



City of
Peterborough

To: **Members of the Peterborough Architectural Conservation Advisory Committee**

From: **Erik Hanson, Heritage Resources Coordinator**

Meeting Date: **June 24, 2015**

Subject: **Report PACAC15-022
Proposed Peterborough Jail Demolition**

Purpose

A report to provide the PACAC with correspondence received regarding the proposed demolition of the Peterborough County Jail.

Recommendation

That the PACAC approve the recommendation outlined in Report PACAC15-022, dated June 24, 2015 of the Heritage resources Coordinator:

That the correspondence received regarding the proposed demolition of the Peterborough County Jail located at 470 Water Street be received for information.

Budget and Financial Implications

There are no direct budget or financial implications resulting from this report.

Background

On December 12, 2012, City staff along with County staff and a local toured the Peterborough County Jail facility. At the time the County was considering demolishing the jail in preparation for a potential redevelopment of the site. The jail has been

situated on its current site for 172 years and City staff were contacted regarding the heritage significance of the site.

History of the Site

In June of 1838 the Magistrates for the District of Colborne authorized the construction of a courthouse and jail for the Town of Peterborough. Built to the plans of Joseph Scobell at a cost of 7,200 pounds, the Courthouse was completed in 1840 and the jail two years later in 1842. The buildings were constructed with stone quarried from Jackson Creek although cut stone for the ornamentation was imported, probably from Kingston or Queenston. The jail is an integral part of the County complex with its close association to the courthouse.

The jail is comprised of a rectangular two storey structure with a truncated hip roof and carries over the Georgian features of the courthouse. A high, five-sided stone wall encloses the exercise yard to the east of the main block. The jail was redesigned and re-built to the designs of T.F. Nicholl in 1864 when residences were added for the jailer and turnkey. The jail was in continuous operation until 2001 when provincial authorities shut the facility after a prison riot. The building has not been occupied since and much of it is untouched since the inmates were relocated in 2001. In addition the jail retains many of the features from its construction in the mid 19th century.

The jail is closely associated with the social history of Peterborough and is a reflection of the societal attitudes towards crime and punishment in Canada in the 19th and 20th centuries. Until the early 1960s, murder was a capital crime in Canada and the death sentence was mandatory. Between 1867 and 1976, 13 people were tried and convicted of murder in Peterborough. Eight had their sentences commuted to life imprisonment. Five people were hanged in the Peterborough jail between 1873 and 1933:

William Brenton aka James Fox on December 26, 1873 for the deaths of Jane Payne and her son;

Robert Henderson on June 23, 1910 for the murder of a Norwood woman;

Michael Bahri and Thomas Korncheck on January 14, 1920 for the shooting of Philip Yanoff during a robbery near Havelock (the two men were ceremoniously marched past their graves on the way to the gallows);

Edward Franklin Jackson on November 29, 1933 for shooting Eugene Lee in a property dispute.

At least four of these men were interred in the exercise yard. At the pleading of an Anglican minister, Robert Henderson, 17, was interred at Little Lake Cemetery.

Archaeological Investigation

In July of 1995, archaeological excavations were undertaken in the exercise yard during construction of concrete piers to support the perimeter wall which had begun to shift. During that time the remains of four of the convicted felons hanged in the yard were disinterred and removed to the University of Western Ontario for analysis. The archaeological investigation was confined to the area immediately impacted by the repair work. No other investigation has taken place in the yard. At this time, the remains of Robert Henderson, executed in 1910, have not been located.

In addition to the five hanging victims, a review of the records of Coroner's inquests for the County indicates that 12 other men and women died while in custody in the Peterborough Jail. The archaeological investigation report from 1995 places the number much higher. Through a review of the jail register the author identified 38 individuals who died while in custody between 1876 and 1904. It is not unreasonable to suppose however, that the total number of people who died in custody could be much higher. The jail had been in operation for 36 years by 1876 and hanging victims were buried in the yard as late as 1933. This means that there are no records for at least 65 years during which time it was considered acceptable to use the yard for interments. There is at least one unsubstantiated story of a skull being unearthed at the site.

A review of burial records for cemeteries active at the time revealed no matches for the names identified in the coroner's inquest records. There is anecdotal evidence that one woman who died in custody appears to have been buried in Little Lake Cemetery but the whereabouts of the remains of the others is not known. The jail register, jailer's logbook and jail surgeon's log book are kept at the Archives of Ontario and may contain information as to the disposition of the remains.

In December of 2012, HPO staff provided a memo to the consultants hired by the County regarding the disposition of the jail recommending that a Heritage Impact Assessment be completed prior to any action being taken.

Submitted by,

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Attachment:
Appendix A – PACAC15-022 – Peterborough County Jail Demolition Correspondence