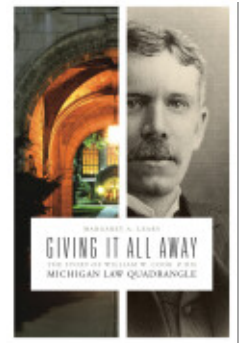




PROJECT MUSE®

4. 1898–1910: Divorcing Ida, thriving at the Mackay Companies, losing a boss and mentor, becoming a man of property, establishing enduring friendships, making philanthropic plans for the University of Michigan

Published by



Leary, Margaret A.

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

University of Michigan Press, 2011.

Project MUSE. <https://dx.doi.org/10.1353/book.10315>.

➔ For additional information about this book

<https://muse.jhu.edu/book/10315>

4

1898—1910

*Divorcing Ida, thriving at the Mackay Companies,
losing a boss and mentor, becoming a man of
property, establishing enduring friendships, making
philanthropic plans for the University of Michigan*

Dining at Mr. Cook's Aladdin's Palace.

UNDATED ENTRY IN LOGBOOK OF BLOOMING GROVE HUNTING AND FISHING CLUB, GLEN EYRE, PENNSYLVANIA

BY 1898 WILL COOK is setting off in a new direction. For one thing, he is now a divorced man. For the rest of his life, he will describe himself as “single” rather than “divorced.” Although it is not possible to ever know what happened between Will and Ida in their marriage, it is hard to not feel sorry for Ida. She is leaving the marriage without any assets, to say the least. As the years go by, Will Cook will become ever more successful and wealthy; Ida will become ever more dependent on her family for emotional and financial support.

Our newly single man-about-town and former dedicated fraternity member is an interesting combination of workaholic and joiner. His acceptance in 1900 into membership at the exclusive Blooming Grove Hunting and Fishing Club in Pennsylvania begins a twenty-seven-year stretch of getting away to the secluded cottage he built there on the shores of Lake Laura. By 1910, in addition to his memberships in Kane Lodge and Blooming Grove, he will have become a member of the Lawyers Club, the Union League, the New York Law Institute, and the Association of the Bar of the City of New York.

A blow to Cook is the death of his mentor John Mackay in 1902. Cook continues with the Mackay Companies, now working for John's son, Clarence. Cook and Clarence Mackay never become close, although, most interestingly, one of the great friendships of Cook's life is with Clarence's glamorous and socially daring wife, Katherine.

Cook is thriving as general counsel to the Mackay Companies. Most significantly, he excels during this decade at helping them stand up to Western Union and stave off a threatened government takeover of the communications industry.



IDA OLMSTEAD COOK (1859–1942)

Ida Olmstead Cook at an unknown date.

Ann and Larry McGill collection.

In 1903 Cook begins purchasing the parcels of land that will eventually make up his sprawling Port Chester estate. Although he never improves the property's house and buildings, he will come to revere this place, spending many days there and many thousands to turn it into an arboretum and garden paradise.

In 1908 Cook finally gives up his life as an eternal renter in New York City and purchases an elegant house for himself at 327 West 75th Street. He is now a property owner in three different places.

By 1910 Cook makes it his business to be involved in the selection of the next University of Michigan president. The brilliant legal strategist has become very wealthy, and he is beginning to turn his attention to his alma mater.

We pick up the story with a very unhappy Ida in North Dakota, waiting for the divorce that she has filed for but that will be granted to her husband.

In February 1898, exactly nine years after her wedding, Ida Cook traveled through a raging snowstorm and arrived in Wahpeton, North Dakota, briefly the divorce capital of the United States.¹ Four months later, she filed for divorce on the grounds of desertion; Cook counterclaimed that she had deserted him, and on June 8, 1898, he was granted a divorce. There was no mention of alimony, property division, or children.

At the end of the nineteenth century, divorce was becoming more common, but the trend was not consistent among the states.² New York has historically discouraged divorce, and its citizens have been accustomed to going elsewhere to legally dissolve their marriages. Most men allowed their wives the dignity of obtaining a divorce, and Ida may have assumed Cook would let her lead the way. Instead, he counterclaimed, and the divorce was granted to him. This was unusual, even ungentlemanly. Cook's attitude toward Ida had turned sharply away from their courtship days, when he had ardently and persuasively written to her that he would make her into a sweet and happy wife. His desire had once been to pull her into his life, but now he was anxious for her departure.

More than thirty years later, Ida's niece Beatrice Borst reported that her aunt had been terribly upset by the divorce; it had even caused her to be briefly hospitalized.³ For the rest of her life, Ida usually referred to herself as "Mrs. William W. Cook." Will's response to the divorce was the opposite; when asked about his marital status, he identified himself as single. He didn't bother to mention that he was divorced.

