

**SPECIAL SECTION:  
ANTHROPOLOGY AND ARCHAEOLOGY  
IN YUKON TERRITORY**



# KLONDIKE GOLD RUSH CAPITAL PUNISHMENT: REDISCOVERING THE CONVICTED AT FORMER FORT HERCHMER

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## ABSTRACT

In November 2010, construction workers finishing late-season excavations for a new waste-water treatment facility in Dawson City, Yukon, inadvertently exposed two wooden coffins with associated human skeletal remains. During the ensuing recovery and excavations, a total of four gold rush-era burials, consisting of wooden coffins, clothing fragments, lime, and disarticulated skeletal remains, were collected. The interred individuals' remains showed evidence they had been executed by hanging, a finding that is linked to the administration of justice by the North West Mounted Police during the height of the Klondike Gold Rush. This paper describes the recovery of the deeply buried, frozen graves and the osteological and archival analyses used to identify each individual.

## INTRODUCTION

Dawson City, Yukon, recognized for its historic role in the Klondike Gold Rush, remains today a thriving northern town with a strong reliance on gold mining. Situated at the confluence of the Klondike and Yukon Rivers, the town serves as a year-round home to nearly two thousand people, and is a popular tourist destination and the supply and service center for prospectors and miners who work in outlying areas (Fig. 1).

In early 2008, Dawson City faced the problem of updating its sewage treatment infrastructure and decided to build a new mechanical waste-water treatment facility at the south end of Fifth Avenue. Historically, this was the location of Fort Herchmer, the North West Mounted Police (NWMP) headquarters for the Yukon and the territorial center for the administration of justice, established in 1897 at the beginning of the Klondike Gold Rush. Between 1899 and 1932, ten individuals were executed by court order within the confines of the Fort Herchmer NWMP barracks. Many of these individuals were buried on site, along with the bodies of several other individuals

who died while in custody (Jones and Jones 2005). Burial records are incomplete, but it appears some individuals who died at Fort Herchmer may be buried elsewhere.

Much has been written regarding the role of the NWMP in the early days of the Yukon Territory (e.g., Coates and Morrison 2004; Dobrowolsky 1995; Morrison 1985; Wallace 2000) and the relations between First Nations and non-First Nations people before and at the time of the gold rush (e.g., Castillo 2012; Coates 1986, 1993; Coates and Morrison 1988; Dobrowolsky 2003; Neufeld and Norris 1996). Rather than expand upon these discussions, this article focuses on the unique discovery and recovery of four gold rush-era burials using archaeological techniques, osteological observations, and archival research to identify each individual. For questions regarding capital punishment, the process of law in Canada, and First Nations concepts of justice and capital punishment, readers are referred to Coates and Morrison (2004), Cruikshank (1989, 2000), Grove (1995), and Leyton-Brown (2010).

## DISCOVERY

On November 4, 2010, a backhoe operator excavating a large pit for the water treatment facility encountered human skeletal remains and associated coffin wood approximately 2.7 m below the ground surface. Work on the facility stopped immediately and the Royal Canadian Mounted Police (RCMP), the Yukon Government Cultural Services Branch, and the Heritage Department of Tr'ondëk Hwëch'in First Nation were notified, as required under the *Guidelines Respecting the Discovery of Human Remains and First Nation Burial Sites in the Yukon* ("Guidelines") (Yukon Government Tourism Heritage Branch 1999) and Section 13.9.0 of Chapter 13 of the Umbrella Final Agreement (UFA) (1993).

Under the provisions of the Guidelines, management authority of historic (and nonforensic) human remains in the Yukon is vested to the Yukon Government Cultural Services Branch, unless the remains are of First Nations ancestry, in which case management authority of the remains is vested to the First Nation within whose traditional territory the remains were found (Yukon Government Tourism Heritage Branch 1999). Dawson City is located within the traditional territory of the Tr'ondëk Hwëch'in First Nation.

## RECOVERY

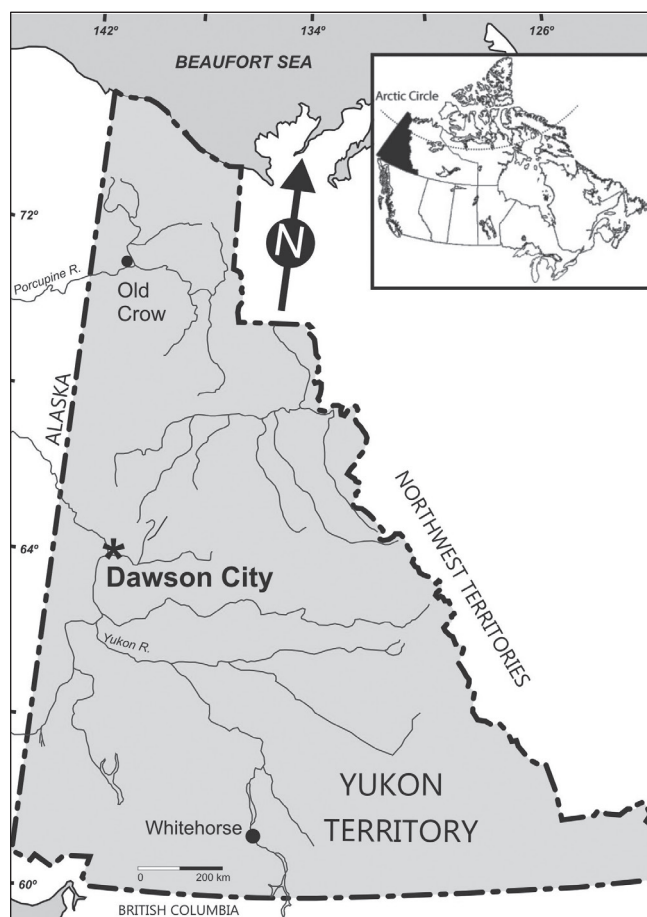
Following the initial discovery, the senior projects archaeologist from the Yukon Government Cultural Services Branch traveled to Dawson City to assess the situation. Wooden coffin fragments, clothing fragments, and disarticulated human remains were evident along the face and at the base of the steep excavation. In situ remains and coffin materials were also visible in the side cut, approximately 2.7 m below the surface. At least one truckload of sediment containing disturbed remains had already been removed from the excavation and had been deposited at a location off-site. Freshly exposed sediments were unfrozen, but with daily temperatures dropping to  $-20^{\circ}\text{C}$  it was only a matter of time before the soils would be frozen for winter. The decision was made to conduct an emergency salvage excavation.

A volunteer field crew was assembled and organized by the Heritage Department of Tr'ondëk Hwëch'in First Nation, consisting of members of their own staff, the City of Dawson Public Works crew, Dawson City Fire Department, staff of Corix Water Services, and the

Dawson Nursing Station (Fig. 2). Subsequent recovery and disinterment of the remains were directed by the senior projects archaeologist under Yukon Archaeological Sites Regulations Permit #10-29ASR.

