

Figure 1: Oaklawn Mausoleum

The mausoleum located at the rear of the property of the Oaklawn Cemetery, bordering the residential neighborhood of Oaklawn Park, was a component of the Interwar Period building boom of memorials and monuments. As the only community mausoleum in Mecklenburg County, Charlotte, and the surrounding region, the Oaklawn Mausoleum is a significant architectural, cultural, and scientific contribution to the area.

A portion of Reverend A. Shorter Caldwell's estate, a founding member of the Charlotte YMCA, deeded his property to M.J. Creighton in 1881.<sup>1</sup> In a series of transactions from 1910-1911, the

<b>OAKLAWN CEMETERY</b>	
<p>You Owe it to your family to provide a burial lot in a modern perpetual care cemetery, in advance of anticipated need.</p> <p>Oaklawn is destined from a standpoint of location, to surpass anything in this part of the country, having been founded on the perpetual care, park-like plan.</p> <p>We are now ready to sell lots in Oaklawn.</p> <p>Cemetery developments. We all other developments of land, extend a large value to the initial purchaser.</p> <p>Special prices and long, easy terms of payment will be given first purchasers.</p> <p>For further information call at the office of Oaklawn Cemetery.</p>	<p>The increase in Charlotte's population and the limited space in Elmwood Cemetery, has made necessary this new city for the dead.</p> <p style="text-align: center;"><b>OAKLAWN CEMETERY</b></p> <p style="text-align: center;">212 N. Tryon St. Telephone 493</p>

Figure 2: *Charlotte Observer*, January 16, 1916.

same property came under the ownership of the Southern Land & Development Company. In July 1915, the Southern Land & Development sold the land to the Oaklawn Cemetery Incorporated for \$25,000.<sup>2</sup> J.J. Misenheimer, acting secretary, sold cemetery plots to city residents guaranteeing "all lots with perpetual care" in the

"modern cemetery."<sup>3</sup> Interested parties were to contact the cemetery office, located on Tryon Street, to request a representative pick them up in an automobile and take them to the cemetery.

Charlotte's informal Cemetery Row expanded northwestward and reflected the growth of the city to the south. As the population of Charlotte grew during the early twentieth century, residential

<sup>1</sup> Mecklenburg County Register of Deeds, Book 277, Page 667.

<sup>2</sup> Mecklenburg County Register of Deeds, Book – NEED THIS ONE!!

<sup>3</sup> *Charlotte Observer* advertisement, 8/19/1916.

development occurred south and east of the Seaboard Air line and the Southern Railroad yards. This development is evident in the Charlotte Chamber of Commerce map from 1929 that illustrates the land to the north of the Seaboard Air Railroad line as largely undeveloped while the land to the east and south of the Seaboard line and the Southern Railroad yards contains named streets. With the increased population, Old Settler's Cemetery closed to new burials in 1867, plots in the municipal cemetery filled quickly in the early twentieth century, and by 1947, no new plots in Elmwood Cemetery were available for purchase.<sup>4</sup> The opening of Oaklawn Cemetery promised to provide the trustees of the Oaklawn Cemetery, Inc. a healthy profit from the selling of cemetery plots on land not suitable for residential development.

The funerary practices of the United States professionalized after the American Civil War. Family members who once prepared the deceased for burial now succumbed to the business of the funerary trades that included doctors, embalmers, coroners, morticians, and cemetery managers.<sup>5</sup> The professionalization of American funerary practices in the late nineteenth century took the living mourners out of the death process. Instead of holding visitations in the comfort of their homes, funeral parlors ensured all matters associated with the memorial, funeral procession, and burial of the beloved deceased were in order, leaving family members as observers only. As funerary management professionalized, through the assistance of governmental regulations on handling the dead, the living found other ways to control their destiny in death.