Cook was probably quite careful about the details of his divorce. Several years earlier, his friend Charles Beach⁴ had obtained a divorce in Oklahoma, which had been overturned in 1894. Beach's second marriage was invalidated, and he was forced to live for years in Paris and London to avoid prosecution for bigamy.⁵

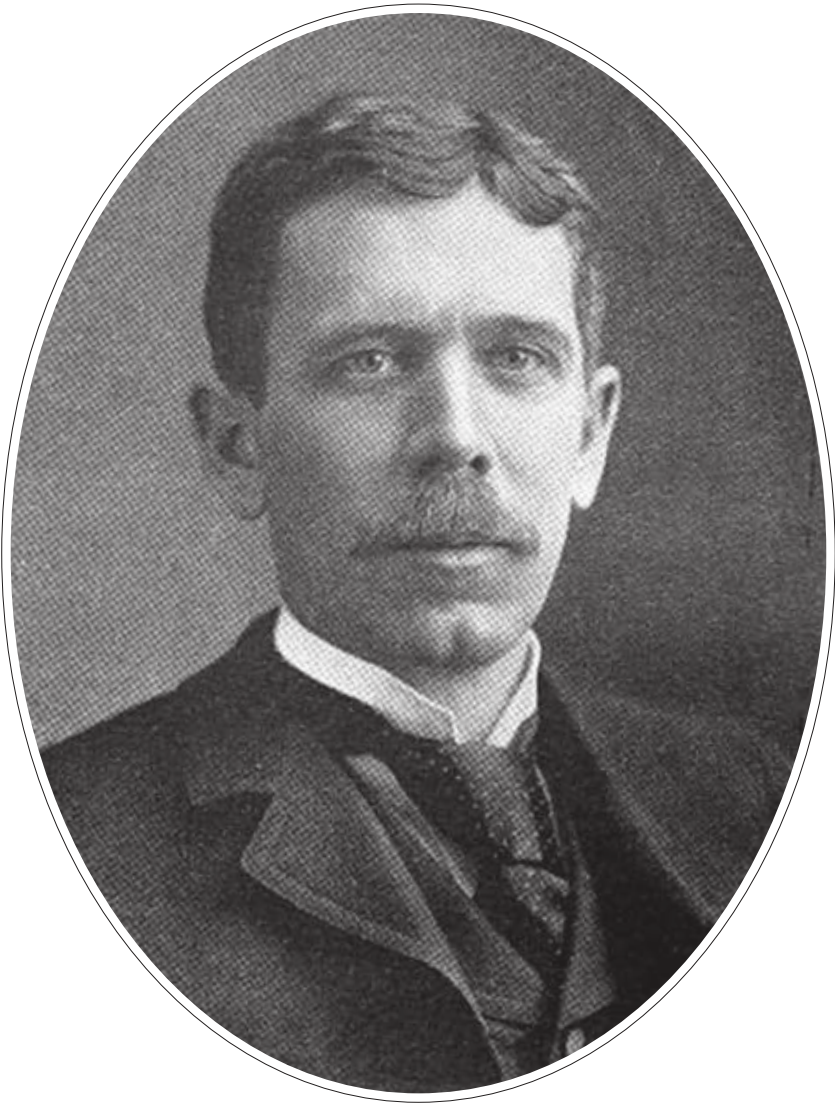
Cook employed fellow Michigan Law grad Porter McCumber⁶ to represent him, but he may not have been careful enough. This would have serious consequences by 1931, but Cook wasn't going to be alive to face them.

Once divorced, Cook moved ahead by joining two more clubs and beginning to acquire real estate, although he was living in a boardinghouse in 1900 and wouldn't buy his first house until eight years later, in 1908.

In July 1900 Cook was admitted to the very exclusive Blooming Grove Hunting and Fishing Club in Pike County, Pennsylvania.⁷ Trains from Hoboken ran to the town of Glen Eyre (which no longer exists), and from there it was a seven-and-a-half-mile trip by horse-drawn wagon to the club. Today the club is hard to find, both online and in person. No road signs point a visitor to the place. But its lack of a public presence doesn't mean it is a small and laid-back organization. The club encompasses twenty-two thousand acres and is really quite special.

Blooming Grove came into existence in 1871 through the efforts of Ezra Cornell and Chauncey Depew. Cornell, the founder of Cornell University, had made a fortune in the telegraph industry. Depew became an attorney for and president of Cornelius Vanderbilt's New York Central Railroad; from 1899 to 1911, he was also a U.S. senator from New York.⁸ The club's members have included David Dudley Field, a lawyer and law reformer who supported "codification" of the law; Roger Blough, chairman and chief executive officer of U.S. Steel for thirteen years;⁹ and Joseph N. Pew, founder of Sun Oil, who was a scion of one of the nation's wealthiest families and founder of the Pew Charitable Trusts.¹⁰ Most of the club's members hailed from the East Coast, specifically from New York, and most had made their fortunes in oil, banking, or steel or in other kinds of manufacturing. The club's founders achieved their original intent, which had been to create an unspoiled wilderness and stock it with fish, fowl, and deer. Members would hunt and build modest rustic cottages on the club's land.

Today the club is still exclusive. The cottages, which are on leased land, continue to pass from one generation to the next. It's still a place for hunting, fishing, golf, and swimming, and it is very much meant for families. Members like to congregate in the simple but comfortable central lodge. Fish and fowl are still stocked in the lakes and on the grounds, but the deer situation has evolved. In Cook's time, deer had to be brought in and were kept in huge enclosures for better hunting; the idea was that members didn't want to work too hard to find them on the property's vast acreage. Today deer run rampant, and exclosures protect the native plants and young trees from the deer.



WILLIAM WILSON COOK (1858–1930)

The last known photo of Cook, probably taken in 1899. He later refused all efforts to capture his image in oil or by camera. We see him here in his fourth year as general counsel for the Postal Telegraph and Commercial Cable Companies, newly divorced from Ida, and barely over forty, with his greatest success lying ahead. He had not yet become a philanthropist.

