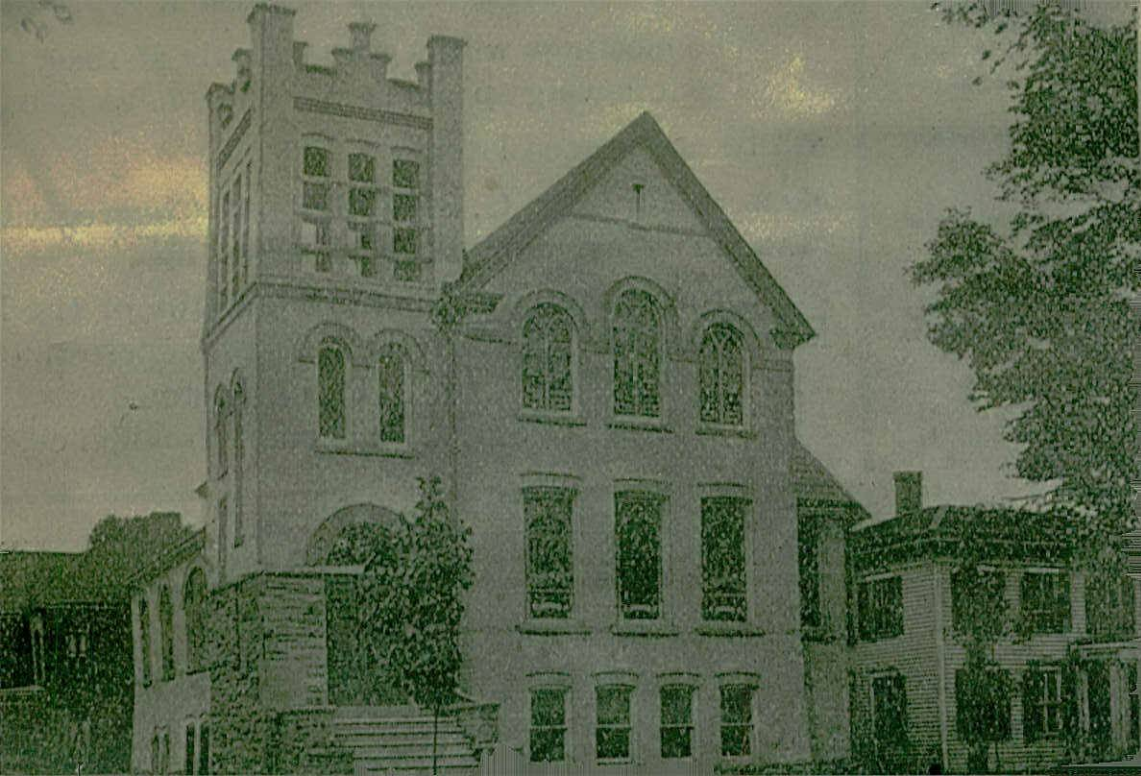
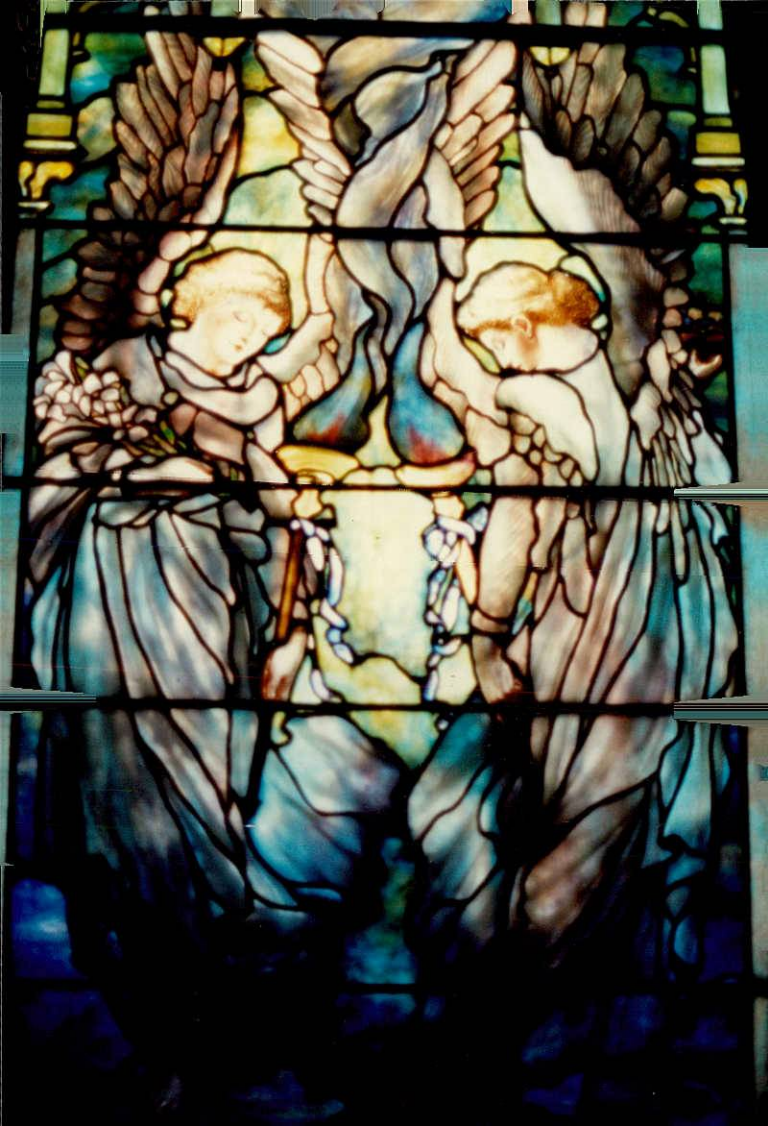


Tiffany Wunder



Hornell Ny  
former Universalist Church





## A History of the First Universalist Church Of Hornellsville.

The first movement toward the establishment of a Universalist Church in Hornellsville was in the year 1868, when an organization was effected and incorporated as the First Universalist Church Of Hornellsville.

This movement appears to have been the outcome of preaching and missionary work done by the Rev. Mr. Crane at that time a pastor of a church in the village of Perry N.Y.

On the 23 day of May of that year the people who had become interested in the Rev. Mr. Crane's work and in the principles which he taught, met and voted to organize a permanent church organization which they incorporated as the First Universalist Church of Hornellsville.

Messrs Charles Coston, J. T. Barkley, and Edward Rose were elected as the first trustees of the society.

The trustees met on the 18th. day of June in the same year and appointed Mr. M. A. Tuttle as clerk and Mr. I. W. Near as treasurer.

On the 5th. day of May Mr. M. A. Tuttle was appointed trustee in the place of Edward Rose resigned. and Mr. I. W. Near was appointed clerk and Mr. John Santee was appointed as treasurer and the first thursday was named as the day for the regular meeting of the board.

On the 7th day of Oct. the trustees extended a call to the Rev. Mr. George P. Hibbard as pastor for the church for a period of one year. On the first day of November Rev. Mr. Hibbard began his pastorate and services were held in Metropolitan Hall.

No record has been kept of the progress of the work at that time. but it appears that Mr. Hibbard continued to be pastor until 1872 when the Rev. S. F. Aldrich was secured as pastor at a salary of \$ 500.00 per year.

On the 17th. day of October 1873 James Alley, C. W. Stevens

and Ward Oatley were elected trustees of the church.

On the 27th. day of October 1874. James Alley, James Stickney and Henry Penton were elected trustees and Mr. Aldrich was engaged for another year. At this meeting the trustees voted to purchase a lot, but no lot, as far as any record goes to show was ever purchased.

Mr. Aldrich continued as pastor of the church until he died in 1876. After the death of Mr. Aldrich the work seemed to have gradually died out until all interest seemed to have been lost and so remained until the year 1895.

In that year the Rev. O. H. Shinn visited Hornellsville and held services in Merrimans Hall on the corner of main and church streets. Soon after Mr. Shinn's visit a ladies aid was formed and pledged themselves to raise <sup>Back</sup> a thousand dollars for a building fund. On the 5th. day of ~~May~~ July 1896 Mr. Shinn held services again in the same hall and organized a society of forty-two members, electing at that time the following officers.

Moderator	Mr. J. B. Woodbury
Clerk	Miss. Elizabeth Dolson
Treasurer	Mrs. Mary M. Woodbury.
Trustees	Chas. Hackett & Gilbert Wright

On the 14th. day of June 1897 a meeting was held at the home of the moderator for the purpose of incorporating the society under the laws of the state of N.Y.

The name under which the society was incorporated was The First Universalist Church of Hornellsville. The complete organization being effected on the 21st. day of June.

On the 14th. day of October in the same year the society was called together for the purpose of considering the purchase of a lot. A committee was appointed at that meeting to look for a suitable site and in the month of November negotiations were closed for the purchase of a lot belonging to Chas. Cadogen situated on the north-east corner of Genesee street and church street.

At the meeting of the 14th. of Oct. the Rev. H. F. Orelup was engaged to preach ever two weeks alternating with the parish at Whitesville N.Y. Mr. Orelup continued to preach until the month of June 1898.

In the fall of that year a call was extended to the Rev. Mr. L. H. Squires and he began his pastorate of the parish on the 7th. day of Oct. and continued in the capacity until the 6th. day of Dec. The time of his death.

From the 6th. day of Dec. until the first of Sept. 1903 the parish was without a regular pastor but services were constantly held in the meantime, the pulpit being filled by visiting clergy and by members of the society.

On the 17th. day of May a meeting was called and the unanimous call was extended to the Rev. Mr. Charles E. Petty of White River Junction, Vt. to assume the pastorate of the parish. Mr. Petty assumed the call and began his work here on the first day of Sept. 1903.

Immediately after Mr. Petty's arrival plans were laid for the erection of a church edifice upon the lot owned by the society. Subscriptions were started and plans were made and submitted to the board of trustees and in the fall of the year 1904 the erection of the church edifice began.

From the first organization of the society ~~the~~ it has continued to grow, from a mere handful of loyal supporters it now has a membership of over a hundred, <sup>members</sup> with the positive assurance that other will come into its fold when it shall have a more comfortable and commodious home.

Shortly after the visit of Mr. Shinn in 1895 the Young Peoples Christian Union society was formed and held its meetings at the homes of its members. It has been a growing organization and has contributed considerably to the the upbuilding of the membership of the church.



The Sunday school was organized during the summer of 1903 and holds its meetings every Sunday immediately after church service in the morning.

Active and loyal work and support have been given by the various societies and by the members of the church and if we are to judge the future by the past this church is bound to take its place as one of the leading churches in the community and exert a powerful influence in the spreading the cause of Christianity

Nov. 16, 1904

R. V. Woodbury  
Clerk

I, Joseph B. Woodbury, for whom this church has, by vote of the parish, without my knowledge and in my absence from the city, been named, do here record my grateful appreciation of the honor.

I was born in the town of Exter, Otsego County, N. Y. October 21, 1826. I came to this county on the 9th. day of February, 1841. I have lived in this county since that date and in the Village and City of Hornellsville for the last seventeen years.

I was reared in the modified form of the Calvinistic faith, but on attaining maturity I was led to study and reflect on the great problems of religion, with the result that I finally embraced the reasonable and cheerful faith of the Universalist Church.

It has always been my desire that a vigorous and permanent organization of this denomination should be established in this place, and to that end I have contributed much labor and substance.

~~At length the way opened to erect a suitable place of worship~~ for our people in our growing city, and I have been interested in the enterprise to that degree that my friends have proposed to name this edifice "The Woodbury Universalist Church."

My earnest hope and sincere prayer are, that this may be a true altar of religious devotion and spiritual freedom, where men and women and children shall be taught and trained to simplicity sincerity and virtue, and to mutual helpfulness, according to the life and teaching of the great Founder of our religion, Jesus of Nazareth.

Dated the 15th. day of November 1904.

*J B Woodbury*

## UNIVERSALIST ASSOCIATION

Hornellsville, July 13.—The Universalist Church of this city is making extensive arrangements for the convention of the Steuben and Allegany County Universalist Association, which will be held here July 19 and 20. Delegates to the number of one hundred or more will be present from Perry, Friendship, Greenwood, Wellsville, Cohocton, Whitesville, Cuba, Nunda and other points. During the convention the handsome new Woodbury Memorial Church here will be dedicated.