Disturbed skeletal material, fabric, and coffin remains were collected from the side and base of the excavation pit. Following this, sifting screens were set up in the bottom of the pit and alongside the sediment piles that had been previously removed. Trowels and shovels were used to fill buckets with sediment that was then screened for burial goods. Simultaneously, excavations were carried out into the sidewall of the pit to recover the in situ skeletal and related materials.

After the remains of two coffins and associated skeletal materials had been recovered from the sidewall, a third undisturbed coffin was discovered. A tracked backhoe was used to remove approximately 2.5 m of overburden above the coffin, and trowels and shovels were used to finish the excavation. When fully exposed, the undisturbed



*Figure 1. Yukon Territory. Courtesy Yukon Government Cultural Services Branch.*





*Figure 2. Salvage activities in excavation pit, November 2010. Courtesy Pat Habiluk, Yukon Government Highways and Public Works.*

coffin consisted of a heavily deformed wooden box, approximately 1.8 m long and one meter wide. The top and bottom were constructed of three broad planks (likely spruce) with two lateral braces. The sides of the coffin had collapsed through time and skeletal material, fabric, and thick deposits of crumbling lime were visible through gaps in the side wall. The undisturbed coffin was excavated and removed in its entirety without being opened. The coffin was removed from the excavation using a rescue-carry technique employed by construction crews to remove an injured worker from a deep mine excavation (Fig. 3).

Following removal of the in situ burial, recovery efforts continued on the disturbed remains both within the excavation pit and off-site. During the next week, temperatures dropped to  $-30^{\circ}\text{C}$ . Diesel-powered portable light towers were employed to facilitate work in the brief subarctic days, insulated tarpaulins were used to prevent

freezing of the ground, and portable heaters were used to thaw dirt piles for screening.

The following week, a fourth interment was discovered at the edge of the excavation pit. This interment lay approximately 15 m to the north of the other interments, at the same depth below the surface. Unlike the previous burials, the skeletal material at the new location was incomplete, with associated skeletal elements present only from the waist down. Excavation of the burial revealed both the sides and bottom of the coffin were deflected downward, indicating a significant earlier disturbance of the grave. The burial was situated near a historic slough or watercourse, and it is possible a flood or erosion episode removed the upper half of the body. No evidence of the upper body or coffin was found during the salvage efforts. The fourth burial also differed from the previous burials in the amount of lime associated with it. Lime associated





*Figure 3. Excavators prepare to lift the intact coffin from the pit. Courtesy Tr'ondëk Hwëch'in Heritage Department.*

with the first three interments was thin, chalky, and crumbly. Lime associated with the fourth interment, however, resembled large thick blocks, often with skeletal remains completely entombed within them.

Eventually the ground became too frozen to continue the salvage excavation. Several piles of dirt were protected with tarpaulins and screened in spring 2011, with all recovered human skeletal fragments and associated clothing added to the recovery inventory. At the conclusion of screening, an estimated twenty tons of material from the excavation pit had been shoveled, carried, and screened.

## HISTORICAL CONTEXT

### FORT HERCHMER

In 1870, Rupert's Land and the North-Western Territory were transferred to the government of Canada. Prior to and during this time, western law and order in much of

the region was controlled by the Hudson's Bay Company. Attracting the attention of Canadian authorities in Ottawa because of heavy prospecting activity in the area, the government of Canada created the NWMP Yukon administrative division in 1895.

Following the announcement of the discovery of gold, the NWMP began constructing Fort Herchmer in Dawson City in 1897, naming it for the NWMP commissioner Lawrence William Herchmer. Approximately 16 hectares (40 acres) in size, Fort Herchmer was located between modern-day Front Street and Sixth Avenue, and Turner and Church Streets (Fig. 4). The fort was to become the NWMP headquarters for the Klondike Gold Rush. A number of buildings were moved to the new fort from Fort Constantine, and others were quickly constructed, including officers' quarters, a hospital, barracks, and a jail (Bush 1972) (Fig. 5). By September 5, 1898, Fort Herchmer boasted fifty-one police personnel and five special constables (MacBride Museum 2006). The workload



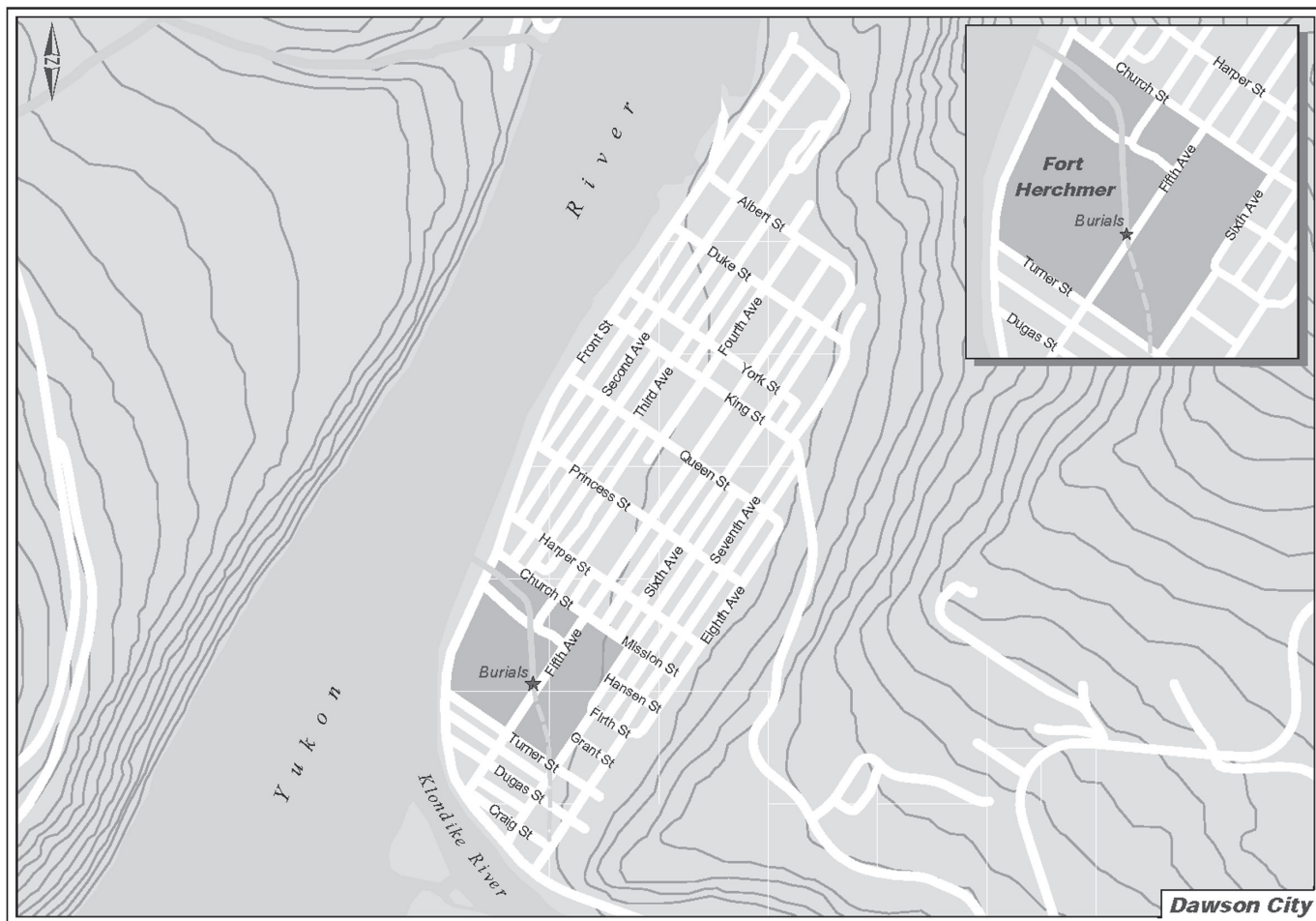


Figure 4. Fort Herchmer and Dawson City. Courtesy Ecofor Consulting, Inc.