From Notable New Yorkers of 1896–1899 (New York: Moses King, 1899), 103.



THE UNION LEAGUE CLUB, FIFTH AVENUE AT 39TH STREET

The Union League Club as it was during most of Cook's life. Cook joined the club in 1901, shortly after his former father-in-law, Dwight H. Olmstead, died. It was a significant gathering place for Manhattan's most influential men, although there is no evidence that Cook was an active member.

From King's Views of New York, 1896–1915 (New York: Moses King, 1915), 31.



Cook's cottage built in 1901 at Blooming Grove Hunting and Fishing Club in Pike County, Pennsylvania, as it appeared in 2006. *Photo by Russell R. Serbay.*

In 1901 Cook leased a site and built a cottage on the south side of Lake Laura, one of seven lakes on the club's acreage. Cook's cottage is located near one other cottage but is otherwise far away from all the others. We can assume that he used it to truly get away. This Pennsylvania cottage was the first home Cook ever built for himself, and he used local labor and materials.¹¹ The style is typical of the era and the location: bluestone pediments and chimneys in a wood structure built with

materials indigenous to the area. What is unusual is the scale of the one-story cottage. Its doors and windows are exceptionally large, and the ceiling is about ten feet high. Inside, the floors and ceilings are made of wood, and the walls are an early version of Sheetrock. The cottage has one bedroom, a kitchen, and a living room with a fine view of the lake. The bedroom also has a window looking out to the lake, and Cook could almost certainly see the lake from his bed. A large fieldstone fireplace dominates the living room.

The cottage's wide front porch could accommodate several people in large rocking chairs. The lake is only a few dozen feet from the cottage, and although it has no beach, it would be easy to launch a fishing boat from its shore. Today underbrush obscures the view of the lake. A lover of careful landscaping, Cook would have kept the view to the lake free of untidy, overgrown plantings. The cottage must have seemed a palace in what was then a wilderness. An entry in the club log reads, "Dined at Mr. Cook's Aladdin's Palace."¹² The log does not reveal the date or the name of the diner.

In 1907 beavers were thought to be extinct in Pennsylvania, inspiring Cook and his friend George Clapperton to make a gift of a pair of beavers to the club. Clapperton was a single man who had joined Blooming Grove at the same time as Cook. He was from Scotland and an officer in the Mackay Companies, one of their longest-serving employees. Legend has it that the beavers created a colony whose descendants are responsible for damming the club's trout streams in inconvenient locations.¹³

In 1910 Cook and Clapperton bought nine hundred acres adjacent to the club, land that was important to the protection of the headwaters of the club's fishing streams. The expectation was that eventually the land would go to the club.¹⁴



COOK'S WALL

Dry-laid wall of huge boulders with spaces for plants that ran for hundreds of feet along King Street on the east side of Cook's ninety-seven-acre Port Chester estate. The wall was designed by landscape architect Samuel Parsons, who later designed the gardens at the Martha Cook Building in Ann Arbor. Parts of the wall, without the plants, remained in 2006.

Photo by author from Samuel Parsons, The Art of Landscape Architecture: Its Development and Its Application to Modern Landscape Gardening (New York: G. P. Putnam, 1915), between pages 174 and 175.

Around 1911 Clapperton bought a platform for a tent. He put the platform near Lake Ernest, which lay south of Lake Laura. By 1921 it had disappeared from the tax rolls,¹⁵ and we can assume that Clapperton stayed at Cook's cottage when he traveled to the club after that. The next chapter will include more detail about Cook and Clapperton's contributions to the club and Cook's failed attempt to gift the nine hundred acres to Blooming Grove.

Cook also joined Henry Hyde's Lawyers Club during this time. Hyde, founder of the Equitable Life Assurance Society, had died in 1899. It was fortunate that he did not live to suffer the sight of his building burning on the bitter night of January 11, 1912.¹⁶ Cook might have seen the fire, but surely he read about this dramatic event. The front page of the *New York Times* headlined the story "Menace in Ruins of the Equitable," with ghastly photos of fire hoses bursting, an ice-encased hook and ladder, and the building looking as if it had turned to ice. The water that quenched the blaze froze the wrecked walls in place; as the temperature rose, the walls collapsed.

The Lawyers Club recovered. By September 1913, it had a sumptuous new home on the top floors of the United States Realty Building at 115 Broadway (the location of Cook's first office), not far from the Commercial Cable Building at 253 Broadway, where Cook worked from 1896 to 1901. Cook's attention would have been drawn to the features of the club's new quarters. In 1912 he was in the final stages of building his own town house at 14 East 71st Street.

Similarities between the new home of the New York City Lawyers Club and the club of the same name that opened more than a decade later in Ann Arbor may be mere coincidences of architectural fashion. The two clubs have in common stained glass, Gothic arches, and a deep blue and rich yellow color scheme. Other features of the New York club are ones Cook rejected for his Law Quadrangle: a fountain and portraits of people important to the law. But common to both are the use of the symbols of various legal systems to indicate that law is an inheritance and a trust. In New York, these symbols are in a stained glass window, seventeen by twenty-two feet; in Ann Arbor, they are carved into the exterior walls and painted onto the Reading Room ceiling.