*Democrat and Chronicle, Rochester NY, Friday Jul 14, 1905*

**TABLET PLACED IN NEW CHURCH**  
**Impressive Ceremonies Held at Hornellsville**  
**ADDRESS BY REV. DR. ATWOOD**

**Tablet Takes the Place of Corner Stone in New Edifice Being  
Built by Universalists—Church Will be Built of New Sand Brick**

---

Hornellsville, Nov. 16.— An impressive ceremony was held at the new Universalist Church at 2 o'clock yesterday afternoon, when the tablet was placed in the foundation of the church, which takes the place of the cornerstone. The tablet is of bronze, suitably lettered, and its placing was an occasion of considerable moment to the members of the new church, as well as to all others interested in the church history of this city. There was a very large attendance of the members of the church, the pastors of the other churches of the city, and those interested in the new edifice.

The principal address of the occasion was made by Rev. Dr. Atwood, general superintendent of the Universalist Church, after the tablet together with a number of mementos, and the first sermon of the new pastor, had been properly placed into the foundation of the new structure. He was followed by the Rev. H. P. Morrell, of Buffalo, who spoke on the place a liberal church holds in a community. A number of other shorter addresses were made suitable to the time an occasion.

The new church, which is on the corner of Genesee and Church streets, will when completed be a beautiful edifice. It is built of the news and brick which are of a gray color and give a softened effect to the building. At the present time only the basement will be finished, but when complete the church will have fine parlors, a reading room, dining room and kitchen, lavatory, and everything to be found in the most approved structures of the kind.

In the rear of the auditorium there will be placed a fine memorial window in honor of the late Rev. L. H. [Lyman Hamilton] Squires, who came here from Rochester and whose plans were followed in the construction of the edifice. Rev. Charles Petty is the pastor.

*Democrat and Chronicle, Rochester NY, Thursday Nov. 17, 1904*

# This Indenture,

Made the 30<sup>th</sup> day of October in the year eighteen hundred and ninety-seven

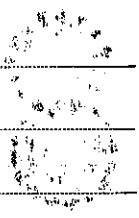
Between Charles Badogan & Brunne A Badogan  
of the City of Hornellsville Steuben County New York

~~J B Woodruff & E Hackett & A A Fingert~~  
~~Trustees of The First Universalist Church of the City~~  
~~of Hornellsville Steuben County N Y~~ of the first part, and  
of the second part,

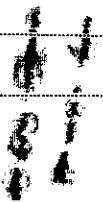
Witnesseth, That the said parties of the first part, in consideration of  
of the sum of Three hundred dollars

(\$300<sup>00</sup>), lawful money of the United States, paid by the  
parties of the second part, does hereby grant and release unto the said  
parties of the second part, their heirs and assigns forever,

All that Tract or Parcel of Land, situate in the City of  
Hornellsville County of Steuben and  
State of New York, and bounded & described as follows -  
Beginning in the centre of Genesee Street where Genesee Street  
intersects with the ~~South~~<sup>East</sup> bounds of Church Street. Running thence  
North one hundred & twenty five feet along the ~~South~~<sup>East</sup> bounds  
of Church Street to a post thence East four rods to the West  
bounds of the Joseph <sup>Jones</sup> Sampson lot thence South along the  
West line of the Joseph <sup>Jones</sup> Sampson lot one hundred & twenty  
five feet to centre of Genesee Street thence West along the  
centre of Genesee Street <sup>to</sup> to the place of beginning. Being a  
part of the lands conveyed by David P ~~Whitcomb~~ to Orrin  
Sheldon & by J R Sheldon & wife to Charles Badogan



[The main body of the page contains approximately 30 horizontal lines, which are completely blank and unlined.]



Together with the appurtenances; and all the estate and rights of the part is of the first part in and to said premises.

To Have and to Hold the above granted premises unto the said part is of the second part, their heirs and assigns forever.

And the said Charles Cadogan & Corinne A. Cadogan

does covenant with the said part is of the second part as follows:

That the part is of the second part shall quietly enjoy the said premises described in within deed.

That the said Parties of the first part of does covenant that the premises described in the within deed is free from encumbrances & will forever warrant the title to said premises.

In Witness Whereof, the said part is of the first part have hereunto set their hand and seal the day and year first above written.

In Presence of

Charles Cadogan

Corinne A. Cadogan

State of New York,

COUNTY OF Seneca } SS.

City OF Hammondsville

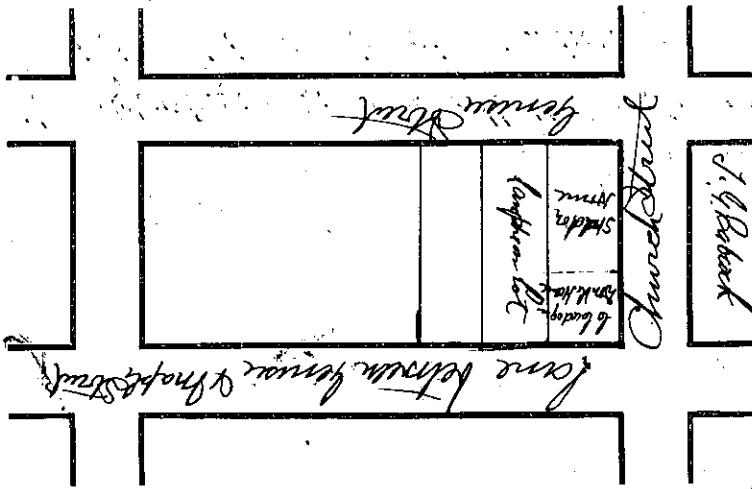
On this 30<sup>th</sup> day of October, in the year

Eighteen hundred and ninety seven, before me, the subscriber, personally appeared-

Charles Cadogan & Rosanna Cadogan  
his wife

to me personally known to be the same person described in and who executed the foregoing instrument, and (he only) acknowledged to me that They executed the same.

Henry E. Brown  
Notary Public



Rec'd 1/13/77 F. T. W. at the Com.

# Deed.

Warranty.

Charles Cadogan  
Wife

TO

The First Unincorporated Church  
of Hammondsville

Dated 1897

State of New York,  
Seneca County, ss.

Recorded on the 1<sup>st</sup> day  
day of November 1897, at

4 o'clock, P. M., in Book  
No. 248 of Deeds, at page 268

and examined.  
Henry E. Brown  
Clerk.

Williamson Law Book Co., Publishers, Rochester, N.Y.

NOV 15 1897 4 PM



# OLD HOMESTEAD MALE QUARTETTE

S. J. BENNETT, Tenor

DEWITT C. SMITH, Second Tenor

HARRY S. GOSELINE, Baritone

ALBERT F. LAWSON, Basso



S. J. BENNETT

AFTER a season crowned with the most phenomenal success, S. J. Bennett and his Old Homestead Male Quartette have entered upon their second tour in the concert field. Nothing is more dear to the heart than the words "Old Homestead" and this renowned combination of male voices will easily bear out any artistic opinions previously formed. We present a quartette of true artists trained individually and collectively, under the most skilled instructors of the country. The perfect blending of voices in ensemble, the melody, harmony, and brilliant effects, make this the equal if not the superior of any quartette now before the public. Their repertoire consists of both classical and popular music, which experience enables them to render in such manner as to please the most exacting audience. They will introduce in their Quartette work many original, novel and unique features, together with many old melodies.

MR. S. J. BENNETT possesses a pure lyric tenor voice of exquisite quality and unusual range, singing even the highest tones with perfect ease. The expression, "A silver-throated tenor," truly applies to Mr. Bennett. In his work with Mr. Denman Thompson's Old Homestead Company, one of the most attractive features was the singing of "The Palms" in the Grace Church scene, in which his voice rang out brilliantly and with thrilling effect.

MR. DEWITT C. SMITH possesses a voice peculiarly adapted to a part as second tenor. He is an accomplished musician.

MR. HARRY S. GOSELINE has a very pleasing and brilliant high baritone voice and is equally strong in solo and ensemble work.

MR. A. F. LAWSON is the possessor of a deep bass voice, rich and powerful in tone with distinct dramatic ability. He uses it with a repose that gives full feeling to its rich color and dignity. His singing is characterized by true artistic feeling and expression.

William Henry Kirkade  
in Rosca New York Aug  
6-1848



(Present date November  
16th-1904  
No. 4 Preston Ave Hornellsville N.Y.

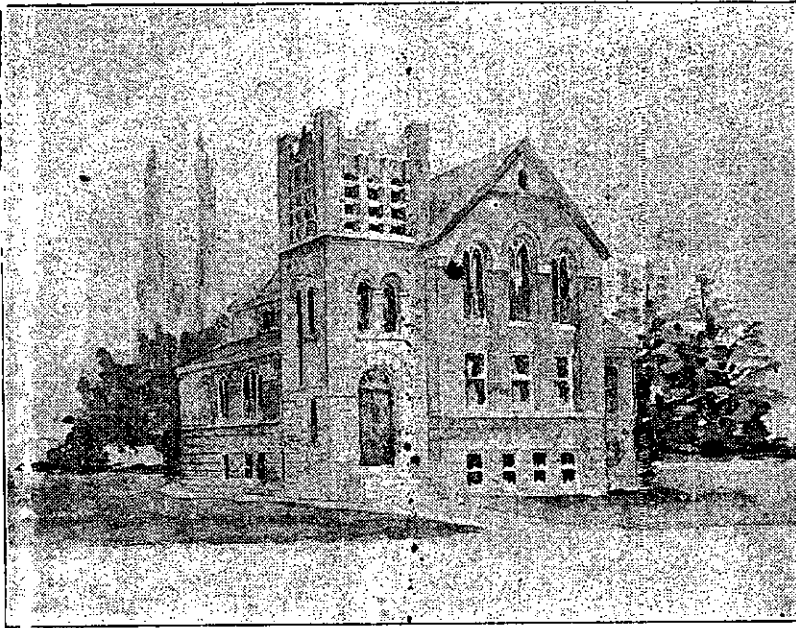
Sarah M. Griswold Kirkade  
Born Rosca New York  
March 22<sup>d</sup> 1862

ulton  
Hornellsville, N.Y.



REV. CHARLES ELLSWORTH PETTY, PASTOR.

L. H. Squires



CERTIFICATE OF PURCHASE.

THIS IS TO CERTIFY

That the PURCHASER has paid TWENTY-FIVE CENTS for ONE BRICK to be placed in the wall of the Universalist Church, of HORNELLSVILLE, N. Y.

Your good will shown to the Church is hereby acknowledged.

J. S. HARDENBERG, TREASURER.



*Eng. by James R. Rice & Sons, Philad.*

*Photo. by J. Saunders.*

*Job Woodbury*

At an Adjourned Special Term of the Supreme Court, held in and for the County of Steuben at the Court House in the City of Corning on the 18<sup>th</sup> day of February, 1937.

PRESENT: HONORABLE JOHN C. WHEELER, Justice, Presiding.

SUPREME COURT: COUNTY OF STEUBEN

-----X  
In the Matter of the Application of  
the First Universalist Church of  
Hornellsville to convey certain  
properties to the New York State  
Convention of Universalists.  
-----X

Upon reading and filing the petition of the First Universalist Church of Hornellsville through J. A. Judge, its pastor, verified February 13th, 1937, the notice duly posted of a meeting of the parish or congregation of said church dated October 26th, 1936, the proof of posting such notice as appears by the affidavit of Howard W. Pascoe, verified February 5th, 1937, the certified copy of the minutes of said meeting of the members of the parish or congregation held on November 16th, 1936, and upon the consent of the New York State Convention of Universalists as appears by the communication under the seal of said organization dated January 30th, 1937, and it appearing that the trustees of said Universalist Church of Hornellsville have deeded the property mentioned in the petition to the New York State Convention of Universalists and the latter has paid the purchase price by paying the sum of Twenty-eight Hundred Dollars (\$2800.00) to discharge a mortgage on said property held by one Charles Cadogan and such mortgage has been so discharged as of record and the latter also having provided the sum of Three Hundred Dollars (\$300.00) for the purpose of paying certain indebtedness of the Church and to make repairs, it is

HEREBY ORDERED that said sale and conveyance be and the same hereby is ratified and confirmed.