Several economic, scientific, and cultural conditions combined that created an increase in large-scale memorial and monument building in the first three decades of the twentieth century. Sparked by the commemorations of honoring the dead from American Civil War battles, various organizations commissioned stoneworkers to create ornate and poignant memorials in the last decades of the nineteenth century. This movement toward memorial and monument building coincided with advancements in quarry techniques for granite and limestone. These new techniques allowed regional quarries to harvest stone and local artisans to create memorials based upon client specifications. As family members no longer participate in the process of preparing the deceased for burial, they began commissioning large and ornate grave markers from local stone workers. Mourners of loved ones now had a specific task in the funerary practice, that of commissioning tombstones.<sup>6</sup>

Through the professionalization of the funerary business, family mausoleum makers began experimenting with large-scale, multi-crypt community mausoleums that would contain upwards of ninety bodies. Family mausoleums became popular for wealthy families during the era of rural and churchyard cemeteries of the eighteenth and nineteenth century in the United States. By the 1880s, a new class of wealth formed from industrialization of such industries as textile manufacturing, railroads, oil, and meatpacking. Members of this new wealth constructed large estates with ornate architectural features such as wrought iron, gargoyles, and stonework. This

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<sup>4</sup> Charlotte-Mecklenburg Historic Landmarks Commission, "Old Settlers' Cemetery," <http://www.cmhpf.org/surveys&rsettlers.htm> (accessed March 21, 2011); Charlotte-Mecklenburg Historic Landmarks Commission, "Survey and Research Report on Elmwood/Pinewood Cemetery," <http://www.cmhpf.org/Surveys&relnwood.htm> (accessed March 21, 2011).

<sup>5</sup> David Charles Sloane, *The Last Great Necessity: Cemeteries in American History* (Baltimore and London: The Johns Hopkins University Press, 1991), 119.

<sup>6</sup> Quincy L. Dowd, *Funeral Management and Costs: A World Survey of Burial and Cremation* (Chicago: The University of Chicago Press, 1921), 134-135.



wealth in life extended to the burial yard and many wealthy industrialists commissioned ornate grave markers and family mausoleums years before their final days.

Influenced by the extreme wealth of families such as the Vanderbilts, who constructed an ornate and massive family mausoleum in New Dorp, New York on Staten Island between 1885-1889, middle class Americans took notice.<sup>7</sup> The oppressive economic cost of constructing and maintaining a family mausoleum in a municipal or private cemetery was too high for the majority of middle-class Americans. An alternative to private mausoleums became the community mausoleum first patented in 1902. The collective nature of the mausoleum provided the budgetary means required to construct a large stone structure, have a trust that would take care of the financial needs of the structure and its contents for eternity, and generate the desired image of prominence of those entombed inside. To promote the ornate and large-scale construction of the community mausoleum, numerous mausoleum companies and stoneworkers promoted the benefits of a sanitary burial in a crypt against the traditional earthen burial. The Keystone Mausoleum Company created a brochure illustrating the comfort of mourners standing inside a heated, marble structure versus the outdoor earthen burial ceremony in the rain.<sup>8</sup> In Charlotte, a local marble and granite company promoted the mausoleum as a method of sanitary burial as well as a way for humans to soften the anxiety of separation caused by death.<sup>9</sup>

The relative newness of the community mausoleum prompted cemetery owners and city officials only to allow the construction of the multi-crypt buildings outside of their boundaries. As such, the construction of the Oaklawn Mausoleum occurred at the northern most boundary of Oaklawn Cemetery and outside of the city limits. Undaunted, a collection of Charlotte citizens



Figure 3: 1938 Aerial Map with Oaklawn Cemetery and Mausoleum circled.

commissioned UJ Smith & Son, a mausoleum specialist company from Cleveland, Ohio, to design and construct the Oaklawn Mausoleum using locally dressed monumental granite from North Carolina.<sup>10</sup> Ulysses J. Smith and his son Joseph Smith first appear in the Charlotte City Directories in 1928. This date coincides with a plaque placed above the interior entrance of the mausoleum. Community mausoleum projects

became popular endeavors in cities throughout the country including Atlanta, San Francisco, and New Orleans during the 1920s. Individuals interested in constructing a community mausoleum acquired the land and hired a mausoleum designer. The

<sup>7</sup> Percy Preston, Jr., "The Vanderbilt Mausoleum on Staten Island New York City," *The Antiques Magazine* Vol. 168, Issue 3 (Sep 2005): 105.