Figure 5. Fort Herchmer, looking southeast, 1900. L-shaped building in the middle foreground is the guard house with jail. The Yukon River is to the right (Bush 1972).

became so great with the number of stampederers present in the area the NWMP established both a detachment to serve the Klondike and a town station in 1900 (MacBride Museum 2006).

## YUKON HANGINGS

In addition to regular police work, patrolling the goldfields, overseeing the health and safety of the people in the region, and representing the NWMP on the Territorial Council, commanders at Fort Herchmer were also expected to carry out capital punishment sentences (MacBride Museum 2006). While the Yukon was not plagued with frequent murders like some U.S. gold rush towns in California and Colorado, killings did take place (Coates and Morrison 2004:5). Between 1892 and 1961, the penalty for murders in Canada was death by hanging (Leyton-Brown 2010).

The first execution in the Yukon Territory under Canadian law took place in 1899 at Fort Herchmer (Canada Death Penalty Index 2008). In total, thirteen hangings were carried out in the Yukon between 1899 and 1932 (Canada Death Penalty Index 2008; Gadoury and Lechasseur 1994). One hanging took place in Whitehorse in 1916, two on Herschel Island in 1924, and ten in Dawson City between 1899 and 1932 (Table 1).

The practice of execution across Canada during this time was constrained by law and tradition. Death by hanging was intended to cause massive trauma to the cervical spine and result in a broken neck. However, many things could go wrong, including slow strangulation or decapitation. As a result, standardization surrounded the format of a trial as well as the construction of the gallows,

the length and size of the rope, the size of the trap door, the procession to the gallows, the list of people allowed on the gallows with the condemned, any speeches given, the straps and hood used on the condemned, the positioning of people under gallows to help if the process was botched, the type of coffin, and the interment of the body (Leyton-Brown 2010:81–103; *Klondike Nugget* 1900b). Of course, there were exceptions and changes were made to the standards over time, but across the country police detachments carrying out capital punishment followed the same procedures.

One of the practices of the day was to construct a new gallows for each hanging, often erected above the freshly dug grave (Leyton-Brown 2010). After the person was hanged, the body was lowered into the waiting coffin. The position of the coffin and the presence of a bag of quicklime, used to speed up the decomposition process and reduce odor, were often mentioned or depicted in newspaper accounts (*Dawson Daily News* 1908a; Leyton-Brown 2010:143). In many cases graves were not marked and were placed in the prison yards, according to Canada's criminal law Section 117, which states the only reason to bury outside a prison would be lack of space (Leyton-Brown 2010:139). Although in later years this practice changed (Leyton-Brown 2010:140), the Fort Herchmer burials appear to follow the earlier tradition. Archival records indicate there were two reported burial areas at Fort Herchmer, known as the "Barracks Cemetery" and the "Lime Pit" (Jones and Jones 2005). It is unclear if these are separate locations or simply descriptive names for general burial areas. Unfortunately, the historic record sheds little light on the actual locations of any of the burials.

**Table 1. Individuals hanged for murder in Dawson City, 1899–1932**

Name	Date	Ancestry	Age
Henderson, Edward	August 4, 1899	Caucasian	?
Nantuck, Dawson	August 4, 1899	First Nation	teens
Nantuck, Jim	August 4, 1899	First Nation	early 20s
King, Alexander	October 2, 1900	Caucasian	54
O'Brien, George	August 23, 1901	Caucasian	?
Fournier, Victor	January 20, 1903	Caucasian	?
Labelle, Edward	January 20, 1903	Caucasian	?
Elfors, Ned	October 6, 1908	Caucasian	55
Yoshioka, Rokuichi	November 23, 1917	Japanese	?
West, Barney	September 27, 1932	Caucasian	47

Sources: Barr 2004; Canada Death Penalty Index 2008; *Dawson Daily News* 1908b; Dickey 1898; Gadoury and Lechasseur 1994; *Klondike Nugget* 1900a.



## SKELETAL ANALYSES

All human skeletal remains, along with associated coffin wood and fabric fragments, were taken to a secure nearby facility for analyses. The in situ burial's coffin was opened but left generally undisturbed in its burial matrix. Over ninety-five percent of the available skeletal elements from the four interments were recovered from the excavation pit collection and screening activities in November 2010, with the remaining five percent recovered after protected back dirt piles thawed in spring 2011. The bulk of analyses of the skeletal remains were constrained to two days during the November 2010 salvage activities, with spring 2011 additions inventoried and analyzed prior to summer 2011 reburial activities.

The goal of the analyses was to be as noninvasive and respectful as possible while gathering enough information to match remains to known individuals based on archival information and oral histories. Skeletal analyses were conducted only to the level appropriate to this task. Time constraints for the analyses as well as limitations between objective observations and subjective interpretations were recognized at the onset. As a result, care was taken to compare collected data to standardized osteological sets in an effort to improve efficiency and lessen subjectivity. Any deviations from the standards were noted.

Because of the commingled and incomplete nature of some of the remains, the first task was to ascertain the minimum number of individuals (MNI) present in the four interments. There were several epidemics of typhoid, scurvy, flu, and diphtheria during the Klondike Gold Rush (Mellor 1997), and it was difficult to dig new grave shafts during the winter months; thus it was possible for a winter shaft to contain multiple burials. A count of the skeletal elements present (i.e., number of right femora, left ulnae, etc.) revealed an MNI of four individuals present in the four interments. Temporary letter designations were assigned to each individual (A, B, C, and D).

Examination of pelvic elements revealed all four individuals were male. Individuals recovered from the first three interments (A, B, and C) exhibited well-preserved wool clothing, bone, teeth, and hair. This preservation was likely the result of the loosely packed lime used during burial preparations. The fourth individual (D), present only from the waist down, differed from the others in this regard, as this individual was completely encased in large solid blocks of lime and exhibited no preserved

clothing other than a few pieces of leather and metal eyelets from a pair of boots.

Evidence consistent with hanging was also present. The individual left in situ and block lifted from the work site (C) had a cloth hood over his head, as well as evidence of leather bindings above and below the knees. The two individuals commingled by the backhoe (A and B) possessed similar hood material. Remains of leather bindings above and below the knees adhered to the well-preserved wool clothing around leg elements. Similar bindings were not observed for the fourth individual (D), likely due to poor preservation of his clothing. One hyoid bone, a small bone at the front of the throat, was identified among the commingled remains. It was broken but, due to the commingled nature of the remains, the timing of the fracture—whether perimortem (at the time of death) or postmortem (after death)—was indeterminate. No fractures of any of the cervical vertebrae were noted.

