1858–82

Hillsdale childhood, student days in Ann Arbor
My boy William, 17 years old . . . always observe the recognized rules of success—morality, virtue, industry and economy.

JOHN POTTER COOK TO WILLIAM WILSON COOK, APRIL 16, 1875

THE FLOWERY WORDS of John Potter Cook’s epitaph are etched on the tallest memorial column in Oak Grove Cemetery in Hillsdale, Michigan.

A man whose judgment, steady purpose and strong convictions, with his integrity, high principles, unassuming manners and charitableness toward all men constituted a harmonious nature, formed the characters of his children and builted a wide influence for good. His home was the center of his thoughts and hopes. The world is better for his having lived.

Surrounding the column are numerous tombstones and memorial tablets for fifteen of his children, two of their spouses, and nine other descendants and their spouses. The cemetery fairly glowed on a lovely late July day in 2006. Sunshine filtered through the deep green oaks and lighter maples, and the gravestones were easy to read in the summer light. The names and dates on Cook family tombstones and a review of census and other local records helped immensely in reconstructing William Cook’s complex family.

John P. Cook (1812–84) was a miller, a boot and shoe dealer, a lumberman, a banker, and a politician whose real and personal property jumped in value from $22,500 in 1860 to $125,000 in 18701 (in 2009 terms, this would be about $2 million).2 He raised his family with one or two domestic helpers or relatives in the household, which is additional evidence of his success. In his middle years, Cook had thick hair pushed back from his face, a definite squint, and six or eight inches of very curly hair growing in a narrow beard from his receded chin.3
John Cook’s Michigan adventure began in 1832, when he and Chauncey Ferris, both twenty-year-olds from Cato, New York, traveled west to Detroit. Cook had carpentry skills, which came in handy when he and Ferris built a foundry in Detroit. They quickly sold it and moved farther west to Jonesville in Hillsdale County. By 1836, anticipating the move of the county seat to the new town of Hillsdale, the two men bought land and built houses there. Then, in 1837, they returned together to upstate New York to marry two Wolford sisters. John married Betsey, Chauncey wed Catharine, and the couples returned to Michigan to become two of Hillsdale’s first families. Cook and Ferris had already built a grain mill, and soon they added to their holdings the county’s first general store. Cook worked as a contractor, building the Michigan Southern Railroad. He went on to become a banker, the owner of a hardware store, and a lumber entrepreneur on the west side of the state.

John and Betsey’s first child, Amanda, was born in 1840. She lived only six years. Julia came along in February 1843 and Charlie in May 1846, four months before Amanda’s death. The couple’s fourth child, Martha, was born in 1848, and Mary arrived two years later, in February 1850. Julia died that year, in April, and Betsey herself in August. In ten years, Betsey had given birth to five children, only three of whom survived her. Betsey’s sister Catharine also died in 1850 (prob-
ably in childbirth), leaving two children. The two couples’ five surviving children were sent immediately back to the Wolford family in New York. John and Chauncey stayed on in Hillsdale and continued to build their businesses.

Just two years after the deaths of their first wives, John and Chauncey returned to Cato, New York, in December 1852, to marry again. John married Betsey’s sister, Martha, who was twenty-four, and Chauncey married John Cook’s sister Elizabeth, then thirty. The two men traveled back to Hillsdale with their five children and new wives.

Martha Wolford Cook had spent the previous two years caring for her sisters’ children. To Betsey’s three, she and John would add nine more, and the pattern of birth alternating with loss would continue. Johnnie was born in October 1854,

Martha Wolford Cook’s Diaries

Will’s mother, Martha, kept diaries, and two survive. One is from 1871, when Will was thirteen; and the other is from 1885, Martha’s first year as a widow, when Will was twenty-seven and living in New York City. Martha wrote about ordinary events that reveal the nature of her family life. In 1871, “Charlie, Willie, and Dannie took the cow to the farm and went to hear the Spy of Shiloh,” and “Sarah had a party.” Martha mourned the death of Johnnie: “Five lonely years since my beloved boy was buried.” She noted trips to Detroit with her husband: “Went at 5 a.m. and back at 11 p.m.” She also reported on several trips by “Mr. Cook” to Whitehall in western Michigan, north of Muskegon. Cook and his son Charles had a lumbering business there, in the adjacent town of Montague.

