



John Emerson

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may well have returned to England in 1640, or perhaps they removed to some other colony outside New England. Alternatively, John Emerson may have died in 1640 or soon after, and Barbara may have married a second time to some other New England resident.

ANTHONY EMERY

ORIGIN: Romsey, Hampshire

MIGRATION: 1635 on the *James* from Southampton

FIRST RESIDENCE: Newbury

REMOVES: Dover 1640, Kittery 1649, Portsmouth [RI] 1660

OCCUPATION: Carpenter (in England) [Drake's Founders 56].

Innkeeper. On 7 March 1643/4, "Anthony Em[e]ry, of Dover, his petition is referred to the next court at Dover, & he is allowed liberty to draw out his wine in the meantime" [MBCR 2:62]. On 26 August 1646, before Dover and Piscataqua Court, "Anthony Emry fined 10s. for selling beer at 3d. a quart being twice presented" [NHPP 40:20, 21]. On 7 September 1647, "Anthoney Emery is forbidden by the Court to keep a house of common entertainment or to use common selling of ale, beer or wine, and if it shall appear that he doth after the 15th day of the present month, he shall pay for every week which he selleth beer, ale or wine twenty shillings a week" [NHPP 40:30]. On 15 October 1650, before York Court, "we present Anthony Emory for selling drink contrary to order in court" [MPCR 1:146], and at the same court "[i]t is ordered that Anthony Emory is for to keep an ordinary or house of entertainment where he now dwelleth, and he is to keep a ferry there, and to have for one, in money 1d., in peage 3ob., in country pay 2d. and to keep meat, drink and lodging for strangers" [MPCR 1:147]. Presented 18 March 1651[2] for "being overgone with drink so that he could not speak a true word" [MPCR 1:176].

Ferryman [MPCR 1:147]. Cordwainer [PoLE 1:178].

FREEMAN: 18 May 1653 (upon submission of Kittery to Massachusetts Bay government) [MBCR 4:1:124]. On 12 November 1659, Massachusetts Bay General Court, "having considered of the several offenses of those persons that entertained Quakers, with the answers given in by them respectively, do order that ... Anthony Emery pay as a fine to the country ten pounds and ten shillings for making a lie in the face of the Court, &

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be disfranchised" [MBCR 4:1:407]. On 29 September 1660, "Anthony Emery" was one of three men "received free inhabitants" of Portsmouth [PoTR 96].

EDUCATION: Made his mark to the submission of Kittery men to Massachusetts Bay government, 18 May 1653 [MBCR 4:1:124]. Used his initial "A" to sign a 1660 deed [YLR 3:38]. Wife Frances made her mark [YLR 3:38]. (Charles Thornton Libby thought that Anthony Emery entered "less than a page" of York records, for a General Court of 7 September 1652 [MPCR 1:xv-xvi, frontispiece, 178]. Given his use of a mark on all other occasions, including the submission to Massachusetts Bay less than a year later, Libby's assessment may be questioned.)

OFFICES: Dover and Piscataqua petit jury, 7 September 1647 [NHPP 26-27]. With William Storer, Anthony Emery deposed 1 October 1649, regarding testimony at Dover court in the previous year [EQC 1:180].

York grand jury, 16 October 1649 [MPCR 1:135]. Petit jury, 2 July 1650, 17 October 1650, 25 November 1650, 5 September 1651, 28 June 1655 [MPCR 1:143, 145, 155, 173, 2:33].

Province of York Governor's Council, 7 September 1652 [MPCR 1:178].

Commissioner to end small causes at Kittery, 28 June 1655 [MPCR 2:39]. Kittery constable, 5 July 1658 [MPCR 2:65].

Deputy for Portsmouth to Rhode Island General Assembly, 30 April 1672 [RICR 2:449; PoTR 168].

Rhode Island grand jury, 7 May 1666, 20 October 1669 [RICT 2:45, 79; PoTR 150]. Petit jury, 11 May 1668, 8 May 1671 [RICT 2:64, 3:1, 3-4; PoTR 140, 158].

Portsmouth coroner's jury, 3 June 1661 [PoTR 107]. Constable, 4 June 1666, 6 May 1667 [PoTR 134; RICT 2:57; RICR 2:187]. Committee to "plead the town's right for a highway," 12 October 1675 [PoTR 187].

ESTATE: On 15 November 1648, John White sold to Anthony Emery a house, field, and three marshes, all near Sturgeon Creek [YLR 3:51]. On 15 July 1650, Joseph Austin of Piscataqua sold to Anthony Emery of Piscataqua a little marsh above Sturgeon Creek with a little house and upland and 1,500 foot of boards; payment was two steers called Dragon and Benbow [YLR 2:141].

