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Centennial Reflections

Essays from the Oakwood Historical Society

The Incorporation of Oakwood in 1908

By Harry G. Ebeling

Since this is a centennial series, let's look back at how it all came together a century ago. The history of Oakwood as told by Virginia and Bruce Ronald in the book *Oakwood: The Far Hills*, published by the Oakwood Historical Society in 1983, traces most of the developments up to the incorporation, but it can only be assumed who were the real spark plugs. What is known is that Harry E. Talbott and John H. Patterson were probably the organizers. They preempted about 100 people in the area who opposed incorporation, so there had been some discussion.

Talbott, one of the country's leading civil engineers, was busy traveling, seeing to the projects which earned him wealth and respect. His wife, Katherine Houk Talbott was at home, seeing to her nine children and using her considerable energy for every cause that came up, no doubt including the incorporating of a village. The other person, John H. Patterson, was involved with the community, using his considerable energy and wealth promoting progressive views on industrial welfare, building and becoming the dominant manufacturer of cash registers, and acquiring hundreds of acres in Van Buren Township. These two were the principals who presented on June 3, 1907, to the township trustees, a petition requesting that 787.26 acres of Van Buren Township be incorporated as a village to be known as Oakwood. This area had about 300 residents, which was a compromise from the 1,000 originally considered, but was scaled back to exclude the "knockers" (those opposed). Talbott and Patterson were made agents for the incorporators for matters relating to incorporation.

The trustees were Clem L. Shroyer, J. H. Kohl, and Charles H. Barton. The trustees, meeting at the residence of Clem L. Shroyer on June 5, resolved to meet at the Four Mile Tavern on Lebanon Pike (approximately at the corner of Peach Orchard and Far Hills Avenue) on June 17. Nothing was done but they met again on June 29 and recited that a petition had been presented by (38) resident electors, a majority being freeholders (property owners). They then declared that the territory be an incorporated village. An election be held on the 15th of July "to obtain a sense of the electors of said territory of the question of incorporation". It further established the school house to be the place for the election. (The school house was number seven, located on what is now W. Schantz Avenue on what later became Sugar Camp) It then provided for notice to be published and posted, and that the County Board of Elections be notified and requested to hold the election.

What wasn't said in the official minutes was that on May 31 the petition had been presented and the township trustees had not acted. This was not the way things should be done according the John H.'s scheme of things, so he had filed a suit in the Circuit (Common Pleas) Court against the trustees for a Writ in Mandamus. Such an action alleges that (a) official(s) of government has/have not performed his/their duties, and seeks to have a court order the official(s) to act. (This is an old Equitable action

described in law books, and it's quite likely that most attorneys have never seen one!) But John H. got his troops on the case and got the action he was accustomed to.

Back on June 27, the Circuit Court had ordered (commanded) by a preemptory Writ of Mandamus, the trustees to perform certain acts. Those things required were to promptly meet and take up and act upon the petition. They were required to declare the territory, with the assent of the voters, be an incorporated village. Such election was to be held within fifteen days with notice given by publication and posting. and then to make return of their actions on or before July 27, 1907. Signed, Judge C.W. Dustin. They really got into action by holding the election July 15, as ordered, and making a return at a meeting on July 23, reporting the vote had been 76 to 2 in favor of the incorporation. A certified copy was sent to the Recorder but for reasons unexplained, not recorded as a public record until Jan. 9, 1908.



Perhaps the delay was in getting organized for an election of officials. The election of a Mayor, a Clerk, a Treasurer, a Marshall, and six members of Council wasn't held until Feb. 15, 1908. It was held at the Patterson gatehouse at the junction of Far Hills Avenue and Brown Street (Oakwood Avenue). The first Mayor was H.E. Talbott.

As a matter of interest, among the petitioners were Patterson, Talbott, and Trustee Charles H. Barton. Barton denied the allegations of the Petition and was not found to be subject to the costs assessed, but to be subject to the orders contained therein. Among the 38 petitioners were, John Olt, Daniel Gutwein, William H. Mitchell, A. B. Brundrett, George Kling, Adam Schantz, Pierce Davies Schenck, Robert T. Houk, Oscar Olt, H. E. Parrott, H. Stoddard, Frank and C.L. Kohonen, and Fowler Smith. It is little wonder that Patterson became known as "The Father of Oakwood."