The diary of 1885, the year after her Mr. Cook died of “congestion of the brain” on December 15, 1884, is fuller and more detailed. On New Year’s Day, Martha seems joyful to have “our once large table” filled again with four of her children for a dinner of duck and chicken. The next day, they ate turkey before Will returned to New York and Chauncey to Toledo. She mentioned “beautiful” letters of consolation from Will and from the Kane Masonic Lodge in New York, which Will was in the process of joining that year. In mid-February, with the temperature at twenty-eight degrees below zero, she was sending a letter and pictures to Will. She noted with pride Belle’s election as president of the Literary Union Society and Chauncey’s as mayor of Hillsdale (Chauncey had returned to Hillsdale from Toledo after his father’s death).

In April Martha plowed the garden and planted tomatoes, onions, lettuce, beets, and radishes. In July she returned to the “Old Homestead,” as she called it, in Cato, passing through Buffalo, and she noted visits by her sons through the summer. August marked three years since “my dear Carrie left this world” at the tender age of sixteen. In October Chauncey sold the “Pineland,” which was probably the land John had lumbered on the west side of Michigan. In November Martha noted, “I am sick. Dr. says I have intercostals neuralgia [sic] caused by overwork and malaria.” The year ends with Will’s arrival at 11:30 p.m. on Christmas Eve.
THE COOK HOMESTEAD

The house at 139 Hillsdale Street where Will Cook grew up in Hillsdale, Michigan. On hot days striped awnings shaded the windows.

Ann B. Cook collection.
Lewis Cass in January 1856, Chauncey Ferris in March 1857, William Wilson in April 1858, Daniel Wolford in March 1860, Kate in October 1861, Franklin Mead in January 1863, Caroline Hall in 1865, and Sara Belle in January 1868. Lewis lived only nine months, Johnnie a bit over ten years. Caroline was sixteen when she died in 1882. When William Cook came into the world in 1858, he had five living siblings. By the time he turned ten, five more had come along, and one had died.

John Cook had political as well as business interests, and those must have made an impression on young Will. John was influential in the Democratic Party, helping to organize the Hillsdale County government; he was its first treasurer. In 1838 he became the first postmaster of the new town, and in 1845 he was elected to the lower house of the state legislature. Cook served as the only layperson on the judiciary committee that revised the state’s statutes that year. A year later, in 1846, he was elected to the state senate for two years, serving for only one term because of the press of his business interests. In 1850 he again rose to an important position as delegate to the state’s constitutional convention, where he chaired the committee on corporations.8

The transcripts of the convention in Michigan fit into one thick volume. A reading of them clearly reveals Cook’s influence.9 Although John Cook did this work eight years before the birth of his son Will, it surely became part of the Cook family history known to Will, because of the importance of the new constitution. Delegates to the convention were facing up to the toughest issues of the day: the role and place of banks, corporations, and the railroads. They also had to make critical decisions about which citizens would enjoy the rights conferred by the new constitution: white men only; white men and white women; or all citizens, regardless of the color of their skin. The principles and values that John Cook articulated during the convention, such as universal suffrage, popular control over banks, and limitations on corporate power, did not change over the remaining thirty-four years of his life, and he would surely have passed them...
along to his children. Specifically, he would have passed them along to Will, born in the middle of the family and destined to become the most financially and professionally successful of his children.

The transcript of that 1850 constitutional convention, which lasted for fifty-seven days, from June through mid-August, contains hundreds of references to John Cook. We learn that he submitted a petition from Hillsdale County to strike the word *white* from the definition of who could vote, enlarging the number of eligible people. The petition was referred to the Committee on Elective Franchise. Petitions from other counties followed, but the final constitution contained the word *white* six times, defining those counted in determining legislative districts, those eligible to vote, and members of the militia.\(^{10}\) Cook tried hard, with the backing of many others, to extend to people of color and to women the right to vote and the right to be counted in determining legislative districts. Unfortunately, he and his supporters failed.

Cook, who later founded Hillsdale’s first bank, railed against banks in his work on the committee that wrote the section of the Michigan Constitution on banks and other corporations. Under his leadership, the committee wanted to submit questions to “the people” about establishing banks, rather than empowering the legislature to establish them. Cook wrote, “The people have lost more by banks than would pay the public debt. . . . You never knew a legislature to come together but they would decide against banks by a ¾ vote, and before the close they would charter banks by a 2/3 vote.”\(^ {11}\) Cook said he would be willing to have banks only “when the people come to the conclusion that banks are necessary.” Cook prevailed on this point, and Article 15 of the constitution provided that no banking law should have effect “until approved by a majority of the voters in a general election.”\(^ {12}\)

The constitution also put constraints on corporations that would seem strange today: all stockholders were individually liable for all labor performed for the corporation;\(^ {13}\) most corporations could be created for no more than thirty years;\(^ {14}\) and a corporation could not hold real estate for longer than ten years, except that used for its business.\(^ {15}\) Ironically, in his career, William Cook would champion more sophisticated and effective corporations, and he would become the most noted scholar in the field of corporate law.

