

**The Exhumations of the Burial Area of  
The Old Don Jail  
Proposed Draft Plan of Subdivision  
Part of Lot 15, Concession 1 From The Bay, Geographic Township  
of York  
and Part of Block U, Don Improvement Plan  
City of Toronto**

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## EXECUTIVE SUMMARY

In September, 2007, three grave shafts with human remains were partially exposed under an asphalt parking lot in the former northeast exercise yard of the Old Don Jail in the context of a Stage 2 Archaeological Assessment of the Bridgepoint Health Master Plan (ASI 2007). One of the goals of the assessment was to confirm whether burials had been made on the Old Don Jail property during its operation between 1864 and 1977 (ASI 2004). A cemetery investigation was conducted over several weeks between November 2007 and January 2008 resulting in the definition of the nature and extent of the cemetery and preliminary identifications for 15 individuals found within the Old Don Jail yard (ASI 2008).

In October 2008, a site disposition was signed allowing for the exhumation of the burials. Using biological anthropological analytical techniques as well as exhaustive archival research and, in some cases, forensic facial reconstructions, the majority of the 15 can be considered positive identifications.

The reburial service took place on Tuesday December 16, 2008 in St. James Cemetery. All fifteen sets of remains were sealed into individual wooden ossuaries and placed individually in three rows of five. The location of each burial was recorded. The ceremony was performed by the Very Reverend Douglas Stoute of the Cathedral Church of St. James.

**PROJECT PERSONNEL**

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## 1 INTRODUCTION

Archaeological Services Inc. was retained by Bridgepoint Health to conduct the exhumation of 15 individuals as per the site disposition agreement reached between Bridgepoint Health and The Cathedral Church of St. James. The exhumations took place within a proposed draft plan of subdivision on Part Lot 15, Concession 1, From the Bay, Geographic Township of York, and Part of Block U, Don Improvement Plan, City of Toronto (Figure 1).

By way of background, on September 25, 2007, three grave shafts with human remains were partially exposed under an asphalt parking lot in the former northeast exercise yard of the Old Don Jail. The discovery was made within the context of a Stage 2 Archaeological Assessment of the Bridgepoint Health Master Plan (ASI 2007), one goal of which was to confirm whether burials had been made on the Old Don Jail property during its operation between 1864 and 1977 (ASI 2004). A cemetery investigation was conducted over several weeks between November 2007 and January 2008 resulting in the definition of the nature and extent of the cemetery and the preliminary identification of 15 individuals found in the Old Don Jail yard (ASI 2008).

On October 21<sup>st</sup>, 2008 a site disposition agreement was reached between Bridgepoint Health and the Very Rev. Dean Stoute, Cathedral Church of St. James, acting as the representative for the remains buried at the Don Jail.

On October 22, 2008, work began to uncover the 15 burials and exhume all of the remains. The exhumations were conducted under the project management of Dr. Ron Williamson under professional archaeological license issued to Ms. Debbie Steiss (P049). Permission to access the study area and carry out all the activities necessary for the purposes of the investigation was granted by Bridgepoint Health on October 21, 2008

This report outlines the exhumation process and results obtained from the analyses from the remains.