Similarities other than architecture exist between the two Lawyers Clubs: for example, both were built with a library to attract members. The New York club was able to persuade Henry B. Hyde to lease rooms to them because Hyde believed that combining a library with a place to eat would draw lawyers into

his building. The library, which would have been important to Cook the author, grew from the original seven thousand volumes supplied by Hyde to twenty-eight thousand at the time of the fire. Membership also grew quickly, from 346 in 1885 to 1,400 after 1900.¹⁷

Cook may have thought that membership at a similar Lawyers Club in Ann Arbor would grow at the same rate; when it didn't, he was disappointed and bitter. He lived in Manhattan and never returned to Ann Arbor after he graduated. Could he have assumed Ann Arbor had grown at the same rate as lower Manhattan?

What was Cook dreaming of for the Ann Arbor Lawyers Club, which, like its New York forebear, was run by a board of governors and published an annual yearbook? By 1891 the New York club was well supplied with men famous for money and brains. They flocked there, as many as a thousand in a day, for the superb lunchtime cuisine. One of the luxurious lounging rooms was known as the Settlement Room, where, comfortably ensconced in great armchairs and under the soothing influence of fragrant Havanas, members and their guests could straighten out all but the most hopeless legal complications.¹⁸

In 1904 Cook, fresh from the public success and financial rewards of the Pacific cable endeavor (about which we will soon learn more), added a fourth organization to his existing memberships in Kane Lodge, Blooming Grove Hunting and Fishing Club, and the Lawyers Club in Manhattan. After the 1901 death of his former father-in-law, Cook joined the Union League. Cook preceded the much-younger Clarence Mackay's entry into the club by two years. The Union League, like the city's other clubs, occupied very fine quarters—during Cook's time, it was located at 5th Avenue and 39th Street—and featured the rich and powerful among its members.

The Union League paid special attention to the arts.¹⁹ The club had acquired a significant art collection, and it held regular public exhibits of fine paintings, sculpture, and books. It also held special sales of choice and rare wines, liquors, and liqueurs.²⁰ The club's building in Cook's time included stained glass and painted walls by Louis Comfort Tiffany and John La Farge, with the interior of each major room by a different designer. The building is associated with America's gilded age, rather than English Gothic, and may have caused Cook to develop an aversion to gewgaws. Its elaborately painted walls were complemented by custom draperies, and the foyer gave an overall impression of "unbounded gold."²¹ It had cost \$450,000 to build in 1881 and was considered then to be absolutely the last word in buildings of its class. William Cook was now hobnobbing

with the likes of John D. Rockefeller, Andrew Mellon, Elihu Root, Henry Flagler, J. P. Morgan, and Andrew Carnegie.

Cook's other new memberships were in the New York Law Institute and the Association of the Bar of the City of New York. These organizations were probably most valuable to him for their libraries, which were as good in Cook's lifetime as those of the major law schools in the city. Cook could use the libraries in person or send his assistant, Emma Laubenheimer. At his death, he left each library \$25,000 (the equivalent of \$314,000 in 2009).²²

In this same period, from 1900 to 1910, Cook began acquiring real estate. Between June 1903 and April 1907, Cook accumulated his ninety-seven acres in Port Chester, New York. The railroad had only recently reached Port Chester, and Cook expected it to positively affect development in the area.

Cook's living arrangements in Manhattan may seem odd to us, but they were typical of his day. He lived in rooming houses or boardinghouses until he married Ida, and the couple then lived in two west-side town houses owned by Dwight Olmstead. After the divorce, Cook returned to boardinghouses. The 1900 census shows him living at the Manhattan Club, at Madison Avenue and 26th Street, with sixteen others, ranging from clerks and lawyers to a merchant, a physician, and a broker. Before he bought a house in Manhattan in 1908, he built his cottage in Pennsylvania and bought the Port Chester property.²³

In 1902 he followed the practice of other prosperous single men, moving to the Lorraine Hotel, also known as the Lorraine Apartments, at the corner of 5th Avenue and 45th Street—a block north of Delmonico's on 5th Avenue at 44th Street, where he liked to eat.²⁴ He lived in those apartments, which held twenty other families, until 1905. Finally, in 1908, he bought a handsome house at 327 West 75th Street, which is no longer there.²⁵ It was "large, complete in every detail, and finished to please the most critical," according to ads in the *New York Times*. West 75th ran between West End Avenue and Riverside Drive, and one side of it was already lined with detached mansions.²⁶ In 1902 a Mr. and Mrs. Thayer lived in the house, and their daughter was married there on September 24.²⁷ Whether this is the same Thayer family in whose home Cook first met Ida isn't known. Buying such a handsome first house must have thrilled Cook.

The death of his mother, Martha, of apoplexy on June 13, 1909, would have been a terrible loss for William Cook. Martha had lived on in Hillsdale, Michigan, in

MEMORIES OF A KIND AND GENEROUS UNCLE WILL

In 1959 Cook's favorite niece, Florentine, lamented the absence of factual information about her uncle's life before the 1920 onset of his illness. Her comments shed light on Cook's earlier life.