John Cook’s deep involvement with corporations, which included railroads and banks, presaged his son William’s vocation as an expert in corporate law. Will saved the letter his father gave him on his seventeenth birthday, urging him to observe the recognized rules of success: morality, virtue, industry, and economy. When Will built a residence for law students and named it after his father,
COOK MEN

Left to right, Dan (1860–1916), Chauncey (1857–1920), William (1858–1930), Charles (1846–?) and Frank (1863–1943). This photo may have been taken on the occasion of Chauncey’s marriage to Louise Stock in Hillsdale on January 14, 1891.

Ann B. Cook collection.
he displayed his father’s portrait and the birthday letter prominently in the building. We can conclude from this that he was influenced by his father’s business and political views.

Despite John Cook’s consistent and important participation in the constitutional convention, he did not sign the final document on August 15, 1850. He apparently attended each session of the convention, and the absence of his signature is startling. The sad explanation appears on a gravestone in the Hillsdale cemetery: Betsey Wolford Cook died two weeks later, on August 31.

John Cook’s active citizenship continued after the constitutional convention. He served on the first board of the Michigan Asylum for Educating the Deaf and Dumb and the Blind. In 1856 he was one of twelve Michigan delegates to the Democratic National Convention in Cincinnati. In 1874 and 1878, he was among the most prominent potential candidates for governor of Michigan, but he was not nominated.

William Cook was born eight years after the 1850 Michigan constitutional convention, on April 16, 1858, the fourth child of John and Martha. By then the family was living in a fine house at 139 Hillsdale Street in Hillsdale, Michigan, on a large lot with a barn, gardens, and plenty of room to roam. The house had huge striped awnings to protect its large windows from harsh summer sun, a welcoming wraparound porch on the front, and a tall tower with a widow’s walk. Low stone walls surrounded the property, which had been landscaped by New Yorker S. Simon. Features of the house included high ceilings, tall windows with some stained glass, and coal-burning fireplaces in most rooms. The local paper often wrote of the parties at the Cook home, describing them as elegant, gracious, and generous and referring to John and Martha in the most respectful tones.

We do not know much about William Cook’s childhood. The Hillsdale newspaper refers to him fishing in the St. Joseph River and Lake Baw Beese. He must have done well in school, given his later accomplishments and his admiration for his teachers at Michigan. He may have watched Union Army soldiers about to go to war on the nearby parade ground, which was visible from the tower on his house.

Young Willie, as he was known, surely had home chores and probably worked in one or more of his father’s several businesses. He must have helped with the younger children and the family vegetable garden and tended to the horses, cows, and other animals on which the household depended for transportation, milk,
Cook’s comments on the importance of fraternal organizations are the first evidence of how he began to apply the ideals he learned in Hillsdale to real life. Cook and his brothers Chauncey and Frank all joined Delta Tau Delta. Students from Hillsdale founded the University of Michigan’s Delta chapter, perhaps explaining the Cooks’ attraction to the organization. Will remained active as late as 1885, three years after his move to Manhattan.

In August 1885 Detroit hosted the fraternity’s twenty-sixth annual international convention (eleven members came from Canada), and Cook presided over the meeting at the six-story Russell House hotel. According to the fraternity’s newsletter, the *Crescent*, members arrived in the city “wan and weary, hair plentifully sprinkled with Michigan cinders and our classic countenance veiled in the blackest of Michigan dust.” Their fatigue and discomfort dissipated in the “cheery smile of fraternal welcome, the hearty earnest and manly shake of hands clasped in Delta’s grip, until the last Delts reluctantly broke their happy circles and sought the repose which comes alone to the righteous.”

Cook called the convention to order on the next day, welcoming seventy members. There were so many fraternity brothers in attendance that the afternoon session had to be moved to the elegant, commodious society hall in the Abstract Building. The *Crescent* reported that Cook’s address was “a clear, trenchant, and profoundly analytic exposition of the aims, the rights, the purposes, and the influences of the American college fraternity” and included “telling hits on some of the evils of the system.”