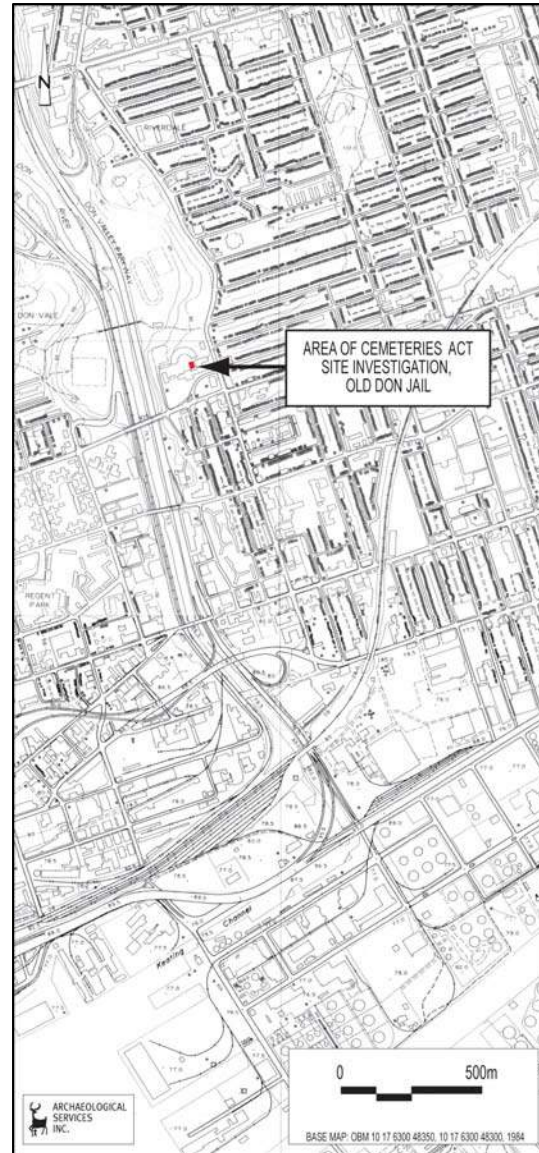


Figure 1: Location of Site Investigation.

## 2 METHODOLOGY

After the completion of the Cemetery Investigation in early 2008, all 15 individuals were covered in burlap and reburied. Layers of soil and granular were placed on the burials during the period between the completion of the cemetery investigation and the exhumations.

In October of 2008, the grave shafts were re-exposed by backhoe, using a smooth bottom bucket, and tents were erected over the area providing protection from inclement weather. The tent also shielded the

investigations from curious onlookers. Once the tent was in place, the surfaces were shovel-shined by hand until the burlap was exposed. Any remaining burlap was removed and remains were then uncovered by trowel until bone was contacted. The final exposure was done with soft brushes and wood dowels.

The bones were carefully placed in labelled paper bags and each set of remains had a well-marked legal size banker's box. All burials had already been drawn and photographed during the previous investigation. Full descriptions of each of the burials may be found in the 2008 report (ASI 2008).

After each set of remains was exhumed, they were brought to the physical anthropology laboratory at the University of Toronto for cleaning and inventory. The cleaning was done by hand with a soft dry toothbrush and wood dowels. After the remains were cleaned, each individual was subject to an in-depth inventory and assessment in order to assist in the identification of the remains. These assessments were undertaken under the supervision of Dr. Susan Pfeiffer, Professor of Anthropology, University of Toronto.

The remains were measured with sliding calipers, spreading calipers, and soft tapes following the guidelines set out in Standards for Data Collection from Human Remains (Buikstra and Ubelaker 1994). Any measurements that were estimated during the data collection in the field were re-measured. As well, estimates were obtained where it was impossible to obtain a measurement due to poor preservation.

In addition to the measurements following the Buikstra and Ubelaker standards, further measurements were taken in order to estimate stature using the revised Fully method (Raxter et al. 2006). In the instances where data was missing from the formula, a measurement from a comparable set of remains was used. All pathological processes were recorded and photographed.

### **3 BURIAL IDENTIFICATIONS**

Although there were 34 men that met their deaths by hanging at the Don Jail, only 15 were buried in the yard. The names of the 15 men that were executed and then buried in the Exercise Yard of the Old Don Jail were confirmed through archival research during the cemetery investigation (ASI 2008). They are:

**John Traviss** – executed 1871

**John Williams** - executed 1877

**George Bennett *alias* Dickson** - executed 1880

**Robert Neill *alias* Thompson** - executed 1888

**Thomas Kane** - executed 1889

**Henry Williams** - executed 1900

**Alexander Martin** - executed 1905

**John Boyd** - executed 1907

**Pavel Steffoff** - executed 1909

**Pasquale Ventricini** - executed 1910

**Jan Ziolk** - executed 1915

**Hassan Neby** - executed 1918

**Frank McCullough** - executed 1919

**Fredrick Davis** - executed 1922

**Edward Stewart** - executed 1930

For the cemetery investigation a “profile” of each of the fifteen individuals buried at the Don Jail was created compiling historical newspaper and archival data. Each individual has a list of traits like age, physical characteristics, and burial information obtained from newspapers (e.g. described as having silver ornaments on the coffin, stripped of his clothing). Then the historical profiles were compared with the physical anthropological data that had been collected in the field.