*John C. Wheeler*  
J. S. C.

*Feb 18, 1937*  
*Entered in Steuben Co.*  
*Clk's Office 2/19/37*

SUPREME COURT : COUNTY OF STEUBEN

-----X

In the Matter of the Application of the First Universalist Church of Hornellsville to convey certain properties to the New York State Convention of Universalists.

-----X

TO THE SUPREME COURT OF THE COUNTY OF STEUBEN:

The petition of J. C. Judge respectfully shows to the Court;

FIRST. That your petitioner is the pastor of the First Universalist Church of Hornellsville duly qualified and acting as such, said Church being located in the City of Hornell, Steuben County, N. Y.

SECOND. That the First Universalist Church is a subordinate body of the New York State Convention of Universalists, which is governed by a Board of Trustees and officers consisting of a president, vice-president, treasurer and secretary.

THIRD. That the First Universalist Church is the owner of the following described parcels of land situate in the City of Hornell in the County of Steuben;

<sup>a/</sup> "ALL THAT TRACT OR PARCEL OF LAND situate in the City of Hornell, County of Steuben and State of New York, and described in a deed made by William Bennett and wife and James Alley and wife to Elmon D. Smith dated January 3rd, 1854, and recorded February 20th, 1854, in book 70 page 21 as follows; All that certain piece or parcel of land situated in the town of Hornellsville and Village of Hornellsville, County of Steuben and State of New York and bounded as follows, viz: Beginning on the south bounds of Genesee Street at the North East corner of Thomas Bennett lot Thence south twenty nine degrees west along the line of Thomas Bennett lot to Hiram Bennett's north line to the south west corner of John G. Smith lot, thence north twenty eight and one half degrees east along said Smith's west line to the South bounds or line of Genesee Street aforesaid, Thence along the south line of said street to the place of beginning. Being the same premises deeded by Kittie E. Hanes to Joseph B. Woodbury by deed bearing date March 30th, 1909, EXCEPTING AND FOREVER RESERVING from the above described premises a strip off of the south end of said lot four rods from north to south the full width of said lot together with the right to pass along the west side of said lot with team and wagon from Genesee Street to the reserved land at any and all times at will. I farther reserve the rental of the west side of the house standing on said first described premises being that portion of the said house west of the brick wall running north and south through said house with equal right to the garden in the rear during my life time when the rent shall revert to the Church. Being the same premises deeded by Joseph B. Woodbury et al to The First Universalist Church of Hornellsville and recorded in Steuben County Clerk's Office on May 24th, 1909, in Book No. 312 of Deeds at page 72./a

*Handwritten notes:*  
2/11/57  
dis continue  
only in this parcel

6 ft strip directed  
to Jones  
451-514

5/14/37  
Chas. Cadogan  
deceased

4/ "ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Hornellsville, County of Steuben and State of New York, and bounded and described as follows; beginning in the center of Genesee Street where Genesee Street intersects with the East bounds of Church Street, running thence north about one hundred and twenty-five feet along the east bounds of Church Street to a post, thence east four rods to the west bounds of the Joseph Lamphear lot. Thence south along the west line of the Joseph Lamphear lot one hundred and twenty five feet to centre of Genesee Street, thence west along the centre of Genesee Street four rods to the place of beginning, Being the same premises conveyed by Charles Cadogan and wife to The First Universalist Church of Hornellsville and recorded in Steuben County Clerk's Office in Book 248 at page 268 on the 15th day of November, 1897". *of title*

FOURTH: That the First Universalist Church of Hornellsville is governed by a Board of Trustees of five members of the Parish or Congregation.

FIFTH: That the real estate above described consists of the Church lot, parsonage, and two houses and lots; said houses and lots being rented at the present time for \$25.00 per month; that one Charles Cadogan was the owner and holder of a bond and mortgage on said property dated July 19th, 1922, and recorded in Steuben County Clerk's Office in Book 204 at page 521.

SIXTH: That said buildings became in need of repair and the New York State Convention of Universalists offered to pay the said bond and mortgage of Charles Cadogan of \$2800.00, pay \$300.00 in cash for the future repair and maintenance of said buildings in consideration of the First Universalist Church of Hornellsville conveying said property to the New York State Convention of Universalists.

SEVENTH: That the Board of Trustees of the said First Universalist Church of Hornellsville met in due session and adopted a resolution recommending that the proposition be accepted; that thereafter and on the 26th day of October, 1936, due notice of a meeting of the parish or congregation was given by posting three notices in the Church, two in the main lobby and one on the bulletin board, as appears by the affidavit of Howard W. Pascoe; that said notice so posted was in accordance with the constitution and by-laws of said Universalist Church as adopted by the New York State Convention of Universalists, requiring due notice to be posted at least ten days prior to a meeting of the parish or congrega-

tion; that in addition to the posting of said notices your petitioner announced the same at each meeting and church service; that hereto annexed and made a part hereof is a copy of said notice specifying that the meeting would be held on the 16th day of November, 1936, at 7:30 P. M., "for the purpose of considering the adviseability of transferring and conveying all of the property and assets of the First Universalist Church, both real and personal, to the New York State Convention of Universalists, and to take action in regard thereto"; that the parish or congregation did meet on said November 16th, 1936, and it was duly adopted empowering the Board of Trustees of said First Universalist Church of Hornellsville to accept of the proposition of the New York State Convention of Universalists for the consideration of the payment of the bond and mortgage held by said Charles A. Cadogan and make the necessary repairs and pay bills to the extent of \$300.00; and that hereto attached and made a part hereof is a certified copy of the minutes of said meeting.

EIGHTH: That the Universalist Church has no bishop, but the same is governed by the New York State Convention of Universalists, which has consented to such transfer as appears by the consent dated January 30th, 1937, attached hereto and made a part hereof.

NINTH: That the said New York State Convention of Universalists has already paid sufficient sum to pay said bond and mortgage and the same has been satisfied and cancelled as of record and they have paid the further sum of \$300.00.

TENTH: That no previous application has been made for the relief herein sought.

WHEREFORE your petitioner prays that an order be entered ratifying and confirming the acts of the parish or congregation of the First Universalist Church of Hornellsville, N.Y., in conveying said property to the New York State Convention of Universalists and the acts of the latter in paying the money to said First Universalist Church to cancel the mortgage and make said repairs, and that your petitioner have such further relief as may be deemed proper.

First Universalist Church of

Hornellsville

By J. A. Judge  
Petitioner

STATE OF NEW YORK)  
: SS.  
COUNTY OF STEUBEN)

J. A. JUDGE being duly sworn deposes and says that he is Pastor of the First Universalist Church of Hornellsville, N. Y., duly qualified and acting as such and is familiar with the facts and circumstances alleged in the foregoing petition; that he has read the foregoing petition and knows the contents thereof; that the same is true of his own knowledge except those matters therein alleged upon information and belief and as to those matters he believes it to be true.

J. A. Judge

Sworn to before me this  
13 day of February, 1937.

Bessie M. L. Gordon  
Notary Public



File #39

Sir : Take notice of an.....

of which the within is a copy, duly granted in the within entitled action, on the ..... day of .....19....., and duly entered in the office of the Clerk of the County of.....on the .....day of.....19.....

Dated....., N. Y., .....19.....

JAMES S. DRAKE, Jr.

Attorney for

Office and Post Office Address  
BATH, STEUBEN COUNTY,  
NEW YORK

To .....

Attorney for .....

STATE OF NEW YORK

SUPREME COURT,

COUNTY OF STEUBEN

In the Matter of the Application of the First Universalist Church of Hornellsville to convey Certain Properties to the New York State Convention of Universalists.

COPY PETITION AND ORDER CONFIRMING SALE

JAMES S. DRAKE, Jr.

Attorney for Petitioner.

Office and Post Office Address  
BATH, STEUBEN COUNTY,  
NEW YORK

Due and personal service of the within

is admitted this.....day of.....19.....

Attorney for.....

3858-3-240

## THE RAILROAD CROSSING WHERE TEN WOMEN WERE KILLED

(For article see Second Page.)



## HORNELL HISTORY

# Tragedy of 87 years ago remains a lesson for railroad towns

By **ROBERT J. ROBERTS**  
CANISTEO VALLEY EDITOR

**HORNELL** — The single worst tragedy ever to occur in this area occurred 87 years ago today.

What claimed the lives of 10 Hornell women is a situation that still confronts communities like Hornell that have trains crossing through on a daily basis.

It happened on the snowy night of Feb. 1, 1905. Earlier that day, a party of mostly women — members of the Ladies' Aid Society of

From the Feb. 5, 1905  
**Elmira Telegram.**

the First Universalist Church in Hornell — had rented two horse-drawn sleighs from the J.M. Harding stable to take them to the Baldwin farm between Hornell and Arkport, where they celebrated the birthday of one of the women.

The dark of evening was beginning to appear as the party began its return home. They made it only one mile.

There, tragedy occurred on the Babcock Farm at what was then known as Stephens Crossing — along the Arkport Road, about a half-mile north of Hornell on what is now North Main Street

Extension.

The first sleigh, driven by a man named H.H. Meyers, approached tracks just as a Pittsburg, Shawmut & Northern No. 9 passenger train was racing to make up for lost time in its run from Angelica to Hornell.

Meyers urged his horses ahead, and his sleigh crossed over the tracks safely. The 12 passengers in that first sleigh then turned around and shouted warnings about the approaching train to those in the second sleigh that followed them.

Elisha Quick, an older man and

Turn to TRAGEDY on Page 7A

musician Joshua Redman is 33.  
Comedian Pauly Shore is 32.  
Rapper Big Boi (Outkast) is 27.  
Actor Jarrett Lennon is 20.

**Ira Davenport Memorial Hospital Bath**  
Daily visiting hours:  
1 to 8:30 p.m.

**Discharged:**  
John Weidman, Dansville  
Dorothy Flanagan, Livonia  
Harley Perry, Dansville  
Melanie Dimmick and infant daughter, Conesus  
Julie Oliver, Conesus

**Bath.**  
A son was born Tuesday (Jan. 28, 2002) to Stacey and Shannon Blanchard of Bath at Ira Davenport Memorial Hospital, Bath.

A memorial Mass of Christian Burial will be held 11 a.m. Tuesday at St. Ignatius Church, with Rev. Elias Menuba as communicator.

Memorial contributions may be made to a family college fund, c/o Dawn D. Kenefick, 530 Washington Ave., Rochester, N.Y. 14617.

Arrangements by Robertson Funeral Home, Inc., Hornell.

**Geneseo Theatres**  
Rt. 20-A • Geneseo • 243-2691  
MOVIES FROM FEB. 1-7, 2002

**A BEAUTIFUL MIND** (PG-13)  
FRI., MON. - THURS. 7:00, 9:25  
SAT. - SUN. 1:15, 4:15, 7:00, 9:25

**BLACK HAWK DOWN** (R)  
FRI., MON. - THURS. 7:00, 9:35  
SAT. - SUN. 1:00, 4:00, 7:00, 9:35

**THE COUNT OF MONTE CRISTO**  
FRI., MON.-THURS. 7:00, 9:25 (PG-13)  
SAT. - SUN. 1:15, 4:00, 7:00, 9:25

**MOTHMAN PROPHECIES**  
FRI., MON-THURS. 7:10, 9:25 (PG-13)  
SAT. & SUN. 1:15, 3:45, 7:10, 9:25

**SNOW DOGS** (PG)  
FRI., MON. - THURS. 7:10, 9:10  
SAT. - SUN. 1:00, 3:00, 5:00, 7:10, 9:10

**A WALK TO REMEMBER** (PG)  
FRI., MON-THURS. 7:15, 9:15  
SAT. - SUN. 1:10, 3:10, 5:10, 7:15, 9:15

Admitted:

*Meet Your Sweeney Agent*



**John Falzarano,**  
Managing/Associate Broker • Real Estate

**ROBERT A. SWEENEY**  
**AGENCY INC.**  
REAL ESTATE & INSURANCE  
282 Canisteo St., Hornell  
324-5700 insurance • 324-7600 real estate  
[rasweeney.com](http://rasweeney.com)

Valentine's Day is  
Thursday, February 14th

**14% OFF**  
Valentine's Day  
Limousine Service to any destination.  
Special Valentine's package at The Sierra Inn.  
Call for reservations!

