

From: Richard Thomas

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The Barteau Cemetery is a cemetery that was also once on the Nathaniel Hawkins' estate.

Stephen C. and Ida M. Barteau owned the property west, north, and east of it, but the cemetery itself was on the ***Nathaniel Hawkins estate***.

This is revealed in the 08 Apr 1886 deed in which Stephen C. and Ida M. (Rose) Barteau convey property to Silas Tuttle of Southampton.

For \$1200, Mr. Tuttle purchased a 25-acre parcel *in the village of South Haven*, more or less, described as follows:

Commencing at the southwest corner of said land adjoining the South Country road and the Yaphank Avenue,
Thence northerly along said avenue about one hundred rods (1,650 feet) to the fourth ditch or lands formerly owned by Maria H. Corwin,
thence easterly along said fourth ditch about fifty rods (825 feet) to the land of Walter Hawkins,
thence southerly along the lands of said Walter Hawkins and lands formerly owned by Maria H. Corwin to the South Country road,
thence westerly along said country road to **the lands of the estate of Nathaniel Hawkins deceased, which is now used as a cemetery**,
thence northerly about twenty five rods (412.5 feet) to the northeast corner of said Nathaniel Hawkins estate,
thence westerly long said Hawkins estate about twenty rod (330 feet),
thence southerly along said Hawkins estate about twenty five rod (412.5 feet) to the South Country road,
thence westerly along said country road to the place of beginning,
excepting and reserving a piece of land used as a family cemetery situate within said bounds at the northeast corner of said Hawkins estate containing one quarter of one acre said piece being reserved by Stephen Bartow by his will dated June 28th 1852 and recorded in the Surrogate Office of the County of Suffolk,
said piece of land containing twenty five acres more or less.

There are several odd things about this deed. (See attached image. The dimensions given are very approximate – 100 rods, 50 rods, 25 rods, 20 rods, and no bearings are given, so one could draw several different possible maps.)

One odd thing is that the deed says that the lands of the estate of Nathaniel Hawkins, deceased, are now used as a cemetery, and give its approximate dimensions as 330 feet by 412.5 feet, which is much larger than the cemetery. (What we now call the “Barteau Cemetery” is about 66 feet by 165 feet, not counting the 12-foot-wide right-of-way.) Also the deed says:

excepting and reserving a piece of land used as a family cemetery situate within said bounds at the northeast corner of said Hawkins estate containing **one quarter of one acre**

The part that is “excepted out” is one quarter of one acre, which is equal to

$\frac{1}{4} \times 43,560$ sq. ft. in one acre = 10,890 sq. ft., and
66 ft. x 165 ft. = 10,890 sq. ft. (the exact size of what we now call the “Barteau Cemetery”!)

The second odd thing is the phrase:

excepting and reserving a piece of land used as a family cemetery situate within said bounds at the northeast corner of said Hawkins estate containing one quarter of one acre said piece being reserved by Stephen Bartow by his will dated June 28th 1852 and recorded in the Surrogate Office of the County of Suffolk,

The “said bounds” go *around* the Hawkins estate, so it is odd to except out a piece of land that is at the *northeast corner of the Hawkins estate*. It is unusual to “except out” something that wasn’t inside the boundaries of the property being conveyed in the first place.

[Of course, “at the northeast corner of the Hawkins estate” could be a description of where, *in the Barteau parcel*, the family cemetery is located, it is *in the Barteau parcel adjacent to* (“at”) the northeast corner of the Hawkins estate. But that wouldn’t explain why the cemetery that is “excepted out” is exactly the size of what we call the “Barteau Cemetery”—one quarter acre.]

The third thing that is odd is the cemetery excepted out is called a family cemetery, when it seems to have a more general purpose, and the fourth thing that is odd is that the deed says the Nathaniel Hawkins estate is “now used as a cemetery” but the family cemetery being excepted out is a piece of land that was reserved in the 1852 will of Stephen Bartow.

Would they have still called the parcel with the family cemetery “the estate of Nathaniel Hawkins deceased” if it had been owned by Stephen Bartow when he wrote his will in 1852?

If the cemetery that is meant is the one on the parcel called the estate of Nathaniel Hawkins deceased, why are Stephen and Ida Barteau excepting out a cemetery that they might not even own?

How could Stephen Curtis Barteau’s grandfather, Stephen Brewster Barteau, have reserved a “family cemetery” that was on the “estate of Nathaniel Hawkins”?

We know that “Priest Hawkins” was living there in February 1839 from the *Records of the Town of Brookhaven*, and he was still living there in 1844 when Yaphank Avenue was laid out.

I suppose that by 1852, the “estate of Nathaniel Hawkins” might have come into the ownership of Stephen Brewster Barteau, but if so, would it still have been called the Nathaniel Hawkins estate in 1886?

The phrase to **the lands of the estate of Nathaniel Hawkins deceased, which is now used as a cemetery**, makes it seem the “Barteau cemetery” should be on the Nathaniel Hawkins estate, while the “excepting out” language implies that the “Barteau cemetery” is somewhere in the parcel being conveyed to Silas Tuttle.

It seems to be in two places at once. That makes it impossible to know where to draw the east side of the Nathaniel Hawkins estate for the eastern boundary between the Nathaniel Hawkins estate and the Barteau parcel.

Richard