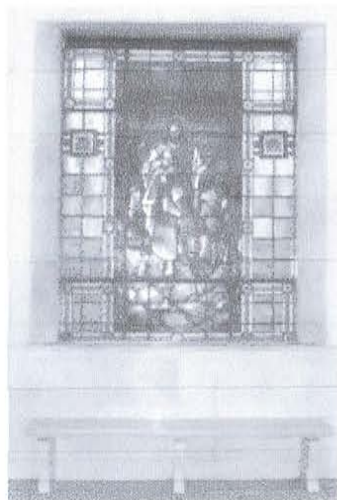
<sup>8</sup> Keith Eggener, *Cemeteries* (New York and London: WW Norton & Company, 2010), 255.

<sup>9</sup> "Mausoleum a Favored Form of Memorial" *Charlotte Observer*, May 21, 1922.

<sup>10</sup> "North Carolina Leads all Tobacco States" *Charlotte Observer*, December 16, 1918.



property owner of the land deeded the property to the mausoleum designer who in turn, sold the crypts on a speculative basis and used a percentage of the funds to purchase the necessary building materials and hire construction workers. The historical record is unclear on how exactly the land along the rear boarder of Oaklawn Cemetery came under the ownership of UJ Smith & Son, however, according to the property deeds, the first crypt sold to GW Clary and his wife on April 3, 1929.<sup>11</sup>



**Figure 4:** Stained glass window on wall between the two private rooms.

Oaklawn Mausoleum contained four sections, two chapels, four deluxe chapels, four flower box sections, four gate sections, two private rooms, and twenty-four companion spaces with a total of 384 crypts.<sup>12</sup> In the floor plan, UJ Smith & Son, due to superstition, did not use the number thirteen when numbering crypt spaces and as such, the section of regular crypts skipped the number. Stained glass windows, white marble floors and walls, brass light figures, and small crystal chandeliers adorn the interior of the mausoleum. For gated sections, including the two private rooms, large brass gates contain family names along the top of the gate. This represents the permanent feature of the mausoleum and the guaranteed perpetual care ensured by the trust to the owners of the crypts. Each crypt contains the inscription of the deceased, their date of birth, and date

of death. Some crypt engravings include medallions or additional engravings indicating masons, Daughters of the American Revolution, doctors, dentists, reverends, and war veterans. Unlike tombstones marking earthen graves, there is no other description of

those entombed in the mausoleum.

The Oaklawn Mausoleum Association filed their Articles of Organization with the Mecklenburg County Register of Deeds office on May 30, 1933. As part of the Articles of Organization, the Oaklawn Mausoleum Association, of which any legal owner of a crypt could be a member, agreed to the selection of the Board of Trustees that, bound their successors to maintain the general upkeep of the mausoleum including the land upon which it sat.<sup>13</sup> Ulysses J. Smith applied for two patents, one for three and half years in 1931 and one for seven years in 1933. Both patents were for large burial cloisters, or community mausoleums. It is unclear if these structures were constructed and if so, their locations. According to the Mecklenburg County deeds, UJ Smith & Son sold the last of the crypts on December 27, 1935. At that time, the mausoleum specialist disappeared from the Charlotte City Directory.

<sup>11</sup> Mecklenburg County Register of Deeds, book 728, page 284.

<sup>12</sup> Floor Plan, Oaklawn Mausoleum, Oaklawn Cemetery, Charlotte, North Carolina Showing Crypt Locations, March 20, 1933 as filed with the Mecklenburg County Register of Deeds, Map Book 003, Page 646.

<sup>13</sup> Mecklenburg County Register of Deeds, Book 838, Page 55.