**LIMOUSINES UNLIMITED**  
Division of Hooker Enterprises 

1-877-508-7428 or 607-324-3246

**HORNELL CINEMAS**  
Matinees, Children, Students w/ID & Senior Citizens 62 yrs. & older only 4.50, Adults 6.50. Matinee Prices Before 3 PM 4.50, Tuesday Night 4.50  
[www.dipseontheatres.com](http://www.dipseontheatres.com)  
191 Main Street, 324-4120

**WEEK ENDING 2/7/02**

**"BLACK HAWK DOWN"** (R)  
7:00, 9:30  
Mat on Sat & Sun 1:00, 3:30

**"SNOW DOGS"** (PG)  
7:10, 9:10  
Mat on Sat & Sun 1:10, 3:10

**"KUNG PAO: ENTER THE FIST"** (PG-13)  
7:00, 9:00  
Mat on Sat & Sun 1:00, 3:00

**The difference is the assistance.**

- Investments
- Mutual Funds
- College Funding Needs
- Retirement Needs Planning
- Asset Alloc.
- Financial Nk
- Automatic
- Dividend R

For more complete information, including charges for a free prospectus. Read it carefully before you invest.

**Mark Evans**  
Registered Representative  
(607) 324-9278

Securities offered through Princor Financial  
Des Moines, IA 50392-0200. (800) 247-4123



**FREE ONLINE BANKING**

# Tragedy

Continued from Page 1A

experienced handler of horses, was driving the second sleigh. Hearing the warnings of the others, Quick pulled on the reins, but the headlight from the train and the shrieks of his female passengers so scared his horses — he said — that they ran onto the tracks — where the sleigh was struck in the middle by the pilot of the engine. The passengers were so heavily bundled they could not have jumped from the sleigh, even if there had been time, The Evening Tribune reported.

Newspaper accounts of the day described the carnage.

Some of (the women) struck the engine and remained on the pilot while others were hurled through the air and landed with great force on the frozen snow or on the rails in front of the locomotive," according to the Tribune.

"The ground around the crossing for a considerable distance was covered with the bleeding and mangled forms of the wounded and the bodies of those to whom death had come instantly, debris of the sleigh, robes, wraps, etc., and the scene was one to tear the hearts

of those who saw it."

The Elmira Telegram, meanwhile, reported that "bodies lay alongside the track for a distance of 100 yards and great crimson stains upon the white surface of the snow told too plainly that some of the women had received mortal injuries."

All told, 10 of the 14 women riding in Quick's sleigh would die — three instantly, the others in the hours to follow despite efforts to save their lives at St. James Hospital.

Dead were: Jane Graves, 68, 5 Erie Ave. (whose birthday was the cause for the excursion); Mrs. John Coats, 60, and her daughter, the 30-year-old Mrs. Eugene Shaw, both of 215 Canisteo St.; Mrs. Charles Thomas, 50, 5 Preston Ave.; Mrs. Fred Boughton, 42, 11 Marshall Ave.; Mary Gillette, no age given, 7 Oak St.; Mrs. Fred Green, 33, 18 Rose Ave.; Mrs. Elbert Moore, 42, 20 Cedar St.; and Ruth Patchin, 61, and her daughter, 38-year-old Mrs. Joseph Hallett, both of 18 Davenport St.;

Three other women were injured. Quick himself was thrown out of the sleigh and landed hard

enough to break his ribs and cause internal injuries, but he would live. Also surviving, incredibly, were the sleigh horses, who were thrown into a snow bank but were otherwise not seriously injured.

As the shocked community grieved during the next few days, the question of culpability began to be raised.

"I don't know how it happened, hardly," an injured Quick told the Tribune the next day. "We saw the light, there was a crash, and it was all over. Everyone blames me, but I couldn't help it. The colt jumped — I couldn't hold 'em. I wasn't careless, and I don't believe anyone could have prevented it."

But a team of investigators — comprised of Shawmut Railroad officials, attorneys, engineers, a coroner and his jury — visited the Stephens Crossing site in a train said to be identical to the No. 9. It was run back and forth across the crossing several times, and each time the whistle sounded and bell rang. Investigators determined the headlights of the engine could be seen 1,200 feet from the crossing, and that the whistling post was 80 rods from the crossing.

The official report, filed 16 days after the accident, said Quick "had ample opportunity to observe the approaching train in time to have averted the accident. ... It is the opinion of this jury that said Elisha Quick was guilty of either carelessness or very poor judgment, or both, and is thereby more or less responsible for the terrible calamity."

But, the report hastened to add, "we do not believe the facts warrant a criminal prosecution." The Shawmut train operators were absolved of all blame.

The collision of trains with private vehicles or pedestrians remains a threat more than eight decades later.

While there are isolated incidents of pedestrians trespassing over local tracks, or vehicles trying to beat trains at at-grade crossings, "I don't think it is any more or less of a problem than other relatively rural areas," said Rudy Husband, a spokesman for Norfolk Southern, which owns and operates the Southern Tier Line that runs through Hornell.

The math clearly illustrates the folly of challenging an approaching train: A 100-car train moving at a relatively modest 30 mph takes more than a mile to come to a complete stop.

"The standard saying is that if the engineer sees you on the track, it's too late to do anything about it," Husband said.

Even though the volume of freight trains in Hornell is greatly reduced from 1905, and passenger trains no longer come here at all, the message of rail safety still is taught today in programs like the statewide Operation Lifesaver.

The impact of tragedies like those at Stephens Crossing resound today in decisions at the state Department of Transportation. The DOT strenuously "tries to avoid creating new at-grade crossings for safety reasons — exactly what happened (in 1905) — and based on the train's needs for safety," said Mike Griffin of the DOT regional affairs office in Hornell.

If a road has to cross a track, Griffin added, it is built to go over or under a rail line.

The DOT also conducts yearly safety programs to upgrade some of the lights and gates at crossings, said David Henry, a DOT regional rail-aviation-transit coordinator in Hornell. "We go through the six-county region, we pick and choose what crossings need to be upgraded."

Watch



**Advanced  
Transit  
Manufacturing  
Inc.**  
Women Owned  
Business  
14 S. Main Street,  
Canisteo  
(607) 698-4606

**Auto**  
  
Webbs Crossing Rd.  
(607) 324-3362

**Auto**  
  
22 Park Dr., Hornell  
(607) 324-0220

**ROOFING SPECIALISTS**  
Siding • Slate Roofs • Additions  
Windows • Masonry • Gutters  
Complete Home Improvements  
Free Estimates • Fully Insured  
Come visit our showroom  
12 E. Main St., Canisteo  
**698-2237**  
**1-800-549-6537**

**DR. ROOFING**  
6279 Route 36, Hornell  
(607) 324-6446  


**SUPERMARKET**  
"Everyday You  
Get Our Best"  
1000 State Rte. 36  
Hornell, NY

**ESC J. Tavern**  
68 River Street  
Hornell  
(607) 324-9883  


**PHARMACY**  


**Trophies  
Plaques  
& Awards**  
**SPORTS  
fan-atic**  


**GVEI**  
Hornell  
Eye  
Associates

**Coming Soon!**  
  
The Butcher. The Baker. The Seafood Master.

**MAPLE CITY  
DODGE, INC.**  
Arkport Road  
Hornell  
(607) 324-1155

**Andersen  
Jewelers, Inc.**  
Exquisite Jewelry  
Watches & Gift Ware  
585-335-2530  
2 Ossian Street  
Dansville, NY 14437  
Hours: Tues.-Fri. 10-5 Sat. 10-2

**Wegmans  
SUPERMARKET**  
"Everyday You  
Get Our Best"  
1000 State Rte. 36  
Hornell, NY

**John Kuhn Plumbing  
Heating & Cooling Inc.**  
(607) 324-5431  
331 Canisteo St.,  
Hornell  
Service  
when ever  
you need us!  


**GUMMERS**  
607-324-2715  
CUSTOM GLASS

**BRADY**  
25 North Tra-  
Horne  
(607) 324-

**The Filling  
Station  
Pub & Grille**  
  
"Come for the  
food, stay for  
the fun!"  
3 E. Main St.,  
Canisteo  
(607) 698-9171


**Country  
Kitchen  
Restaurant**  
Hornell-Arkport Rd.,  
Hornell  
(607) 324-4551

  
**"All Seasons Polaris"**  
10140-B Hornell Rd.,  
Dansville  
(585) 335-5090  
(585) 335-5095  
**POLARIS**

**CARPET ETCETERA**  
  
167 Main St.,  
Dansville  
(585) 335-9660

**Wegmans  
SUPERMARKET**  
"Everyday You  
Get Our Best"  
1000 State Rte. 36  
Hornell, NY

**Kleiser  
Ford**  
"Simply the Best"  
716-593-5000  
THE SAVINGS LINE  
www.kleiserford.com  
3387 Andover Rd.,  
Wellsville, NY

**GIOVANNI'S**  
119 Seneca St.,  
Hornell  
(607) 324-6000  


**Robbins Eye Associates**  
"The Leader In  
Laser Vision Correction"  
SUITE #8, BETHESDA  
MEDICAL ARTS,  
HORNELL  
607-324-5000

**LANG  
AGENCY  
REAL ESTATE**  
Roberta C-  
27 Main Street  
607-324-

**Hornell  
Do-it best  
Home Center**  
Rte 70A, Hornell  
(607) 324-1500

**LANG  
AGENCY, INC.  
REAL ESTATE**  
Laurie Godown  
27 Main Street, Hornell  
607-324-4022

 **Hornell  
Gardens**  
434 Monroe Ave.,  
Hornell  
(607) 324-7740

**Wegmans  
SUPERMARKET**  
"Everyday You  
Get Our Best"  
1000 State Rte. 36  
Hornell, NY

  
**King Collision  
& Restoration**  
We're at 16 Burd Ave.,  
Canisteo  
(607) 698-9132  
Owned and Operated by  
David King

When It's Primetime it's...  
**Coslos  
Restaurant**  
Lunches - Dinners  
Main Street, Almond  
(607) 276-6633

**H&R BLOCK**  
www.hrblock.com  
Mary Arcieri, Owner  
15 Church St., Hornell  
(607) 324-5041

**STILL #1  
IN PRICE,  
QUALITY &  
SERVICE**  
**AVOCA HOMES**  
Rt. 415, New York  
Phone (607) 566-2171  
Owned and Operated by the  
Harris Family for over 41 years!

 **K O**  
Main St.,  
(607) 324-

**AF-A-Loz**



*The Angel*

①

Whereas, after due deliberation and discussion, it appears to be to the best Interests of this First Universalist Church of Hornellsville to deed its Church Property in Hornell to the New York State Convention of Universalists, the governing religious body of all Universalist Churches in New York State, now therefore it is

VOTED, that this Church by proper and sufficient deed convey its Church site, and the Church building and improvements thereon, situated on Genesee and Church Streets, in the City of Hornell, Steuben County, New York to the New York State Convention of Universalists, and it is further

VOTED, that the Trustees of this Church and each of them, are hereby directed and empowered to execute in the name of this Church such deed and other instruments as may be necessary to carry out the foregoing, and to deliver same to the said New York State Convention of Universalists.

I, *D Lee Carter* Clerk of the First Universalist Church of Hornellsville do hereby certify that the foregoing preamble and resolutions were adopted at a meeting of the members of said First Universalist Church of Hornellsville, at a meeting duly called and held at the Church in Hornell, New York, on *September 29* 1957, and that I have compared same with the originals thereof as recorded in the minute book in my custody and find them to be true and complete copies thereof.

Dated *November 5* 1957.

