

## The Upper Fort Garry Courthouse and Gaol: Salvage Excavations of a Historic Midden in Downtown Winnipeg, Manitoba

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### ABSTRACT

Construction of the Fort Garry Place underground parkade exposed three trash barrels which had been covered by fill and asphalt. The development is located in downtown Winnipeg, Manitoba, behind the Fort Garry Hotel. The Historic Resources Branch of Manitoba Culture, Heritage and Recreation, who monitored the development, conducted salvage excavation and removed the midden feature.

The midden consisted primarily of faunal remains, nails, construction hardware and ceramics. Three hypotheses were formulated to account for the feature: (1) the material related to operation of the Upper Fort Garry courthouse, gaol and hospital from ca. 1844 to ca. 1880; (2) the materials were deposited from the HBC Trade Commissioner's house from 1881 to 1929; or (3) the assemblage originated from the Fort Garry Hotel after 1912. Based on the data and type of artifacts, the midden was concluded to relate to the courthouse and gaol.

The midden assemblage was analysed using a form/function approach and quantified using artifact class and group divisions. The Fort Garry Place artifact group frequencies were, for the main part, found to be similar to other Red River Settlement midden assemblages. The main feature of the similarity was an approximate equal percentage of the Kitchen, Bone and Architectural groups. Examination of particular artifact classes, such as the ceramics and bone fragments, revealed the "institutional" nature of the courthouse and gaol.

The excavation and analysis of the Fort Garry Place assemblage provided additional insights in the study of Upper Fort Garry in particular, and the Red River Settlement in general. Because a large percentage of the structures within Upper Fort Garry have been impacted during the post-1890 to 1950 period, the recovery of the courthouse-gaol assemblage is extremely significant. The site also illustrates that post-1900 development can, on occasion, serve as a protective agent by sealing the archaeological deposit.

### INTRODUCTION

Studies in urban archaeology have indicated that development or redevelopment of a particular site does not necessarily imply total destruction of heritage resources. Excavations in New York City, for example, yielded artifacts from a variety of temporal periods dating as early as 1770 (Salwen et al. 1981:83). Staski (1982:99-102) lists at least 30 cities in the United States where archaeological investigations have been conducted and, despite the various goals of these projects, a majority of the researchers encountered *in situ* archaeological deposits. Although no similar compilation has been made in Canada, most investigations have been confined to eastern Canada at Early (1600-1821) to Middle (1821-1870) Historic Period sites.

The City of Winnipeg has recently experienced an increase in archaeological projects within its

boundaries, primarily as a result of the redevelopment of the Canadian National Railways East Yard at the forks of the Red and Assiniboine rivers. Preliminary excavations at the forks by Canadian Parks Service archaeologists indicated that Prehistoric and Historic components lay *in situ* beneath post-1880 railway fill (Priess et al. 1986:7-9).

Prior to these investigations, most archaeological research in Winnipeg was confined to portions of the former Upper Fort Garry (Priess 1980; Kelly 1982; Monks 1983; 1984). All of the studies revealed that remains of the fort's buildings, walls and access roads lay intact beneath post-1880 fill. This finding was especially surprising in the southwest corner of the fort, where the Winnipeg Electric Railway Company had constructed its bus sheds and laid rails connecting the shed with the Main Street

line in the late 1880s.

Aside from the site of Upper Fort Garry, undisturbed Historic Period sites have been excavated at the Klann (Badertscher 1984) and the Tourist Hotel (Kroker 1988) sites. These studies, as well as those at Upper Fort Garry, indicate that heritage resources have remained intact, even though portions of sites have been subjected to post-depositional redevelopment. In fact, fill has usually been placed on top of archaeological deposits, thereby sealing the features. This phenomenon is further demonstrated at the Fort Garry Place Site.

The Fort Garry Place development, located immediately south of the Fort Garry Hotel in downtown Winnipeg (Figure 1), was not expected to adversely impact any archaeological deposits. This area lay northwest of Upper Fort Garry and the only outbuildings known for the immediate vicinity consisted of the courthouse and gaol, occasionally used as a hospital, and two stables. The courthouse and gaol, contained in one building from ca. 1844 to ca. 1880, were probably impacted when the Fort Garry Hotel was constructed in 1912. The stables were located south of the courthouse and were probably dismantled when Upper Fort Garry was abandoned in the mid-1880s.

Fort Garry Place was constructed in three stages, with Phase I implemented in the spring of 1985. This phase consisted of extensive subsurface excavation to prepare for underground parking facilities. When these excavations were monitored by the Historic Resources Branch of Manitoba Culture, Heritage and Recreation, it became evident that much of the area had been impacted in 1947 during construction of the Greater Winnipeg Transit Commission bus garage. Therefore, it was assumed that twentieth century development in the area had eradicated any archaeological deposits associated with fort outbuildings.

Phase II began in April 1986 north of Phase I and south of the Fort Garry Hotel. The initial step in Phase II was an extension of the underground parking facilities. These excavations were implemented prior to Historic Resources Branch monitoring which, based on its 1985 experience, was to be reduced to occasional visits. In the latter part of April, the Branch was informed of exposed bone, ceramics and metal in the extreme northwest corner of the recently excavated area. The developer was contacted and agreed to refrain from further activity in that area until the deposit had been excavated. Accordingly, the Branch conducted salvage excava-

tions between 30 April and 15 May, 1986, with over 2,000 artifacts being recovered from the feature. The following report describes the historical land use of the immediate area, summarizes the nature of the archaeological assemblage, attempts to interpret how and when the archaeological deposit was formed and compares the Fort Garry Place Site remains with those from other Red River Settlement assemblages.

### HISTORICAL BACKGROUND: 1835-1985

Land use histories for the purposes of either historical or archaeological studies have previously been prepared for the Red-Assiniboine junction (Guinn 1980), Upper Fort Garry (Loewen and Monks 1986) and for the City of Winnipeg (McLeod 1986a). The latter report was prepared as a general overview of the potential for land development to impact heritage resources throughout the City of Winnipeg. Guinn's study was prepared in advance of the present and ongoing redevelopment of the Forks area, while the report of Loewen and Monks was produced in tandem with Monks' excavations in the southwest corner of Upper Fort Garry between 1981 and 1983. Whereas Guinn's study was concerned primarily with the area east of the upper fort and Loewen's and Monks' research centred upon the fort *per se*, neither report contained a detailed description of the buildings west of Upper Fort Garry.

The earliest depiction of the area west of Upper Fort Garry is in 1845 and shows that the gaol was located in this vicinity. By 1848, the building northwest of the fort was referred to as the "Garrison Hospital and Jail" (Figure 2). Based on the 1848 map, the gaol-hospital was located approximately 161 m northwest of the northwest fort bastion. However, during the two periods of military occupation of Upper Fort Garry, the first by the Sixth Regiment of Foot from 1846 to 1848, and the second by the Royal Canadian Rifles from 1857 to 1862, the gaol and hospital was also housed in the upper fort.