He led an extremely active business life, and he must have been an unrelenting competitor. On the other hand, he went out socially in the evening, was often away for weekends. He always walked the first five miles from his house toward his office and then took the subway. He kept riding horses at his Port Chester estate, and I am sure he was not the recluse he had to be when ill. I recall his telling me how little an evening at Sherry's or Delmonico's cost. Pictures early in the century show him in cutaway and derby, the conventional business dress of the time. As late as 1925 he still dressed for dinner in town. Friends of his from

Newburgh, New York, have told me of happy weekends hunting and fishing, and I know he used to go to the Mackay residence a great deal, especially when the John W. Mackays were living.²⁸

When William Cook turned fifty, in 1908, he began a tradition of giving a monthly allowance to each of his five nieces. At first this was ten dollars, but it soon went up to twenty, then fifty, and finally one hundred dollars. He did this, according to Florentine, so that the children could spend it as they chose. "He felt girls needed it—boys could earn their own," recalled Florentine. She also said that Cook was ever watchful of what his brothers-in-law might do with money he gave to them or to their wives (his sisters). He was "always ready to give aid to any of his nieces or nephews for college," said Florentine, "and provided money for the daughter of one of his half sisters when she was in need."²⁹

MARTHA COOK'S OBITUARY FROM THE *HILLSDALE LEADER*, FRIDAY, JUNE 18, 1909: MRS. JOHN P. COOK.

Hillsdale lost one of her oldest and one of her well known women in the death of Mrs. John P. Cook on Sunday morning in her home on college hill. For many years Mrs. Cook has been unable to leave the house, but up to within a few days of her death she retained the full use of her mental faculties, as well as her keen interest in life... She was born in Cato, N.Y. on September 7, 1828 and married in 1852 to the Hon. John P. Cook.... She is survived by four sons and two daughters, all of whom were with her at the time of her death.

She also leaves 9 grandchildren and 1 great grandchild.... Mrs. Cook was a woman of rare judgment and keen intelligence, finding her

world in a devotion to her home and family. She was dearly loved and greatly admired by those whose good fortune it was to know her. She was essentially a mother and home maker, devoted first to the husband and family, but was always interested in the welfare and comfort of others... ever doing for others. While not a member of any church both she and Mr. Cook have given liberally towards the establishment of various religious denominations of the city. Funeral services were held at the family home Thursday afternoon, Rev. C. E. Thomas officiating and the sons acting as pallbearers. The college trustees adjourned their meeting and attended the funeral.

the house at 139 Hillsdale Street where William was raised. She had been the center of the family, the reason to return to Hillsdale every August and Christmas season. William's brother Chauncey and his family would continue to live in the house, providing an anchor for William.

Chauncey and William were very close, but his relationships with his other brothers and sisters were less intimate. Members of the Cook family were cordial when they met at their mother's, but they were not apt to seek each other out at other times. William always entertained any member of his family who traveled to New York and called him up, typically treating his relative to dinner. The family always referred to him as "Will," according to Florentine.³⁰

The Hillsdale house is still there, now occupied by a Hillsdale College fraternity.

The Spanish-American War³¹ brought the United States into an age of massive investment in the newly acquired lands of Hawaii, Cuba, and the Philippines. Cook and the Mackay companies quickly took steps to extend their cable and telegraph lines to all three places, starting with Cuba. The island had vast sugar plantations and railroads in need of repair and extension to facilitate sugar production and overseas shipments. This was going to require rapid communication with the United States, but Western Union had already staked a claim. The Mackay companies were at first not successful in breaking Western Union's exclusive agreement to provide cable lines to and telegraph lines within Cuba, but they were the first to connect to Hawaii, the Philippines, and Asia. Between 1899 and 1902, Cook and other Mackay men made many trips to Washington to confer with attorneys general and secretaries of state and war and to testify before the House and Senate. Cook's research, writing, and reasoning skills and his ability to respond quickly and clearly to questions were essential to the Mackay Companies' success in dealing with political matters in Washington.

The subject of laying cable to Cuba must have been infinitely frustrating for everyone involved. Western Union had what it claimed was an exclusive, forty-year license, dating to 1866, to provide cable from the United States to Cuba. In 1898 the Treaty of Paris ended the Spanish-American War, and Spain no longer had control over Cuba. But Western Union insisted that its exclusive prewar cable agreement with Spain should continue despite Spain's loss of control over Cuba. In response to this dubious claim, Cook argued that the agreement between Western Union and Spain had been fraudulently obtained, was not exclusive, and had been set up to extend for fourteen, not forty, years.³²

A GLITTERING MANHATTAN EVENING

1891-1892

A splendid social event in February 1901 was a brief and welcome respite from the exhausting 1899 and 1900 congressional hearings on Cuba, which would be followed in 1902 by those on a transpacific cable. Clarence Mackay, John's son, had married Katherine Duer in 1894. Katherine came from a prominent and formerly wealthy old New York family. The couple had decided to hold a grand dinner dance the first weekend in February. The party was eagerly anticipated, according to the *New York Times*, as the "most notable affair since the Bradley Martin ball" four years earlier.³³ William Cook was in attendance.

The party took place on a Friday at the Waldorf-Astoria Hotel and lasted well into Saturday. It began with a dinner for 145 and was followed at midnight by dancing. The event was capped with a 2:00 a.m. supper. Dinners like this one were usually served at many small tables, but the Mackays provided an S-shaped table sixty feet across, stretching

the length of the gallery in the Waldorf Astoria. In the middle was a "lake" covered with flower blossoms and garlanded with purple orchids. An orchestra, concealed behind thick ferns, played softly throughout the meal. Decorations for the predinner reception in the Myrtle Room suggested to guests a woodland bower, with banks of palms and ferns.