*D Lee Carter*  
\_\_\_\_\_  
Clerk



(2)

I, W. Lee Carter, Clerk of the First Universalist Church of Hornellsville, Hornell, New York do hereby certify that as of the date hereof the following named persons are the duly elected and acting Trustees, and all of them, of said Church:

NAME	ADDRESS
<u>Mr Roy Hackett</u>	<u>23 Seneca, Hornell, Ny</u>
<u>Miss Margaret Jones</u>	<u>374 Seneca Road, North Hornell</u>
<u>Mr. W Lee Carter</u>	<u>18 Orchard St, Canisteo, Ny</u>
<u>Mrs W Lee Carter</u>	<u>18 Orchard St, Canisteo, Ny</u>
<u>Mr. John Starr</u>	<u>48 Bennett St, Hornell, Ny</u>
<u>Mrs John Starr</u>	<u>45 Bennett St, Hornell, Ny</u>
<u>Mrs Alice Pomeroy</u>	<u>12 Elmwood Ave, North Hornell, Ny</u>
<u>Mrs Robert Williams</u>	<u>30 1/2 Taylor St, Hornell, Ny</u>
<u>Mr. Kenneth A. Downey</u>	<u>157 Maple St, Hornell, Ny</u>

Dated November 5, 1957.

W Lee Carter  
Clerk

W L C

157 Maple Street  
Hornell, N.Y.  
November 26, 1969

New York State Convention of Universalists  
F. V. Cortwright, Treasurer  
Rochester, New York.

Dear Mr. Cortwright;

This is in answer to your letter of November 15<sup>th</sup>,  
concerning the money that the state convention has been  
holding for our Hornell Church.

At a special board meeting on November 24<sup>th</sup> it  
was decided that we would like the \$14,230 transferred  
to Hornell.

To do this you may use any form of transfer  
that you wish but send it to The Steuben Trust Company,  
attention of Mr Harold Spalding, bank vice president,  
for the First Universalist Church of Hornell.

We here at Hornell, appreciate your care and courtesy  
in the past, but feel that we can obtain a better return  
thru The Steuben Trust Company than we can thru the General  
Trust Fund.

Yours very truly,

Kenneth Downey

President of the board of directors  
First Universalist Church of  
Hornell, N.Y.



**Know**

that THE FIRST UNIVERSALIST CHURCH OF HORNELLSVILLE, NEW YORK, of Hornell, New York, a religious corporation duly organized under the laws of the State of New York,

assignor in consideration of ONE and 00/100-----Dollars, (\$ 1.00 ) paid by the NEW YORK STATE CONVENTION OF UNIVERSALISTS, a religious corporation duly organized under the laws of the State of New York, 948 Euclid Avenue, Syracuse, New York

without recourse assignee, hereby assigns unto the assignee, a certain mortgage made by the HORNELL INTERFAITH FELLOWSHIP, a religious corporation duly organized under the laws of the State of New York, 40 Genesee Street, Hornell, Steuben County, New York,

, given to secure payment of the sum of NINE THOUSAND and 00/100 (\$9,000.00)-----Dollars and interest, dated the day of November 1976, recorded on the day of November 1976, in the office of the clerk of the county of Steuben, New York in Liber of mortgages, at page covering premises located at 40 Genesee Street, on the corner of Church and Genesee Streets in the City of Hornell, County of Steuben and State of New York, as more fully described in the mortgage recorded herewith,

together with the bond or obligation described in said mortgage, and the moneys due and to grow due thereon with the interest,

To have and to hold the same unto the assignee, and to the successors, legal representatives and assigns of the assignee forever.

And the assignor covenants that there is now owing upon said mortgage, without offset or defense of any kind, the principal sum of NINE THOUSAND and 00/100-----Dollars, (\$ 9,000.00 ), with interest thereon at six (6%) per centum per annum from the day of November, Nineteen Hundred and Seventy-Six.

In Witness Whereof, the assignor has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officer this day of November, Nineteen Hundred and Seventy-Six.

THE FIRST UNIVERSALIST CHURCH OF HORNELLSVILLE, NEW YORK

By Kenneth Downey

State of New York

County of STEUBEN

} ss..

CITY of HORNELL

On this \_\_\_\_\_ day of November, Nineteen Hundred and Seventy-Six, before me personally came KENNETH DOWNEY, to me personally known who, being by me duly sworn did depose and say that he resides in the City of Hornell, that he is the Chairman of the Board of Trustees of the corporation described in and which executed the above Instrument; that he knows the seal of said corporation; that the seal affixed to said Instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

**Instrument**

**OF MESSAGE**  
CORPORATION

THE FIRST UNIVERSALIST CHURCH  
OF HORNELLSVILLE, NEW YORK

**TO**

the NEW YORK STATE CONVENTION  
OF UNIVERSALISTS

Dated, November, 19 76

STATE OF NEW YORK  
SUPREME COURT

COUNTY OF MONROE

In the Matter of the Application of THE  
FIRST UNIVERSALIST CHURCH OF HORNELLSVILLE,  
NEW YORK for an Order Approving the Sale of  
Real Property Situate in the City of Hornell,  
County of Steuben and State of New York,  
and for an Order Approving the Dissolution  
of THE FIRST UNIVERSALIST CHURCH OF  
HORNELLSVILLE, NEW YORK.

NOTICE OF  
PETITION

Index No.

9600/76

Upon the petition of a majority of the Trustees of  
The First Universalist Church of Hornellsville, New York, a  
religious corporation, the undersigned will apply to the  
Supreme Court of the State of New York, at a Special Term  
thereof, to be held in and for the County of Monroe at the Hall  
of Justice in the City of Rochester, New York, on the 20<sup>th</sup> day  
of October, 1976 at 10:00 in the forenoon of that day, or  
as soon thereafter as counsel can be heard.

1. For an order decreeing the dissolution of The  
First Universalist Church of Hornellsville, New York.
2. And for that purpose, ordering and directing the  
sale of any and all property belonging to said corporation,  
including its real property located at 40 Genesee Street in the  
City of Hornell, County of Steuben and State of New York.
3. For an order directing that the assets of said  
corporation, after payment of its debts and the necessary costs  
and expenses of said sale and dissolution, be distributed to  
the New York State Convention of Universalists.

4. For such other and further relief that may be just and proper.

HARRIS, BEACH AND WILCOX  
Attorneys for Trustees of  
The First Universalist  
Church of Hornellsville,  
New York  
Office and Post Office Address  
Two State Street  
Rochester, New York 14614  
Telephone: (716) 232-4440

STATE OF NEW YORK  
SUPREME COURT

COUNTY OF MONROE

In the Matter of the Application of THE  
FIRST UNIVERSALIST CHURCH OF HORNELLSVILLE,  
NEW YORK for an Order Approving the Sale of  
Real Property Situate in the City of Hornell,  
County of Steuben and State of New York,  
and for an Order Approving the Dissolution  
of THE FIRST UNIVERSALIST CHURCH OF  
HORNELLSVILLE, NEW YORK.

PETITION

Index No.

9600/76

TO THE SUPREME COURT OF THE COUNTY OF MONROE:

The petition of THE FIRST UNIVERSALIST CHURCH OF  
HORNELLSVILLE, NEW YORK, a religious corporation, respectfully  
shows:

1. The name of said corporation is The First  
Universalist Church of Hornellsville, New York. Its principal  
place of worship and business is located at 40 Genesee Street,  
Hornell, New York.

2. The Board of Trustees of said corporation is  
composed of the following persons:

<u>NAME</u>	<u>ADDRESS</u>
Kenneth Downey	108 Genesee Street Hornell, New York 14843
Samuel Kelsey	36 Collier Street Hornell, New York 14843
Mildred Carter	18 Orchard Street Canisteo, New York 14823
Stella Hunt	21 Spruce Street Hornell, New York 14843

<u>NAME</u>	<u>ADDRESS</u>
Mary Williams	29 Taylor Street Hornell, New York 14843
Robert Williams	140 Thatcher Street Hornell, New York 14843

3. The principal officers of said corporation are:

<u>NAME</u>	<u>ADDRESS</u>
Kenneth Downey, Chairman	108 Genesee Street Hornell, New York 14843
Linda J. Williams, Secretary	140 Thatcher Street Hornell, New York 14843
Norma E. Murdock, Treasurer	16 Scott Street Hornell, New York 14843

4. Petitioner is a domestic religious corporation formed for the purpose of conducting religious services and performing all the usual functions and activities of a church or religious society.

5. The corporation has ceased to act in its corporate capacity and to continue religious services since there are only fifteen (15) members of said corporation, two of whom are physically unable to attend services and two of whom live in Canandaigua, New York, which is 52 miles from Hornell, and rarely attend services. In addition, the church's minister, Dr. Ellis E. Pierce, is quite ill.

6. The assets of the corporation are as follows:

(a) checking account at Steuben Trust Company in the amount of approximately \$3,064.00;

(b) \$17,000 Amer Tel & Tel 8 3/4% bonds due 5/15/2000;

(c) monthly rental of church property for \$70 by the Hornell Inter Faith Fellowship;

(d) real property located at 40 Genesee Street, on the corner of Church and Genesee Streets, Hornell, New York, described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Hornellsville, Steuben County, New York and bounded and described as follows: Beginning in the center of Genesee Street where Genesee Street intersects with the east bounds of Church Street; running thence north about 125 feet along the east bounds of Church Street to a post; thence east 4 rods to the west bounds of the Joseph Lanphear lot; thence south along the west line of the Joseph Lanphear lot 125 feet to center of Genesee Street; thence west along the center of Genesee Street 4 rods to the place of beginning. Being a part of the lands conveyed by David P. Whitwood to Arron Sheldon and by J.R. Sheldon and wife to Charles Cadogan.

EXCEPTING ALL THAT TRACT OR PARCEL OF LAND, conveyed by The First Universalist Church of Hornellsville to Norman H. Jones and Grace T. Jones, his wife, by deed recorded in the Steuben County Clerk's Office in Liber 451 of Deeds at page 514 on April 15, 1936, bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Hornellsville, now Hornell, County of Steuben and State of New York, being bounded and described as follows: Beginning at a point in the center of Genesee Street 4 rods east of the easterly line of Church Street north and parallel to the easterly line of Church Street 125 feet; thence westerly and parallel with the northerly line of Genesee Street 6 feet; thence southerly and parallel with the easterly line of Church Street 125 feet and to the center of Genesee Street; thence east along the center line of Genesee Street 6 feet to the place of beginning, the same being a strip of land 6 feet front and rear and 125 feet in depth and located along the easterly border of the property now owned by the First Universalist Church of Hornellsville, now Hornell, New York, and being part of the same premises deeded to the First Universalist Church of

Hornellsville, New York, by Charles Cadogan and Corinne A. Cadogan, his wife, by deed dated October 30, 1897 and recorded in the Steuben County Clerk's Office on the 15th day of November, 1897 in Book 248 of Deeds at page 268.

ALSO hereby intending to convey the right to ingress and egress over said excepted parcel of land for the purposes and subject to the conditions set forth in said deed.

Subject to all covenants, restrictions and easements of record.

7. The debts of the corporation are nominal.

8. Said corporation has agreed to sell the above described real property to the Hornell Inter Faith Fellowship for the sum of Ten Thousand and 00/100 Dollars (\$10,000.00), payable as follows: \$1,000.00 in cash and a \$9,000.00 purchase-money mortgage payable over a ten (10) year period, with interest at the rate of six per cent (6%) per annum. Said price is the fair market value of the property. There are no other persons known to petitioner interested in purchasing said property. The terms and conditions of said sale are set forth in the Offer to Sell, a copy of which is attached hereto, marked Exhibit A and made a part hereof.

9. The interests of The First Universalist Church of Hornellsville, New York will be best promoted by the sale of the aforesaid property and a dissolution of such corporation due to the small size of the congregation and the expenses of retaining a minister and organist for church services that few people attend.

10. The proceeds of said sale, together with the above-mentioned \$9,000.00 mortgage and all other corporate



assets, after the necessary costs and expenses of the sale and dissolution are paid, will be distributed to the New York State Convention of Universalists.

11. The proposed sale and dissolution was authorized and approved by the members and trustees of The First Universalist Church of Hornellsville, New York at meetings duly called and held on October 4, 1975 and June 13, 1976, respectively.

12. Notice of the time and place of this Petition has been published once each week for four successive weeks in The Evening Tribune, a newspaper published in the County of Steuben, New York, where the corporation is located, as appears by the annexed affidavit of Louis G. Buisch, Jr., verified on October 14, 1976.

13. Sections 5 and 18 of the Religious Corporations Law and Article 5 of the General Corporation Law of the State of New York, and all acts amendatory thereof and supplemental thereto, have been in all respects complied with.

