

## Timothy Collins Family of Mint Cove, Spaniard's Bay

The founder of the Newfoundland Collins family of Spaniard's Bay and, later, of Indian Islands, was Timothy Collins, who was probably born around 1758, based on a guesstimated age of 25 at the time of his marriage. His parents are unknown.

There is a strong oral tradition among the Indian Islands branch that Timothy came from County Cork and was of the Roman Catholic faith, but this tradition was not shared by his descendants in Spaniard's Bay. According to a student paper lodged at Maritime History Archive in St. John's, Newfoundland and Labrador, Duncan Collins, a late resident of Spaniard's Bay, said that a young man of the Collins name visited Harbour Grace in the eighteenth century and married a girl there. The couple had a son. On a return visit to England, the elder's boat was lost and his wife was left to raise the child on her own. She raised him in the Protestant faith, and this was the Collins who settled at Spaniard's Bay. A variation on this, as told by William Collins, another resident at the time, was that the first Collins came directly from the Channel Islands, probably Guernsey, arrived at Bristol's Hope about 1710, married a girl named Pike from Carbonear, and that it was their son who settled at Spaniard's Bay.<sup>1</sup>

Our first sighting of Timothy appears to be in 1780-1781, when he is counted among the early residents of St. John's. There, he occupies land on the Upper Road, now known as Duckworth Street, and his neighbours are Dennis Callagan, James Hannon, James Jeffery, and John Callagan (divisions 50 to 54)—all names that were common to the County Cork area—with Wills with Jeffreys, Richard Martin, George Hutchings, Richard Hutchings, and John Undery (divisions 55 to 59) on the other side. By command of the governor, R. Edwards, on September 2, 1780, Timothy is ordered to move his fence back four feet to make room for a path and is charged for the cost of doing so.<sup>2</sup> There is no record of this Timothy Collins in the subsequent 1794 census for St. John's, which suggests he had either died or moved away.

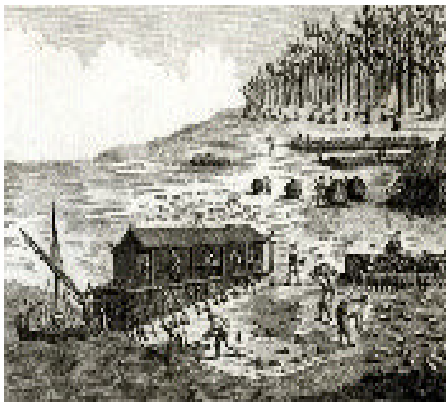
Most likely, the Timothy Collins of St. John's is the Timothy Collins noted among the Harbour Grace Anglican (St. Paul's) records in 1783. There, on September 12, he marries 19-year-old Jane Warford, a "local Church of England girl," whose ancestors had been on the island since the early 1700s. Jane's parents, probably born in Port de Grave, were Henry (1731-1816) and Jane (Tucker?) (1744-1806) Warford, who had settled in Bears Cove, Harbour Grace, in 1776.<sup>3</sup>

Timothy and Jane first make their home in Harbour Grace, where they start their family and stay for some thirteen years. Not a lot is known about Timothy's time in Harbour Grace, but it would seem that for at least a couple of them he may have been in the employ of a John LeViscompte (LeViscounte), who held fishing rooms there. Many years later, in a case known as the Jersey Room case, those fishing rooms became the subject of a dispute, and Timothy was called before the court to give evidence. On May 25/26, 1820, his testimony, as phrased by the Harbour Grace Surrogate Court, was:

Timothy Collins, sworn & examined. Witness knows Jersey room – and has done so for upwards of thirty years – he made fish on it two years – 30 and 31 years ago – Le Viscompte then held it – there were then no buildings on it, except the store now standing on it – the stage called island

stage was then standing, and in a good state – Mr. Viscompte had lately built it – witness landed his fish there and carried it back of the Jersey rooms to a small flake to make it – this flake was on a different room – there were the remains of a few beams, on which the flake of the Jersey room had stood, but it was not fit for use at the time – There was no wharf of any consequence then standing, except the old one now there – but there might be more of it then than now. After this Thomey took possession of the room and built a new flake on it – Witness is quite sure when he made his fish there, Le Viscompte had possession of the Jersey room – and that it was before Thomey had it.<sup>4</sup>