Katherine's gown was silver brocade with flounces of old Brussels point lace, and a six-foot train of turquoise velvet lined with silver brocade fell from her shoulder. Her diamond and turquoise jewels perfectly accented her spectacular outfit. The guest list was studded with Astors, Goulds, Vanderbilts, and people like architect Stanford White, who was then designing a huge mansion, Harbor Hill, in Roslyn, Long Island, for Clarence and Katherine. William Cook, now divorced for three years, joined the group for dancing.³⁴ He was not listed among the guests at any similar subsequent event.

John Mackay and Cook decided to start laying the cable and wait for Western Union to sue them; it was a suit that Cook was sure Mackay would win. Evidence of high prices and bad service from Western Union abounded, and many companies in Cuba and the United States petitioned Congress to allow for competition. Despite this, the U.S. secretary of war, Russell Alger, issued an order to the U.S. governor-general in Cuba, John Brooke, to use force to prevent the landing of a Mackay cable in Cuba. The order stymied Mackay's strategy. Cook described Mackay as caught in an angle: "on one side are the bayonets of the United States and on the other is the Western Union."³⁵ In the end, Mackay was not able to lay cable to Cuba in 1899. Not until 1906, when the exclusive agreement expired, did Mackay succeed in doing this. This defeat was especially rankling because the Mackay cable line to Haiti had been essential to the American victory over Spain.

In the fall of 1901, John and Clarence Mackay, William Cook, and other officers of the Commercial Cable Company incorporated the Commercial Pacific Cable Company with capital stock of one million dollars.³⁶ A month earlier, John Mackay had applied to the U.S. government for landing rights in California, Hawaii, and the Philippines, with the same terms and conditions as those for the long-in-place Atlantic cables. This set off, in 1902, another year of congressional hearings.

Mackay was not alone in wanting to push across the Pacific. But the Atlantic was much less challenging than the Pacific, which features longer distances and a much deeper ocean with sharper geological features. The difference between the Atlantic and the Pacific oceans can be compared to the difference between the Appalachian and the Rocky mountains. The Pacific Cable Company, backed by Western Union, was proposing to lay a Pacific cable, but the project would require a government subsidy.³⁷

Beginning in the 1890s, legislation for the subsidy had been on the back burner, and hearings were held about it from 1900 to 1902. Congress was hampered by an absence of a national communications policy. The Constitution provided for post offices and post roads, but it did not mention, for obvious reasons, communication systems like cable and telegraph.

The policy debate had begun in 1846, and it has not ended to this day. In the early years of the twentieth century, the debate played out in the national discussion about laying a cable across the Pacific. The central question was whether, with the exception of the postal service, means of communications (in Cook's day, telegrams, cables, and telephones; today add cable, wireless Internet, and other uses of the broadband spectrum) should be subject to market forces, owned and operated by the government, or operated through a combination of private ownership and government regulation. If the latter, went the debate, how much regulation should there be, who should oversee it, and how should it be carried out? If left to the market, how could the evils of a monopoly (high prices and low service) be avoided, especially in an area where a monopoly might arise naturally?³⁸

Similar debates occurred in many businesses, including steel, railroads, and tobacco, but the communication of information was becoming more and more central to all business activity.³⁹ This debate affected both parts of Cook's business, telegraph and cable. Cook and the Mackay Companies continually battled against government ownership of telegraph and cable. They wanted open competition and no role for government. They also continually battled against Western Union, which was always seeking to create a monopoly by owning everything. The concept of government regulation as an intermediate step between government

ownership and cutthroat competition had not yet matured into a rational solution or compromise.

In August and September 1901, John Mackay formed the Commercial Pacific Cable Company and announced that, with government permission in the form of a charter, he would lay a cable without needing a government subsidy and would cut cable rates in half. What Mackay was quite cleverly doing was putting the burden of action on those who opposed him. Mackay had the skill, experience, equipment, men, and, most important, the capital (the fortune he had made in silver) to build the cable on his own.

The only countermove Western Union could make now was to support government ownership. Cook participated in hearings from January through March 1902 on pending legislation, steadfastly repeating the simple proposition that the Mackay company did not require a subsidy and asking that the government do nothing, so that Mackay could proceed. The bills calling for government ownership, supported primarily by Michigan congressman John B. Corliss, failed. Alabama congressman William Richardson pointed out that laying the cable would cost the government \$15 million, conservatively, with \$1.5 million in annual maintenance costs and a projected income of only \$150,000, whereas Mackay, because of the company's experience and equipment, could build it for less and operate it at a profit. Richardson added that "the real track of the octopus and monopoly could be found in the Corliss bill," quoting the testimony of a Mr. Clark from Western Union that a government cable would give his company its share of the business, while if the Commercial Cable Company constructed the cable, Western Union would get nothing. "There is the milk in the coconut," declared the congressman from Alabama.⁴⁰