Although identified as a gaol and hospital in 1848, the main function of the building northwest of Upper Fort Garry was as a courthouse. It and the gaol were originally housed in a small structure within the fort walls, but were moved to a small building west of the fort ca. 1844 (Gibson and Gibson 1972:32). This location is supported by an April 1845 letter from Christie to Simpson, which refers to a newly constructed courthouse (Christie in Guinn 1980:67). The size of the building has been mentioned in historic journals. The interior of the courtroom was:

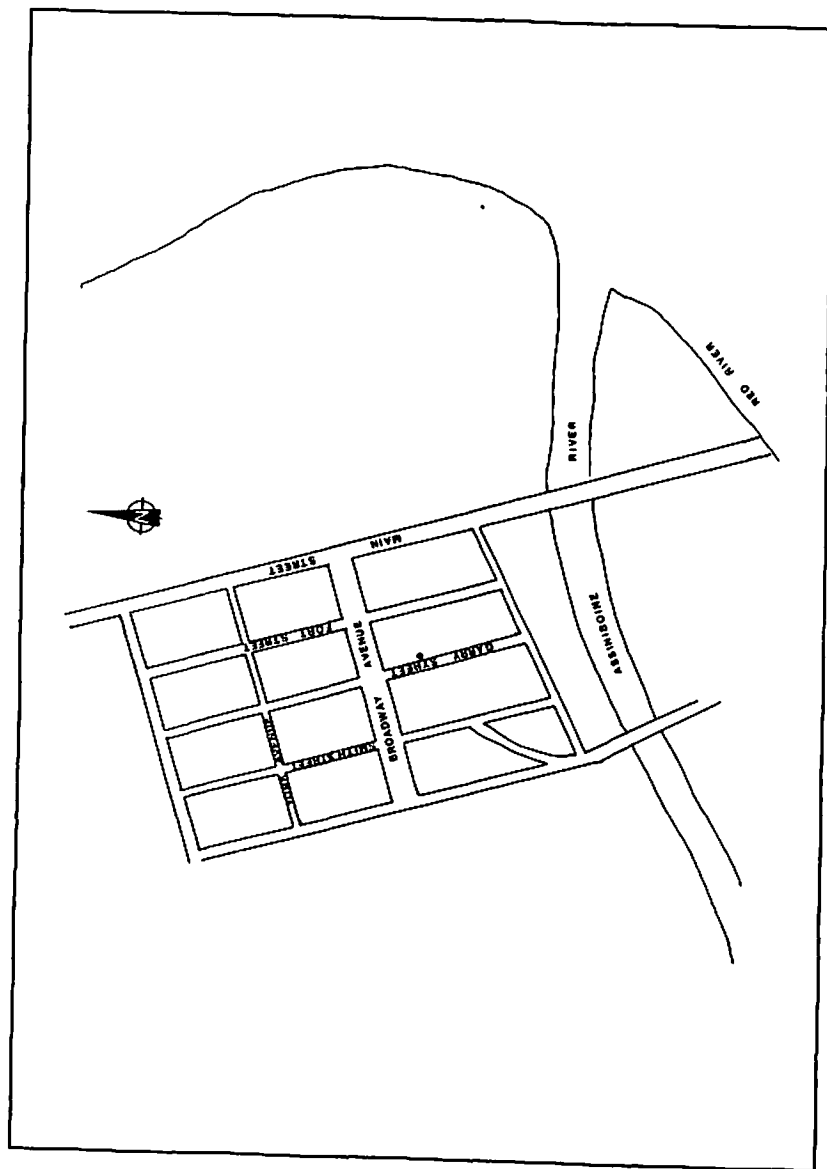


Figure 1. Location of the Fort Garry Place Site (dot) in downtown Winnipeg, Manitoba.

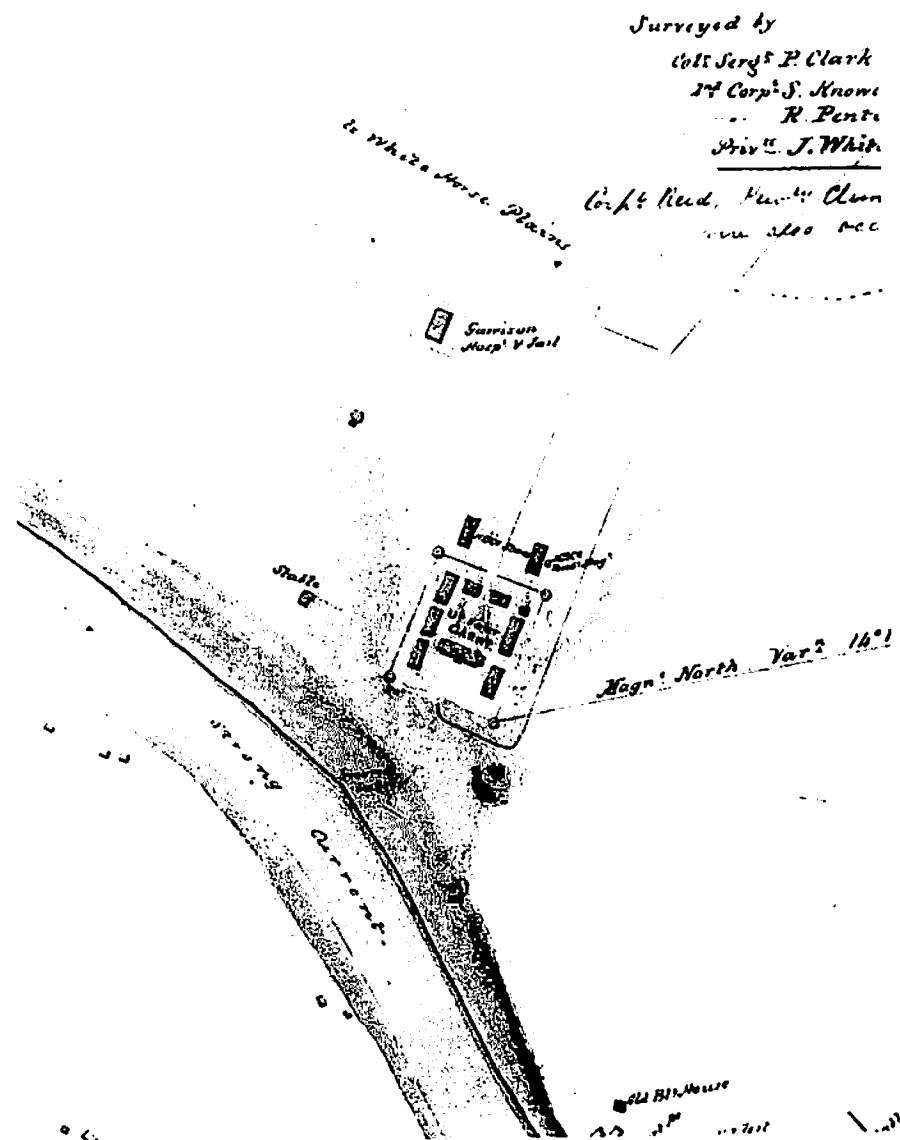


Figure 2. A portion of the 1848 Moody Map of Upper Fort Garry. (Courtesy Provincial Archives of Manitoba)

"...formed on a very diminutive scale. A small bar partitioned off the portion of the room allotted to the accommodation of the general public from that set apart for the officials. At the back of the room rose the bench approached by a couple of steps at each end, and so narrow that it was with considerable difficulty an ordinarily portly Justice could squeeze his way out behind the chairs of his brethren, when in session...Close to each other at the bar of the court stood the dock and the witness box. On the left hand of the Judge were arranged two rows of substantially constructed benches for the gentlemen of the jury" (Hargrave 1871:213).