Depiction of a fishing room



If Timothy was correct about it being 30 and 31 years before, this would place him in LeViscompte's employ in 1789 and 1790. However, in October 1789 John Thomey complained to the court that a fishing room put in the occupation of Mr. John LeViscounte had not been delivered up to him in reasonable repair."<sup>5</sup> Given this, if Le Viscompte transferred possession of the room in 1789, it would seem that Timothy was a year or two off and that most likely the two years he made fish there were 1788 and 1789.

In 1795 John Warford, Timothy's brother-in-law, relocated to Mint Cove, Spaniard's Bay. Probably at John's urging, Timothy, Jane, and their growing family followed him the ensuing year. There, Timothy chose a plot of land just to

the south of Henry Sheppard Jr., which he then cut and cleared out of the woods. He acquired a second piece of land in 1805, "in consequence of [its] lying void," and became the immediate neighbor of John Warford, whose property lay just to the north of his.<sup>6</sup> This second acquisition, according to Eric Martin Gosse in his book *The Settling of Spaniard's Bay*, "provided the claimant with the largest fishing plantation of any early settler in Spaniard's Bay."<sup>7</sup> He owned, according to one modern-day descendant, about 200 acres.<sup>8</sup> His property included one stage, one flake, one house, one garden, and one meadow.<sup>9</sup> Timothy and Jane settled down to raise their family of two sons—John and George—and nine daughters—Elizabeth, Maria, Jane, Ann Susannah, Emma, Amy, Diana Grace, Patience, and Frances Theresa.

In Mint Cove, Timothy and John Warford were partners in what was probably the inshore fishery and may have employed other men to assist them. (I say this because John was sued by John Lawton in 1817 for wages.<sup>10</sup>) In 1798 they jointly entered into a bond with Harbour Grace merchants Thomey and Kearney, for "the sum of one hundred and thirty-eight pounds, six shillings, & five pence farthing of lawful money of Great Britain to which payment well & truly to be made." As surety for the loan, they almost mortgaged their souls, offering up: "our mutual Goods & Chattels, Lands & Tenements, especially our Boat & Craft with all her materials, Plantation, etc., with all the Buildings and improvements made or to be made thereon."<sup>11</sup> Since Timothy and John were partners, presumably they got along, at least at the outset. (Jane's relationship with her brother after her father's death was another matter.)

However, Timothy's relationship with his other neighbour, Henry Sheppard Jr, was somewhat rocky.<sup>12</sup> The same year that Timothy and John entered into the bond, Timothy was in a dispute with Sheppard over a piece of land, and Thomas Noseworthy and Jonathan Sheppard, both also of Spaniard's Bay, were brought in to arbitrate it. The arbitration was successful: they settled "by striking a fair line and marking out the boundaries of the said place [25 yards from north to south, and sixty yards from the water side] [and] the said parties were then satisfied."<sup>13</sup> The settlement may have lasted during Timothy's lifetime, but Jane disputed the boundary after his death.

Timothy had a bit of a tiff with Jonathan Sheppard, too, as a result of which Sheppard sued him in 1809 for £50, "for Damages laid for the Defamation of Character of the Plaintiff's wife." There is no record of what Timothy actually said, and Sheppard later withdrew his suit.

Timothy's real troubles with the neighbours began when John sold his property to a Michael Farrell in September 1807 and moved back to Bears Cove. (Just as a note, two months later John was sued by Thomas Danson for £42.10.5, "for amount of current supplies on the fishery and just balance remaining."<sup>14</sup>) New neighbour Michael Farrell was bad news. A contemporary of his, Sheriff Thomas Maine, described him as "a troublesome and malicious person" and said "in short not one of the Inhabitants of said Cove will speak in his favour."<sup>15</sup> Farrell argued with Jonathan Sheppard over land, he argued with the Collinses over land. He fought with the Gosses, and heaven only knows who else too. Throughout the next decade and a half, until at least 1823,<sup>16</sup> Farrell was either suing someone for trespassing on "his" land or being sued by someone else for trespassing on theirs. He was briefly jailed in 1812 for contempt of court, reprimanded, and ordered to find sufficient security for his good behavior—£100 total, no mean sum for the day. He came up with the money, but he didn't keep the peace for long.