Evidence associated with the four individuals recovered from the former grounds of Fort Herchmer was consistent with persons who had been hanged. Hanging records from Fort Herchmer (Table 1) indicated ten men were hanged between the years of 1899 and 1932 and were of Caucasian, First Nation, or Asian ancestry. Although this provided a good starting point, more detailed analyses of the skeletons were necessary to identify each individual. The next steps in the osteological analyses were to determine stature, separate the commingled remains (A and B), determine age at death, try to determine ancestry, and look for pathological and cultural markers that might aid in the identification of each person when compared to the historical and oral records.

## STATURE

Studies of the relationship between bone length and stature show the measurement of leg bones correlates better with stature than does the measurement of the arm bones (U.S. Army 1976). When leg bones are missing or badly fractured, arm bone measurements may be used, but are less accurate. Most of the leg bones recovered at Fort Herchmer were complete. As a consequence, the “femur plus fibula” formula was chosen for estimating stature, as it holds the least standard error (U.S. Army 1976). No measurements were taken on in situ Burial C, so as not to further disturb this individual.

The ten men hanged at Fort Herchmer were known to be of Caucasian or First Nation/Asian ancestry. Stature formulae vary by ancestry, so two stature estimates were calculated for each set of remains: one formula for Caucasian males and one formula for First Nation/Asian males (U.S. Army 1976). Table 2 presents the results of these calculations.

SEPARATION OF COMMINGLED REMAINS

To separate the commingled remains (A and B), numerous methods were employed to distinguish one individual from the other. All long bones exhibited fully fused epiphyses (growth ends) and all third molars were erupted and in occlusion, indicating both individuals were adults at the time of death. Measurements taken of the long bone elements (humeri, tibiae, fibulae, femora) indicated both individuals were approximately the same size, thus separating the remains on the basis of stature was not possible. The comparison of cranial sutures (spaces between skull bones) was a bit more revealing, however; one individual exhibited a fully intact cranium (skull) with sagittal and occipital sutures that were beginning to fuse (A). The other individual exhibited a fully open and nonarticulated cranium (B). While the use of cranial suture fusing is not the most ideal or reliable method for determining age in skeletal analyses, it provided a hint as to the ages of both individuals. There was also an observed difference in the sternal rib ends, with some rib elements exhibiting concavity and others having a more blunt appearance. These

differences indicated both commingled individuals were fully adult, with one individual likely older than the other.

Beyond the crania and the ribs, the separation of the remainder of the skeletal elements was only guesswork without further clues. The lime associated with each of the interments served as an excellent preservation agent and enabled separation of the commingled remains. Both individuals were wearing wool underwear and wool socks at the time of death, as indicated by pieces of wool material adhering to a number of the skeletal elements. Some of these elements also exhibited a blue chalky stain, likely caused by the corrosive action of the lime as it degraded a pair of blue cotton trousers worn over the wool underwear. All the skeletal elements exhibiting this staining were easily matched to one another as antimeres (opposite bones of a pair), revealing the blue pants were worn by individual A. The preservation was so complete that light brown leg hair was observed inside the blue-stained wool material still adhering to many of the skeletal elements. In comparison, black leg hair was observed on the skeletal elements without blue-stained material.

The commingled remains were separated using this difference in body hair when possible, followed by the fitting of adjacent skeletal elements to the known matched elements and antimeres. Some foot bones adhered to the wool underwear associated with the lower leg elements of one individual. These were compared with loose commingled foot bones; antimeres were then matched to one another. Ribs were differentiated based on the appearance of their sternal ends (ends forming joints with the sternum/breastbone). The ribs exhibiting concave sternal ends were

Table 2. Fort Herchmer burial stature estimates

Burial	Skeletal Element	Length (cm)	Stature Estimate	Confidence Interval for Stature (1 σ)
A	left femur	48.5	177.9 cm (-5'10.0") if Caucasian	174.3–181.6 cm (5'8.5"–5'11.4") if Caucasian
	left fibula	39.2	177.2 cm (-5'9.8") if First Nation/Asian	174.1–180.4 cm (5'8.5"–5'10.9") if First Nation/Asian
B	left femur	47.5	176.9 cm (-5'9.6") if Caucasian	173.3–180.5 cm (5'8.2"–5'11.0") if Caucasian
	left fibula	39.4	176.3 cm (-5'9.4") if First Nation/Asian	173.1–179.4 cm (5'8.2"–5'10.6") if First Nation/Asian
D	right femur	44.1	169.3 cm (-5'6.6") if Caucasian	165.7–172.9 cm (5'5.2"–5'8.0") if Caucasian
	right fibula	37.0	169.2 cm (-5'6.6") if First Nation/Asian	166.0–172.4 cm (5'5.3"–5'7.8") if First Nation/Asian

Caucasian stature estimate: [1.31 (femur length + fibula length) + 63.05] ± 3.62 = living height in cm  
First Nation/Asian stature estimate: [1.22 (femur length + fibula length) + 70.24] ± 3.18 = living height in cm

sided and placed with the older commingled adult (A), while the ribs exhibiting blunt sternal ends were sided and placed with the younger adult (B). The occipital condyles (underside of skull forming a joint to the vertebral column) were present for both of the commingled individuals. Thus, vertebrae were matched using articulating facets when possible. Some of the blue staining from the leg elements appeared to have been transferred to the material adhering to a radius and ulna (lower arm bones). These elements were placed in association with that individual (A) and matched with the articulating humerus, then to the antimeres and associated hand bones. The remaining skeletal elements were placed with the other individual (B).

#### DETERMINATION OF AGE AT DEATH

Determining age at death for skeletal remains involves the observation and comparison of a number of points on the cranial and postcranial skeleton. Age-at-death ranges for each of these observation points have been developed using large skeletal samples from a number of populations (Buikstra and Ubelaker 1994). The appearance of each site can vary widely from population to population, as well as from individual to individual within a particular population. Individuals known to have been hanged at Fort Herchmer had European, Japanese, and First Nation ancestries.

Burial A exhibited completely fused long bones and sacrum (tailbone), indicating an age over thirty-two years (Buikstra and Ubelaker 1994), and third molars that were completely erupted and in occlusion (in contact with one another) for some time (crowns rounded), indicating an age at least in the mid-thirties (Scott 1979; Ubelaker 1989). A clavicle (collarbone) exhibited a smooth medial epiphysis (end of bone), indicating an age of over thirty years (Buikstra and Ubelaker 1994). This individual also exhibited cranial sutures showing significant closure on the back of the skull, while sutures at the top of the skull showed minimal closure. This is consistent with an individual between the ages of thirty-five and forty-nine years (Buikstra and Ubelaker 1994). Taking all of the observed sites into consideration, along with the amount of wear on the teeth, this individual was likely in his late thirties or early forties at the time of death.