A second description of the gaol is contained in the diary of Henry Woodington, who was captured by Riel's forces during the Red River Rebellion. Woodington and a number of other Canadian supporters were originally held in a building inside the upper fort, but on 11 December 1869, Woodington and 37 others were removed to the "common gaol" outside the fort. This complex was surrounded by a 3.0 m (10 foot) palisade placed 9.1 m from the building. The gaol was described as:

"a building twenty feet square, with a centre room ten by twenty, with one window two feet square with heavy iron grating, with a single stove and two benches each twelve feet long. Six cells, each six feet by nine feet, with a small window in each six by eighteen inches." (PAM MG3/B11 p.15).

Few records remain that describe daily activities at the courthouse. Journal entries recount the more sensational proceedings that occurred during the 1850 to 1870 period, such as the Sayer trial, the Monkman murder trial and the Reverend Corbett affair (c.f. Hargrave 1871). However, the only record of a period of intensified use of the building is during the 1869 rebellion when the Canadian supporters were incarcerated.

It is not known when the building ceased to be used as a courthouse and gaol. Although the General Quarterly Court recommended in 1871 that a new courthouse and gaol be constructed (Gibson and Gibson 1972:82), it does not appear that this recommendation was acted upon immediately. Instead, the Manitoba government used one of the buildings at Lower Fort Garry, 32 km down the Red River from Upper Fort Garry, as the provincial penitentiary.

The small gaol near the upper fort continued to be used as a remand centre for lesser felons. In 1872, the newly appointed Police Chief, Louis de Plainval, agitated for a new gaol by having a local physician certify that the cells were unfit for confinement during the winter and were dangerous as sleeping cells (Gibson and Gibson 1972:89). A new courthouse and gaol were eventually constructed by the provincial government during the winter of 1873-74. The original structure northwest of the upper fort may have reverted to a seasonal hospital for a short time afterward. The Duncan Sinclair survey of the upper fort ca. 1872 identifies the study area as the hospital enclosure. It is not known when the structure was finally abandoned and demolished.

As of 1900, two residences stood in the immediate area of the former courthouse (Figure 3). The first was the home of the Hudson's Bay Company's Trade Commissioner. Fronting on Smith Street and backing on Garry Street, it was constructed in 1881 and demolished in 1929. The second residence was a dwelling near the corner of present-day Garry Street and Broadway Avenue. The area of the courthouse was probably impacted in 1912, when the Fort Garry Hotel was constructed. The area behind the hotel remained a vacant lot (Figure 4) until 1947, when the Greater Winnipeg Transit Commission Railway garage was built. However, the area between the Fort Garry Hotel and the city bus garage was an asphalt parking lot, which may account for the preservation of the Fort Garry Place assemblage.

#### FORT GARRY PLACE ARCHAEOLOGY

The exposed feature consisted of three debris-filled wooden barrels which had been placed in a previously excavated hole (Figures 5 and 6). Artifact analysis was designed to determine the date of the deposit and, ultimately, to coordinate archaeological data with historical events to determine under what circumstances the midden was formed. Three hypotheses were formulated to account for the midden: (1) the materials related to operation of the courthouse, gaol and hospital from ca. 1844 to ca. 1880; (2) the materials were deposited from the HBC Trade Commissioner's house from 1881 to 1929; or (3) the assemblage originated from the Fort Garry Hotel after 1912.

Many of the artifacts recovered dated to a relatively wide temporal span that not only encompassed the period of the courthouse, but the early years of the Commissioner's residence as well. A

mean ceramic date was calculated using the temporally diagnostic ceramics (South 1977:217). Seven W.T. Copeland patterns, represented by 75 sherds, were identified among the ceramic assemblage and dated on the basis of Sussman (1979). In addition to these, a trademark of "W.H. Kennedy, Borrowfield Pottery" was also recovered; it dated from 1866 until 1929 (Godden 1964:369). A mean ceramic date of 1872 was calculated and, once the adjustment factor was applied (South 1977:236), a date of 1864 was determined. It was therefore, concluded that the midden related to the courthouse and gaol.

The artifacts excavated from the Fort Garry Place Site were analyzed using South's form, function and quantification approach (South 1977). This methodology has been used for other Red River Settlement assemblages ranging from trade post (McLeod and Seyers 1988), to homestead (McLeod 1982, 1983, 1986b, McLeod and Hart 1986), and military sites (McLeod 1989). The quantification approach has also been used to contrast several Metis assemblages with the Upper Fort Garry Site (McLeod 1985). These sites will be compared with the Fort Garry Place assemblage in a subsequent section.

In addition to obtaining a date for the deposit, the analysis was designed to determine under what circumstances the deposit had been formed and, also, to provide a basis for comparison with other assemblages collected from Red River Settlement sites. It was observed during excavation that although there were three distinct barrels filled with trash, there was no temporal or artifactual differentiation between any of the receptacles. This homogeneity may reflect: (1) a period of intensified use of either the gaol or the hospital; (2) refuse related to the first years of occupation in the Trade Commissioner's House; or (3) material buried during site preparation for the Fort Garry Hotel.

It was also anticipated that the artifact class and/or group frequencies would suggest how and why the midden was formed. It was further reasoned that the types of artifacts recovered in the midden would also indicate the nature of the activity responsible for site formation.

Table 1 summarizes the artifact class totals from the Fort Garry Place Site. The totals indicate that Bone fragments, Kitchenware, Construction Hardware, Nails and Ceramics were the most frequently recovered artifact classes in the excavations. The accumulation of both kitchen debris and architectural material may correlate with a period of

reconstruction, or partial demolition, of either the courthouse or the commissioner's residence. That the deposit relates to either to reconstruction or partial demolition of the commissioner's residence does not seem probable given that the midden dates prior to and/or during the dwelling construction. Few artifacts were recovered that could be attributed to activities associated with a hospital. Therefore, it would appear that the deposit relates to the operation of the courthouse and gaol. Because no temporal differentiation was observed between the three midden barrels, and because the courthouse began operation ca. 1844, the Fort Garry Place midden may have been formed as a result of increased use of the gaol, such as in 1869 when Canadian supporters were incarcerated by Riel's forces. A second possibility is that the area(s) previously used for trash deposition was/were abandoned in favour of the location south of the complex.

The artifact group summary illustrates the composition of the Fort Garry Place midden (Table 2). The Bone and Kitchen groups accounted for 39.6% and 31.7% of the assemblage, while the Architectural group represented 21.9% of the site assemblage. The group frequencies will be re-examined in a subsequent section, when the Fort Garry Place assemblage is compared with other Red River Settlement assemblages.

It has thus far been determined that the deposit probably dates ca. 1864 and was the kitchen midden for the courthouse and gaol. The next focus of the discussion will pertain to the various types of artifacts recovered within each artifact group.

