

RESOLUTION NO. 24487

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE CHATTANOOGA HIGH SCHOOL MEDAL FUND AND THE OCHS-OAKES HIGH SCHOOL MEDAL FUND TO THE HAMILTON COUNTY DEPARTMENT OF EDUCATION TO CONTINUE TO PROVIDE STUDENT MEDALS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the City Finance Officer be and is hereby authorized to transfer funds from the Chattanooga High School Medal Fund in the approximate amount of \$4,900.00 and the Ochs-Oakes High School Medal Fund in the approximate amount of \$10,400.00 to the Hamilton County Department of Education to continue to provide student medals.

ADOPTED: June 28, 2005

/add

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Superintendent's Office

Andra N. Oakes, Esquire
1962 Upshur Street, N.W.
Washington, D.C. 20011
(202) 291-3946

March 9, 2005

Dr. Jesse Register
Superintendent of Schools, Hamilton County
6703 Bonny Oaks Drive
Chattanooga, Tennessee 37421

Mayor George W. Ochs-Oakes Award for Graduating
High School Seniors

Dear Dr. Register:

I am writing on behalf of the family of the late John B. Oakes. Mr. Oakes was the son of George W. Ochs-Oakes, who was mayor of Chattanooga from 1893 to 1897. Mayor Ochs-Oakes died on October 26, 1931, leaving a Will dated November 23, 1934, which was admitted to probate on December 31, 1931. A copy of the relevant portion of the Will is enclosed for your reference.

Among the Ochs-Oakes bequests was one to the Board of Education of the City of Chattanooga. As you will see from Article 3(b) of the Will (highlighted), the income from this bequest was to be used annually for medals for outstanding Chattanooga high school graduates.

In 1966, Mayor Gene Roberts informed Mr. Oakes that the last record of medals being awarded to high school students was in 1979. Mayor Roberts also informed Mr. Oakes that the Ochs-Oakes High School Gold Medal Fund (Fund 4011) has a balance of \$ 4,177.95, and that the Ochs-Oakes High School Medal Fund (Fund 4013) had a balance of \$ 3,622.88. In 2001, the family was informed by Jim Boney, then the CFO of Chattanooga, that Fund 4011 had a balance of \$ 4,635, and that Fund 4013 had a balance of \$ 10,649.

In June, 1966, Mr. Oakes, Margery Oakes (his wife), Ruth Holmberg and I met with Mayor Roberts. At that meeting, it was agreed that the city would arrange for the annual income from Fund 4011 and Fund 4013 to be devoted to the purchase of books (rather than medals) for presentation to one graduating senior ("male or female, white or black" in the words of the Will) from each of Chattanooga's public high schools. The awards, to be chosen by a committee of teachers in each of the high schools, would go to the graduating senior who had demonstrated the most outstanding qualities of citizenship during his or her high school career. "Citizenship" would include, specifically, some form of community service. The awards would be accompanied by a framed certificate stating that the award was provided by, and in memory of, Mayor George W. Ochs-Oakes, mayor of Chattanooga from 1893-1897.

After the 1966 meeting, the family did not hear anything further about the activation of the high school awards. (As a result of the family's recent inquiries, it is our understanding that the Chattanooga police and fire departments are now preparing to

Dr. Jesse Register
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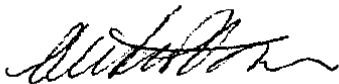
reactivate the annual Ochs-Oakes awards to members of those departments.)

We very much hope that the agreements that were discussed with the city in 1966 can be fulfilled. John B. Oakes was very proud of the contributions made by his father, Mayor Ochs-Oakes, to the city of Chattanooga. The revival of the high school awards would be altogether fitting and proper.

The family is anxious to know whether you will reinstitute the high school awards. If you decline to do so (but we hope very much that you will agree to use the bequest), the funds must revert to Mayor Ochs-Oakes' heirs, as stipulated in the Will.

Thank you for looking into his matter. We look forward to your prompt reply.

Sincerely,



Andra N. Oakes

Enclosure

Will of George Washington Ochs-Oakes

In the name of God, Amen!

I, GEORGE WASHINGTON OCHS-OAKES, being of sound mind, memory and understanding, do make, publish and declare this to be my last Will and testament, hereby revoking and making void all former Wills by me at any time heretofore made.

1. I order and direct my Executors and Trustees to pay, as soon as possible after my decease, my funeral expenses and any other of my personal obligations. I direct that my body be interred alongside my wife in the Crypt underneath my lot in Mt. Sinai Cemetery, Frankford, Philadelphia, Pa. I direct as soon as possible after my interment that there be carved at the head of the monument which has been erected on the lot in the third panel from the right looking West these words:

"GEORGE WASHINGTON OCHS-OAKES

October 27, 1861

(Insert here date of my death)

HIS WIFE

The words "His Wife" to be carved immediately above the name "Bertie Gans Ochs" in said panel.

