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THE CORPORATION OF THE CITY OF LONDON



DEPARTMENT OF THE CITY CLERK
K.W. SADLER, CITY CLERK

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MAR 29 1994

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MAR 29 1994

REGISTERED

March 22, 1994

Ontario Heritage Foundation
10 Adelaide Street East
Toronto, Ontario
M5C 1J3

Re: Designation of Brick Street Cemetery
The Ontario Heritage Act, R.S.O. 1990, c. 0.18

Please find enclosed, a certified copy of By-law No. L.S.P.-3236-478, entitled "A by-law to designate Brick Street Cemetery (Commissioners Road West) to be of historical value.", passed by the Municipal Council of The Corporation of the City of London on February 21, 1994 and registered as Instrument No. 335958 on February 24, 1994.

N. Dianne Mollard
Assistant Secretary
Board of Control
/crg

Encl.



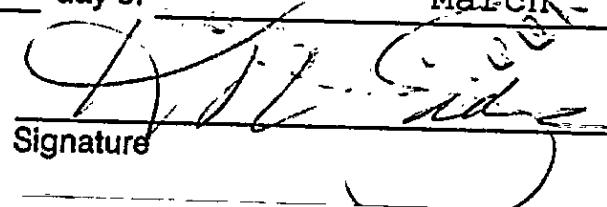
CITY OF LONDON BY-LAW CERTIFICATION RECORD

I, K. W. Sadler, City Clerk

of the Corporation of the City of London, hereby certify that the By-law hereunder is a true
copy of By-law No. L.S.P.-3236-478

of the City of London, passed on February 21 1994.

DATED at London, Ontario this 21st day of March 1994.


Signature

FORM NO. 0920

Bill No. 100
1994

By-law No. L.S.P.-3236-478

A by-law to designate Brick Street Cemetery (Commissioners Road West) to be of historical value.

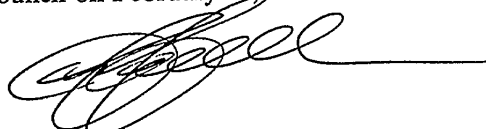
WHEREAS pursuant to the Ontario Heritage Act, R.S.O. 1990, c. 0.18, the Council of a municipality may by by-law designate a property including buildings and structures thereon to be of historic or architectural value or interest;

AND WHEREAS notice of intention to so designate the property known as Brick Street Cemetery (Commissioners Road West) has been duly published and served and no notice of objection to such designation has been received;

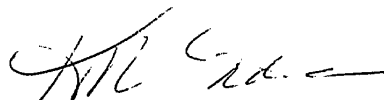
The Municipal Council of The Corporation of the City of London enacts as follows:

1. There is designated as being of historical value or interest, the real property at Brick Street Cemetery (Commissioners Road West), more particularly described in Schedule "A" hereto, for the reasons set out in Schedule "B" hereto.
2. The City Clerk is authorized to cause a copy of this by-law to be registered upon the title to the property described in Schedule "A" hereto in the proper Land Registry Office.
3. The City Clerk is authorized to cause a copy of this by-law to be served upon the owner of the aforesaid property and upon the Ontario Heritage Foundation and to cause notice of this by-law to be published in the London Free Press, and to enter the description of the aforesaid property, the name and address of its registered owner, and short reasons for its designation in the Register of all properties designated under the Ontario Heritage Act, R.S.O. 1990.
4. This by-law comes into force on the day it is passed.

PASSED in Open Council on February 21, 1994.



T. C. Gosnell
Mayor



K. W. Sadler
City Clerk

First reading - February 21, 1994
Second reading - February 21, 1994
Third reading - February 21, 1994

SCHEDULE "A"

To By-law No. L.S.P.-3236-478

ALL THAT PORTION of Lots 34 and 35 in Concession 1 of the geographic Township of Westminster in the City of London and County of Middlesex described as follows:

COMMENCING at the intersection of the southerly limit of Commissioners Road West with the dividing line between the said Lots 34 and 35;

THENCE westerly along the said southerly limit to a point distant 114.00 feet measured easterly thereon from the north-east corner of Block E on Registered Plan M-7;

THENCE southerly parallel to the easterly limit of the said Block E and Block B on the said plan M-7 to a point in the northerly limit of the lands shown on the said plan M-7 distant 114.00 feet measured easterly thereon from the south-east corner of the said Block B;

THENCE easterly along the said northerly limit to a point distant 69.00 feet measured westerly thereon from the south-west angle of Block C on the said plan M-7;

THENCE northerly parallel to the westerly limit of the said Block C and Block F on the said plan M-7 to the said southerly limit of Commissioners Road West;

THENCE westerly along the said southerly limit to the point of commencement.

SCHEDULE "B"

To By-law No. L.S.P.-3236-478

Historical Reasons

This cemetery served as the burial ground for settlers who first arrived in Westminster Township in 1810. Burials began sometime between 1813 and 1819. The first gravestone dates from 1819. The cemetery is situated on land originally granted to Peter McNames. Many of the first settlers of Westminster and their descendants are interred here, since many attended and worshipped at Brick Street Methodist Episcopal Church next door. Many of the early settlers were American. The Methodist congregation which met here was established in 1816. Its allegiance was to the Methodist Episcopal Church, the American arm of the Methodist movement. The site is almost wholly gravel, and is one of the driest graveyards in the city. The cemetery measures 211.5 by 230 feet and is near capacity. Burials are still occurring to the present day.

Several local families are interred here including Dale, Griffith, Topping, Jarvis, Flint, Blinn and Norton. There are several streets in the area named after pioneers buried in this cemetery: Norton Avenue, Topping Lane, Trowbridge Avenue, Teeple Terrace, and Southdale Road.

Three of the more notable people interred here include Nathan Griffith, Sr., Nathan Griffith, Jr., and Pheobe McNames. The histories and stories surrounding these early residents underscore the uneasy relations between the United States and Canada after the American Revolution and the transference of people and loyalties it created.

Nathan Griffith, Sr. (1756 - 1852) was a soldier in the American Revolution on the side of the rebels, and received a pension from the American government. His son, Nathan Jr. (1790 - 1862), was in the battle of Lundy's Lane with the British forces, as he had arrived in Westminster Township in 1812. Nathan Sr. resided in Vermont for some years after his son had come to Canada, but finally took up residence with his son. It is recorded that Nathan Jr. founded the first brickyard in Middlesex County in 1816, making it one of the first manufacturing industries in the London area. There were at least thirteen brickyards along Commissioners Road (once known as Brick Street). Many people in the area made a living through brickmaking combined with farming, including Nelson Norton, James McLaren, Samuel Jarvis, Robert Summers, and Nathan Topping. All are buried in the cemetery.

Phoebe McNames (d. 1824) has become something of a folk heroine for an act of bravery she is reputed to have performed during the war of 1812. It is recorded in the Historical Atlas of Middlesex County that General Proctor after his defeat at the Battle of the Thames retreated through Middlesex County along Commissioners Road. During this retreat a skirmish ensued at Hungerford Hill (now Reservoir Hill). A troop of volunteer calvary and a militia detachment conveying wounded men was attacked by an advance guard of Kentucky mounted riflemen. With her husband away on duty as a militiaman, Mrs. McNames found herself near the fighting. It is reputed she drove a baggage wagon and handed out ammunition and water to the troops during the engagement.

The grave of Richard Tunks is a white marble slab with a carved replica of a military medal on it. He was a sergeant in the British Army and fought in the Peninsular War. He was discharged in Upper Canada in 1815. By 1816, he had cleared 20 acres and built a house and barn on Lot 40, Concession 1.