There are several issues that arose from the intention to match the names of the fifteen men that were interred at the Don Jail with the fifteen individuals that were discovered in the cemetery. The historical records are often vague or do not contain the information needed for an accurate identification; an example being Thomas Kane whose age is not present in any official prison documentation and in the paper is only described as being “less than middle age” (*Toronto Globe*; November 18, 1889). As well, due to the often sensational nature of the crimes that were committed there may have been certain about of creative freedom on the part of the press.

The lack of information is problematic when attempting to identify specific individuals working with a small population of mostly healthy adult males with a fairly limited age range. In the case of the men who were executed after 1910 the York County Coroner Investigations were not available since they were under 100 years old and so not released under the Freedom of Information and Protection of Privacy Act. Even in instances where this information is available, oftentimes the coroner’s records were merely preliminary notations rather than full reports.

The initial identifications matching the skeletal remains to the names of the men buried in the yard were re-evaluated on additional information that obtained during the skeletal analysis as well as supplementary information gained from archival sources, secondary sources, and other lines of investigation. ASI employed the services of professional forensic artist Victoria Lywood to create two dimensional facial reconstructions for Burials #1, #3, and #5 in order to aid with identification. Lywood worked “blind” with no information regarding the men with which she was working. Once her reconstructions were completed, the hair of the actual men was applied to the sketch for comparison with media illustrations of the day.

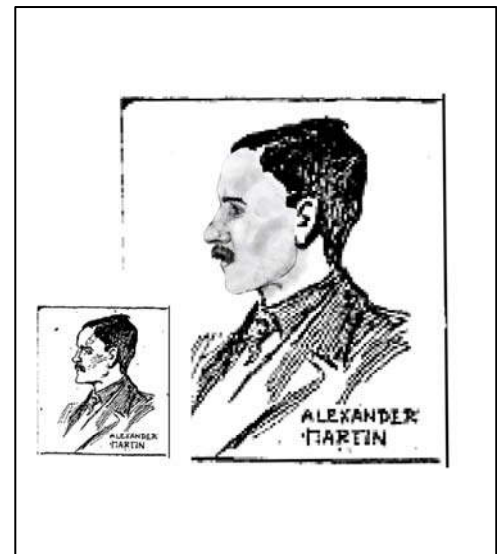
Bone and teeth samples were taken in order to have carbon isotopic analysis for determined the region in which the individual grew up. As many of the men that were executed at the Don Jail were of foreign origin this would help to link the skeletal remains to a given individual. The samples are not complete at this time but should the results conflict with the information given below we will re-file the report.

All individuals were identified as adult males based on the methods outlined in Buikstra and Ubelaker (1994). All skeletal ages and stature estimations are approximate rather than definitive.

### Burial 1

Burial 1 was between 22 and 32 years old and 5'7" at the time of his execution. This set of remains was in good condition, especially the skull, which allowed for 3D scans with a NextEngine 2020i Surface Laser scanner. Because the remains were not uniquely identifiable by any particular characteristic this individual was selected for forensic facial reconstruction.

Based on the sketch provided by the forensic artist and other physical data, Burial 1 was positively identified as Alexander Martin, executed March 10, 1905 for drowning his infant son in Lake Ontario. Martin was said to be 22 years old at this time of his execution. The artists rendering from the newspaper article (Figure 2: left) (*Toronto Daily Star*, September 27, 1904) from Martin's trial matches with the artist's rendering of the skull of Burial 1 (Figure 2: right)).