**Figure 5: Map of the Oaklawn Mausoleum**

After the completion in 1933 and the sale of the last crypt in 1935, Oaklawn Mausoleum overlooked the expanding city of Charlotte. Operated as a separate component to Oaklawn Cemetery, the Oaklawn Mausoleum Association maintained the property and opened the doors for funerals. As Charlotte city officials began to raze the Second Ward, or Brooklyn, neighborhood, African Americans found middle class, modest structures in the new Oaklawn Park neighborhood located on the rear side of the mausoleum building. Neighborhood children used the open space near the mausoleum to play football, hit golf balls, and steal a kiss on the front steps of the mausoleum.<sup>14</sup> When the children came to the cemetery and saw the doors to the mausoleum opened, all playing ceased, they stood quietly watching the funeral procession come up the circular drive, and the mourners filed inside.

After the death of John Jacob Misenheimer on September 9, 1947, he deeded the property of Oaklawn Cemetery to Mrs. Adel Hendrix as an act of gratitude for her many years of service to him in his real estate business.<sup>15</sup> In 1956, Oaklawn Cemetery became a municipal cemetery.<sup>16</sup> Beginning on November 1, 1956, the City of Charlotte took over the day-to-day duties of the Mausoleum that included maintenance of the structure's interior and exterior, opening and closing the crypts for funerals, and ensuring the security of the building. During the years that the City of Charlotte was responsible for the general upkeep of the mausoleum, the doors remained open during from 9 am to 5 pm each day so that so that the general public and relatives and friends of the entombed could visit the building.

Oaklawn Mausoleum continues to act as a beacon to residents of the Oaklawn Park neighborhood along the northern boundary of Oaklawn Cemetery. While trustees of the Oaklawn Mausoleum Association renewed the agreement with the City of Charlotte in 1961, to maintain the building and open the doors to the public, according to life-long residents of the neighborhood, the doors shut to the public in the late 1960s. A possible reason could have been associated with the increased fear of violence as Charlotte desegregated. After selling the majority of crypts, the mausoleum fulfilled its purpose "as a place of burial for the human dead" and now sits silent, opened only for maintenance, cleaning, and the delivery of flowers. The

<sup>14</sup> Interview with Zack Hill and Aaron Sanders, April 4, 2011.

<sup>15</sup> John Jacob Misenheimer, Last Will and Testament, proclaimed 9/16/1947, Robinson-Spangler Carolina Room, Charlotte-Mecklenburg Public Library.

<sup>16</sup> Mecklenburg County Register of Deeds, Book 1882, Page 113.

grand domed building continues to capture the imagination of those who live nearby or see it from the entrance into Oaklawn Cemetery from Oaklawn avenue. It beckons one to drive the winding roads that ascend to the circular drive in front of the mausoleum. The Oaklawn Mausoleum is a testament to the grand building of monuments and memorials that occurred during the Interwar Period and one of only a few community mausoleums in the entire South.



## APPENDIX

### Oaklawn Mausoleum Association, Articles of Organization Dated December 15, 1932

WHEREAS, the Mausoleum in Oaklawn Cemetery has been completed, and practically all of the space therein sold, and

WHEREAS, the purchasers and owners of said space are the equitable owners of the land, the said Mausoleum, and the cash and securities held in trust for the maintenance and upkeep of said property, and

WHEREAS, it is the desire of said equitable owners of said property that a permanent organization be perfected to the end that said property, including all cash and securities in respect thereto, may be held in trust, owned and controlled in the interest and on behalf of the owners thereof:-

NOW, THEREFORE, we, the owners of the space in the said Mausoleum and the equitable owners of all of the properties, including trust funds on hand and thereto belonging, do hereby associate ourselves into a permanent organization as follows, to-wit:-

#### I.

The name of this organization shall be: OAKLAWN MAUSOLEUM ASSOCIATION.

#### II.

Each present owner and holder of a certificate of title to space in said Mausoleum may become a member of this Association by signing these articles of organization, and shall be entitled to one vote at any and all meetings of this Association.