The “black spots” Cook saw in “fortunately few” fraternities included choosing members based on parentage rather than “sterling qualities of the mind and heart.” Cook drew a picture of the worst sort of fraternity member, one who is absent from class, uses keys and translations, resorts to trickery and deceit, and treats college life as a pastime and play day. Such a man, said Cook, graduates a “strange compound of conceit, superciliousness, ignorance, and pretension” and “generally sinks into mediocrity, never to emerge.” “Sometimes a sadder scene is enacted,” Cook lamented, “and dissipated habits drag their victim down to ruin and an untimely end.”

In contrast, the beneficent influence of fraternities, said Cook, goes beyond undergraduate life. Participating in fraternity life teaches discipline and leads to a high type of friendship, which elevates the thoughts and turns man from worldly things to a higher plane of life and being. Cook likened the role of the fraternity to that of the family and home, keeping men on the path of rectitude, urging them to the performance of their duties, and inspiring them to lead better and greater lives. The welfare of one is the welfare of all. It teaches men to live honestly, industriously, charitably, and progressively, and the world is a better place for his having lived in it.

These thoughts and values seem nothing more than an amplification of John Potter Cook’s rules of success: morality, virtue, industry, and economy.
COOK WOMEN

Perhaps taken when Chauncey Cook wed Louise Stock in Hillsdale, January 14, 1891.

*From left to right,* they are: Sarah Belle Cook Frankhauser; Ida Olmstead Cook, wearing Martha Cook's wedding dress and seated on the sofa; Kate (Katheryne) Cook Baldwin and Martha Wolford Cook, both leaning on the sofa; Sarah Wilson, a close family friend; and Helen Harwood, granddaughter of Betsey Wolford Cook, John Potter Cook's first wife.

*Ann B. Cook collection.*
and food. He likely didn’t spend much time alone with either of his parents, but as an adult, he emulated his father’s habits of hard work and political engagement and sought a wife who could live up to the standards of his mother.

Cook followed several of his older siblings to Hillsdale Academy and Hillsdale College. The academy was a preparatory school for the college. At that time, the only public high school in Michigan was in Detroit; elsewhere in the state, public schools did not exist beyond the elementary level. The Cook children would have had to attend Hillsdale Academy to pass the entrance exams to get into Hillsdale College.

The roots of Hillsdale Academy and Hillsdale College were in Michigan Central College, which was founded in Spring Arbor but moved to Hillsdale seeking better community support. An example of this support was John Cook’s donation of ten thousand dollars, along with land for buildings, for the newly reconstituted college. Hillsdale also had the advantage of being on the line of the Michigan Southern Railroad, which John Cook had helped to build. The railroad extended all the way from New York to Chicago, making Hillsdale College a draw for students from both the east and the west. Hillsdale was also close to the busy road now known as U.S. 12. This easy access made Hillsdale College the largest private college in Michigan for most of the nineteenth century, with at least a third of its students from out of state.

William Cook attended Hillsdale Academy from at least 1873, when he was fifteen, through 1876, when he was eighteen. He studied the classical curriculum. For example, his courses for his sophomore year were, in the fall term, *Antigone*, Mechanics, and Inorganic Chemistry; in the winter term, Tacitus, Physics, and Mineral Chemistry; and in the spring, Thucydides, Demosthenes, Astronomy, and Organic Chemistry.

In 1876 Cook went to nearby Ann Arbor to attend the University of Michigan, entering the four-year program in the College of Literature, Science, and the Arts. He was considered the best orator in the senior class and was active in the Delta Tau Delta fraternity and the Democratic Party; Cook graduated in 1880.

Cook began studies in Michigan’s Law Department in October 1880. By 1882, when he was twenty-four, he had earned an LL.B. Cook’s time at Michigan Law
was quite different from the student experience of today. The department had a handsome home, the 1863 Law Building, which held classrooms, the library, and faculty offices. Cook earned a second bachelor’s degree, an LL.B., rather than a J.D., as did law students everywhere in that time when law was an undergraduate degree. He attended law school for only two years, not three, again the norm at the time. Moreover, each term was just three months long: October to December and January to March. That left a long summer for gaining experience in the law. Cook and his brother Chauncey, who attended law school at Michigan with him, clerked at the Toledo law firm of Scribner, Hurd, and Scribner during the summer after their first two terms.