A particularly ugly situation occurred one Sunday evening in September 1813 (September 12 to be exact—Timothy and Jane's 30th wedding anniversary). Timothy's two sons, John and, more particularly, George Collins, seem to have been the targets on this occasion (as on others), but other residents of Mint Cove were caught up in the disturbance too.

On the night in question, George was at Thomas Smith's house when Farrell's friend, Joseph Deer, went to Smith's house asking for him and saying he wanted to speak with him. George, Smith, and Deer went to the end of Smith's house, where George and Deer "exchanged handkerchiefs." Smith told them both in no uncertain terms that there was to be no fighting there, so George and Deer moved on to Piddle's dock to exchange their blows. According to Smith in his subsequent court testimony, several people besides George and Deer were assembled there.

Meanwhile, Jane and one of her daughters were quarrelling with John and William Roberts over John Roberts having struck George. Timothy was running down to the dock to break up the fight between George and Deer when William Roberts intercepted him and dealt him a couple of blows.

Jonathan Sheppard, one of the constables of Mint Cove, noticed from his own stage what was happening and went over to George, asking what they were quarrelling about. At the same time, Sheppard looked over his right shoulder and saw William Roberts "fast hold of Timothy Collins by the

throat.” He was making towards Timothy and Roberts to separate them when Joseph Foster intercepted him and belted him in the eye. Sheppard retaliated, at which point Michael Farrell pinned his (Sheppard’s) arms behind his back and invited Roberts to pummel him. (Which Roberts did, with Farrell getting a few kicks in for good measure once Sheppard was on the ground.)

Robert Gosse, also a constable, was at the time on the north side of Mint Cove and, hearing a racket, went over to the south side. The first thing he saw was William Roberts striking Timothy two or three times. He immediately went to Timothy’s aid, separated them, and turned to help Jonathan Sheppard, which he succeeded in doing. He put a stop to any further fights by breaking a stick from the flake and threatening to knock down the first person who struck another blow.

Everyone scattered. But as David Phaelen, John Roberts, and Joseph Foster—all friends of Farrell—were coming over the beach, Phaelen was overheard to say that if John and George were caught to the southward again, they would have their necks cracked.<sup>17</sup>

Two days later, on September 14, John Roberts, William Roberts, Joseph Deer, Joseph Foster, John Grealy, and Michael Farrell were before the courts, where they were convicted of “assembling and behaving in a riotous manner on Sunday Evening at Spaniard’s Bay.” John and William Roberts, Joseph Deer, and John Grealy were all fined and required to put up sureties to keep the peace. Foster and Farrell, who had asked the court for additional time to call witnesses, received similar sentences later on in November. The court also found that Farrell was guilty of promoting the riot.<sup>18</sup>

Like many pioneers, Timothy and Jane lived through challenging times. They knew the threats and hardships occasioned by the American Revolution and the War of 1812, they dealt with the collapse of the fishery in the 1790s, and they endured the Winter of the Rals—that horribly severe winter of 1817-1818, during which “famine, frost, and fire combined, like three avenging furies, to scourge the unfortunate Island.”<sup>19</sup> It would be naïve to think Timothy and Jane were unaffected by these events.

The difficult times they faced are, to some extent, reflected in the court actions taken against Timothy and his sons for debt. They were fisherman; they weren’t of the merchant class, and they endured the financial struggles that were common to people of their station. For example, some of the actions launched in the Harbour Grace Surrogate Court were:

- 25 Jun 1795—Philip Beeslen (Beeson) sued Timothy for £3.17.6.
- 2 Jun 1808—Lionel Chancy, a merchant of Harbour Grace, initiated an action against Timothy for the recovery of £9.11, but the action was later dropped, with no costs.
- 16 Feb 1816—Timothy, along with John Warford, Patrick Ryan, and Rick Marshall, was sued by Messrs. Rob Johnston & Co. “to recover for amount of accounts furnished.” His share of the debt was £8.12.9. Judgment was awarded in favour of the Plaintiff and Timothy was assessed an additional £1.4.6 in costs. A Writ of Execution was later issued.
- 10 Oct 1816—Patten Graham & Co. sued John Collins for debt and was awarded a judgment in the amount of £11.6. The debt wasn’t paid, and John was later charged for hindering Henry Sheppard “in the execution of his duty attaching some fish at Spaniard’s Bay.” Further:  
The Court then reprimanded the Defendant for his late conduct and gave Judgment that he do pay a fine to the King—£2.0.0 1<sup>st</sup> Class Court charges and other costs attending

the suit—and that he do give security himself in One Hundred Pounds to keep the peace for Twelve Calendar Months from this day.”

A note of hand was proffered, payable September 20, 1817, by John Collins, Defendant, and George Collins.<sup>20</sup>

- 24 Oct 1816—George Williams of Bay Roberts issued a writ against Timothy and his son George for £40; judgment was in favour of the Plaintiff for the sum of £22.16.5 pence, with costs of £1.11.6, “subject to the payment of current supplies.”
- 27 Oct 1817—Michael Greene sued John Collins for £3.
- 25 Oct 1821—Michael Farrell sued George Collins to recover the balance of a promissory note from 1815 for £18.3.10.

During their years in Mint Cove, Timothy and Jane also knew heartbreak. At least one child, six-year-old Diana,<sup>21</sup> died in 1809 and was buried in the Anglican churchyard at Harbour Grace. It is possible that another daughter, Amy, also didn’t survive, since no record other than her baptismal record has been found.

Timothy passed away sometime in 1820 or 1821.<sup>22</sup> With his death, the troubles over land boundaries surfaced again—if indeed they had been dormant for long. In November 1820, Mary Collins, John’s wife, was involved in an altercation with Margaret Farrell (Michael’s wife?), which resulted in Margaret laying a felony charge against her; John was required to put up £20 recognizance to ensure Mary’s appearance at the Epiphany Sessions to take her trial.<sup>23</sup> Margaret Farrell, however, also had to put up £20 recognizance to ensure that *she* appeared at trial to give evidence.

It was just the start. By the spring of 1821, a flurry of charges had been laid, both by and against the Collins family, which seem comical in hindsight. In the first instance, John, William Porter Jr. (John’s brother-in-law), and James Noseworthy were charged by Michael Farrell for brandishing a firebrand, in contravention of an 1804 Court of Sessions order that “all Persons carrying Firebrands through the Harbor by Day or Night shall be fined 2p and the informer to receive one half.”<sup>24</sup> On May 1, Farrell again charged John, with what isn’t known, and on May 11 Jane charged M. Farrell (Michael or Margaret?) over a “dispute about ground.” Jane was back in court again on May 21, charging Michael Farrell “about [a] pathway.” Things seemed relatively quiet for a couple of months, before erupting again: this time, on July 24, Henry Sheppard laid a complaint against George for assault and battery and one against Jane for something to do with the premises. Jane turned around, on the same day, and charged *him* with assault. To add to the circus-like atmosphere, when Henry Sheppard wasn’t acting as constable for Michael Farrell in serving Farrell’s warrants, Farrell was acting as constable for Sheppard and serving Sheppard’s warrants. Unfortunately, the record of what happened in these court proceedings doesn’t seem to have survived.

In the midst of all of this, a dispute over land was brewing on the Warford front.

Henry Warford had passed away in 1816, leaving behind his land in Bears Cove, part of which he’d purchased in 1776 from Philip Besom of Jersey for £30 and part of which he’d cut and cleared agreeable to the Act of William the 3rd.<sup>25</sup> John claimed ownership of the land, asserting that before his father died he had for many years put him, John, in possession of it. This was disputed by Jabez, John and Jane’s brother, who took John to court over it. By decree of Geo. McMartin, Surrogate of the Harbour Grace Surrogate Court, dated Thursday, April 8, 1821, it was ordered that “[Since] Plaintiff has no written

documentation to prove the legality of his claim and as the Father died intestate the Court gives Judgment that the ground be divided amongst the children of the deceased.”