I further direct that my Executors and Trustees at the same time have cast a bronze tablet to be placed within the space left blank on the fourth panel of said monument, which tablet shall contain the words in raised letters, which sets forth the epitome of my life which is attached to this document.

2. I direct my Executors and Trustees to pay unto the Mt. Sinai Cemetery the sum of One Thousand Dollars (\$1,000) which sum is to be applied by the Cemetery Association Fund for the perpetual care of my cemetery lots at said cemetery.

3. I direct my Executors and Trustees to pay unto the following institutions, Trustees and individuals the respective amounts herein following, said legacies and bequests to be paid clear of all taxes, as follows, to wit:—

(a) To the Library Association of the City of Chattanooga, Tennessee, the sum of One Thousand Dollars, (\$1,000) to be

expended by the Trustees of said Library Association for the purchase of books and documents relating to municipal and kindred subjects, said books and documents to be placed in a special alcove in said Library to be designated "The George W. Ochs-Oakes Alcove" with an appropriate tablet indicating that I was Mayor of Chattanooga, Tennessee, two terms, to wit, 1893-4 and 1894-5-6 and that I was one of the founding Directors of said Library Association and was the President of said Library Association in 1897-1898-1899.

(b) To the Board of Education of the City of Chattanooga, Tennessee, or (the body in charge of the Public Schools), the sum of One Thousand Dollars (\$1,000) in trust, the income from said sum to be expended annually in the purchase of suitable medals under the direction of the said Board of Education to be presented annually at the close of the Public Schools of Chattanooga to those graduates of the High Schools of said City, male and female, white and black, as said Board of Education shall determine, said medals to be suitably inscribed as the "Former Mayor George W. Ochs-Oakes (President of the Board of Education 1896-99)" medals.

(c) To the Board of Mayor and Aldermen of the City of Chattanooga, Tennessee, the sum of One Thousand Dollars, (\$1,000) in trust, the income from said fund to be expended annually by the proper executives of said City of Chattanooga in the purchase of suitable medals, gifts or tokens for such member or members of the Police Department of the City of Chattanooga and for such member or members of the Fire Department of the City of Chattanooga as the proper executives of such city deem entitled to special recognition for service during each successive year, such medals, gifts or tokens to be suitably inscribed as a memorial gift by "George W. Ochs-Oakes who was Mayor of Chattanooga during the years 1893-1897 and President of the Police Commission of Chattanooga, 1891-1892," and to be known as the "Former Mayor George W. Ochs-Oakes Medals."

If these bequests to the Departments of the City of Chattanooga are not officially accepted by the proper authorities, they

are to be cancelled and the amounts so bequeathed shall then remain in my general Estate.

(d) To the Trustees of the Julius and Bertha Ochs Memorial Synagogue at the City of Chattanooga the sum of One Thousand Dollars (\$1,000) to be expended by said Trustees in any manner they determine for the use or adornment or the acquisition of any suitable fixture or appliance or article or articles for said Memorial Synagogue.

(e) To the Times Printing Company of Chattanooga, Tennessee, the sum of Three Thousand Dollars (\$3,000) in trust, the income from said sum to be applied annually to the fund for "The Chattanooga Times Neediest Cases," said annual subscription to be donated to said fund "In Memory of Chattanooga's Mayor, 1893-1897, George W. Ochs-Oakes." In the event that the Chattanooga Times ceases to raise a fund annually for "The Neediest Cases," then this bequest is to be trusted by said Times Printing Company of Chattanooga to the Associated Charities of Chattanooga, Tennessee, to be applied in the same manner and with the same words as is set forth in the preceding sentence.

(f) To the New York Times Company the sum of Two Thousand Dollars, (\$2,000) in trust, the income of which shall be applied annually to "The New York Times Neediest Cases" and to be recorded annually as a contribution "In Memory of George W. Ochs-Oakes." If The New York Times Company continues its annual charity known as "The Neediest Cases" on the said New York Times Company then the said company, by proper legal means, shall transfer this \$2,000 trust fund to the Federation of Jewish Charities of the City of New York, which said \$2,000 trust fund shall be annually applied in the manner indicated for The New York Times Company, viz.: "In Memory of George W. Ochs-Oakes."

(g) I confirm a subscription to the Hebrew Union College at Cincinnati, Ohio, in the sum of Ten Thousand Dollars (\$10,000) in trust, which subscription was made by me to be payable after my death out of my Estate, I having paid \$500 a year interest to the College on said subscription, said Ten Thousand Dollars to be