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ONTARIO HERITAGE TRUST

APR 01 2014

RECEIVED

THE CORPORATION OF  
THE TOWN OF PERTH

80 Gore Street East  
Perth, Ontario K7H 1H9  
Phone: 613 267-3311  
Fax: 613 267-5635

March 26, 2014

Registrar, Ontario Heritage Trust,  
Heritage Programs and Operation  
ATTN: Mr. Jim Leonard  
10 Adelaide Street East  
Toronto, ON M5C 1J3

**Re: Notice of Amendment to Five (5) Municipally Designated Heritage Properties**

Dear Mr. Leonard,

The Town of Perth and the Municipal Heritage Advisory Panel (MHAP) have been working to update municipal heritage designations in order to bring them into compliance with the current standards for designations of heritage buildings as prescribed by the Ontario Ministry of Culture under the *Ontario Heritage Act*.

As the Registrar for the Ontario Heritage Trust, the Town is hereby providing you with notice of the approved five (5) amendments, attached, to the following properties:

1. 2457-1 – The John Hart House, 37 Herriott Street;
2. 2587-1 – The Old Burying Ground (Craig Street Cemetery);
3. 2699-1 – The Bandstand, 80 Gore Street East;
4. 2870-1 – St. Paul's Old Methodist Burying Ground, and;
5. 2875-1 – 11 – 15 Mill Street.

The amendments clarify the Statement of Heritage Value or Interest and the Description of Heritage Attributes of said properties.

If you have any questions please contact Karen Rennie, Heritage Manager / Curator at 613-267-1947.

Sincerely,

A handwritten signature in blue ink that reads "Lauren Walton".

Lauren Walton, Clerk

Encl.

*Aged to Perfection!*

www.perth.ca

THE CORPORATION OF THE TOWN OF PERTH

BY-LAW NO. 2587-1

**A By-law to amend By-law No. 2587, being a By-law regarding the Municipal Heritage Designation of the Old Burying Grounds (Craig Street Cemetery) at Between Craig and Brock Streets fronting on the Tay River to the east**

**Recitals:**

1. Section 29 in Part IV of the *Ontario Heritage Act*, as amended, provides that the Council of a municipality may by by-law designate a property within the municipality to be of cultural heritage value or interest.
2. Council wishes to bring the designation into compliance with the current standards for designation of heritage buildings as prescribed by the Ontario Ministry of Culture under the *Ontario Heritage Act*.
3. The Committee of the Whole reviewed Report 2013-CoW-12.2 and Report 2014-CoW-4.UB.1 and concurs with the information presented.
4. The Council of the Town of Perth passed Motion #13-177 authorizing staff to publish the Notice of Intention to amend the designation.
5. On December 26th, 2013, Notice of Intention to amend the heritage designation of the Old Burying Grounds (Craig Street Cemetery) was served on the property owner, the Corporation of the Town of Perth, and published as per the Town's Public Notice Policy;
6. The public was provided an opportunity to object to the intention to amend the designation within thirty (30) days of the notice, to the Clerk.
7. The Clerk has not received any objection to the proposed amendment to the designation as of January 27th, 2014.
8. Council for The Corporation of the Town of Perth deems it advisable to pass this By-law.

Accordingly, the Council of The Corporation of the Town of Perth enacts as follows:

**1. AUTHORIZATION**

- 1.1. That By-law No. 2587, be amended in its entirety and be replaced with the following:

**PERTH HERITAGE DESIGNATED PROPERTIES**

**Building/Property Name:** The Old Burying Grounds  
(Commonly called the "Craig Street Cemetery")

**Building/Property Name:** The Old Burying Ground (Craig Street Cemetery)  
**Address:** Between Craig and Brock Streets fronting on the Tay River to the east

**Original Owner:** The Corporation of the Town of Perth

**Present Owner:** The Corporation of the Town of Perth

**Date Built:** Crown Grant 1821

**Architect/Contractor:** N/A

**Original Use:** Cemetery

**Present Use:** Heritage Cemetery Site

**Date Designated:** By-law No. 2587 – January 8, 1985

**Registration:** N/A

**CERTIFIED A TRUE COPY**

Date March 26, 2014

Lauren Walton

Lauren Walton, Clerk  
Town of Perth, County of Lanark

**Reason for Designation:**

Established shortly after the beginnings of the Perth Military Settlement, this is the original cemetery for the community granted by the Crown. The Old Burying Ground was in use for over a century. It is the final resting place of notable early settlers and contains the gravesite of Robert Lyon, the victim of the last fatal duel in Canada.