14. No previous application for this or any other similar relief has been made in this or any other court.

WHEREFORE, your petitioner prays that an order be made herein authorizing the dissolution of The First Universalist Church of Hornellsville, New York; that said order direct the sale of real property described herein and that for the purpose of carrying said sale into effect, Kenneth Downey,

Chairman of the Board of Trustees, be authorized to execute, acknowledge and deliver a deed thereof as the corporate act of and in the name of said corporation and the Trustees thereof; that this Court order and direct all assets of said corporation, after the payment of the debts, costs, attorney fees and other expenses of said sale and dissolution, be distributed to the New York State Convention of Universalists; and that the Court direct such other and further relief as may be just and equitable.

Dated: Hornell, New York  
August , 1976  
July 27,

The Trustees of THE FIRST  
UNIVERSALIST CHURCH OF  
HORNELLSVILLE, NEW YORK

Kenneth T. Downey  
Kenneth Downey

Samuel Kelsey  
Samuel Kelsey

Mildred Carter  
Mildred Carter

Stella Hunt  
Stella Hunt

Mary Williams  
Mary Williams

Robert S. Williams  
Robert Williams

STATE OF NEW YORK )  
COUNTY OF STEUBEN ) SS.:  
CITY OF HORNELL )

On this 27th day of July, 1976, before me,  
the subscriber, personally appeared Kenneth Downey, to me known  
and known to me to be the individual described in and who  
executed the within instrument, and he duly acknowledged to me  
that he executed the same.

John L. Hann  
Notary Public  
State of New York, Steuben County  
Official No. 51-6753115  
My Commission Expires March 30, 1978

STATE OF NEW YORK )  
COUNTY OF STEUBEN ) SS.:  
CITY OF HORNELL )

On this 27th day of July, 1976, before me,  
the subscriber, personally appeared Samuel Kelsey, to me known  
and known to me to be the individual described in and who  
executed the within instrument, and he duly acknowledged to me  
that he executed the same.

John L. Hann  
Notary Public  
John L. Hann, Notary Public  
State of New York, Steuben County  
Official No. 51-6753115  
My Commission Expires March 30, 1978

STATE OF NEW YORK )  
COUNTY OF STEUBEN ) SS.:  
CITY OF HORNELL )

On this 27th day of July, 1976, before me,  
the subscriber, personally appeared Mildred Carter, to me known  
and known to me to be the individual described in and who  
executed the within instrument, and she duly acknowledged to me  
that she executed the same.

Frederick W. Bayless  
Notary Public  
FREDERICK W. BAYLESS  
NOTARY PUBLIC, State of New York  
Number 5223350  
My Commission Expires Mar. 30, 1978

STATE OF NEW YORK )  
COUNTY OF STEUBEN ) SS.:  
CITY OF HORNELL )

On this 2nd day of August, 1976, before me, the subscriber, personally appeared Stella Hunt, to me known and known to me to be the individual described in and who executed the within instrument, and she duly acknowledged to me that she executed the same.

MARY KAY FLANSBURG #51-1248150  
Notary Public, State of New York  
Qualified in Steuben County  
My Commission Expires March 30, 1977

Mary Kay Flansburg  
Notary Public

STATE OF NEW YORK )  
COUNTY OF STEUBEN ) SS.:  
CITY OF HORNELL )

On this 2nd day of August, 1976, before me, the subscriber, personally appeared Mary Williams, to me known and known to me to be the individual described in and who executed the within instrument, and she duly acknowledged to me that she executed the same.

MARY KAY FLANSBURG #51-1248150  
Notary Public, State of New York  
Qualified in Steuben County  
My Commission Expires March 30, 1977

Mary Kay Flansburg  
Notary Public

STATE OF NEW YORK )  
COUNTY OF STEUBEN ) SS.:  
CITY OF HORNELL )

On this 2nd day of August, 1976, before me, the subscriber, personally appeared Robert Williams, to me known and known to me to be the individual described in and who executed the within instrument, and he duly acknowledged to me that he executed the same.

MARY KAY FLANSBURG #51-1248150  
Notary Public, State of New York  
Qualified in Steuben County  
My Commission Expires March 30, 1977

Mary Kay Flansburg  
Notary Public

HARRIS, BEACH AND WILCOX  
Attorneys for Trustees of  
The First Universalist  
Church of Hornellsville,  
New York  
Office and Post Office Address  
Two State Street  
Rochester, New York 14614  
Telephone: (716) 232-4440

EXHIBIT A.

## OFFER TO SELL

We, the undersigned, hereby agree to sell to Hornell Inter Faith Fellowship, the property known as The First Universalist Church of Hornell, situate at the northeast corner of the intersection of Genesee and Church Streets, City of Hornell, County of Steuben, State of New York, as more particularly described in the deed conveying said property to the undersigned (less a six foot strip along the east side of the property conveyed out by the undersigned in 1936), together with all lighting, heating and plumbing fixtures, window shades, screen and storm doors and windows, if any, water heater, water meter and all fixtures and fittings appurtenant to or used in the operation of the premises, upon the following terms and conditions:

1. Price. Ten Thousand Dollars (\$10,000.00), payable as follows: Deposit of \$200 upon acceptance of this offer; \$800 cash at closing; the balance in the form of a first bond and mortgage in the amount of Nine Thousand Dollars (\$9,000.00), payable over a ten (10) year period, with interest at the rate of six per cent (6%) per annum, in equal monthly installments of principal and interest of \$99.92, commencing on the first day of the month following the first full month following the date of closing. Said first mortgage shall not be assumable nor shall the property be transferable while said first mortgage remains unpaid. Mortgagor shall have the right to repay the mortgage at any time, in whole or in part, without penalty. You agree to pay the usual mortgage tax and recording fee when required.

2. Searches. We will deliver to you, or your attorney, at least five (5) days before closing, a forty year abstract of title showing the property free and clear of all liens and encumbrances except as herein set forth, and except building and use restrictions, pole and wire easements of record, and subject to zoning ordinance and to any taxes for local improvements not now completed.

3. Transfer. Transfer is to be completed at the office of the Steuben County Clerk, Bath, New York as soon as abstracts can be brought to date and all necessary approvals can be obtained at which time we will convey to you a warranty deed, good title to the property free of all liens and encumbrances, except as hereinabove set forth, subject to rights of tenants if any.

4. Approvals. Transfer of the within property is subject to court approval and the approval and a deed to us or you from the New York State Convention of Universalists, which holds a possibility of reverter as to the property. Upon acceptance of this offer, the undersigned shall seek to obtain such approvals and deed as soon as conveniently possible. Court approval may be sought in connection with a petition for dissolution of the undersigned.

5. Tiffany Window. Our deed to you shall contain a covenant whereby you, your successors, and assigns agree to maintain in good condition and repair, and not to remove or destroy, the Tiffany stained glass memorial window in the east side of the church and the memorial plaque describing said window at the entrance to the church. The deed shall also provide that in the event this covenant is violated, the undersigned, its successors, and assigns, which shall include the New York State Convention of Universalists, shall have the right to remove said window and plaque without liability to you, your successors, or assigns for any damage to the freehold resulting therefrom, and without limitation of any other rights and remedies the undersigned, its successors and assigns shall have.

6. Adjustments. Interest, rents, and taxes to be prorated and adjusted as of the closing date.

7. Risk of Loss. Risk of loss or damage to premises by fire or other cause until delivery of deed to you is assumed by the undersigned, except for loss occasioned by your negligence as a tenant.

8. Assignment. This offer may not be assigned.

9. Brokers. We represent that there are no brokers in this transaction.

10. Acceptance. This offer shall be irrevocable until \_\_\_\_\_, 1975, at \_\_\_\_\_ .M. and shall be deemed revoked unless written acceptance is received by the undersigned at or prior to such time.

11. Binding Contract. This offer, when accepted, shall constitute a binding contract of purchase and sale and it shall bind and inure to the benefit of the parties hereto and their respective executors, administrators, distributees, successors and assigns.

Dated: November \_\_\_\_\_, 1975

WITNESS:

THE FIRST UNIVERSALIST  
CHURCH OF HORNELL

February 28, 1976

By \_\_\_\_\_

By Kenneth Downey, Chairman of Trustees

Witness: Linda J. Williams, Recording Secretary

ACCEPTANCE

We hereby accept this offer and agree to sell on the terms and conditions set forth, and agree to pay a cash deposit of \$200.00 to you.

Dated: Jan 11, 1975 ~~January 11, 1975~~

WITNESS: Edward R. McHenry HORNELL INTER FAITH FELLOWSHIP

James Hall  
Edwin Beattie

By Chairman of trustee, Rev. Ronald H. [unclear]



STATE OF NEW YORK  
SUPREME COURT  
COUNTY OF MONROE

NOTICE OF  
PETITION

Index No. 9600/76

In the Matter of the Application of  
THE FIRST UNIVERSALIST  
CHURCH OF HORNELLSVILLE,  
NEW YORK for an Order Approving  
the Sale of Real Property Situate in  
the City of Hornell, County of  
Steuben and State of New York,  
and for an Order Approving the  
Dissolution of THE FIRST  
UNIVERSALIST CHURCH OF  
HORNELLSVILLE, NEW YORK.

Upon the petition of a majority  
of the Trustees of The First  
Universalist Church of Hornellsville,  
New York, a religious corporation,  
the undersigned will apply to the  
Supreme Court of the State of New  
York, at a Special Term thereof, to  
be held in and for the County of  
Monroe at the Hall of Justice in the  
City of Rochester, New York, on the  
20th day of October, 1976 at  
10:00 in the forenoon of that day  
or as soon thereafter as counsel  
can be heard.

1. For an order decreeing the  
dissolution of The First Universalist  
Church of Hornellsville, New York.
2. And for that purpose, ordering  
and directing the sale of any and all  
property belonging to said  
corporation, including its real  
property located at 40 Genesee  
Street in the City of Hornell, County  
of Steuben and State of New York.
3. For an order directing that the  
assets of said corporation, after  
payment of its debts, and the  
necessary costs and expenses of  
said sale and dissolution, be  
distributed to the New York State  
Convention of Universalists.
4. For such other and further  
relief that may be just and proper.

HARRIS, BEACH AND WILCOX  
Attorneys for Trustees of  
The First Universalist  
Church of Hornellsville,  
New York  
Office and Post Office Address:  
Two State Street  
Rochester, New York 14614  
Telephone (716) 232-4440

AFFIDAVIT

STATE OF NEW YORK  
STEUBEN COUNTY

} ss.

Louis G. Buisch, Jr.

being duly sworn, disposes and says that he resides in the \_\_\_\_\_  
City Hornell of \_\_\_\_\_ County of Steuben,  
and State of New York, that he is the Principal Clerk  
of the Evening Tribune, a public newspaper, published and  
printed daily in the City \_\_\_\_\_ of Hornell, by the  
W.H. Greenhow Co., and that a notice, of which the annexed is  
a printed copy, was published in said newspaper 4 times

said publication therein being on the following dates:

Sept. 1, 8, 15, 22, 1976

Louis G. Buisch, Jr.

Subscribed and sworn to before me this 14  
day of October, 19 76

Marian E. Gale  
Notary Public

MARIAN E. GALE  
NOTARY PUBLIC, State of New York  
No. 51-6445110  
Qualified in Steuben County  
My Commission Expires March 31, 1978

SUPREME COURT  
STATE OF NEW YORK  
COUNTY OF MONROE

In the Matter of the  
Application of THE FIRST  
UNIVERSALIST CHURCH OF  
HORNELLSVILLE, NEW YORK for  
an Order Approving the Sale  
of Real Property Situate in  
the City of Hornell, Steuben  
County, New York and for an  
Order Approving the Dissolution  
of THE FIRST UNIVERSALSIT CHURCH  
OF HORNELLSVILLE, NEW YORK.

NOTICE OF PETITION &  
PETITION

**Harris, Beach and Wilcox**

*Attorneys for* Petitioner

OFFICE & P. O. ADDRESS  
TWO STATE STREET  
ROCHESTER, N. Y. 14614  
Telephone: (716) 232-4440

Due personal service of a copy of the within

and notice is admitted this

day of \_\_\_\_\_, 19 \_\_\_\_\_

*Attorney for*

Sir:

Please take notice that the within is  
a copy of  
this day \_\_\_\_\_ in  
County Clerk's Office.