#### Assemblage Discussion

Three of the four Kitchen group classes will be discussed: Ceramics, Liquor Bottle and Glassware. Medicine Bottle glass is excluded because the sample size is small and because most specimens were unidentifiable clear body fragments. Kitchenware is deleted because all but one of the artifacts placed in this class were metal container fragments and were too corroded to exhibit temporally diagnostic attributes (c.f. Busch 1981). The one exception was a wire pail handle.

Of the 142 ceramic sherds recovered in the excavations, 130 were refined white earthenware sherds. This sample included 81 sherds decorated with a transfer print, 36 that were plain white, and 13 with a moulded design in raised relief. Most of the decorated ceramics were attributed to W.T. Copeland, who supplied the Hudson's Bay Company from



Figure 3. View looking north from the Winnipeg Electric Street Railway smokestack on Assiniboine Avenue between Fort Street on the right and Garry Street on the left, ca. 1899-1900. Trade Commissioner's house at left with associated outbuilding. Private Residence at centre of photograph. (Courtesy Provincial Archives of Manitoba)



Figure 4. Aerial photograph looking west showing vacant lot (left foreground) south of the Fort Garry Hotel (center foreground) ca. 1930.



Figure 5. Excavations in progress at the Fort Garry Place development.

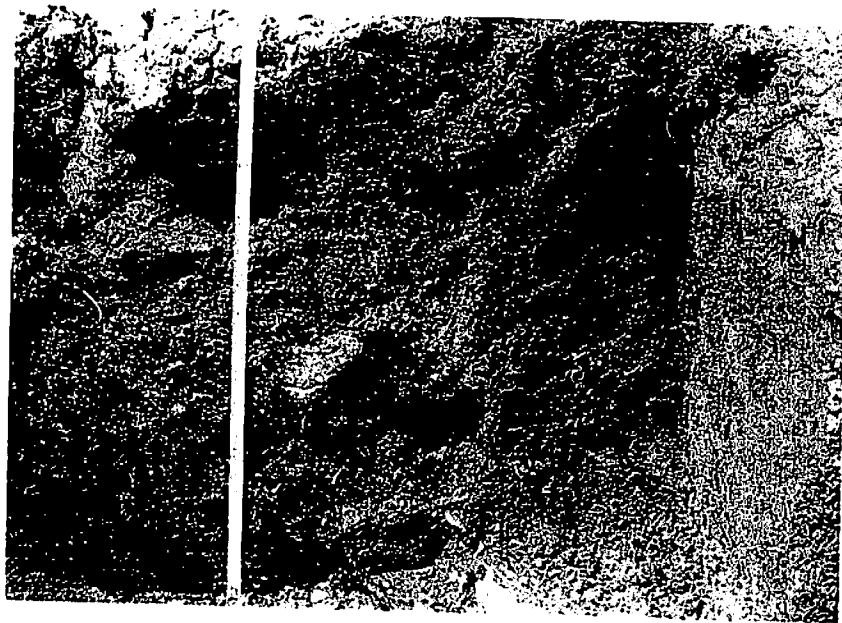


Figure 6. Stratigraphy of the west wall of the excavated area following removal of the refuse barrels.

1835 until the late 1890s or early 1900s (Sussman 1979:8-9). There were six patterns identified: "Violet" (48 sherds), "Continental Views/Louis Quatorze" (14 sherds), "Ivy" (5 sherds), "Watteau" (3 sherds), "Alhambra" (2 sherds), "Flower Vase" (1 sherd), and "Floral" (1 sherd) (Figures 7 to 9).

HBC ceramics are commonly found along the Red and Assiniboine rivers on sites that contain a Middle Historic Period component, which spans a time frame of 1821 A.D. to 1870 A.D. (McLeod 1987:64). However, Red River sites usually contain a larger assortment of patterns. The homestead site of Donald Gunn in the Parish of St. Andrew, for example, produced 28 different HBC patterns (McLeod 1986b:17). Furthermore, the three most frequently found patterns at this site—"Sevres", "Continental Views" and "Ivy"—accounted for 32%, 9% and 8% of the decorated ceramic assemblage, respectively. The three most frequent patterns found at Fort Garry Place accounted for 67%, 19% and 7% of the decorated assemblage. The Riel House Site produced 17 different patterns from two features which dated contemporaneously with the Fort Garry Place deposit (Forsman 1977:57-73). The most frequently recovered patterns in Riel House Feature 1 were "Alhambra" (23%), "Continental Views" (20%) and "B772" (17%) (Forsman 1977:57-59). Those in Riel House Feature 2 were "Continental Views" (33%), "Shamrock" (12%) and "Rural Scenes" (10%) (Forsman 1977:64-67).

These three examples illustrate that, although there may be a number of Copeland vessels at a particular Red River site, these vessels are not represented by a very large sample size which, in turn, suggests a low number of vessels. Therefore, the Copeland ceramic assemblage at most domestic sites would have been accumulated by purchasing a number of different designs, one vessel at a time. Examples from a site closer to Fort Garry Place are the two privies excavated by Monks in the southwest corner of Upper Fort Garry (Monks 1984). Privy 1 contained the largest sample of Copeland ceramics with 20 different patterns recovered. Of these, "Passion Flower" (18%), "Continental Views" (15%) and "Broseley" (14%) were the three most common patterns (Monks: pers. comm.). The second privy feature contained only eight recognizable Copeland patterns and the three most frequent designs were "Portland Vase" (32%), "Broseley" (32%) and "Ruins" (16%) (Monks: pers. comm.). The low number of patterns identified for the Fort Garry Place assemblage and the large sherd frequency of one particular

<i>Artifact Class</i>	<i>Count</i>
<i>Kitchen Group</i>	
Ceramics	142
Liquor Bottle	73
Case Bottle	10
Tumbler	1
Medicine Bottle	16
Glassware	87
Tableware	2
Kitchenware	322
<i>Bone Group</i>	
Bone Fragments	815
<i>Architectural Group</i>	
Window Glass	93
Nails	173
Construction Hardware	184
<i>Furniture Group</i>	
Furniture Hardware	0
<i>Arms Group</i>	
Shells/Casings	1
Percussion Caps	1
<i>Clothing Group</i>	
Buckles	1
Buttons	3
Shoe Parts	9
<i>Personal Group</i>	
Personal Items	27
<i>Tobacco Pipe Group</i>	
Tobacco Pipes	28
<i>Activities Group</i>	
Construction Tools	1
Storage Items	56
Stable and Barn	2
Miscellaneous Hardware	11
<b>TOTAL</b>	<b>2058</b>

Table 1. Fort Garry Place Artifact Class Summary.

Artifact Group	Count	%
Kitchen	653	31.7
Bone	815	39.6
Architectural	450	21.9
Furniture	0	0.0
Arms	2	0.1
Clothing	13	0.6
Personal	27	1.3
Tobacco Pipes	28	1.4
Activities	70	3.4
<b>TOTAL</b>	<b>2058</b>	<b>100.0</b>

Table 2. Fort Garry Place Artifact Group Summary.

design probably reflects the institutionalized nature of the gaol. Table settings for the gaol appear to have been procured in bulk, with one main design purchased. This situation is in contrast to most Red River domestic sites, where a variety of designed wares, represented by single vessels, were procured.

