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# The City of Stoney Creek

December 5, 1995

Ontario Heritage Foundation  
Ministry of Culture & Communications  
2nd Floor - 77 Bay St. W.  
Toronto ON M7A 2R9

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CULTURAL PROGRAMS  
HERITAGE UNIT

**Re: City of Stoney Creek - Notice of Intention to Designate  
70½ King Street West, Battlefield Cemetary - Smith's Knoll**

As per the Ontario Heritage Act, R.S.O., 1990, Chapter 0.18, the City of Stoney Creek wishes to advise that during the period of November 1, to November 15, 1995, the attached notice was advertised in The Stoney Creek News advising of the Notice of Intention to Designate 70½ King Street West.

No *Notices of Objections* were received by the City, and it is intended to enact the designating by-law at the Council meeting to be held on December 12, 1995.

A copy of the Director or Planning's Report No. PL95-66 adopted at the October 24, 1995 Council meeting is enclosed for your information.

Please provide correspondence pertaining to this matter to the undersigned.

Lisa Barroso, B.B.E.  
Acting Assistant to the Clerk

Attachments

Copy to:

P. Smithson, Planning Department

L. 740 - shcl ce

70 ½

## The Corporation of the City of Stoney Creek

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O., 1990, CHAPTER 0.18 AND  
THE MATTER OF THE LANDS AND PREMISES AT 70 1/2 KING STREET WEST, CITY OF  
STONEY CREEK, PROVINCE OF ONTARIO

### NOTICE OF INTENTION TO DESIGNATE

In the afternoon of June 5, 1813, an American force of several thousand marched from Forty Mile Creek (Grimsby) encamping near the James Gage homestead, now known as Battlefield House. On a prominent hill just east of the creek that flowed by the Gage farm at least four American artillery pieces were positioned so as to guard against a possible attack from the west by a British force.

About 2 a.m. on June 6, 1813, a company of 704 British regulars of the 8th (Kings) and 49th Regiments, under the leadership of Colonel John Harvey and guided by nineteen year old Billy Green, engaged the American forces in a surprise encounter lasting approximately 45 minutes.

As the American field guns were brought into action, Major Plenderleath and a small force of thirty British regulars charged the enemy cannons putting them out of action. Two of the guns were spiked and pushed down into the ravine beside the knoll. Brigadier-General John Chandler, one of the two American commanding officers taken prisoner during the battle, was likely captured during this skirmish at Smith's Knoll.

Later that day, after the American forces had retreated to Niagara, the dead of both sides were buried. Those who had fallen during the attack on the American guns were interred in Smith's Knoll where they had fallen while the remainder were buried beside the Methodist church that stood to the west of the Gage farm.

The monument consists of a 4.0 metre high truncated pyramid constructed of uncoursed fieldstone laid in cement mortar. The base of the pyramid measures 4.6 metres by 4.0 metres and the top measures 1.4 metres by 1.8 metres. With the exception of the front, three faces of the pyramid are accented by four bands of projecting stones, one at the base and the others at one metre vertical spacing. The front, or south face, has one projecting band of stones just below the inscription stone. The top of the truncated pyramid is capped with a profile cut limestone slab which supports a carved sandstone lion facing south-west.

At the top of the south face of the monument, the stonework is cut and laid in such a fashion that it depicts the Union Jack.

Below the Union Jack is mounted a marble stone measuring 1.2 metres wide by 0.9 metres high with the following inscription:

*The Battlefield Cemetery  
6th June 1813  
in memory of 20 good and true King's men who  
in fighting in defense of their Country, died and  
were buried on this Knoll.*

*This revised inscription and stone re-dedicated  
June 6th 1956  
by  
Her Majesty's Army & Navy Veterans' Society of  
Hamilton*

In addition to the monument to the British soldiers, a gravestone for the United States soldiers is located to the east of the monument.

The gravestone measures approximately 480 mm by 620 mm and the inscription reads:

*TO COMMEMORATE AND HONOUR  
THOSE UNITED STATES COMRADES  
WHO FELL IN THE WAR OF 1812  
  
LAID IN 1972 BY THE  
AMERICAN LEGION POST 18*

The monument site is protected by a mortared fieldstone retaining wall with a concrete cap located to the south of the site along King Street. The construction, as well as the material of the fieldstone retaining wall, is similar to that of the monument. The wall varies in height from 0.9 metres to 1.2 metres along King Street while the back of the wall rises to 0.6 metres above grade.

Important to the preservation of Battlefield Cemetery - Smith's Knoll is the monument itself including the stone lion, fieldstone pyramid base and the inscription stone. Also important are the six cannons located on the site and the stones commemorating the United States soldiers. In addition, the fieldstone retaining wall and the wrought iron gates at the south perimeter of the site are also important to the preservation of the site.

Inquiries may be directed to Paul Smithson, Planning Department, City of Stoney Creek at 643-1261.

Any person may, within thirty days of the first publication of this notice, send by registered mail or deliver to Rose Caterini, Acting Clerk of the City of Stoney Creek notice of his or her objection to the proposed designation together with statement of the reasons for the objection and all relevant facts. If such a Notice of Objection is received, the Council of the Corporation of the City of Stoney Creek shall refer the matter to the Conservation Review Board for a hearing.

Rose Caterini, A.M.C.T.  
Acting City Clerk