Another difference between legal education then and now is the nature of the classroom experience. Will and Chauncey would have listened to long lectures from a professor standing on a podium in front of a large class, and they would have taken copious notes. There would have been no Socratic dialogue between professor and student and no focus on the analysis of legal reasoning in the most important cases. In place of this would have been lectures, textbooks, and extensive quizzes based on the readings and lectures. Students did not buy expensive casebooks as they do now. Instead they dutifully noted the citations to cases mentioned in lectures and went to the library to look them up, reading the full text of the court opinion and taking notes from it. Michigan did not adopt the Socratic case discussion method, devised by Christopher Columbus Langdell and first used at Harvard in 1870, until 1886, four years after Cook finished law school.28

Will and Chauncey would have taken a very narrow range of courses compared to today’s students, who can choose from a wide array of standard courses,
YOUNG WILL COOK

A young Cook, perhaps on graduation from the University of Michigan's College of Literature, Science, and the Arts (1880) or Law School (1882).

Photo by University of Michigan Photo Services of a portrait that hangs in 903 Legal Research Building, University of Michigan Law School.
practicums, and specialized seminars and a variety of practice-oriented clinical offerings. In the Cooks’ first year, fifteen courses were offered; during their second year, only eleven. Surely they took constitutional law from Thomas M. Cooley; corporations from Charles Walker; and one or more of Cooley’s classes on trusts, wills, and estate administration in their first year. In their second year, they might have taken contracts and evidence from Walker, Cooley’s domestic relations, and James V. Campbell’s classes on equity or commercial law. Charles A. Kent’s fifty-four lectures on common-law pleading and practice were undoubtedly required.  

Cooley, a founding member of the Michigan Law faculty, was the most eminent of the Cooks’ professors. The Law Department was just a year younger than William Cook, dating to 1859. The three original members of the faculty—Cooley, Campbell, and Walker—only taught part-time. Cooley taught, practiced law, and served as a judge, even when he was dean. Campbell, the first dean, served on the Michigan Supreme Court for thirty-two years. Walker taught and alternated between practicing law and sitting on the bench.

Thomas Cooley had long been a legend in the Cook family. During the summer of 1859, he’d successfully represented John Cook and his partner, Henry Waldron, in a suit to prevent the town of Hillsdale from opening a street across from their mill lot and from building a bridge over their millrace.  

The family must have valued Cooley’s help and talked about him in the family as Will was growing up.

Cooley made such an impression on Cook that Cook dedicated each of the eight editions of Cook on Corporations to him. In 1887 President Cleveland appointed Cooley to be the first chair of the Interstate Commerce Commission, believing him the one man in the country sufficiently disinterested to be trusted
by all sides. The year before, in 1886, Harvard recognized Cooley’s achievements, citing him as “the most respected lawyer and one of the most respected persons” in the nation. Harvard awarded him an honorary LL.D. as part of their 250th anniversary celebration. Cooley’s acceptance speech represented the declining populist-democratic aspirations of American law. Cooley described the purpose of legal education at Michigan.

[We fail to appreciate the dignity of our profession if we look for it either in profundity of learning or in forensic triumphs. . . . [I]ts reason for being must be found in the effective aid it renders to justice and in the sense that it gives of public security through its steady support of public order.

These are commonplaces, but the strength of law lies in its commonplace character; and it becomes feeble and untrustworthy when it expresses something different from the common thoughts of men.

In 1870, long before Cook became a student, the Michigan Law Department had become the largest law school in the country, with 440 students. The school burst into prominence under Cooley’s deanship from 1871 to 1883. By 1880 it was second in size only to Columbia’s law school, and the two schools were still the nation’s largest ten years later. By 1888 there were more than thirty-five hundred Michigan Law graduates spread around the country and the world. Even before Cook arrived, the school had graduated its first African American student, Gabriel Hargo (1870), who was probably the second one in the nation. Its first woman graduate, Sarah Killgore Wirtman (1871), became the first woman in the country to both graduate from law school and be admitted to the bar.

Will Cook spent six years at the University of Michigan; when he graduated in 1882, he was ready to enter the wider world. A typical Michigan student from Hillsdale who wanted to move on to a bigger pond would have set off for Toledo, Detroit, or, if truly ambitious, Chicago. Not Cook. After a couple of months in Michigan City, Indiana, where his brother Dan lived, Cook moved to Manhattan. His father’s business success and wide acquaintance with politicians likely gave him an entrée. Today, looking back more than a century and a quarter later, what Cook accomplished is astonishing and impossible to fully explain.

The monument to Cook’s memory that remains at what was once his estate in Port Chester, New York, describes him as “Lawyer, author, public-spirited man.” These are unquestionably the themes of his life.