The Liquor Bottle class consisted of pale and dark green bottle glass. A variety of spirits were consumed at the gaol, including wine, champagne, hard liquor and beer. The presence of liquor glass in a gaol midden is somewhat surprising and suggests that incarceration in the Red River Settlement was not necessarily a period of penal hardship. There is also the possibility that spirits were consumed by the gaolkeepers, rather than the prisoners. J.J. Hargrave's journal recounts instances where prisoners were freed by their friends (1871:285). The ability to liberate the inmate was usually attributed to the deteriorated state of the gaol; intoxicated gaolers may also have assisted in the liberation of prisoners.

The Glassware class contained a variety of vessel types which included a complete condiment jar (Figure 10), several sauce bottle fragments, pop bottle fragments, lantern glass and several concave holloware body fragments. One bottle base displayed the trademark "CB" above "K"; it relates to the Charles Borron Company of England from 1866 to 1922 (Lunn 1979:37). A second fragment displayed an unidentifiable mark of "-AUCE" above "-

AISLEY".

The Bone group was comprised of cow, pig, sheep, goose, chicken and fish elements (Table 3). There was an extremely low frequency of bird and fish remains and it appears that the main diet in the gaol consisted of beef. The front half of the beef carcass was preferred, particularly the vertebral and rib sections. Elements from the front half of the animal accounted for over 80% of the identifiable large mammal sample. Because ribs, rib fragments and vertebrae fragments accounted for 80% of the 381 elements identified as being from the front half of the carcass, minimum number of individuals by the bovid sample had to be based on the left ilium. There were nine individuals represented.

Similar to the bovid sample, over 70% of the identifiable pig and sheep elements were from the front half of the animal and most of these were rib and vertebrae fragments. Therefore, minimum number of individuals was four, based on the right tibia. Butchering techniques consisted of the usual combination of either sawing, cleaving or fracturing and indicated a preference for cuts such as roasts, which would feed a large number of inmates. While most of the large long bones were sawn, the majority of the ribs and vertebrae were cleaved and/or fractured. The age of the individuals varied from juvenile to adult, and the absence of fetal, immature or aged specimens indicates that quality meat was being procured for the gaol's residents.

Analysis of the faunal assemblage indicates that the midden may not have been formed when the Canadian supporters were imprisoned in December, 1869. Woodington's journal quoted previously refers to pemmican as the staple diet of prisoners. It is also unlikely that the midden relates to the individuals who guarded the jail in 1869, because the size of the deposit and the number of elements recovered are too large.

The Architectural group consisted of three classes: Window Glass, Nails and Constructional Hardware. The final category was comprised of brick, chinking or mortar fragments, and were probably produced from locally available material. There were no identifying trademarks on any of the brick. Therefore, only the first two classes will be discussed.

The 93 window fragments ranged in thickness from 0.12 to 0.31 cm, with a mean thickness of 0.20 cm. None of the window glass appeared to crossmend. The range and mean thickness of the window glass found at the Fort Garry Place Site is

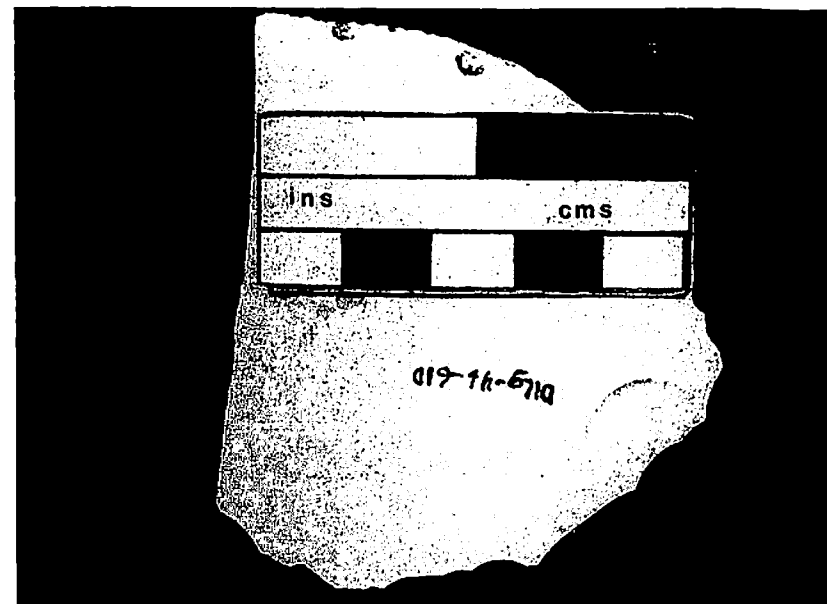


Figure 7. W.T. Copeland trademark.

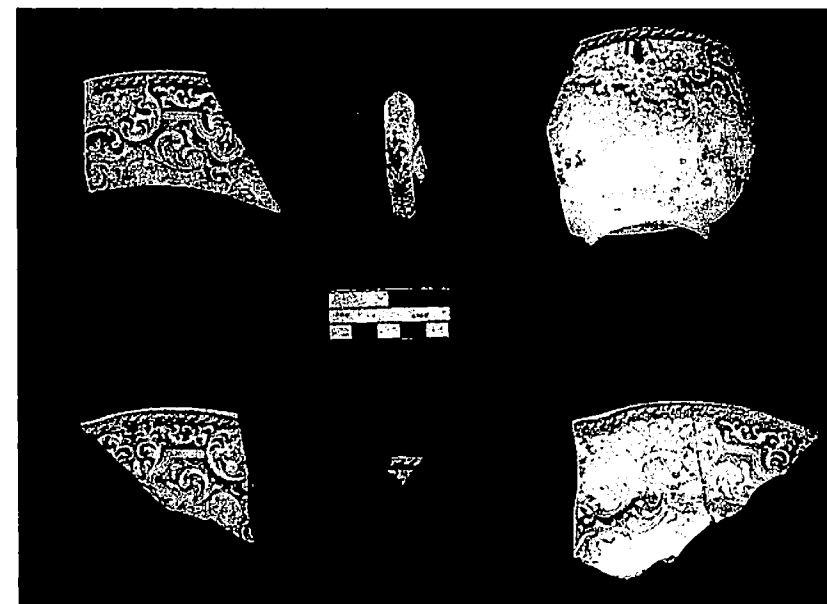


Figure 8. "CONTINENTAL VIEWS" pattern on flatware and holloware vessels.