Burial B exhibited completely fused long bones with very slight epiphyseal growth lines on the distal left radius, indicating an age around twenty to twenty-two years (Buikstra and Ubelaker 1994). This individual also exhib-

ited open cranial sutures, indicating he was a young adult or possibly an older adolescent (Buikstra and Ubelaker 1994). In contrast, this individual's third molars were completely erupted and in occlusion with large occlusal facets, indicating an age likely in the mid-twenties (Scott 1979; Ubelaker 1989). These observations seem to contradict each other when compared to osteological standards (Buikstra and Ubelaker 1994), with the teeth indicating an older age at death than the fusion of long bone and cranial elements. Discussions with colleagues in Alaska revealed similar observations in subarctic Athabascan remains (Rachel Joan Dale, pers. comm., April 18, 2011). Forensic experts there noted a predisposition for teeth to erupt earlier and long bones to fuse later in some First Nation remains recovered in southern Alaska than published osteological standards (Rachel Joan Dale, pers. comm., April 18, 2011). The morphology of Burial B's dentition and jaw indicated First Nation ancestry (see discussion below). Taking this into account, this individual was determined to be in his early twenties at death.

Burial C was in situ, surrounded by burial matrix, yet many long bone epiphyses could be observed. This individual exhibited erupted third molars with at least one small occlusal facet, indicating a possible age around twenty to twenty-one years (Buikstra and Ubelaker 1994; Scott 1979). All of this individual's cranial sutures were open and all of the long bones observed (distal radii, distal femora, proximal tibiae, and proximal fibulae) were unfused, indicating an age of death in the mid-teens (Buikstra and Ubelaker 1994; McKern and Stewart 1957). As with Burial B, these observations seem to be in conflict, unless regional ancestry is considered (Rachel Joan Dale, pers. comm., April 18, 2011). Athabascan ancestry might explain these differences. Taking this into account, this individual was determined to be in his late teens (seventeen to nineteen years).

Burial D contained skeletal elements only from the waist down. All of the long bones present were completely fused, indicating this individual was an adult. Although incomplete, the remains included a complete right pubic symphysis exhibiting an eroded ventral margin and disfigurement, indicating an individual over fifty years of age (Buikstra and Ubelaker 1994). Additionally, this individual had a completely fused right sacroiliac joint (where tailbone articulates with pelvis) and osteoarthritic lipping on the left sacroiliac joint and first sacral element, further indicating the individual was a mature adult when he was hanged.



## CULTURAL MODIFICATION AND NONMETRIC OBSERVATIONS

Assessing the ancestry of skeletal remains is not a precise science. Techniques using observed differences in the skull, particularly the morphology of facial bones and dentition, provide clues to which broad ancestral category (Caucasoid, First Nation/Asian, Black, or Hispanic) a person belongs. Coupling this information with observations of cultural modifications can provide further insight and assist in identifying unknown skeletal remains.

Burial A's complete cranium revealed many clues regarding his ancestry and background. The most obvious was a gold dental bridge extending from the left lateral incisor to the first left premolar with a porcelain canine veneer mounted in between. Also, there was prominent staining on the mandibular and maxillary molars, likely from heavy use of chewing tobacco. These observations indicate the individual had access to dental specialists and a steady supply of tobacco (Fig. 6).

The next set of observations regarding Burial A's cranium were of the nonmetric type. His orbits (eye sockets) had a slight downward angle on the sides, there was a slight anterior nasal spine at the base of his nasal cavity, and a prominent chin. His incisors exhibited no shoveling, and he had anterior crowding of his incisors, indicating his jaw was a bit too small to accommodate the size and number of his teeth. Additionally, the mandibular arcade was C-shaped, the angle of his jaw (gonial angle) was more oblique than square, and his ascending ramus exhibited a pinched appearance.

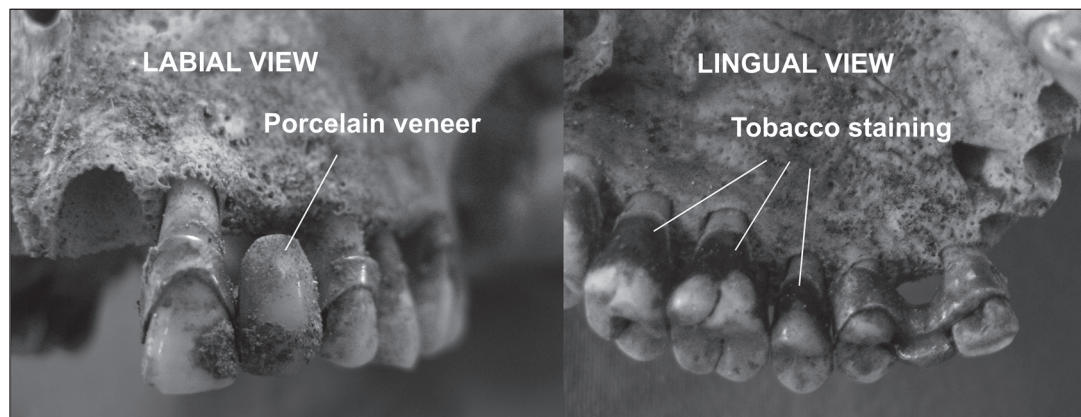
Burial B had a nonarticulated calvarium and face, making nonmetric observations difficult. Cranial fragments revealed a blurred nasal sill and what appeared to

be symmetrical double mastoid processes (bony protuberance behind ear). Further inspection revealed these to be the mastoid processes and very robust digastric muscle insertions, possibly indicating robust chewing musculature in this individual (Fig. 7). (The digastric muscle extends from behind the ear to the hyoid bone in the throat under the jaw to the back of the chin. Its key function is to open the jaw and move the hyoid bone during chewing.) Other observations included a prominent chin, slightly shovel-shaped incisors, and a U-shaped mandibular arcade with no incisor crowding. The gonial angle of Burial B's jaw was more oblique than square, and his ascending ramus was parallel and nonpinched.

Burial C exhibited a partially articulated calvarium but, like Burial B, nonmetric observations were difficult due to the nonarticulated nature of the face. Cranial elements were somewhat fragmented or obscured due to coffin wear and the presence of burial matrix but appeared to show the robust digastric muscle insertion, like Burial B. Burial C's mandible exhibited a prominent chin, his incisors were shovel-shaped, and his mandibular arcade was U-shaped with no crowding of the incisors. The gonial angle of Burial C's jaw was more square than oblique, unlike those of Burials A and B, but his ascending ramus was parallel and nonpinched, like that of Burial B.

Burial D's skeletal remains consisted only of elements from the waist down, leaving few elements helpful for nonmetric determination of ancestry. This individual exhibited marked muscle attachments on his legs, indicating he may have been quite muscular and/or heavyset or overweight.

The shape of Burial A's orbits, his slight anterior nasal spine, crowded anterior teeth, C-shaped arcade, and prominent chin are consistent with those of a Caucasian individual. His custom dental work and tobacco-stained



*Figure 6. Burial A dentition. Left: labial view showing gold bridge and porcelain canine veneer. Right: lingual view showing gold bridge and tobacco-stained molars.*



*Figure 7. Mastoid process and robust digastric muscle insertion of Burial B.*

teeth indicate he likely came to the Klondike from a population center with specialized services and amenities.