**Figure 2: Facial Reconstruction by Victoria Lywood combined with courtroom sketch from the *Toronto Daily Star* (September 27, 1904).**

### Burial 2

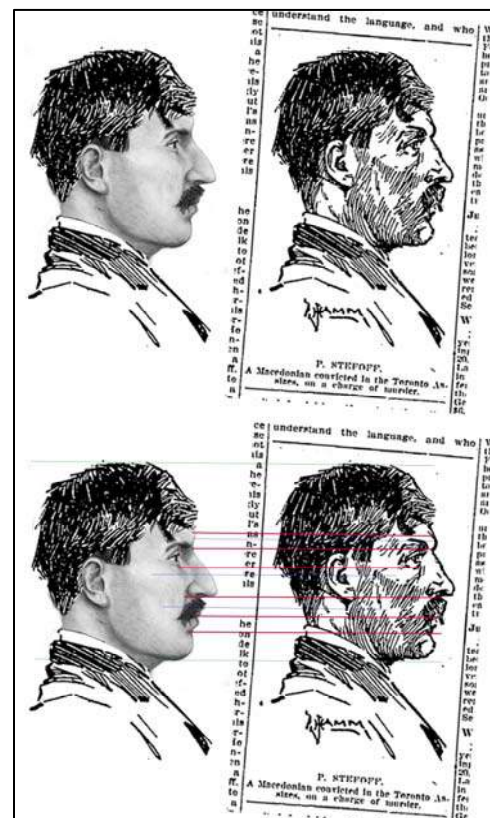
Burial 2 was 37 years of age and 5'7" tall. This individual was unique amongst the burials as his remains represented the only set of skeletal remains that exhibited characteristics of a Sub-Saharan African ancestry (Susan Pfeiffer, pers. comm. December 2008).

John Boyd was described by the newspapers as "a coloured man" and the only individual of African descent that was executed then buried in the yard of the Don Jail (*Toronto Globe*, Jan 9, 1908, pg 9). He was hanged on January 8, 1908 for the shooting death of Edward Wandle. An inquest was conducted by Dr. Gideon Silverthorn who concluded that "death was practically instantaneous. His neck was broken." (*Toronto Telegram*, January 8, 1908). This report matches with the skeletal evidence: the first three cervical vertebrae were missing and there were cut marks on the fourth and fifth vertebrae.

### Burial 3

Burial 3 was between the ages of 20 and 35 years and 5'7". As with Burial 1, a complete skull allowed for a 3D scan for the purposes of a facial construction.

The skeletal remains of Burial 3 were those of Pavel Steffoff, hanged on December 23, 1909 for the hatchet murder of Vani Simoff. In addition to being the right approximate age and height, the facial reconstruction (Figure 3: left) matches perfectly with the newspaper sketch from the *Toronto Globe* (October 28, 1909) (Figure 3: right).



**Figure 3: Facial reconstruction on the left and *Toronto Globe* sketch on the right.**

### Burial 4

Burial 4 was over 35 years of age and 5'7". The remains were missing significant elements in the thoracic region, showing



considerably more post-mortem medical disturbance than the other burials.

Burial 4 was likely the remains of Henry Williams who was executed on April 14, 1900 for shooting John Varcoe during a robbery in his grocery store. According to Dr. Alexander Primrose, who performed the autopsy, Williams was “about 40 years of age.” Dr Primrose’s report goes on to describe an extensive autopsy including the “completely pulpified” spinal cord (*York County Coroner Investigations and Inquests*, RG22-5985, 1900 files, AO microfilm MS7611). Primrose’s account of the invasive autopsy matches the missing elements from the remains.

### **Burial 5**

Burial 5 was a young adult (between 20 and 35 years of age) and 5’3”. In addition to his short stature this individual was unique as he was buried with a Catholic rosary in the crook of his left elbow.

The skeletal remains of Burial 5 were those of Jan Ziolk, a Roman Catholic Polish immigrant executed on April 13, 1915 for beating fellow Pole Bogio Tendo to death with a hammer. Ziolk was just over 30 at the time of his hanging. Newspaper reports from the time of his execution describe his “slight stature” and how he gently kissed his crucifix before the hangman wrapped the noose around his neck (*Toronto Telegram*, April 13, 1915; *Toronto Globe*, April 13-14, 1915).

### **Burial 6**

Burial 6 was 32 years and 5’6”. This individual had poor dental health with multiple caries and missing dentition.

The skeletal remains of Burial 6 are likely those of Hassen Neby, executed January 3, 1919 for the stabbing death of George Tucker (Pfeifer & Leyton-Brown, 204-205). Neby was a 36 year old Albanian immigrant. The poor dental health of this individual is consistent with those of an immigrant of this time period.