By April 1902, the matter seemed settled: the legislation to provide a subsidy had failed. John Mackay announced that the cable would start at San Francisco.⁴¹ In May, Mackay's Commercial Pacific increased its capital stock from three to twelve million dollars.⁴² But on June 10, Corliss tried once more, using a parliamentary maneuver, a special order, and a new argument against Mackay: that Commercial's operation would not be "thoroughly American." John Mackay, he said, was an expatriated American, and the capital behind the project was English. Corliss's arguments were weak. John Mackay spent most of his time in the United States, and it was his wife who lived in Europe. Furthermore, only the English had the capacity to make the special cable needed for the rough Pacific installation.⁴³ The next day, the House voted against Corliss's proposed measure, after hearing testimony that no one in the

government supported it and that only the English company would guarantee its cable for two years.⁴⁴

This legislative victory was a great reason for everyone associated with John Mackay and his companies to celebrate, and surely they did. But joy quickly turned to grief on July 20, 1902, when John Mackay, at age seventy-one, died in London of pneumonia, heart failure, and heat prostration. The obituary in the *New York Times* noted that he was beloved by his family, his colleagues, and his employees and would be remembered for his good fellowship and generosity.⁴⁵ His last cablegram was to Cook, giving assurance to his perspicacious and devoted lawyer that the Pacific cable would be done by the next July, as long as the government furnished the necessary surveys of the bottom of the Pacific.⁴⁶

On July 4, 1903, the cable reached Manila. It stretched 2,276 miles to Hawaii, 1,254 to Midway, 2,593 to Guam, and 1,490 to Manila (it had been attached at San Francisco on December 15, 1902).⁴⁷ On that Independence Day, President Theodore Roosevelt sent a cable to Clarence Mackay (the two men were seated beside one another at Roosevelt's Oyster Bay estate, a dozen miles northeast of Mackay's Harbor Hill estate). The cable read, "Congratulations and success to the Pacific Cable, which the genius of your late lamented father and your own enterprise made possible." This message went around the globe in twelve seconds; Clarence Mackay's response took only nine and a half seconds.

The success of the Pacific cable firmly established the ability of the Mackay Companies to stand up to Western Union, and it set aside once again the question of government ownership. However, both of these developments only strengthened Western Union's motivation to find new ways to stifle competition. Cook would have a full plate as he and Clarence Mackay strategized about how to keep their companies growing and profitable.

Cook did not have the same rapport with young Clarence that he had enjoyed with John Mackay, and this was going to present a new challenge. Clarence was a devout Catholic, who had been educated by French Jesuits; Cook was an agnostic.

William Cook and Clarence Mackay faced several major challenges through 1910. First, in 1906 the long-delayed Mackay cable to Cuba was finally imminent. Western Union's monopoly was set to expire in that year. Planning and publicity for the new cable went on throughout the year, but the first tangible step was taken in September, when the Commercial Cable Company of Cuba was incorporated, with an initial capital outlay of one hundred thousand dollars. Cook

was named a company director.⁴⁸ The plan was to operate lines between New York and Havana by way of a land line to Florida, then go under the Gulf of Mexico to Key West and on to Havana. The system was set to be up and running by December 7, 1906, the day the monopoly was going to expire. Mackay, Cook, and others traveled to Washington to ensure they had permission to lay the cable. Their contingent made calls on the secretaries of state, war, and the navy and on the attorney general.

After a major change in plans—a new decision to run the cable directly from New York to Havana—the December 6 deadline was met. The time it took to send a cable immediately shrank from Western Union's twenty minutes to Commercial Cable's three. The Cuba cable was an instant boon to the Mackay Companies; by 1910 they had laid another cable under the Atlantic. The company was powerful enough to continue to dog Western Union.

A much greater challenge, this time from the federal government, came to the Mackay Companies in 1908 and 1909. In December 1908, President Roosevelt, who would be replaced by William Howard Taft in March 1909, recommended to Congress that the federal government take control of the telegraph industry. It was Roosevelt's belief that telegraph companies were not adequately supervised and only provided meager reports on their operations. He also believed that through interlaced stock ownership, the telegraph, telephone, and cable companies were in "close accord."

Roosevelt cited Commercial Cable as a company that controlled a vast network of telegraph landlines and had large holdings in other telegraph, telephone, and cable companies that were not directly a part of its system. This was all true, and it was what Mackay proudly reported to his stockholders as making "the basis of the Mackay Companies so broad and diversified as to render impossible any fundamental impairment of the value of the preferred or common shares."⁴⁹ Ironically, this ownership of many companies in the same industry also bore similarity to the conditions of interlaced ownership that Cook had deplored in his 1887 book on trusts. Roosevelt's recommendation to Congress set off a congressional investigation of the ownership arrangements in the communications industry. The New York State Legislature also began its own inquiry.

Several things resulted from the state and federal investigations. First, Jay Gould decided to divest himself of Western Union and focus solely on his railroads. Second, as a result of the New York inquiries, some companies that had been trying to appear independent now merged with the Mackay Companies. Finally, in February 1910, the Mackay Companies sold all their stock in AT&T,

known up until 1900 as American Bell Telephone, or simply *Bell*.⁵⁰ These eighty-two thousand shares had made the Mackay Companies the largest shareholder in AT&T. Clarence Mackay claimed that his company intended to remain independent. By this, he meant that his company would not suffer the fate of previous competitors to Western Union, who had inevitably been bought out by the behemoth. During 1908 and 1909, the Mackay Companies lived with the specter of a government takeover.