On 1 March 165[0/1], "Anthonie Emerey of Coleharbore in the Province of Maine" sold to William Pomfrett of Dover "all those two houses in Dover late in the tenure & occupation of me the said Anthonie Emerey together with the garden thereunto belonging and also one lot or parcel of enclosed ground near adjoining to the said two houses, containing by estimation three acres & a half" [NHPP 40:72-73].

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On 1 November 1654, a lot of land in Kittery was laid out to Anthony Emery at his dwelling house [YLR 3:39].

On 12 May 1660, "Anthony Emery of Kittery ... and Francis my wife" sold to "my son James Emery ... my house and all my land" in Cold Harbor, Kittery, with one hundred acres of upland on the south side of Sturgeon Creek, and a little marsh, and a piece of meadow and some upland near Mast Creek [YLR 3:38]. On 1 October 1663, Anthony Emery of Kittery for love and affection deeded to "my son James Emery" a piece of marsh or meadow near York Pond with twenty acres of upland adjoining it [YLR 2:150]. On 24 September 1673, Anthony Emery of Portsmouth upon "Road Ysland" released a mortgage on land at Cold Harbor in Kittery where his house stood, paid off by his son James Emery of Kittery, "sold by me to my said son James and made over to me for my security" [YLR 2:150].

On 9 March 1680/1, "Anthony Emry of the town of Portsmouth ..., cordwainer," deeded to "my daughter Rebeckah Sadler now residing in the aforesaid town of Portsmouth ... after my decease all and every part of my housings and land lying in the aforesaid town of Portsmouth ... together with all and singular my other estate both within doors and without doors, real and personal ..., the said housing and land after her decease shall return and belong unto her son my grandchild Anthony Sadler as my heir" [PoLE 1:178]. On 10 May 1700, "James Emry of Dedham in New England, husbandman, the only surviving son of Anthony Emmery late of Porstmouth ... deceased," quitclaimed to "my sister Rebecca Eaton *alias* Sadler ... all and singular the lands, estate, goods and chattels of the said Anthony Emmry late deceased" [PoLE 1:96].

BIRTH: Baptized Romsey, Hampshire, 29 August 1601, son of John Emery [NEHGR 89:376; Phoebe Tilton Anc 185].

DEATH: Between 9 March 1680/1 [PoLE 1:178] and 10 May 1700 [PoLE 1:96] (and probably closer to the earlier date).

MARRIAGE: By 1631 Frances _____ (assuming she was the mother of all his children). She was living on 11 October 1660 [MPCR 2:366]. (It has been claimed, without supporting documentation, that she was Frances Porter, daughter of Nathaniel Porter of Ipswich [Judith Elaine Burns, comp., *The Revised Genealogical Records of the Descendants of John Emery of Newbury, Massachusetts* (Baltimore 1982)]. There was no Nathaniel Porter of Ipswich.)

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CHILDREN:

- i JAMES, bp. Romsey, Hampshire, 18 September 1631 [NEHGR 89:376]; m. (1) by about 1657 Elizabeth _____ (eldest known child m. on 20 April 1677 [GDMNH 221]); m. (2) Dedham 28 December 1695 Elizabeth (Newcomb) Pidge, widow of John Pidge [DeVR 17, 27].
- ii REBECCA, b. say 1633; m. (1) Robert Weymouth; m. (2) Thomas Sadler; m. (3) Daniel Eaton of Little Compton [GDMNH 221, 601-2, 742] (see *COMMENTS* below).
- iii Child, living 1643 (Anthony Emery petitioned the General Court before 7 March 1643/4, stating that he had three children to support [Emery Gen 309]); no further record.

ASSOCIATIONS: He was brother of JOHN EMERY {1635, Newbury} [Phoebe Tilton Anc 185].

COMMENTS: On 5 April 1635, Anthony Emery and John Emery "of Romsey, carpenters," were enrolled at Southampton for passage to New England on the *James* of London [Drake's Founders 56].

On 4 December 1638, Anthony Emery was fined by the General Court for "a pound breach" [MBCR 1:248].

On 7 March 1643/4, as noted above, Massachusetts Bay General Court considered a petition from Anthony Emery, probably the following undated document:

The humble petition of Anthony Emry of Dover
 Humbly showeth unto your good worships that your poor petitioner was licensed by the town abovesaid to keep an ordinary which should give diet & to sell beer & wine as was accustomed & sithence there was an order that none but one should sell wine upon which there hath been complaint made to your worships as Mr. Smyth saith & he hath in a manner discharged your petitioner which will be to your petitioner's great damage having a wife & 3 children to maintain & not a house fitted for present to live in having had his house & goods lately burnt down to the ground. Humbly beseeching your worships to be pleased to grant to your petitioner that he may sell wine & that Mr. Smyth may be certified thereof, he keeping good order in his house [Emery Gen 309, location of petition not given].