### **Burial 7**

Burial 7 was 33 years old and 5’8”. This individual was unique among the burials in the yard because of the dental work, in the form of several fillings including a lead filling.

Burial 7 was likely Thomas Kane, hanged in a botched execution on February 12, 1890 for the savage drunken beating of Mary Kane. Kane was described as a man of “less than middle age” and “about five foot nine” (*Toronto Globe*: Nov 18, 1889). The techniques of fillings and the type of materials used in the dental work, such a lead, date to this time period (Dr. John Mayhall, pers. comm. 2008).

### **Burial 8**

Burial 8 was absolutely unique in the burial ground at the Don Jail because this individual exhibited very clear signs of advanced tertiary venereal syphilis in addition to having a gold and enamel dental prosthetic. The age at death for this individual was 45 year and his height was 5’5”.

Based on the physical evidence, Burial 8 was undoubtedly Fredrick L. Davis, executed May 9th, 1922 for the rape and murder of 8 year old Philip Goldberg. The *Toronto Daily Star* reported that he had a pre-existing fatal medical condition, was 46 years old, had a gold tooth, and wore a wig; all of which are consistent with the advanced tertiary syphilis and dental remains observed in the burial (*Toronto Daily Star*, May 9, 1922 *Toronto Daily Star*, May 8, 1922).

### **Burial 9**

Burial 9 was the only individual buried in the more modern rectangular shaped coffin rather than the traditional pinched-toe coffin. The coffin was painted white with silver hardware and featured a thick blue and white metal plate at the midline. He was 32 years of age at death and 5'6".

The skeletal remains of Burial 9 were those of Edward Stewart, executed on March 24, 1930 for the murder of John Freeland during the course of a robbery. Stewart was 33 years of age at death and was a labourer in life. The remains of Burial 9 show considerable joint disease, particularly in the shoulder, ankle, and spinal column. The nicer coffin can be attributed to the fact that the burial was supervised by Toronto funeral director A. W. Miles, located in Leaside (*Toronto Globe*, March 25, 1930). Stewart was the last individual interred in the jail yard.

### **Burial 10**

Burial 10 was between the ages of 20 and 35 and 5'5". This set of remains is absolutely unique as he was buried in a full three piece suit with a pair of stacked-heel leather shoes, popular from the mid-to late-19<sup>th</sup> century (Suzanne McLean, pers. comm. 2008). This individual was buried in a coffin with a lovely white metal trefoil cross on the lid and white metal thumbscrews.

The skeletal remains of Burial 10 are those of George Bennett (alias Dickson) who was hanged on July 23, 1880 for killing elder statesman and father of Confederacy George Brown. Bennett was 32 years old at the time of his execution and was buried in a "plain, black coffin with silver ornaments", to the south of both John Williams and John Traviss (*Toronto Globe*, July 24, 1880). As an educated man, Bennett would have considered himself above the other prisoners at the Don Jail, in addition to having more money and connection, so would have dressed accordingly. The attire found on the remains of Burial 10 is that of a gentleman, which connects them to Bennett.

### **Burial 11**

This individual was the oldest individual buried at the Don Jail. Based on the skeletal evidence he was 50 years old at the time of his hanging. This was not only based on markers on the pelvis but also the extreme degenerative joint disease present in almost all of the major joints. The skeletal evidence strongly suggests that this individual had worked as a labourer for most, if not all, of his life. The stature estimation put his height at approximately 5'6".

Burial 11 was found with a pair of cavalry style blunt toe boots with a stacked leather heel that would have been pull-on with two leather straps on either side of the boot. This style of boot was most popular between 1870 and 1895 (Suzanne McLean, pers. comm. 2008).

Based on the skeletal and material culture evidence, Burial 11 was the remains of John Williams, executed on November 30, 1877 for beating his wife to death. Williams was an alcoholic who worked at the brickyards in the village of Weston and his death orphaned their 13 children. A newspaper report from the time of Robert Neill's execution places Williams' burial directly adjacent to George Bennett in the jail yard (*Toronto Daily News*, February 28, 1888).

### **Burial 12**

This individual was unique as being the tallest of the men buried at the Don Jail, with a height of 6'3". The next tallest in height was a full five inches shorter. He was 22 years of age at death. Buried with the

remains were many buttons, including a vulcanized rubber button from Goodyear which were popular only between 1851 and 1875.