Dated \_\_\_\_\_, 19 \_\_\_\_\_

Yours, etc.,

**Harris, Beach and Wilcox**

*Attorneys for*

OFFICE & P. O. ADDRESS  
TWO STATE STREET  
ROCHESTER, N. Y. 14614  
Telephone: (716) 232-4440

To

*Attorney for*

State of New York

COUNTY OF ..... }  
OF ..... } ss.

....., being duly sworn,  
deposes and says that he is .....  
..... in this action; that  
he ..... read the foregoing .....  
and knows the contents thereof; that the same is true to the knowledge of deponent, except as to the  
matters therein stated to be alleged on information and belief, and that as to those matters he believes  
it to be true.

Sworn to before me, this ..... }  
day of ....., 19..... }

.....  
.....

# This Indenture,

Made the Fifteenth day of May in the year One thousand nine hundred and Nine

Between Joseph B Woodbury and Mary M Woodbury  
his wife of the city Hornell N.Y.

part 4 of the first part, and  
The First Universalist Church of Hornellsville  
New York

part 4 of the second part.

Witnesseth, That the said parties of the first part, in consideration of the sum of  
Four thousand dollars

(\$ 4,000.00), lawful money of the United States, paid by the said part 4 of the second part, do hereby grant and release unto the said parties of the second part, their successors  
heirs and assigns forever,

All that Tract or Parcel of Land, situate in the city of  
Hornell County of Steuben and State

of New York, and described in a deed made by  
William Bennett and wife and James Alley and  
wife to Elmon A. Smith dated January 3rd  
1854 and recorded February 20th 1854 in book 70  
page 21 As follows; All that certain piece or parcel  
of land situated in the city of Hornellsville and  
village of Hornellsville county of Steuben and  
State of New York and bounded as follows, viz:  
Beginning on the South bounds of Genesee Street at  
the North East corner of Thomas Bennett lot. Thence  
South twenty nine degrees west along the line of  
Thomas Bennett lot to Hiram Bennett's north line to  
the south west corner of John G. Smith lot, Thence north  
twenty eight and one half degrees East along said  
Smith's west line to the South bounds or line of Genesee  
street aforesaid, Thence along the south line of said street  
to the place of beginning, Being the same premises

deeded by Kittie E Hanes to Joseph B Woodbury  
by <sup>deed</sup> bearing <sup>date</sup> March 30th 1909 Excepting and  
for ever reserving from the above described premises  
a strip off of the south end of said lot four rods  
from north to south the full width of said lot together  
with the right to pass along the west side of said lot  
with team + wagon from Geneva Street to the reserved  
land at any + all times at will and I further reserve  
the rental of the west side of the house standing on  
said first described premises being that portion of the  
said <sup>house</sup> west of the brick wall running north and south  
through ~~the~~ house with equal right to the garden in  
the rear during my life time when the <sup>court</sup> shall vest  
to the church

Together with the appurtenances; and all the estate and rights of the said part 4 of the first part in and to said premises.

To Have and to Hold the above granted premises unto the said part 100 of the second part, ~~their successors~~ heirs and assigns forever.

And the said Joseph B. Woodbury

do ~~do~~ covenant with the said part 4 of the second part as follows:

That the part 4 of the second part shall quietly enjoy the said premises.

That the said Joseph B. Woodbury

will forever warrant the title to said premises.

In Witness Whereof, The said part 100 of the first part have hereunto set their hands and seals the day and year first above written.

~~In Presence of~~

Joseph B. Woodbury

[L. S.]

Mary M. Woodbury

[L. S.]

State of New York.

County of Steuben } ss.  
City of Hornell }

On this 19<sup>th</sup> day of May in the year One thousand  
nine hundred and nine before me, the subscriber, personally appeared  
Joseph B. Woodbury & Mary M. Woodbury  
to me personally known to be the same persons described in and who executed the foregoing  
instrument, and they duly acknowledged to me that they executed the same.

Arthur Nicholson  
Notary Public

**Deed.**

Warranty.

Joseph B Woodbury  
& Mary M his wife

TO

The first Universalist Church  
of Hornellville, N.Y.

Dated May 15<sup>th</sup> 1909

State of New York.

County of **STEBEN** ss.

Recorded on the 24<sup>th</sup>  
day of May 1909 at  
8 o'clock, am M., in Book  
No. 312 of Deeds, at page 12  
and examined.

John C. [Signature]  
May 24-8 09 Clerk.  
Williamson Law Book Co., Publishers, Rochester, N. Y.

Return to 6 bedigan  
Hornell

EXAMINED.

**The Following  
Image(s) are the  
Best  
Copies Available**

**BIEL'S**



First Universalist Church  
of Hornellsville

to

Norman H. Jones and Grace  
T. Jones, his wife

✓✓✓

✓

✓

DEED

THIS INDENTURE, Made this 14th day of March, 1936,  
Between the First Universalist Church of Hornells-  
ville, a religious corporation duly incorporated  
under and by virtue of the Laws of the State of New  
York, located in the City of Hornell, Steuben County,  
New York, party of the first part, and Norman H.

Jones and Grace T. Jones, his wife, of the same place, parties of the second part.

Whereas, the party of the first part at a meeting of its qualified members held at their meeting house in the City of Hornell, Steuben County, New York, pursuant to a public notice given at one regular service of the church at each of the two Sundays next preceeding said meeting, the object, time and place of such meeting being distinctly stated in said notice, the members of the said party of the first part duly consented to the sale of the real estate hereinafter described, and duly authorized and directed its trustees to make an application to the Court to sell the same; and

Whereas, the said Trustees have authorized the sale of the said real estate by a vote of at least two-thirds of its Trustees, at a meeting thereof, duly called and held; and

Whereas, upon the petition of said Trustees pursuant to such authorization, an order of the County Court was duly made permitting the party of the first part to sell said real estate.

Now, this indenture Witnesseth: that the said party of the first part, pursuant to the provisions of said order and in consideration of the sum of One Hundred twenty-five Dollars (\$125.00), lawful money of the United States, paid by the parties of the second part, does hereby grant and release unto the said parties of the second part, their heirs and assigns forever, ALL THAT TRACT OR PARCEL OF LAND, described as follows: ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Hornellsville, now Hornell, County of Steuben, and State

of New York, being bounded and described as follows: "Beginning at a point in the center of Genesee Street 4 rods east of the easterly line of Church Street north and parallel to the easterly line of Church Street 125 feet; thence westerly and parallel with the northerly line of Genesee Street 6 feet; thence southerly and parallel with the easterly line of Church Street 125 feet and to the center of Genesee Street; thence east along the center line of Genesee Street 6 feet to the place of beginning, the same being a strip of land 6 feet front and rear and 125 feet in depth and located along the easterly border of the property now owned by the First Universalist Church of Hornellsville, now Hornell, New York, and being part of the same premises deeded to the First Universalist Church of Hornellsville, New York, by Charles Cadogan and Corinne A. Cadogan, his wife, by deed dated October 30, 1897 and recorded in the Steuben County Clerk's Office on the 15th day of November, 1897, in Book 248 of Deeds at Page 268.

Reserving, however, to the party of the first part the right to ingress and egress over the said strip of land for the purpose of making repairs and alterations to the said church building now upon part of the said lot, providing however, that the party of the first part does not cause any damage to the said strip of land. The right of egress and ingress to the said strip of land, however, shall inure to the benefit of the party of the first part only so long as the said building on premises is used for religious purposes and as church property."

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises. To have and to hold the above granted premises unto the said

parties of the second part, their heirs and assigns forever.

In Witness Whereof, the said First Universalist Church of Hornellsville, of the City of Hornell, Steuben County, New York, has caused these presence to be signed, sealed, executed acknowledged and delivered in its name and behalf by Norman H. Jones, the Chairman of the Board of Trustees.

U. S. Rev. Stamps  
\$.50  
Affixed and Cancelled

(L. S.) First Universalist Church of  
Hornellsville,  
By Norman H. Jones, (L. S.)  
As Chairman of the Board of Trustees

State of New York)  
County of Steuben)

SS: On this 14th day of March, 1936, before me personally came: Norman H. Jones Chairman of the Board of Trustees, to me personally known who being by me duly sworn, did depose and say that he resides in the City of Hornell, Steuben County, New York, that he is Chairman of the Board of Trustees of the First Universalist Church of Hornellsville, the corporation described in, and which executed, the above instrument; that he knows the seal of the said corporation; that the seal affixed to said Instrument is such corporate seal; that it was so affixed by order of the Board of Trustees of said corporation and that he signed his name thereto by like order.

Albert W. Robbins, Notary Public

Recorded April 15, 1936 at  
1:45 P.M., R. B. Oldfield, Clerk

THIS INDENTURE, made the 14<sup>th</sup> day of November, nineteen hundred and fifty-seven between NEW YORK STATE CONVENTION OF UNIVERSALISTS, having an office at 373 Argonne Drive, Kenmore, Erie County, New York, a religious corporation organized under the laws of the State of New York party of the first part, and FIRST UNIVERSALIST CHURCH OF HORNELLSVILLE, Steuben County, New York, a religious corporation of the State of New York, party of the second part, WITNESSETH, that the party of the first part, in consideration of one and no more (\$1.00 and no more) Dollars, lawful money of the United States, paid by the party of the second part does hereby grant and release unto the party of the second part, its successors and assigns forever,

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Hornell, County of Steuben and State of New York, and described in a deed made by William Bennett and wife and James Alley and wife to Elmon D. Smith dated January 3rd, 1854, and recorded February 20th, 1854, in book 70 page 21 as follows: All that certain piece or parcel of land situated in the town of Hornellsville and Village of Hornellsville, County of Steuben and State of New York and bounded as follows, viz: Beginning on the south bounds of Genesee Street at the North East corner of Thomas Bennett lot Thence south twenty nine degrees west along the line of Thomas Bennett lot to Hiram Bennett's north line to the south west corner of John G. Smith lot, thence north twenty eight and one half degrees east along said Smith's west line to the South bounds or line of Genesee Street aforesaid, Thence along the south line of said street to the place of beginning. Being the same premises deeded by Kittie E. Hanes to Joseph B. Woodbury by deed bearing date March 30th, 1909, EXCEPTING AND FOREVER RESERVING from the above described premises a strip off of the south end of said lot four rods from north to south the full width of said lot together with the right to pass along the west side of said lot with team and wagon from Genesee Street to the reserved land at any and all times at will. I further reserve the rental of the west side of the house standing on said first described premises being that portion of the said house west of the brick wall running north and south through said house with equal right to the garden in the rear during my life time when the rent shall revert to the Church. Being the same premises deeded by Joseph B. Woodbury et al to The First Universalist Church of Hornellsville and recorded in Steuben County Clerk's Office on May 24th, 1909, in Book No. 312 of Deeds at page 72.

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Hornellsville, County of Steuben and State of New York, and bounded and described as follows: beginning in the center of Genesee Street where Genesee Street intersects with the East bounds of Church Street, running thence north about one hundred and twenty-five feet along the east bounds of Church Street to a post, thence east four rods to the west bounds of the Joseph Lamphear lot. Thence south along the west line of the Joseph Lamphear lot one hundred and twenty five feet to centre of Genesee Street, thence west along the centre of Genesee Street four rods to the place of beginning, Being the same premises conveyed by Charles Cadogan and wife to The First Universalist Church of Hornellsville and recorded in Steuben County Clerk's Office in Book 248 at page 268 on the 15th day of November, 1897.

Excepting and reserving therefrom so much thereof as was conveyed by the First Universalist Church of Hornellsville to Norman H. Jones and Grace T. Jones, his wife by Deed dated March 14, 1936 and recorded April 15, 1936 in the Steuben County Clerk's Office in Liber 451 of Deeds at page 514.

a/  
This deed is executed upon the condition that in case the said party of the second part shall not maintain services in the Church building standing on the premises, by a clergyman in fellowship with said party of the first part for the period of any two consecutive years, or shall not itself continue in such fellowship for a like period of time, the premises hereby conveyed with all improvements thereon shall revert to said party of the first part, to be held in trust for the following purposes:

First, To manage, sell, lease, or otherwise dispose of said premises in the discretion of the Executive Board of the party of the first part.