But Mackay most feared that Western Union might develop enough strength to wipe out the Mackay Companies by lowering rates and expanding its services. When Mackay sold the AT&T stock, one possible consequence was that Western Union would acquire the AT&T stock that Mackay had sold. In the next chapter, we will see this happen and find out how Mackay responded. It was to be an effort led by Cook, although he remained resolutely behind the scenes.

Significant developments in Cook's financial life took place during this period. He had already donated money to Hillsdale College for a steam-heating plant for a women's dorm, when he decided, in 1906, to establish a department of domestic science, making annual contributions over ten years.⁵¹ These had been his only instances of philanthropic giving until Michigan approached him about building a women's dorm in Ann Arbor. Cook learned a great deal about how to be an effective donor from his relationship with Hillsdale.

We now turn to the University of Michigan. We have noted Cook's donations to Hillsdale College, reported his expanded memberships in clubs, and observed that he was beginning to acquire property. By 1910 events at the University of Michigan were beginning to attract Cook's attention, and it was by no means an accident. It was all part of a clever plan formulated by Michigan's new president, Harry B. Hutchins. The more we learn about how the plan unfolded over the next twenty years, the more prescient and wise Hutchins will seem.

James B. Angell had finally retired from the Michigan presidency in 1909. Although much loved and respected, Angell stayed too long, and the university had outgrown him. It was in need of stronger leadership than he was able to provide. The hope was that a new president would begin to develop students, faculty, curricula, and buildings at a much faster pace.

The Board of Regents, unable to agree on someone quickly, appointed Hutchins, who was then dean of the Law School, to an interim appointment as president. Many eminent candidates were considered, first among them New York governor Charles Evans Hughes, who Hutchins had known when both were teaching at

Cornell Law School. Hutchins met with Hughes, and he gave serious consideration to taking the job. But one day after their July 1909 conversation, Hughes wrote a thoughtful and introspective letter turning down the Michigan presidency.⁵² In the following year, Hughes went on to become an associate justice on the U.S. Supreme Court, serving until 1916, when he ran for president and lost to Woodrow Wilson. Hughes then practiced law for several years before becoming Warren G. Harding's secretary of state; he stayed in that job until 1925, into the Calvin Coolidge administration. Hughes ended his career by serving for eleven years, from 1930 to 1941, as chief justice of the Supreme Court.

During Hutchins's interim presidency, Cook corresponded with Hillsdale physician and Michigan regent Walter Sawyer about possible candidates for the position. Cook's letter to Sawyer on May 22, 1909, includes a telling observation: "I do not believe in the policy of President Angell. The university has become too great for one state to support."⁵³ Cook was apparently referring to Angell's willingness to rely solely on state support to fund the university. This comment may have been key to the dawning understanding of what Cook might come to mean to the University of Michigan. Certainly, one reason Cook and Hutchins got along so well is that they agreed on the principle of not relying on the legislature and the taxpayers of Michigan for the financial support of the university. It was becoming clear to the university that it must seek money from other sources, and alumni were prime among these sources.

Cook continued to search for candidates for the presidency. He checked with Henry Pritchett, head of the Carnegie Foundation, and he would do so again during the university's 1919 presidential search. In June 1909, other possibilities included Woodrow Wilson, then president of Princeton University.

By 1910 William Cook was firmly established at the Mackay Companies. Clarence Mackay had batted down efforts by the federal government and Western Union to weaken its position. Cook's personal life, always secondary to his professional life, seemed full enough with club memberships and his friendship with George Clapperton. He also enjoyed a special friendship with a single woman (we will learn more about this in the next chapter) and was on good terms with his boss's wife.

In August 1906, the New York newspapers reported on Cook's friendship with Clarence Mackay's wife, Katherine. She had just opened a church in Roslyn, near the Mackays' Harbor Hill estate, as a memorial to her mother. The agnostic Cook had paid for the church's organ. Cook was on much better terms with Mrs.

Mackay than with her husband. Their friendship lasted well beyond Katherine's 1914 divorce from Clarence, at which time she renounced her right to any of Clarence's fortune and to custody of their three children and married his surgeon, Dr. Joseph Blake. Eventually she divorced Dr. Blake, after he left her for a nurse (a much younger woman). Throughout her first and second marriages and long after, Cook remained her friend. In 1923 Katherine gave Cook a copy of her book of letters written from Europe during the war. She inscribed it "From one philosopher to another; friends in spite of it all!" Three years before his 1930 death, William Cook wrote to Clarence Cook Little of visiting her.

According to Cook family lore, Ellin Mackay, daughter of Katherine and Clarence, went to Cook for advice when she was deciding to marry songwriter Irving Berlin, who was Jewish. Her Catholic father threatened to cut her out of his life if she married a non-Catholic. Cook advised Ellin to follow her heart, and she did just that, marrying Berlin on January 4, 1926. The result was a long and happy marriage, which produced three children. Clarence followed through on his threats to renounce Ellin, but father and daughter reconciled after the death of the Berlins' infant son. Their estrangement had lasted only two years.

The next ten years will bring for Will Cook a mix of victory, defeat, friendship, and loss. Our discussion of those years will also place a spotlight on Cook's growing relationship with the University of Michigan.