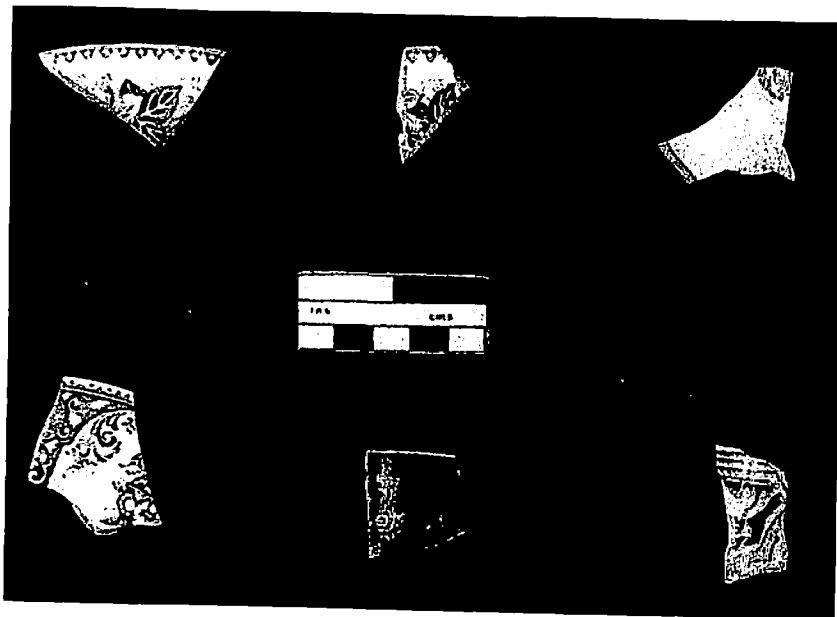


Figure 9. Copeland ceramic vessels recovered at Fort Garry Place.

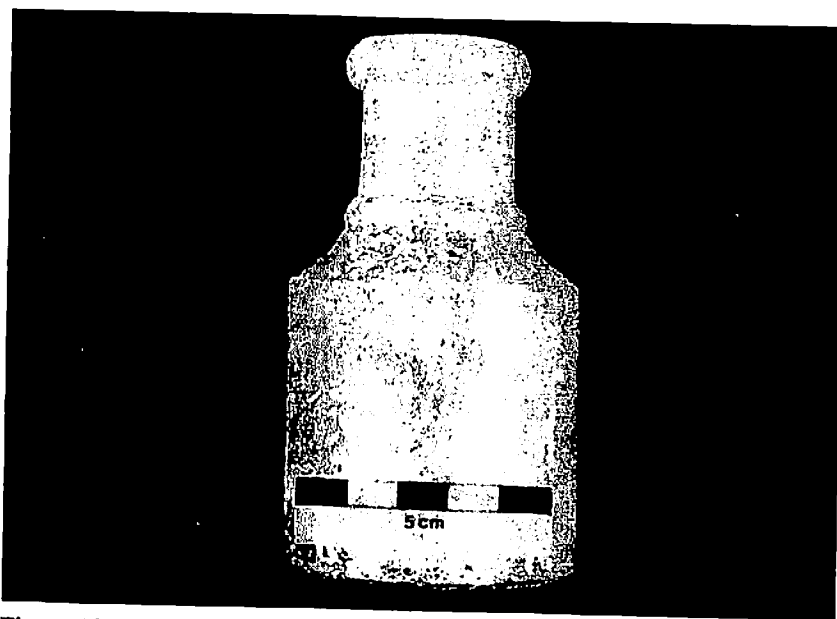


Figure 10. Complete condiment jar.

<i>Faunal Portion</i>	<i>Cow</i>	<i>Pig/Sheep</i>
<i>Front Half</i>		
Skull	3	2
Cervical vertebrae	37	4
Ribs	67	6
Rib fragments	165	17
Thoracic vertebrae	36	3
Scapula	56	4
Humerus	8	2
Radius/ulna	9	2
Sternum	0	0
<i>Subtotal</i> .....	<i>381</i>	<i>40</i>
<i>Back Half</i>		
Sacrum	1	0
Lumbar vertebrae	37	1
Innominate	22	3
Femur	18	2
Tibia	8	6
Fibula	1	0
Patella	2	0
Calcaneous	3	3
<i>Subtotal</i> .....	<i>92</i>	<i>15</i>
Tarsals/carpals	1	3
Unident. vertebrae	13	1
Unidentifiable	224	3
<i>Total</i> .....	<i>711</i>	<i>62</i>
Bird	12	
Fish	1	
<i>Assemblage Total</i> .....	<i>786</i>	

Table 3. Summary of the Fort Garry Place Faunal Assemblage.

similar to those found at the Delorme House (McLeod 1982: 65), the Little Britain Site (McLeod 1986 b) and Lane's Post (McLeod and Seyers 1987) sites. All date roughly to the same time period and the similarity between the pane thicknesses may be the result of temporal affiliation, similar manufacturer, or that window pane manufacturing was homogeneous from area to area. This lengthy discussion regarding pane thickness is included because window glass fragments are one of the most frequently recovered artifacts at Historic Period sites and thickness is an attribute that most researchers avoid.

The frequency of window glass, relative to the overall Architectural group, is quite variable from site to site. For example, excavations at one of the outbuildings at Lane's Post produced an assemblage of window glass that was 13.0% of the Architectural total (McLeod and Seyers 1988). Middens at the Delorme House in the Parish of St. Norbert produced assemblages that ranged from 14.7% to 43.7% of the group total (McLeod 1982 and 1983). The percentage frequency of window glass probably varies according to the activity which produced the deposit, the antiquity of the assemblage, sampling methods, size of the structure from which the glass originated and, to a lesser extent, the wealth of the individual who built the house. Window glass at the St. Peter's-Dynevor Site, excavated from cellar depressions beneath Native homestead cabins at an 1833 farming settlement, accounted for only 3% of the Architectural group (McLeod and Hart 1986:1). These cabins were extremely small and inhabited by individuals who were extremely unsuccessful during the first years of the farming settlement.

The nail assemblage consisted of either hand wrought or machine cut nails, with the latter type accounting for 87% of the entire assemblage. This finding indicates that the deposit probably dates after ca. 1860, but contains debris from a structure that was constructed prior to that date. Only 31% of the entire nail assemblage was complete; these nails varied in length from 4.1 cm (1 1/2 inches) to 13.0 cm (5 inches) (Table 4). The most frequent sizes recovered were 7.7 cm (3 inch) and 6.7 cm (2 1/2 inch) framing nails, as well as 4.1 cm (1 1/2 inch) finishing nails. These three varieties are usually the most frequently recovered sizes at historic period sites along the Red River (McLeod 1982:68).

The Personal group consisted primarily of glass or stoneware ink bottle fragments (Figure 11). One of the glass ink bottles displayed a blurred diamond registration trademark that could be dated to the



Length (in)	1.5	2.0	2.25	2.5	2.75	3.0	3.25	3.5	4.0	4.5	5.0	Frag	TOT
Wrought	1	1	0	4	1	3	1	0	0	0	0	12	23
Cut	5	3	1	11	2	12	3	2	1	1	1	107	149
<b>TOTAL</b>	<b>6</b>	<b>4</b>	<b>1</b>	<b>15</b>	<b>3</b>	<b>15</b>	<b>4</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>119</b>	<b>172</b>

Table 4. Fort Garry Place Nail Summary.

post-1862 period (Godden 1964:527). Also contained within this group was a small concave glass fragment with a painted vertical scale, or graduation, on its exterior. This graduated cylinder fragment was the only artifact that could be related specifically to a hospital.

The Tobacco Pipes group contained two complete bowls (Figure 12), one bowl fragment which displayed a "T", five plain bowl fragments, three stems that exhibited trademarks and 17 plain stems. One bowl was manufactured by John Ford and Sons of Stepney, England, a firm that supplied the HBC from ca. 1835 to ca. 1875 (Lafleche 1979:28). Another manufacturer was Henderson from Montreal, who manufactured pipes between 1847 and 1876 (Walker 1971:25). Ford pipes are frequently found at Red River sites that date to the Middle Historic Period.