On 8 October 1649, "Anthonie Emerey and Francis his wife" brought a slander and defamation suit against George Web, charging Web had

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called Frances a witch; Web was found guilty and ordered to make a public acknowledgement that "he did the plaintiff Francis wrong" [NHPP 40:46].

On 11 March 1651[2], John Heard successfully sued Anthony Emery for slander [MPCR 1:157].

On 18 March 1651[2], the children of George Rogers were disposed of to various families, including a girl given to "Anthony Emrey" [MPCR 1:177]. Anthony Emery was also to give to "Benjamin Rogers ... the cow that Goodman Emrey had from his father" [MPCR 1:177].

On 30 June 1656, Anthony Emery was fined £5 for "his mutinous carriage in questioning the authority of the Court" [MPCR 2:49]. He was again fined £5 on 30 July 1656, for "affronting the court by questioning their authority to sit there and charging them with more than he was able to make appear" [MPCR 2:52].

By 3 July 1660, son James Emery was defending his father in court in the matter of two debts [MPCR 2:89].

On 11 October 1660, Frances Emery, wife of Anthony Emery, sued for £50, being one-third of the value of lands sold by her husband [MPCR 2:366]. Perhaps she did not accompany her husband when he moved to Portsmouth, Rhode Island.

On 18 October 1671, Anthony Emery was indicted for digging a well in the King's highway where a man subsequently drowned; he was acquitted because he explained he had filled in the well [RICT 3:10].

At York Court on 30 March 1680, "Anthony Emery" is entered as a member of the assembly for Kittery, but a footnote says that this is an error for James Emery [MPCR 3:4], which makes great sense, as Anthony Emery had by this date resided in Rhode Island for twenty years.

The marital career of Anthony Emery's daughter Rebecca is tangled and cloudy. We give here the sequence of events involving her husbands. On 29 June 1654, "Goodman Greene, Robert Waymouth, & James Emery" were co-defendants in a civil suit [MPCR 2:25]. On 4 July 1659, "[u]pon suspicion of some misbehavior by Tho[mas] Sadler towards the court of Dover, ... Tho[mas] Sadler & Anthony Emery" jointly bonded themselves to the court [MPCR 2:79]. On the same day, the grand jury presented "Thomas Sadler & Rebecca Waymouth for riding abroad together on the Sabbath day" [MPCR 2:83]. On 1 July 1662, letters of administration were granted to Major Shapleigh on "Robert Waymouth his estate" [MPCR 2:117]. On 7 July 1663, letters of administration were granted to James Emery on "Robert Waymouth his estate" [MPCR 2:132, 159]. On the same day, James Emery petitioned "about freeing his father Anthony Emery

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from a bond of £20 forfeit to the county for Tho[mas] Sadler his non-appearance for whom he was bound" [MPCR 2:133]. On 9 March 1680/1, Anthony Emery deeded land to "my daughter Rebeckah Sadler" [PoLE 1:178]. On 10 May 1700, James Emery deeded land to "my sister Rebecca Eaton *alias* Sadler" [PoLE 1:96].

BIBLIOGRAPHIC NOTE: In 1890 Rev. Rufus Emery published a genealogy of the brothers Anthony and John Emery [*Genealogical Records of Descendants of John and Anthony Emery of Newbury, Mass. 1590-1890* (Salem 1890)] (cited above as Emery Gen). In 1935 Walter Goodwin Davis published the Emery entries from the Romsey parish register [NEHGR 89:376-77].

JOHN EMERY

ORIGIN: Romsey, Hampshire

MIGRATION: 1635 on the *James*

FIRST RESIDENCE: Newbury

OCCUPATION: Carpenter. Innkeeper.

CHURCH MEMBERSHIP: Admission to Newbury church prior to 2 June 1641 implied by freemanship.

On 5 May 1663, John Emery was accused of entertaining Quakers and with saying "if they came to his house they should be welcome and he would not forbid them" [EQC 3:67]. Henry Jaques, constable of Newbury, came to court in May 1663 and presented John Emery, "for as much as John Emerie Sr. is one of our grand jury men this last year for our town of Newbury and he himself having broken the law as I do understand in entertaining of travellers and quakers into his house and one Mr. Greenland in all which disorder he have boldly insisted whereby reproach and scandal is come upon our town to the dishonor of God and damage and hurt to some of our neighbors" [EQC 3:67-68].

As early as 1669, and continuing into the events of 1671, John Emery was active in his opposition to Rev. Mr. Parker [EQC 4:124, 355-56, 359, 366]. John Emery Sr. appears in a 1671 list of members of Newbury church, one of the documents presented in the course of this controversy [EQC 4:361].

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