John refused to abide by the order and found himself back in court on October 12, 1821. In the suit launched by his siblings Jane Collins, Jabez Warford, Susannah Bradbury, and Dinnah Kenedy:

The Plaintiffs prayed to be put into possession of the land decreed to them in the Surrogate Court 5th April 1821, which the Defendant had prevented by force, in contempt of the decree of the Court. The Defendant endeavoured to show that the Parties claimed more than the Surrogate Court decreed. It appeared, however, in evidence that tho' John Warford, the Defendant, had cleared some of the woods on the part now claimed by him, yet all that he had done since his return from Spaniard's Bay and what was done before was as a tenant at will against the will of his father who always considered it to be his property as all the evidence proved, and that on the return of John Warford to Harbour Grace after fifteen or twenty years absence the father opposed his reoccupying it, told him he never should keep it. And as John Warford never had any Deed of Gift or instrument from the father giving him title to what he calls his own—hence it appeared to the Court that John Warford, the Defendant, had only a right to his share — one-fifth with the other Brother and Sisters, the Father having died intestate. —J. Toup Nicolas, Esquire, Surrogate<sup>26</sup>

The portion that Jane received was “bounded on the west by Jordan Henderson's property, late Mr. Cawley's ... 200 yards in a straight line [26 2/3 yards, 30 yards].”<sup>27</sup> She sold that land the following summer, on August 20, 1822, to Jordan Henderson for £10.<sup>28</sup>

Whatever Jane's triumph with the Bears Cove property, things weren't so much in her favour on the Mint Cove front. On November 21, as per an order directed specifically to her, she was ordered by Toup Nicholas, Surrogate, not to alter any boundaries on her or anyone else's property. He said:

It is my positive direction that all the land in dispute in Spaniard's Bay remains exactly as it now is until the arrival of the Surveyor General of Lands at Harbour Grace next year to whom the parties are to apply.<sup>29</sup>

It seems likely that Jane didn't abide by his direction.

The following spring, on Friday, May 3, 1822, she and her son George returned home from buying potatoes down the harbour, only to see Francis and John Sheppard (sons of Henry Sheppard Jr) and Sheppard's servant James Travers cutting down a wrigglin' fence belonging to her. The order was made by John Currie, Sherrif's Officer, with Michael Farrell standing by as witness. Curry said if either Jane or George offered any resistance, he would have them carried to Harbour Grace and publicly whipped through the harbour.

Jane was heartbroken, and no doubt enraged. In the subsequent court action that she of course launched, she claimed damages of £12.16.0, for 70 yards of fence cut down, 360 cabbage plants “sat in the garden” destroyed by cattle, currant trees damaged, the seeds she had set in trampled, and a cherry

tree cut down, as well as for “the loss of time in coming five times to Harbour Grace on account of your cutting down my fence.”<sup>30</sup> The case was heard the following year, on March 10, 1823.



**A wrigglin' fence**

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George testified at trial that he was on the spot when his mother's fence was cut down. Seeing Michael Farrell there, he asked Farrell what was his authority for cutting down the fence. Farrell, George stated, witnessed a paper but didn't read it. George further said that he had measured the fence and that it was some seventy yards.<sup>31</sup>

John Gosse, a witness for the Plaintiff, testified that to the best of his knowledge, thirty or forty yards were cut, but said he had not measured it. In any event, the fence was a loss. Gosse said it was cut three or four inches from the ground and that some of the lodes were cut off in the middle. It would be difficult to repair, he stated, likely taking him three days to do so if the lumber were on the premises. Gosse added that the [type of] fence in question was burnt every winter and put up every spring. He further stated that he did not hear Mr. Currie asking Mrs. Collins to remove the fence.

John Hutchings, who was also called as a witness, said he saw the fence falling but didn't see Currie cutting it down. He further testified that he heard Mr. Henry Sheppard say he gave Mr. Currie twenty shillings, but for what he wouldn't know.