Second, To apply any income from said premises, or any income from the proceeds of the sale thereof, to missionary, educational and charitable purposes of the party of the first part, under the direction of the Executive Board of said party of the first part.

Third, To apply the principal sum realized from any sale of said premises within twenty years of the receipt of said premises only to the building of a Universalist Church in said City of Hornell or in some place in the vicinity thereof when in the judgment of said Executive Board of the party of the first part, it shall be advisable to do so.

Fourth, After the expiration of said twenty years to apply said principal sum to the missionary, educational and charitable work of the party of the first part. /a

This conveyance is made and delivered by the party of the first part herein without any previous application to any Judge or Court pursuant to the authority and provisions of Chapter 188 of the Laws of 1862, as amended by Chapter 356 of the Laws of 1880, by Chapter 398 of the Laws of 1902, by Chapter 48 of the Laws of 1905, by Chapter 33 of the Laws of 1907 and by Chapter 231 of the Laws of 1918.

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, its successors and assigns forever.

AND the party of the first part covenants that it has not done or suffered anything whereby the said premises have been incumbered in any way whatever.

The grantor, in compliance with Section 13 of the Lien Law, covenants that the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and that the grantor will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the party of the first part has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officers the day and year first above written.

In presence of:

New York State Convention of Universalists

By (S) Donald B. F. Hoyt  
President

(L. S.)

Attest

(S) Howard B. Gilman  
Secretary

STATE OF NEW YORK )  
MONROE ) ss:  
COUNTY OF SENECA-

On the 14<sup>th</sup> day of November 1957 before me came DONALD B. F. HOYT to me known, who being by me duly sworn, did depose and say that he resides in 248 Rockingham Street, Rochester, New York that he is the President of New York State Convention of Universalists

the corporation described in, and which executed, the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Executive Board of said corporation; and that he signed his name thereto by like order.

(S) Donald W. Beebe

Notary Public

DONALD W. BEEBE Reg. No. 3363  
Notary Public, State of New York  
Residing in Erie Co. at time of appointment  
My Commission Expires March 30, 1959

D E E D

---

NEW YORK STATE CONVENTION OF  
UNIVERSALISTS

T O  
FIRST UNIVERSALIST CHURCH OF  
HORNELLSVILLE

---

DATED *November 14,* 1957.

---

**DONALD W. BEEBE**  
ATTORNEY AT LAW  
613 CHAMBER OF COMMERCE BLDG  
238 MAIN STREET  
BUFFALO 2, N. Y.

DONALD W. BEEBE  
LAW OFFICES  
~~1500 MARINE TRUST BLDG.~~  
BUFFALO, NEW YORK

*Recorded Steuben County  
11-20-57 - 9:17 A.M.  
Book 734 of deeds  
at page 303*

*Office Copy*

At a Special Term of the Supreme Court held in and for the County of Monroe, at the Hall of Justice, in the City of Rochester, New York on the 20th day of October, 1976.

PRESENT: Hon. Robert J. McDowell, Justice

STATE OF NEW YORK  
SUPREME COURT

COUNTY OF MONROE

---

In the Matter of the Application of THE  
FIRST UNIVERSALIST CHURCH OF HORNELLSVILLE,  
NEW YORK for an Order Approving the Sale of  
Real Property Situate in the City of Hornell,  
County of Steuben and State of New York, and  
for an Order Approving the Dissolution of THE  
FIRST UNIVERSALIST CHURCH OF HORNELLSVILLE,  
NEW YORK.

ORDER

Index No. 9600/76

---

Upon the petition of all of the Trustees of The First Universalist Church of Hornellsville, New York, verified on the 27th day of July, 1976, from which it appears that The First Universalist Church of Hornellsville, New York, a religious corporation incorporated under the laws of the State of New York and having its principal place of worship in Hornell, New York, has ceased to act in its corporate capacity and to keep up religious services, and that the petitioners desire an order of this court decreeing the dissolution of The First Universalist Church of Hornellsville, New York, and for that purpose, permitting the sale of its real property located at 40 Genesee Street, Hornell, New York, and the affidavit of Louis G. Buisch, Jr., sworn to on the 14th day of October, 1976, having been submitted herein indicating that notice of the time

and place of this application has been published once each week for four consecutive weeks by the Evening Tribune, a public newspaper printed daily in the City of Hornell, and no one appearing in opposition, and after due deliberation and consideration,

NOW, upon the motion of Harris, Beach and Wilcox, attorneys for The First Universalist Church of Hornellsville, New York, petitioner, it is

ORDERED that the trustees of The First Universalist Church of Hornellsville, New York, sell and transfer by a deed with covenant against acts of grantor and with lien covenant certain real property belonging to petitioner, known and described as follows:

THAT TRACT OR PARCEL OF LAND, situate in the City of Hornellsville, Steuben County, New York and bounded and described as follows: Beginning in the center of Genesee Street where Genesee Street intersects with the east bounds of Church Street; running thence north about 125 feet along the east bounds of Church Street to a post; thence east 4 rods to the west bounds of the Joseph Lanphear lot; thence south along the west line of the Joseph Lanphear lot 125 feet to center of Genesee Street; thence west along the center of Genesee Street 4 rods to the place of beginning. Being a part of the lands conveyed by David P. Whitwood to Arron Sheldon and by J. R. Sheldon and wife to Charles Cadogan.

EXCEPTING ALL THAT TRACT OR PARCEL OF LAND, conveyed by The First Universalist Church of Hornellsville, New York, to Norman H. Jones



and Grace T. Jones, his wife, by deed recorded in the Steuben County Clerk's Office in Liber 451 of Deeds at page 514 on April 15, 1936, bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Hornellsville, now Hornell, County of Steuben and State of New York, being bounded and described as follows: Beginning at a point in the center of Genesee Street 4 rods east of the easterly line of Church Street north and parallel to the easterly line of Church Street 125 feet; thence westerly and parallel with the northerly line of Genesee Street 6 feet; thence southerly and parallel with the easterly line of Church Street 125 feet and to the center of Genesee Street; thence east along the center of Genesee Street 6 feet to the place of beginning, the same being a strip of land 6 feet front and rear and 125 feet in depth and located along the easterly border of the property now owned by the First Universalist Church of Hornellsville, now Hornell, New York, and being part of the same premises deeded to the First Universalist Church of Hornellsville, New York, by Charles Cadogan and Corinne A. Codogan, his wife, by deed dated October 30, 1897 and recorded in the Steuben County Clerk's Office on the 15th day of November, 1897 in Book 248 of Deeds at page 268.

ALSO hereby intending to convey the right to ingress and egress over said excepted parcel of land for the purposes and subject to the conditions set forth in said deed.

Subject to all covenants, restrictions and easements of record.

to the Hornell Inter Faith Fellowship upon the terms and conditions set forth in the annexed papers. The deed to the

Hornell Inter Faith Fellowship shall contain a covenant relating to the tiffany windows as follows:

This conveyance is made and accepted subject to the Hornell Inter Faith Fellowship, its successors and assigns agreeing to maintain in good condition and repair, and not to remove or destroy, the Tiffany stained glass memorial window in the east side of the church and the memorial plaque describing said window at the entrance to the church. In the event this covenant is violated, The First Universalist Church of Hornellsville, New York, its successors and assigns, which shall include the New York State Convention of Universalists, shall have the right to remove said window and plaque without liability to the Hornell Inter Faith Fellowship, its successors or assigns for any damage to the freehold resulting therefrom, and without limitation of any other rights and remedies. The First Universalist Church of Hornellsville, New York, its successors and assigns shall have.

and it is further

ORDERED that the aforesaid sale take place as soon as is practicable and that the officers and/or trustees of The First Universalist Church of Hornellsville, New York take such steps as are required to effect the transfer of title; and it is further

ORDERED that Kenneth Downey, Chairman of the Board of Trustees, execute, acknowledge and deliver the deed and any other necessary documents to effectuate said sale and transfer; and it is further

ORDERED that this court hereby approves and consents to said transfer; and it is further

ORDERED that out of the proceeds of the sale the trustees shall set aside such sum or sums as may be necessary to pay the debts of The First Universalist Church of Hornellsville, New York, and the necessary costs and expenses of the sale and of this proceeding; and it is further

ORDERED that said net proceeds of the sale, together with all other corporate assets, be distributed to the New York State Convention of Universalists, a religious corporation incorporated under the laws of the State of New York, to be used for general purposes without further order of this court; and it is further

ORDERED that upon the sale, transfer and distributions noted herein, The First Universalist Church of Hornellsville, New York, be dissolved; and it is further

ORDERED that no accounting as to the proceeds of the sale and of this proceeding or the distributions to the New York State Convention of Universalists, or further approval or ratification of said sale and dissolution, be required.

Dated: October 27 , 1976  
Rochester, New York

ENTER:

s/ Robert J. McDowell  
J.S.C.

SUPREME COURT  
STATE OF NEW YORK  
COUNTY OF MONROE

In the Matter of the  
Application of THE FIRST  
UNIVERSALIST CHURCH OF  
HORNELLSVILLE, NEW YORK for  
an Order Approving the Sale  
of Real Property Situate in  
the City of Hornell, Steuben  
County, New York and for an  
Order Approving the Dissolution  
of THE FIRST UNIVERSALIST CHURCH  
OF HORNELLSVILLE, NEW YORK

ORDER

**Harris, Beach and Wilcox**

*Attorneys for* Petitioner

OFFICE & P. O. ADDRESS  
TWO STATE STREET  
ROCHESTER, N. Y. 14614  
Telephone: (716) 232-4440

Due personal service of a copy of the within

and notice is admitted this

day of \_\_\_\_\_, 19

*Attorney for*

Sir:

Please take notice that the within is  
a copy of  
this day \_\_\_\_\_ in  
County Clerk's Office.

Dated \_\_\_\_\_, 19

Yours, etc.,

**Harris, Beach and Wilcox**

*Attorneys for*

OFFICE & P. O. ADDRESS  
TWO STATE STREET  
ROCHESTER, N. Y. 14614  
Telephone: (716) 232-4440

To

*Attorney for*

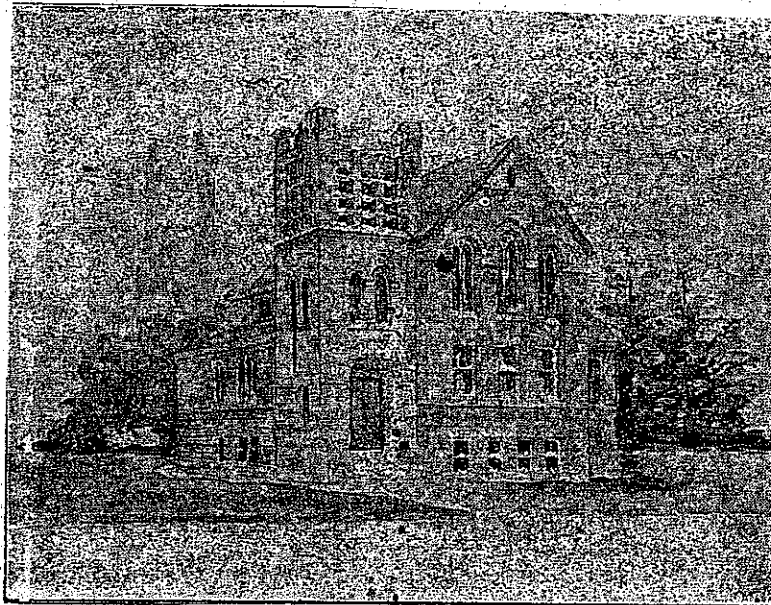
State of New York

COUNTY OF ..... }  
OF ..... } ss.

....., being duly sworn,  
deposes and says that he is.....  
.....in this action; that  
he..... read the foregoing.....  
and knows the contents thereof; that the same is true to the knowledge of deponent, except as to the  
matters therein stated to be alleged on information and belief, and that as to those matters he believes  
it to be true.

Sworn to before me, this..... }  
day of....., 19..... }

.....  
.....



**FORMER UNIVERSALIST CHURCH  
HORNELL, STEUBEN COUNTY, NY**