#### III.

Where more than one person is vested with an interest in a certificate of title to space in said Mausoleum, such persons, or group of persons, shall be entitled to only one vote.

#### IV.

No certificate of title to space in said Mausoleum shall be issued for less than one full space. All certificates of title to space in said Mausoleum hereafter issued, or any renewal of any now outstanding certificate, shall be conditioned upon the purchaser and assignee becoming a member of this Association.

V.

All certificates of title to space in said Mausoleum shall hereafter be issued by and in the name of the Board of Trustees, and said certificates shall be signed by the President and Secretary of said Board.

VI.

In the event a certificate of title to space in said Mausoleum shall be lost, a duplicate thereof may be issued upon conclusive proof of the rightful ownership thereof, provided a bond in a sufficient amount shall be executed to indemnify the Board of Trustees from any loss on account thereof.

VII.

At any and all meetings of the Association, the members thereof may be represented by proxy, and each member shall have one vote.

VIII.

The Board of Trustees, as hereinafter named, and their successors in office, shall have full control and management of the affairs of this Association, with powers and rights, among others, as follows:-

(a) Said Board of Trustees shall consist of seven members, one of whom shall be the President and Presiding Officer thereof. The Board shall also have a Secretary and Treasurer who shall be custodian of the funds of the Association for and on behalf of the Board of Trustees. Said Secretary and Treasurer shall be required to give a good and sufficient bond in a sum not less than the amount of securities and cash held by him to protect the said Board of Trustees from any loss on account of any default on the part of said Secretary and Treasurer, or on account of the breach of any of the provisions of this trust. Said President and Secretary and Treasurer shall be elected by the Board of Trustees to serve for such term as said Board may designate.

(b) Said Board of Trustees shall take over the legal title to the Mausoleum property, including all cash and securities belonging thereto now held in trust, and any and all rights and privileges to which this Association may now or hereafter be entitled.

(c) Said Board of Trustees shall keep in repair and good condition the said Mausoleum, and all parts thereof, and shall maintain in a proper condition the land upon which said Mausoleum is located.



(d) Said Board of Trustees shall take over all cash and securities and any and all other property belonging or in any way appertaining to said Mausoleum property, and invest and reinvest the same as in their judgment may be deemed wise and in the interest of the trust hereby created.

(e) Said Board of Trustees shall have all rights and powers over the property constituting this trust estate which an individual in absolute ownership might have, and said Board shall not be limited to legal trust investments; provided, nevertheless, said Board of Trustees shall not have the power to transfer or convey, mortgage or pledge the land upon which said Mausoleum is located.

#### IX.

The Board of Trustees, as hereunder created, shall meet as often as the affairs of the Association shall require. Said Board shall, from time to time, fill any and all vacancies therein, whether caused by death, resignation, or otherwise. A two-thirds vote of said Board of Trustees shall be required to fill any vacancies therein existing.

#### X.

The said Board of Trustees, hereinafter named, and their successors in office, shall hold all of the property and effects belonging to the owners of the said Mausoleum in trust and for the benefit of the organization hereby constituted, and said Board of Trustees shall not expend any of the funds so held except for the maintenance, repair and upkeep of said property, and any necessary expenses incurred in connection therewith, including clerical expense, if any, and such expenses as may be incident to the organization and establishment of the trust hereby created; provided, nevertheless, that if and when the trust fund held by said Board of Trustees shall have reached the sum of \$200,000.00, any portion of the income therefrom in excess of the amount required for the upkeep, repair and maintenance of said Mausoleum, and incidental expenses in connection therewith, shall be used for the benefit of Oaklawn Cemetery, and shall be expended for such purpose as said Board of Trustees shall deem wise.

#### XI.

No member of the Board of Trustees, as hereby constituted, nor their successors in office, shall receive any compensation for acting hereunder.

XII.