Michael Farrell's testimony, as witness for the Defendant, was that John Currie the previous May had “come up” to put him (Farrell) in possession of a certain piece of land that had been in dispute. Farrell claimed that Currie showed him a court order, in Currie's handwriting, and that this order was read in the presence of the Plaintiff. He further stated that it was similar to the one produced [presumably in these proceedings]. He said Currie allowed him to see the document concerning “the piece of fence fixed between Mr. Sheppard and Mrs. Collins.”

Jane partially won her case. She was awarded £1.10.9 and costs—not a lot compared to the £12.16.0 she had sued for. Given the amount of her judgment, what she did receive must have been for the loss of the cabbage plants alone.

In fact, the better part of Jane's case was decided before it was heard. Seven months after her fence was cut down, Henry Sheppard launched an action against her regarding the “right of a fishing room in dispute.” The case was heard on December 10, 1822—three months before Jane's case was heard—and referred to the boundary dispute that Henry and Timothy had settled some twenty-four years before. In granting relief to Henry, Oliver St. John, Surrogate, explicitly stated:

I order and direct Robert Gosse and Michael Farrell of Spaniard's Bay, Constables, to put the said Henry Sheppard in the full possession of the said piece of land, as will be pointed out to them by the said arbitrators, and as also where Mr. John Currie had settled in the month of May last and

that the said Jane Collins or her son George nor any other person shall disturb the said Henry Sheppard without first applying to the Surrogate Court.<sup>32</sup>

But matters didn't end there. Henry was back in court a few years later. On December 6, 1826, he pleaded with the Court, saying:

That your Memorialist has been for many years annoyed by Jane Collins and her Son George Collins, neighbours of his, by forcibly keeping possession of part of his premises, which they encroached on and in defiance of three different Judgments, which Memorialist obtained against them and which stand on record ... [at] different times Memorialist has been put in possession of the ground in dispute by John Currie, Sheriff's Officer, and in contempt to all the aforesaid authorities. As soon as Memorialist puts up his fence they immediately cut it down and frequently very much ill-used said Memorialist and his family—and besides the ground in dispute which they forcibly keep from Memorialist they lately in a wanton and malicious manner cut and hove down a large space of a fence which Memorialist's father had erected upwards of 42 years ago, and which has no connection at all with the other, all of which lawless conduct has caused Memorialist very serious expense and damages which can be clearly proved to your Honour. Your Memorialist now craves your Honour will be pleased to cause him to be put in peaceful possession of the said land and grant him a Writ in order to recover the damages he has sustained under all the foregoing circumstances.<sup>33</sup>

Whether Jane continued her fight isn't known. Truth be told, her time was closing in. On October 5, 1829, in her sixty-sixth year, she slipped away. The Conception Bay Mercury Newspaper noted her passing,<sup>34</sup> but the burial records for the Harbour Grace Anglican Church simply read: "8 October 1829: \_\_\_\_\_ Collins of Spaniard's Bay, and there was buried."<sup>35</sup>

#### **Postscript:**

Timothy and Jane's sons John (1789-1848) and George (1792-1853) lived out their lives in Spaniard's Bay and are buried there.

John married Mary Porter, daughter of William and Mary Porter of Spaniard's Bay, in 1811.<sup>36</sup> Four of their sons (George (1813-1880), John (1822-1906), Timothy (1822-1905), and William (abt 1824-1905))<sup>37</sup> relocated to Indian Islands in the mid 1800s, with Timothy eventually settling in Seldom Come By. Many Collinses in the Fogo Island area can trace their ancestry to these four settlers.

George didn't marry until after his mother's death. Then, three months later, in December 1829, he wed Mary Smith, daughter of Abraham and Catherine Smith, of Bread and Cheese Cove. George and Mary's sons (Timothy (1830-1895), Abraham (1833-1924), John (1842-1906), and George (1851-1931)) remained in the Spaniard's Bay area, and as a result Collinses with recent connections to Spaniard's Bay descend from George.

A number of Collins men, from both the Spaniard's Bay and the Indian Islands branches, have tested their Y-DNA, thus proving their relationship to each other and establishing a Y-DNA signature for this



lineage. Those who are interested in being part of this project can contact Marilyn Collins Pilkington at [pilking@sympatico.ca](mailto:pilking@sympatico.ca) for more information.