The Activities group consisted primarily of barrel hoop fragments. Based on strap width, two hoop sizes were present. The larger varied from about 2.5 to 4.0 m wide and related to straps from refuse containers. Several of these were complete and had a circumference of approximately 1.25 to 1.45 cm. The smaller size was indicative of smaller casks and they ranged in width from about 1.5 to 2.3 cm.

The remainder of the Activities group consisted of large fragments of unidentifiable metal that may relate to the hardware used in the gaol for security precautions. A shovel blade and two horseshoe nails were also recovered.

The deposit from the Fort Garry Place Site has been identified as an assemblage dating to ca. 1864 and relating to the courthouse and gaol which operated northwest of Upper Fort Garry from ca. 1844 until ca. 1890. The feature was hypothesized to have been deposited either when earlier midden locations were abandoned in favour of the area south of the courthouse complex, or during a period of increased utilization of the gaol. The assemblage was domi-

nated by faunal remains, kitchen related debris and, to a lesser extent, architectural materials.

#### COMPARISONS WITH OTHER RED RIVER SITES

Some contrasts between the courthouse and gaol assemblage and other Red River sites have been made in the discussion of the various artifact classes. The artifacts recovered from the Fort Garry Place Site are similar to those usually contained in Red River assemblages dating to the Middle Historic Period. Copeland ceramics, green liquor bottle glass, squared medicine bottles, wrought and cut nails, and John Ford pipes are all characteristic of this period (McLeod 1987:81-88). Therefore, in a material sense, the Fort Garry Place deposit was characteristic of other Red River sites, although there are differences reflecting the institutional nature of the gaol midden.

Comparisons can also be made using artifact group frequencies. Assemblages obtained from excavated sites are the most reliable because Red River surface assemblages usually contain an extremely large Kitchen group frequency relative to any of the other groups. Although the exact cause of this phenomenon is not known, it has been suggested that architectural materials, such as nails and window glass, may have been cleared from the surface of abandoned homesteads in preparation for agricultural use of the property (McLeod and Seyers 1987:52). This post-depositional disturbance could account for the contrast between surface and excavated site assemblages.

Table 5 compares the Fort Garry Place group frequencies with those from a number of sites along the Red and Assiniboine rivers. Previous research (McLeod 1982:347) has shown that assemblages obtained from middens, cellars and house interiors exhibit distinctive patterning at the artifact group level. These assemblage types, plus the two features excavated at Upper Fort Garry, form the basis of comparison with the Upper Fort Garry Place mate-

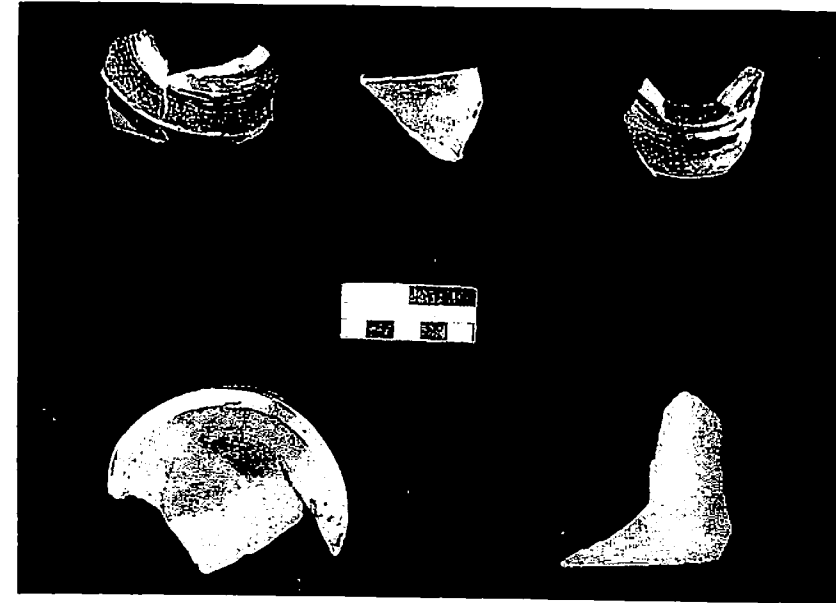


Figure 11. Ink bottle fragments.

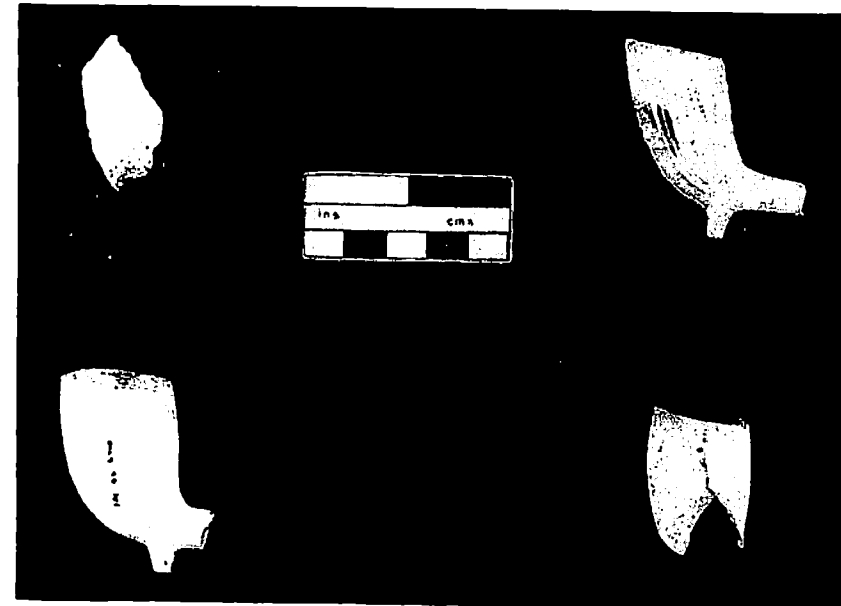


Figure 12. Tobacco pipe fragments.



Artifact Group	Fort Garry Place	Midden <sup>1</sup>		Cellar/House <sup>2</sup>		UFG1 <sup>3</sup>	UFG2 <sup>3</sup>
		Range	Mean	Range	Mean	%	%
Kitchen	32.2	23.1-42.8	30.6	5.4 - 22.9	11.6	15.8	23.9
Bone	38.7	16.2-52.3	33.4	4.2 - 53.1	28.0	47.2	27.0
Architectural	22.2	17.6-45.5	30.1	24.6 - 88.6	49.0	27.9	25.7
Furniture	0.0	0.0 - 0.1	0.1	0.0 - 0.6	0.1	0.0	0.0
Arms	0.1	0.1 - 0.3	0.2	0.0 - 0.7	0.1	0.4	0.1
Clothing	0.6	0.4 - 2.2	1.1	0.0 - 5.2	2.5	2.2	21.9
Personal	1.3	0.2 - 0.7	0.4	0.0 - 2.4	0.6	0.2	0.7
Tobacco Pipes	1.4	0.2 - 3.0	0.9	0.0 - 1.2	0.3	4.8	0.4
Activities	3.5	2.0 - 3.8	3.2	3.3 - 15.1	7.6	1.5	0.3

<sup>1</sup> Midden assemblages: Delorme House Site, ca. 1860 to ca. 1890, (McLeod 1982; 1983); and Fort Dufferin Site, 1872 to 1875 (McLeod 1989).