Burial B and Burial C's characteristics are consistent with First Nations individuals. A noted difference between the two was Burial B's gonial angle or non-squared jaw and Burial C's squared one. This could indicate variation within a particular population, the presence of two different population groups, or population admixture. Without a larger sample, it is difficult to explain the difference. Also of note was the robust digastric muscle insertions near the mastoid processes. Correspondence with colleagues in Alaska indicates subarctic Athabascan remains recovered in that region exhibit robust attachment points for chewing musculature. This trait is believed to be of a genetic rather than cultural origin (Rachel Joan Dale, pers. comm., April

18, 2011), as it is associated with the same individuals exhibiting early dental eruption and late long bone fusion from that region. Burial D's ancestral origin remains a mystery, given the incomplete nature of the skeletal remains.

#### PALEOPATHOLOGY

Observations of abnormal bone can provide insight into an individual's health before his death, but not all illnesses leave skeletal signatures. Observations made of the remains recovered from Fort Herchmer, however, revealed each of the individuals likely suffered from significant physical pain due to pathological conditions.

Burial A exhibited robust muscle attachments and good joints free of osteoarthritis. The spinous tubercle of the first sacral element was skewed to the left so that bone on the right side of the sacrum exhibited a slightly remodeled appearance. This indicates Burial A suffered from a soft tissue condition within the right sacroiliac region that was present long enough to push the spinous tubercle away from its centered anatomical position. Whether the origin of this soft tissue condition was infection, cancer, or some other cause is indiscernible.

Burial B exhibited osteomyelitis (infection of the bone) in the tenth, eleventh, and twelfth thoracic and first lumbar vertebrae with significant cloacae (holes). Although the origin of this infection is unknown, its location at the base of the lungs is consistent with tuberculosis (Fig. 8).

Burial C exhibited porotic hyperostosis (spongy bone) on the parietal, frontal, and occipital bones of the skull, along with marked pitting of both the maxillary and mandibular alveolar bones. This condition indicates this individual suffered from poor nutrition and severe gum disease resulting in low levels of iron in his blood prior to his death (Stuart-Macadam 1992). Whether or not this individual's low iron level was a consequence of the individual fighting a pathogen or was a direct result of malnutrition is unknown.

Burial D exhibited a completely ankylosed (fused) sacroiliac joint and a probable compressed third sacral segment, likely the result of a traumatic injury. In addition, the top and right auricular surface of this individual's first sacral element exhibited marked osteoarthritic lipping. Whether this lipping is a result of ambulatory compensation for the fused joint on the right or due to this individual's mature age is unknown, given the incomplete nature of the skeletal elements.



### SELECTED PROFILES

The data on stature, age at death, ancestry, pathology, and cultural markers provide the necessary information to build identities for each individual excavated from the former grounds of Fort Herchmer.

A summary of the osteological analyses for each individual is presented in Table 3.

Klondike Gold Rush sources sometimes conflict with one another. Exact dates, locations, and proper spelling of names are almost always problematic, with rival news-

papers of the day displaying contrasting attitudes toward the trials leading to the scaffold—one viewing them as a swift form of justice and the other as an endless series of procrastination and appeals (Bush 1971:17). Nonetheless, newspaper articles often describe the physical appearance of the individuals on trial. Typically, however, the convicts' ages were not noted in the press unless he was rather young (teens), or appeared to be in his fifties or older. Comparison of the data collected from the osteological analyses to these articles, as well as other historical records and oral histories, help determine identities for each of the individuals excavated at Fort Herchmer.

Selected profiles are presented for five of the ten men hanged at Fort Herchmer, detailing the circumstances that led each to the gallows. A discussion of how the osteological analyses coincide with each follows.

#### Edward Henderson

Edward Henderson left Seattle for the Klondike gold fields and went over the Chilkoot Pass with his former co-worker, George Gale, and another companion, Tomburg Peterson (Grove 1995:95; *Klondike Nugget* 1898). Described as “peevisish” and “irritable,” likely because of pain, Henderson needed to urinate in a small tin can every ten to fifteen minutes on the trek (Coates and Morrison 2004:25). His condition, described at the time as “catarrh of the stomach,” involved the discharge of blood in his urine and allowed him very little sleep. Henderson also endured constant ridicule from his traveling companions (Grove 1995:95).

By autumn, the three made it as far as Marsh Lake and decided to camp (Grove 1995:95), Henderson and Peterson in one tent and Gale in the other. Gale was awakened by an altercation and pistol shot in the early hours of the following morning (*Klondike Nugget* 1898) and found Peterson had been wounded. Henderson claimed a tin cup



Figure 8. Superior view of L1 vertebra showing evidence of osteomyelitis on Burial B.

Table 3. Summary of osteological analyses

Burial	Initial Observations	Probable Ancestry	Estimated Stature/ Range	Estimated Age at Death	Pathological Condition
Burial A	commingled with Burial B	Caucasian	177.9 cm (~5'10.0")	mid-to-late 30s	soft tissue malady near right sacroiliac region
Burial B	commingled with Burial A	First Nation	176.3 cm (~5'9.4")	early 20s	bone infection of T10, T11, T12, and L1 vertebrae consistent with tuberculosis
Burial C	in situ	First Nation	unknown	17–19 yrs	nutritional imbalance and gum disease
Burial D	complete from waist down	unknown	169.3 cm (~5'6.6")	+50 yrs	fused right sacroiliac joint, compressed sacral segment, and osteoarthritic lipping



containing his urine had spilled on Peterson's bedroll and he awoke to Peterson kneeling on his groin and choking him (*Klondike Nugget* 1898). Henderson claimed he shot Peterson in self-defense. Peterson died the next morning. At trial a year after the incident, Dr. H.A. Bonner testified Peterson's wounds were inconsistent with Henderson's story. During trial it was shown Henderson had become irritated with the violent-tempered Peterson for teasing him to "the point of frenzy" and had threatened Peterson's life. Henderson claimed to have been "sick in bed for a year" prior to his trip to the gold fields, and was still in so much pain he "could barely stagger to the prisoner's box." Henderson was given morphine, which reduced his irritability, but he continued to suffer as a result of his condition and never changed his story. The jury refused to believe his unsupported testimony and "did not recognize his irresponsibility on account of his illness" (*Klondike Nugget* 1898). Edward Henderson was hanged on August 4, 1899.

