the campus of the University of Michigan which would help government by reducing the study of law to a science."—*Flint Journal*.

WHILE in Hillsdale visiting his brother and family, and after the erection of the Lawyers Club, I asked Mr. Cook to drive to Ann Arbor with me and see the buildings which he had constructed. He replied: "No, Doctor, you cannot persuade me. You want to spoil my dream. I never shall go to Ann Arbor." I had frequent letters from him and he always had an intimate understanding of University affairs, and even the minute details interested him. He had a very deep and

abiding affection and admiration for President Hutchins, and implicit confidence in him and his advice and influence were factors in maturing his plans.

He was convinced, as his oft repeated expressions signified, that the safety of a democracy depended upon its leaders, and that in the profession of law they must principally originate. It was this conviction and his love for his alma mater which controlled and activated him.

He once said to me: "I have no one for whom I feel serious responsibility. The University gave me my foundation and incentive. What I have accomplished is largely due to my training there, and to the influence

of men like Thomas M. Cooley and others, and to her my estate shall go."

There has been much discussion of the acceptance by the University of donations with provisions which time might demonstrate to be embarrassing. I am sure no apprehension need be felt or criticism stand as to the conditions of Mr. Cook's benefactions.

He was guided by the cry of the old Stoic:

"Strengthen the wavering line,
Stablish, continue our march,
On, to the bound of the waste,
On, to the city of God."

Dr. Hutchins Paused Over the Name of William W. Cook

By EARL D. BABST, '93, '94, A.M. (Hon.) '11

SEVERAL New York alumni have suggested that I set down an account of the slender preliminaries which led eventually to the great gifts to the University from the late William W. Cook, '80, '82, of New York.

One of the outstanding features of the administration of Dr. Hutchins was the revival and organization of alumni interest. Intent upon that purpose, the President was a frequent visitor to New York following his inaugural. He threw himself and the influence of the University wholeheartedly behind the plans for the National Dinner of February 4, 1911. Honoring the services of alumni in national affairs, the dinner, attended by nearly a thousand alumni of distinction from all parts of the country, was conceived and carried out as a direct support of Dr. Hutchins and his alumni policy.

Canvassing the results of the National Dinner on one of these visits, Dr. Hutchins paused over the name of William W. Cook, '80, of the Reception Committee. I gave him what information I had of Mr. Cook's sustained interest and support of alumni affairs in New York and also of his unvarying stipulation that he would not attend meetings or dinners! The President, fully acquainted with Cook as a lawyer and text book writer, tried in vain to recall him as a student or alumnus. When he left my office, Dr. Hutchins jotted down the address of Mr. Cook as well as of several others whom he desired to call on during his visit. The next day he telephoned me that he had had a very agreeable visit with Mr. Cook and intended to call on him when next in New York. Later he told me of the wide scope of his second visit and ventured the thought that he suspected that Mr. Cook had "something in mind in connection with the University."

Still later Dr. Hutchins came to see me directly from Mr. Cook's office fairly bursting with "great news"—all in absolute confidence—for Mr. Cook had indicated his desire to give a women's dormitory, if certain conditions could be met, and Dr. Hutchins was anxious to tell me first in view of the earlier conversations. I never saw President Hutchins so elated. He was fairly overjoyed. Here were the first real fruits of his alumni policy. The purpose of the gift and the fact that it came from an alumnus whose deep interest in the University

could hardly be suspected in view of his casual contacts in alumni years—all gave the President the highest satisfaction. It justified his arduous labors in visiting alumni associations from coast to coast and for the round of personal visits, which, however, quite unknown to him, endeared him to hosts of Michigan alumni everywhere.

The later developments of this contact between Dr. Hutchins and Mr. Cook are known to all. How natural that these two devoted Michigan graduates working together over the Martha Cook Memorial Building should discuss their life work in the law, both having had active experience in its practice but both having attained their greatest distinction in teaching its principles to the oncoming generations. How natural that there should result the still greater project of the Lawyers Club and now the magnificent endowment disclosed by Mr. Cook in his will. Who can measure the ultimate contribution to Michigan by these two men working together to the honor of both on that initially slender thread—"Something in mind in connection with the University."

Certainly such a splendid result growing out of such a casual contact justifies the ceaseless labor of love of countless alumni in hundreds of alumni circles in maintaining organized alumni interest and contact, entirely aside from the immediate reward of personal satisfaction in Michigan loyalty.

THE
LAWYERS
CLUB