<sup>2</sup> Cellar/House assemblages: Delorme House Site, ca. 1860 to ca. 1890, (McLeod 1982); Lane's Post Site, ca. 1855 to ca. 1890, (McLeod and Seyers 1988); St. Peter's-Dynevor Site, ca. 1833 to ca. 1850, (McLeod and Hart 1986).

<sup>3</sup> Upper Fort Garry Site, ca. 1846 to ca. 1880, (Monks 1983:11).

Table 5. Artifact Groups Frequencies (%) from Various Red River Sites.

rial. Because there has been no final report synthesizing the Upper Fort Garry data, the deposits were assumed to represent middens, and were therefore included to offer specific comparisons between various Upper Fort Garry assemblages.

Although it is evident that the Fort Garry Place assemblage was a midden, the cellar/house range was included to illustrate the degree that Red River midden assemblages differ from those found either in or beneath homestead structures. However, the Fort Garry Place assemblage resembled, for the most part, the Red River midden range. The main characteristic of the midden pattern as revealed by mean frequencies is approximately equal percentages of Kitchen, Bone and Architectural groups. These percentages are in contrast with that of the cellar/house range dominated by the Architectural group which can account for approximately 50% of the entire assemblage on the average.

The Fort Garry Place Personal group frequency was slightly larger than the midden range and mean frequencies. This higher frequency resulted from a concentration of stoneware and glass ink bottles which probably relate to the courthouse.

The courthouse-gaol assemblage resembled the second privy-refuse feature excavated in the south-

west corner of Upper Fort Garry, as both had relatively equal percentages of Kitchen, Bone and Architectural group materials. The two privies have been associated with either the Sixth Regiment of Foot or the Royal Canadian Rifles. Both military groups were given the two warehouses in the southwest corner of the fort to use as barracks (Loewen and Monks 1988:129). It is possible that the first privy dates to the period of the earlier occupation (1846 to 1848), while the second relates to the latter. It is possible that architectural debris was discarded in the first privy during periods of reconstruction in the immediate area of the warehouse following the departure of the Sixth Regiment. Such an occurrence would account for the large Architectural group frequency and the apparent dichotomy between the first upper fort feature and the courthouse midden. There does not appear to have been any concentrated demolition and/or reconstruction following the departure of the Royal Canadian Rifles in 1862, which could explain the second privy's resemblance to the Red River midden pattern. Similar site formation would be expected because both the upper fort privy feature and the courthouse midden reflect refuse generated by the congregation of many individuals in a shared residence. Neither the

inmates nor the soldiers controlled the type and variety of goods procured from the Hudson's Bay Company.

The major differences between the second upper fort feature and the courthouse midden were in the Clothing and Activities groups. The higher Clothing group frequency at the upper fort was a consequence of the large sample of beads concentrated in one level of the privy fill. Concentrations of beadwork have been recorded at other Red River sites (McLeod 1983:243), and would be expected in a privy/midden at Upper Fort Garry.

The courthouse and gaol midden had a much larger Activities group frequency, which results from the number of barrel hoops recovered in the deposit.

#### SUMMARY AND CONCLUSION

Excavation by large machinery of the parking level at the now developed Fort Garry Place exposed a small midden in the extreme northwest corner of the complex. Salvage excavation revealed three refuse barrels which had been sunk in the original ground surface and were subsequently covered with fill and a layer of asphalt. The site assemblage was diagnostic of the Middle to Late Historic Period (1821-1870; 1870-1920), and a mean ceramic date of 1864 was calculated. This date was supported by other diagnostic artifacts. It was hypothesized that the deposit related to either the courthouse and gaol, the HBC trade commissioner's house or the Hotel Fort Garry. On the basis of the date and the type of artifacts found in the deposit, it was concluded that the midden related to the courthouse and gaol which sat in the area now occupied by the Fort Garry Hotel. The courthouse was built ca. 1844 and was demolished ca. 1890.

The artifacts recovered in the midden were typical of a Middle Historic assemblage recovered at most homestead sites in the Red River Settlement. However, some differences were noted. The courthouse midden had two main ceramic patterns, "Violet" and "Continental Views". Homestead sites usually contain a number of different patterns represented by only a few sherds. It was concluded that ceramic tableware at the courthouse was procured in bulk and reflected the institutionalized nature of the building's function.

A surprisingly large number of liquor bottle fragments were contained within the midden, suggesting that either the inmates were allowed intoxicants or that the gaol keepers were allowed to drink

while on duty. A variety of spirits were represented by the liquor glass assemblage.

Based on the faunal remains recovered within the deposit, it would appear that beef, especially the front half of the carcass, was the main diet at the upper fort gaol. Butchering patterns indicated a preference for large cuts. A similar phenomenon was exhibited by the pig and/or sheep elements.

The window glass and nails indicated that some demolition or reconstruction of the courthouse and gaol occurred during the period of midden formation. The thicknesses of the pane fragments and the lengths of the complete nails were similar to previously recorded Red River sites.

The Personal artifact group contained a number of ink bottle fragments which would be expected in a courthouse midden. These vessels were manufactured of either glass or stoneware.

The Activities group consisted primarily of metal hoops from the refuse barrels and other casks. Several of the hoops were complete, as the wooden staves decomposed through time allowing the bands to collapse one on the other.

When the artifact frequencies of the courthouse and gaol midden were compared with the frequency range of other middens excavated at sites along the Red River, a large degree of similarity was observed. The Fort Garry Place artifact pattern was also compared with the frequency range for assemblages recovered either in cellars or from the interior of houses. The large degree of difference between the two serves to illustrate that the function of a historic period archaeological deposit can often be ascertained through examination of the artifact frequencies. This is especially beneficial when historic records or site plans are absent.

The courthouse and gaol midden was not compared with sites from outside of the original area of the Red River Settlement. Future research could contrast Red River homestead middens with other sites, such as Hivernant sites in the Cypress Hills. Contrasts could also be made between homestead sites and fur trade sites. A more specific avenue of investigation could be to show how homestead midden assemblages change through time, especially at sites dating after the arrival of the eastern rail link. The Fort Garry Place midden could also be used for comparisons with gaol assemblages from other sites throughout Canada and the United States.

Finally, the courthouse deposit serves as a further example of the effects of twentieth century development on heritage resources. Development

serves as an agent that either totally preserves or totally impacts an archaeological site. In the first instance, development can cover cultural deposits with a layer of fill and/or asphalt, concrete, sod etc., which seals the deposit and results in excellent preservation. This has not only been evidenced by the previous development at Fort Garry Place, but in Upper Fort Garry and at the forks of the Red and Assiniboine Rivers. Total destruction occurs when subsurface excavation has previously taken place, such as that observed when the construction of Fort Garry Place was first monitored in 1985. It may be possible in urban settings to predict those areas where heritage resources will be intact, using a variety of historical records, such as the fire insurance plans that have been compiled for the City of Winnipeg. Such heritage resources require effective and responsible management as urban redevelopment occurs.

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