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<sup>1</sup> Alice Jewer, *The Settlement Patterns of Spaniard's Bay*, Geography 2000, Memorial University.

<sup>2</sup> Old Properties - Early Residents, 1780 – 1781. St. John's. Newfoundland Genweb:

[http://nl.canadagenweb.org/sj\\_residents.htm](http://nl.canadagenweb.org/sj_residents.htm)

<sup>3</sup> "Return of Possession held in Conception Bay 1805," part 6, page 135.

<sup>4</sup> Timothy Collins Re Jersey Room. Harbour Grace Surrogate Court, May 25 & 26, 1820.

<sup>5</sup> John Thomey against John LeViscount. Court of Common Pleas, Harbour Grace, October 22, 1789.

<sup>6</sup> "Return of Possession held in Conception Bay 1805," part 7, page 158.

<sup>7</sup> Eric Martin Gosse, *The Settling of Spaniard's Bay* (Canada: Harry Cuff Publications Limited, 1988), 7.

<sup>8</sup> Jewer.

<sup>9</sup> "Return of Possession held in Conception Bay 1805," part 7, page 158.

<sup>10</sup> Jno Laughton vs. John Warford. Harbour Grace Surrogate Court, May 22, 1817.

<sup>11</sup> Timothy Collins and John Warford, Bond to Messrs. Thomey and Kearney, Merchants of Harbour Grace, February 13, 1798. Note: Some years later, John Warford sued Matthew Kearney for £81.5.7 and lost his case. According to the court, Warford "told many gross untruths. (Keith Matthew Names Files, Maritime History Archive, Memorial University)

<sup>12</sup> Timothy's relationship with Henry was probably more amicable than Henry's relationships with Jane and George were. Jane, it seemed, fought with him almost to the bitter end. George fought with him, too, but it should be noted that Henry also stood as witness to George's marriage in 1829 and George witnessed Henry's will in 1832. This seems to suggest a degree of friendship between the two.

<sup>13</sup> Henry Sheppard of Mint Cove versus Jane Collins of Mint Cove. Right of a fishing room in dispute. Harbour Grace Surrogate Court, December 10, 1822.

<sup>14</sup> Thomas Danson vs. John Warford. Harbour Grace Surrogate Court, November 16, 1807.

<sup>15</sup> Jonathan Sheppard vs. Michael Farrell. Harbour Grace Surrogate Court, October 26, 1813.

<sup>16</sup> On May 1, 1823, Michael Farrell sued John Gosse, by his wife Elizabeth Gosse, Harbour Grace Surrogate Court, for "trespassing on his premises situate in Mint Cove, Spaniard's Bay, sometime in April last." Elizabeth Gosse was the daughter of Timothy and Jane Collins.

<sup>17</sup> The boys still weren't done, though. Jonathan Sheppard turned back home after his altercation with Foster. Roberts, Phaelen, and Farrell's servant John Grealy followed him and barged in through the door after him. Phaelen had a stick in his hand, which Sheppard did his best to remove from him. Fortunately, Robert Gosse had heard a noise in Sheppard's house and turned to investigate. Seeing Sheppard and Phaelen grappling over the stick, he took matters in hand and sent the ruffians on their way.

<sup>18</sup> King vs. Roberts, et al. (Mint Cove Riot) Court of Sessions, Harbour Grace, September and November 1813.

<sup>19</sup> D.W. Prowse, *A History of Newfoundland* (Canada: Boulder Publications Ltd., 2002) 405.

<sup>20</sup> King and Henry Sheppard vs. John Collins. Court of Sessions, Harbour Grace, October 14, 1816.

<sup>21</sup> The child is unnamed in the Harbour Grace (St. Paul's) Anglican Church records. However, given her age at death, she is one of the twins. Since the twin Patience survived to adulthood and married William Porter (c1795-1856) of Spaniard's Bay, the child who died must have been Diana.