Said Board of Trustees shall make an annual report of the affairs of this Association, and shall file the same in the office of the Register of Deeds for Mecklenburg County and shall mail a copy thereof to the members of the Association.

XIII.

Said Board of Trustees shall keep a record of the owners of certificates of title to space in said Mausoleum and, as such, members of this organization.

XIV.

The members of this organization may meet at any time and at any convenient place upon call by the Board of Trustees, after giving ten days notice of the time and place of such meeting. A meeting of the members of this organization may be called at any time if and when such call is signed by ten members hereof, and ten days notice given of the time and place of such meeting.

XV.

At any meeting of the members of this organization, after due notice thereof, together with a statement of the purpose, and upon vote of three-fourths of the entire membership of this Association, any part of this agreement may be modified, changed, or eliminated, except that at no time shall the funds belonging to this Association be used for any purpose other than as herein stated.

XVI.

The following named owners of space in the said Mausoleum shall be and constitute the Board of Trustees hereof.

29 W. W. Lagood  
H. H. Johnston  
C. B. Ross  
George J. Ray  
V. J. Guthery  
J. H. Blythe  
Dr. C. N. Peeler



XVII.

All actions of the Board of Trustees shall be determined and passed upon by a majority vote of the entire Board, except as hereinbefore provided for in respect to the filling of vacancies in said Board. Five members present at any duly called meeting shall constitute a quorum for the transaction of business.

XVIII.

The organization as hereby perfected is intended to be permanent to the end that the space in said Mausoleum heretofore filled, and as the same shall hereafter be filled, by the members hereof, their heirs and assigns, shall be protected, cared for, maintained, and at all times kept in proper condition as was contemplated by the original owners and builders thereof.

IN TESTIMONY WHEREOF, we have hereunto set our hands and seals. December 15, 1932.

WITNESS:

*to Synaxis*

*C. C. C. C. C.*

*C. C. C. C. C.*

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NAME OF MEMBER

*J. P. Morris* (SEAL)

*J. L. Hull* (SEAL)

*H. J. Williams* (SEAL)

*W. B. K. K. K.* (SEAL)

*Mr. K. K. K.* (SEAL)

*Mr. K. K. K.* (SEAL)

*Mr. K. K. K.* (SEAL)

*Mr. K. K. K.* (SEAL)

*Mr. K. K. K.* (SEAL)

*Mr. K. K. K.* (SEAL)

Geo C Reedwell (SEAL)

L E Wm (SEAL)

E J Sutherby (SEAL)

E D Irving (SEAL)

Wesley P. Hays (SEAL)

Wesley P. Hays (SEAL)

Q R Black (SEAL)

Gran C Bernard (SEAL)

Gran C Bernard (SEAL)

Frederick Jackson (SEAL)

J D Campbell (SEAL)

Mrs. Mary J. Hays (SEAL)

Mary Margaret Remm (SEAL)

Mary Margaret Remm (SEAL)

Wm G. H. Hays (SEAL)

B. K. Messick (SEAL)

J R Goley (SEAL)

Mrs J R Goley (SEAL)

W. E. Hays (SEAL)

W. E. Hays (SEAL)

W. E. Hays (SEAL)

W. E. Hays (SEAL)

W. E. Hays (SEAL)

E. C. Ridenour (SEAL)

2008



A L Byrns (SEAL)

L. Blythe (SEAL)

J H Ross (SEAL)

C.B. Row (SEAL)

T. A. Walker Proff (SEAL)

G. B. Ross Proxy <sup>1</sup> (SEAL)

H. M. Elderman, Proxy (SEAL)

DH Johnston (SEAL)

For L. Blythe (SEAL)

H. P. Jackson (SEAL)

Geo. J. Ray (SEAL)

Mrs. L. G. Ray <sup>Friday.</sup> ~~GER~~ (SEAL)

W. L. Thompson (SEAS)

C. P. Raker (SEAL)

U. Klatten (SEAL)  
 22.01.1991

D. C. H. Hand (SEAL)

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