The skeletal remains of Burial 12 are those of John Traviss, executed February 22, 1872 for shooting William Johnson in East Gwillimbury. According to the newspapers he was aged about 20 years, and was remarkable for his stature: “he was one of the finest specimens of physical manhood ever seen in Toronto, being six feet two inches in his stockings” (*Toronto Daily News*, February 28, 1888). It was also noted that Traviss was buried along the western wall of the yard, which is where Burial 12 is located (Pfieifer & Leyton-Brown 2007).

### Burial 13

Burial 13 was unique among the fifteen as being the youngest individual. The fusion of the epiphyses on several of the fusion loci indicates that this individual was less than twenty years at the age of death. The stature of this individual was 5’6”.

The remains of Burial 13 were those of Robert Neill, a young Irishman executed on February 28, 1888 for killing a prison guard while in jail on a theft charge. The York County Coroner noted his autopsy on Neill that “the body is that of a young man, apparently about 20 years of age, height 5 feet 7½ inches, well nourished” and after examining the neck he “found no fracture or dislocation of any of the bones, no injury to the larynx, or hyoid bone” which is consistent with the skeletal remains (York County Coroner Investigations and Inquests, RG22-5985, 1888 files, AO microfilm MS7561).

As well, Robert Neill was noted to have been buried along the western wall, which is where Burial 13 is located. There was no coffin hardware with concurs with a report by the newspapers describing Neill’s coffin as a “rough box” (*Toronto Daily News*, February 25, 1888).

### Burial 14

This individual was 5’9” and between 17 and 25 years at this time of death, likely at the higher end of the range. He was buried with a pair of shoes with Goodyear welted leather uppers with leather laces and a blunt toe. These have a distinct left and right shoe which makes them more modern, dating to approximately 1915 - 1930.

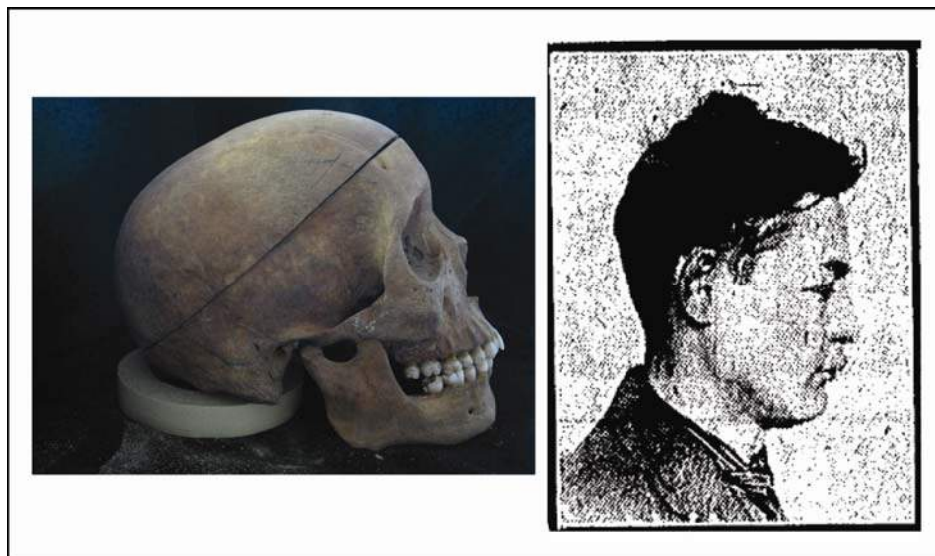


Figure 4: Left: Skull of Burial 14 with pronounced overbite Right: profile mug shot of McCullough.

These are the remains of Frank McCullough (*aka* Leroy Swart), executed on June 13, 1919 for the killing of Detective Frank Williams. McCullough was 24 years old and was estimated by the papers to be 5 feet 11 ¼ inches in height... prominent forehead and cheekbones” (*Toronto Globe*: April 17, 1919). The newspapers also describe how, at the time of his burial, McCullough was “dressed only in shirt and trousers belted at the waist, and wearing black high shoes” which matches the material culture remains found with Burial 14 (*Toronto Globe*: June 14, 1919, pg 9).