### **Jim and Dawson Nantuck**

Jim, Dawson, Joe, and Frank Nantuck, "brothers" in the Crow clan of the Tagish Kwan, befriended two miners, Christian Fox and William Meehan, along the banks of McClintock Creek near Marsh Lake in early May 1898. The miners had attempted to make a spring foot trip to Dawson City prior to breakup using pathways along frozen creeks in hopes of avoiding a boat trip through the dreaded Whitehorse rapids (Grove 1995:88). The miners broke through the ice, got soaked, doubled back, made camp on the muddy banks of the creek, and grudgingly decided to build a boat and float to Dawson City with the rest of the stampeders (Grove 1995:88). Frank and Joe Nantuck were hunting in the same area; they came into the prospectors' camp and asked for food. Over the next few days, Frank, Joe, and their brother Dawson camped nearby and made friendly visits as the miners built their boat and the brothers borrowed tools to build a raft. The brothers finished their project, returned the tools, and floated a short distance down the creek to their own camp where they were joined by their brother, Jim, and some others. Fox and Meehan were "disturbed" by the way the group across the creek was acting and decided to pack and leave the next morning. The two miners struck out at 11 AM and twenty minutes later were shot by the Nantucks. Fox was shot first in the arm and badly wounded; Meehan was shot second and killed instantly. Fox slumped low in the boat so as not to be seen and used his good arm to paddle to the opposite shore from where the shots had been fired.

Upon reaching the shore he ran into the woods to escape. He carefully walked on logs and grass to hide his trail and headed toward the mountains. Eventually, he lost the use of his wounded arm and tied it to his side.

Fox walked six miles south to Bill McIntosh's camp near Marsh Lake. McIntosh entrusted Fox to the care of a local physician then dispatched an employee to the NWMP post in Tagish and sent his partner and some others to Fox and Meehan's camp site, where they found a bloodied and bullet-ridden boat with no body. Within two weeks the NWMP found Jim Nantuck and discovered that he and his brothers had submerged Meehan's body in eighteen feet of water by weighing it down with a pick-ax. The police recovered Meehan's body and arrested the four Nantucks, taking them to Tagish Post to await a trip to Dawson City for arraignment (Fig. 9). The Nantucks were chained together in a public area and were photographed and/or sketched by numerous stampeders en route to the gold fields (Cruikshank 1989:28; Healy 1898:10) (Fig. 10). Described as being between fourteen and twenty years old, the four were questioned by a Presbyterian missionary about the incident (Dickey 1898:72). They admitted to killing Meehan and seemed ashamed of their poor marksmanship in not killing both men (Dickey 1898:72).

Oral accounts from Tagish elders provide a possible explanation for the boys' actions, recounting two deaths in the Crow clan the previous summer when an elderly woman found or was given a small can of white powder (Cruikshank 1989:30). Thinking the powder was baking soda, the woman used it to bake bread and fed it to her husband and grandson, who then died. Later it was discovered the white powder was arsenic, used in the gold refining process (Cruikshank 1989:30). Conventional Tagish/Southern Tutchone conflict resolution dictated if a victim was of one clan and the attacker a member of another clan, formal negotiations were necessary to arrange fair compensation for the deaths, which could include repayment in goods or the deaths of "social equivalents" (Cruikshank 1989:30). The social group to which the attacker belonged had the responsibility of opening negotiations (Cruikshank 1989:30). From the Nantucks' perspective, the Crow clan had been wronged by the "White" clan. Since the members of the "White" clan did not open negotiations during the brothers' many visits to their camp, the Nantucks decided the miners were social equivalents for the deceased (Cruikshank 1989:30).

A trial was held July 28, 1898, in Dawson City, at which Jim, Dawson, and Joe pled guilty and were sentenced to





*Figure 9. Nantuck brothers chained together at Tagish Post. Frank Nantuck, the youngest, is in the middle. Jim Nantuck is second from the right between Frank and an unidentified NWMP officer. Joe and Dawson Nantuck are on the left, but are not identified individually. National Archives of Canada, RG13, Series C1, vol. 1434.*



*Figure 10. Sketch of the four Nantuck brothers imprisoned at Tagish Post, by Leon Boillot, 1898 (Boillot [1899] 2010).*



hang for murder (Dickey 1898:72; Canadian Department of Justice 1898). Frank, the youngest, who spoke some English and provided testimony, was also sentenced to hang, but with a strong recommendation for clemency from the court. These sentences were delayed, however, because the trial had taken place after Dawson City came under the jurisdiction of the Yukon Territorial Court (June 13, 1898), but it had been heard by the Supreme Court of the Northwest Territories. Writs of habeas corpus were filed and the sentencing delayed while letters traveled overland between Dawson City and Ottawa. In February 1899, Frank and Joe Nantuck died in custody from complications of consumption (tuberculosis) and scurvy (Canadian Department of Justice 1899; Grove 1995:102). Jim and Dawson Nantuck were hanged alongside Edward Henderson on August 4, 1898.

### Alexander King

Alexander King arrived on the Kenai Peninsula of Alaska in 1888 from Sacramento, California (Carlson and Bill 2006:136; *Klondike Nugget* 1900a). He convinced Captain Charles Swanson to grubstake him for two summers and a winter, then rowed an "old, sorry-looking dory up Turnagain Arm" looking for gold (Carlson and Bill 2006:136; McKinney 2007). Given the deadly bore tides of Turnagain Arm, this was a worthy feat in and of itself, and King was not expected to return, but return he did late the second summer with four pokes of gold (Carlson and Bill 2006:137). King paid off his grubstake debt then went to look for the mother lode, staking his claim on Resurrection Creek in 1893 and forever putting the Kenai Peninsula on the map (Carlson and Bill 2006:137).

By July 1900, King had moved to the Yukon Territory and taken a position on a scow crew out of Whitehorse (*Klondike Nugget* 1900c). The scow was captained by Herbert Davenport, who had made several river trips already that season. The crew included "Chas" Everett, Lester Knouffe, and King for the trip to Dawson City (*Klondike Nugget* 1900c). As was the norm for freight travel when the river was muddy, the scow kept running into sandbars, which reportedly enraged the fifty-four-year-old King (*Klondike Nugget* 1900a, 1900c). On the evening of July 18, the scow stopped at yet another sandbar near the White River confluence. Davenport and Everett got into a small boat to seek out the river channel. As they returned to the scow, King leveled his .44-caliber rifle at Davenport and said, "You have bum-fuzzled us fellows long enough." King shot the scow captain, killing

him instantly (*Klondike Nugget* 1900c). King then trained the rifle on Everett and Knouffe until they promised to swear Davenport had been shot by accident. Everett and Knouffe then persuaded King to leave Davenport's body on the scow and continue to Dawson City with them in the boat. Within hours of their arrival, King's companions "ratted" him out to authorities (*Klondike Nugget* 1900c). On October 2, the short, thick-set, grey-bearded King was hanged (*Klondike Nugget* 1900a, 1900b). NWMP files contain correspondence regarding the placement of King's remains that suggest he be placed outside, but near, the NWMP barracks square, "alongside the bodies of the Nantucks and Henderson" (Neufeld 2010).

### Anthony Nestor Elfors

Anthony Nestor "Ned" Elfors, born in Finland in 1853, traveled to the Yukon from Seattle in the summer of 1908 with two companions, David Bergman and Emil Anderson, another Finn (*Dawson Daily News* 1908a). The three left Whitehorse on Saturday, May 16, 1908, by boat. By the first week of June, they were ten miles south of Fort Selkirk (*Dawson Daily News* 1908a). Elfors awoke Anderson one morning and asked him to help bring out a bear he had killed earlier. After walking a mile or so, Elfors told Anderson to go ahead of him, then pulled a .32-caliber revolver and shot Anderson in the jaw from behind (*Dawson Daily News* 1908a). Anderson, twenty-three years old, lean and 5'7," wrestled with Elfors, who was fifty-five, thin and 5'4," while Elfors continued to try and shoot him in the head and face (*Dawson Daily News* 1908c). Anderson overpowered and pinned Elfors down, then plunged into the woods and ran to Fort Selkirk wearing no shoes (*Dawson Daily News* 1908a). Anderson reported to police at Fort Selkirk he did not know what had happened to Bergman, as he had not seen him since retiring the night before (*Dawson Daily News* 1908a).