**Statement of Cultural and Historical Value or Interest:**

Under the authority of Lt. Col. Francis Cockburn, Deputy Quarter-Master General of the British Forces in Canada, approximately three (3) acres at this site was granted in 1821 for the purpose of a town cemetery in the new settlement. The area was divided into three (3) sections providing space for Roman Catholics, Church of England (Anglicans) and Presbyterians. In 1854, a small area adjoining the Presbyterian section fronting on Brock Street, was purchased from the Ritchie family to complete the boundaries.

By the late 1860's the cemetery was becoming overcrowded and, encouraged by the Town, a new cemetery (Elmwood) was opened on the northern limits of the Town. The Roman Catholic congregation of St. John the Baptist created its own cemetery just east of Town on the north side of the main highway to Smith's Falls. Nevertheless, burials continued into the early 20th century in family plots in the Craig Street cemetery.

A longstanding feud between two (2) of the early lawyers in Perth, James Boulton and Thomas Radenurst, culminated in a duel on June 13, 1833, between their respective law clerks, with the honour of Miss Elisabeth Hughes serving as a catalyst. The victim of the duel, Robert Lyon, was buried in the old cemetery and Perth has always been associated with this tragic event. Other grave sites or family plots of note include that of Colonel, the Honourable Roderick Matheson (1793-1873), his wife, Anna, and several of their children. An early settler, Matheson was a merchant, magistrate, senior militia officer and politician. He was appointed by Sir John A. Macdonald to the first Senate of the Dominion of Canada.

Another important family plot is that of the Haggart family, including the graves of John Haggart Sr. (d. 1855), stonemason and miller; and his son, John Graham Haggart (d. 1913). In addition to operating mills in Perth, the Honourable John Graham represented Lanark South in the federal parliament for 41 years and held the cabinet posts of Postmaster General and Minister of Railways and Canals. Finally, the cemetery is the site of the grave of Dr. Alexander Thom, Staff Surgeon to the fledgling settlement from its beginnings and a major personality in its early years.

**Architectural Value:**

Other than the relatively new, wrought iron fence on its north, east and south sides, the cemetery does not contain any built features. However, both the Matheson and Haggart family plots are enclosed in older, more ornate, wrought iron fences which appear to be original.

**Heritage Attributes:**

The major features which are important to preserve are the park-like setting, primarily without encroachment, tombstones, and the wrought iron fencing.

**Legal Description:**

LT 8 N/S BROCK ST PLAN 8828 LANARK S DRUMMOND; PT LT 8 S/S CRAIG STREET, 9 N/S BROCK ST, 9 S/S CRAIG ST PL 8828 LANARK S DRUMMOND; PT SHERBROOKE ST PL 8828 LANARK S DRUMMOND; PERTH

*rw*

**References:**

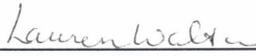
- ▲ Miller, J.R. Ernest: The Pioneer Cemetery, Craig Street, Perth; 1994; for the Perth Museum.
- ▲ Sherwin, Donald F.; The Matheson Family of Perth, Ontario, Canada; research paper compiled for the Perth Museum; 1993.
- ▲ McGill, Jean S.; *A Pioneer History of the County of Lanark*; Clay Publishing Co. Ltd.; 1968
- ▲ Turner, Larry; *Perth, Tradition & Style in Eastern Ontario*; Natural Heritage/Natural History Inc.; 1992

**2. EFFECTIVE DATE:**

2.1. That this By-law shall come into force and effect upon passage thereof.

Read a first, second and third time and finally passed this 25<sup>th</sup> day of March, 2014.

  
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John Ferik, Mayor

  
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Lauren Walton, Clerk

(Seal)