The profile mug shot of McCullough shows him with a rather extreme overbite and when the skull and mandible were aligned it showed a match for McCullough’s overbite (Figure 4).

### Burial 15

Burial 15 is 43 years old and 5’5”. Due to the complete nature of the skull it was scanned using a NextEngine 2020i Surface Laser scanner.

These are the remains of Pasquale Ventricini, hanged on June 30, 1910 for killing Raffael Fabbio during a knife fight. Ventricini was 43 years old at the time of his execution. Although the newspaper photo from the *Toronto Globe* (March 10, 1910; Figure 3: left) was of poor quality, the facial reconstruction of Ventricini appears to match quite closely (Figure 5: right).

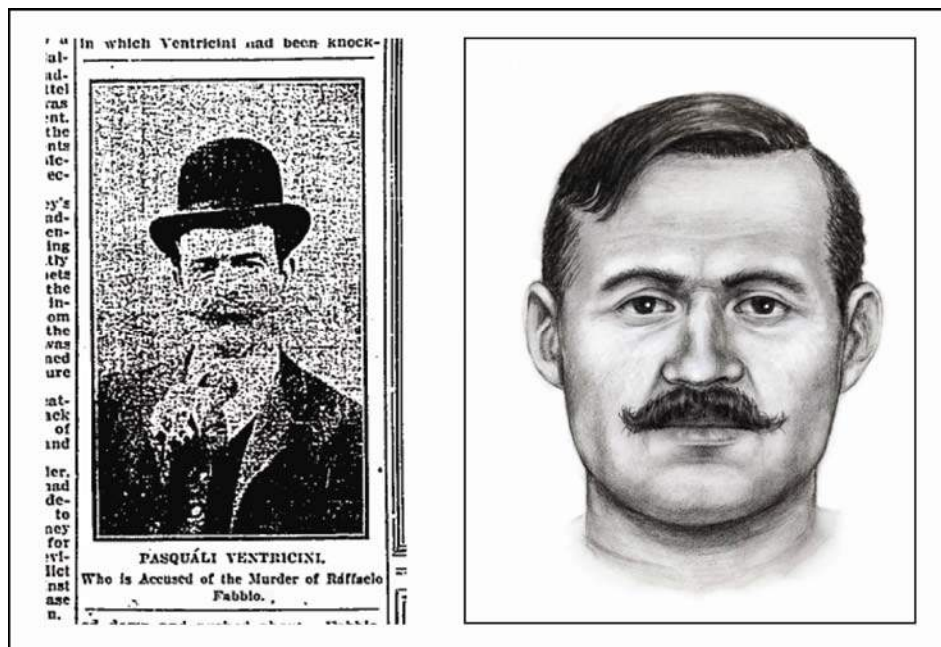


Figure 5: Left: mug shot of Ventricini (*Toronto Globe*, March 10, 1910), Right: The facial reconstruction of Burial 15.

#### **4 CONCLUSIONS AND REBURIAL**

The fifteen sets of skeletal remains have been matched with the identities of the men that were hanged at the Don Jail and then buried in the east exercise yard. Using biological anthropological analytical techniques as well as exhaustive research and, in some cases, cutting edge forensic methods, the majority of the 15 can be considered positive identifications. In the future, should any information be made known that would change the identification of any of these individuals, a revised report will be filed.

For the reburial, an unfinished pine ossuary with a metal burial number on the top was crafted for each set of remains. The reburial service took place on Tuesday December 16, 2008 in St. James Cemetery. The final resting place of the remains is located in the ravine, Section E, Lot 288. All fifteen ossuaries were placed in three rows of five and the location of each burial was recorded. The ceremony was performed by the Very Reverend Douglas Stoute. A copy of this report will be filed with St. James Cemetery.

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1908 John Boyd. January 9.

1909 Pavell Steffoff. December 24.

1910 Pasquale Ventricini. July 1, 1919, pg 7.

1915 Jan Ziolk. April 13, April 14.

1919 Hassen Neby. January 4.

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Lywood, Victoria

2010 Two Dimensional Facial Reconstruction Of Three Unidentified Craniums.