Within a few days, police found Elfors' camp and quietly approached the tent, removing his rifles before awakening the sleeping man (*Dawson Daily News* 1908a). Elfors and Anderson were transported to Dawson City, where Anderson had the bullet removed from his jaw and authorities matched it with the caliber of Elfors' pistol (*Dawson Daily News* 1908c). Bergman's body was eventually found, and Elfors' trial was set for July 6, 1908. Elfors was reportedly hard of hearing and said he could not understand half of what was said at his arraignment (*Dawson Daily News* 1908b). At trial he did not speak, so his jailer, Sergeant Edward Smith, retold the story Elfors had told him. Elfors



claimed he went hunting the morning of the incident, got two rabbits, hung them in a tree and then went back to camp for coffee, not knowing where Bergman had gone. He claimed he and Anderson had merely had a fight, and that he shot Anderson while the younger man was on top of him (*Dawson Daily News* 1908a). The prosecution argued Elfors, who was right-handed, could not have shot Anderson in the back of the right jaw from below (*Dawson Daily News* 1908b). The jury convicted Elfors and he was hanged on October 6 after confessing to the murder of David Bergman (*Dawson Daily News* 1908a).

## DISCUSSION

The ten hangings carried out at Fort Herchmer occurred on seven different occasions. On one occasion, August 4, 1899, three men were hanged on the same day—Edward Henderson, Jim Nantuck, and Dawson Nantuck. Burials A, B, and C were found to be directly adjacent to one another and at the same depth below the surface, 2.7 m, implying the three were interred at the same time. Additionally, lime associated with these burials was very similar, yet differed significantly from lime associated with the fourth burial.

Edward Henderson was a Caucasian male, thirty-five to forty years of age. He came to the Yukon from Seattle, and his need to urinate in a tin cup every ten to fifteen minutes was well documented. Osteological analyses indicated Burial A was that of a Caucasian male, approximately 177.9 cm tall, in his mid-to-late thirties at the time of death, sported a golden smile and tobacco-stained teeth, and exhibited a soft tissue malady in his right sacroiliac region consistent with the condition described for Mr. Henderson.

Jim Nantuck was a First Nation male from the Tagish Kwan territory, in his early twenties, and the tallest and oldest of the four Nantuck brothers (Canadian Department of Justice 1898; Dickey 1898:72). He was incarcerated with his brothers, two of whom were known to have died in NWMP custody from tuberculosis and scurvy. Osteological analyses indicated Burial B was that of a First Nation male, approximately 176.2 cm tall, in his early twenties at the time of death, who exhibited bone infection of four vertebrae consistent with tuberculosis.

Dawson Nantuck was a First Nation male from the Tagish Kwan territory, in his teens, and one of the middle two Nantuck brothers (Dickey 1898:72). Osteological analyses indicated Burial C was that of a First Nation

male, in his teens at the time of death, who exhibited pitting on his skull and alveolar bone consistent with someone who suffered from nutritional imbalance and gum disease.

The fourth burial (D) was found 15 m to the north of the first three burials, at a similar depth, and by itself. Lime associated with the fourth burial resembled large, thick blocks. Osteological analyses indicated this individual was a male, approximately 169.2 cm tall, over fifty at the time of death, whose leg muscle attachments suggested an extremely muscular and/or heavy-set individual. This individual also exhibited a completely fused sacroiliac joint, a compressed sacral element, and osteoarthritis.

Only two individuals hanged at Fort Herchmer are known to have been over fifty years old: Alexander King (fifty-four) and Nestor Elfors (fifty-five) (*Dawson Daily News* 1908c; *Klondike Nugget* 1900a). Alexander King is described in newspaper accounts of the day as short and thick-set (*Klondike Nugget* 1900a), while Nestor Elfors is described as 5'4," thin, and "perhaps one of the smallest men in stature ever in Dawson" (*Dawson Daily News* 1908a). Burial D's stature and overall build are more consistent with newspaper descriptions of King than of Elfors. Further, King was reported to have stood on a scow and shot his victim before rowing to Dawson City, while Elfors is reported to have walked over a mile to shoot one of his victims and admitted prior to hanging that he had fought with the same individual. King's upper body actions are more consistent with an individual exhibiting a completely fused sacroiliac joint and osteoarthritic lipping than are Elfors' actions, which would have required greater mobility.

Since newspaper accounts from the time are known for exaggeration, further evidence is needed to assign Burial D's identification. An unsigned letter to the commanding officer of the Yukon Territory NWMP from the commissioner, dated October 2, 1900, gives permission for the body of Alexander King to be buried outside, but close to, the barracks square and suggests it be placed "alongside the bodies of the Nantucks and Henderson" (Neufeld 2010). Whether or not 15 m is close enough to be considered "alongside" is unknown. Newspaper accounts from October 6, 1908 (*Dawson Daily News* 1908d), report Elfors' body was placed in a crude box and interred beside the slough which runs through the barracks yard, consistent with the location of all four of the burials salvaged from the grounds of former Fort Herchmer.

## CONCLUSION

The goal of the skeletal analyses was to be as noninvasive and respectful as possible, yet still determine individual identifications when compared with archaeological context and archival information. In so doing, Burial A's identification was assigned as Edward Henderson. Burial B's identification was assigned as Jim Nantuck. Burial C's identification was assigned as Dawson Nantuck. Burial D's identification was left unassigned, but noted as being consistent with Alexander King.

## REBURIAL

Following the analyses of the individuals from Fort Herchmer, the Tr'ondëk Hwëch'in First Nation managed the process of deciding how to proceed with the reburial of Jim and Dawson Nantuck, while the Yukon Government managed the process of how to proceed with the reburial of Edward Henderson and King or Elfors. The Tagish Kwan of 1898 is now represented in the Yukon by their descendants in the Carcross/Tagish First Nation, the Kwanlin Dün First Nation, and the Ta'an Kwäch'än Council. Elders from these three self-governing First Nations decided against any further testing (e.g., DNA analyses), as they felt it more respectful and in line with their traditional beliefs and values to rebury the two men as soon as possible near their initial burial site. Likewise, the Yukon Government decided to rebury Henderson and King or Elfors in the cemetery closest to their original interment location.

On Saturday, June 11, 2011, all four individuals were reburied. A private and media-free ceremony was held in the city cemetery beside gravesites donated by Dawson City. Over twenty individuals representing Dawson City, the Yukon Government, the Tr'ondëk Hwëch'in First Nation, the Carcross/Tagish First Nation, the Kwanlin Dün First Nation, and Corix Water Services were in attendance.

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