<sup>22</sup> The last sign of Timothy is his testimony in the Jersey Room case, which took place on May 21, 1820. By April 21 Jane was cited in a number of the court actions, but Timothy wasn't. It is likely that he died during this period.

<sup>23</sup> Magistrate's Court, Northern Circuit, Court of Sessions, Harbour Grace, November 30, 1820. The outcome of the trial isn't known. It is recognized that the trouble between Mary Collins and Margaret Farrell may not indicate that Timothy had died by this time; however, it is included to illustrate that quarrels were escalating around the time of his death.

<sup>24</sup> Court of Sessions, Conception Bay, June 26, 1804.

<sup>25</sup> "Return of Possession held in Conception Bay 1805," part 6, page 135.

<sup>26</sup> Jane Collins, et al. vs John Warford. Harbour Grace Surrogate Court, October 12, 1821.

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<sup>27</sup> John didn't relinquish "his" land lightly. In yet another case, brought by Dinah's husband, it was recorded that "William Kenedy of Harbour Grace has this day fully established before the Court his right to the property at present in his possession, which was questioned by his Brother in law John Warford." Harbour Grace Surrogate Court, October 24, 1821

<sup>28</sup> This land was again the subject of a dispute when Henderson brought a charge against John for "Obstructing him in the Possession of a piece of ground situate at Bears Cove in this Harbour." The court found in favour of the Plaintiff, confirmed the Judgment of J. Toup Nicolas, and ordered that "no obstruction be made on the part by Defendant in the possession of Plaintiff according to the tenor of the Bill of Sale." Jordan Henderson vs. John Warford. Harbour Grace Surrogate Court, October 6, 1825.

<sup>29</sup> Order against Jane Collins. Harbour Grace Surrogate Court, November 1, 1821.

<sup>30</sup> Jane Collins by her attorney Richard Anderson vs. John Currie by his attorney Mr. Broom. Harbour Grace Surrogate Court, March 23, 1823.

<sup>31</sup> George's testimony was a little muddled, at least as transcribed by the court. It says "a cherry tree quite young was cut down — a few currant trees appeared a little injured — the fence was cut down — had before been standing — whilst witness remembers — he is thirty years of age." It sounds as though the fence had been standing for many years, although John Gosse testified that this type of fence was burned every winter and put up again in the spring. Perhaps George was referring to an older fence, and this would explain Jane's claim for 70 yards of fence cut down compared to Gosse's estimation that 30 or 40 yards were cut. Some of the fences in the area *were* quite old. Henry Sheppard, for example, complained in 1826 that George and Jane had "hove down" a fence that his father had put up 42 years before. (See endnote 32.)

<sup>32</sup> Henry Sheppard, of Mint Cove vs. Jane Collins, of Mint Cove. Right of a fishing room in dispute. Harbour Grace Surrogate Court, December 10, 1822.

<sup>33</sup> The Memorial of Henry Sheppard of Spaniard's Bay, Constable. December 6, 1826.

<sup>34</sup> October 9, 1829 Death: At Spaniard's Bay on Monday last, in her sixty-sixth year, Mrs. Jane COLLINS, widow of the late Mr. Timothy COLLINS of that place. (Conception Bay Mercury Newspaper)

<sup>35</sup> Harbour Grace (St. Paul's) Anglican Church burial records, 1815 – 1829.

<sup>36</sup> Shortly after Mary died in 1834, John married Diana Gosse Vokey, the widow of Philip Vokey, who had passed away in 1832. John and Diana had no children.

<sup>37</sup> There are discrepancies among various records for some of the Indian Islands people. For example, John's birth date, as per the Harbour Grace (St. Paul's) Anglican Church records is October 4, 1820. His burial record for the Fogo District Anglican Church says he died on December 1, 1906, at the age of 92 years. If the burial record is correct, his birth year was 1814. I have chosen to go with the baptismal record, which I believe is likely to be more reliable since people were often mistaken about their ages in those days, particularly in their later years. Similarly, William's burial record of the Fogo District Anglican Church says he died on June 11, 1905, at the age of 81; his headstone gives his age at death as 83. I'm more inclined to trust the burial record, because headstones were sometimes put up (or the original replaced) years after death, when memories were faulty.