

## Jacob, Alias, John Lumbrozo

(?-between Nov. 17, 1665 and May 1666)

By Lois Green Carr, St. Mary's City Commission

**Lineage:** Portuguese Jew from Lisbon (*Archives* 3: 488; 41: 2-3). In a Charles County deposition, he was described as "black," probably indicating that he was a Moor. He had a sister Rebecca living in Holland in 1665.

**Immigration:** Came as a free immigrant in 1656 (*Patents* 5: 557). Was granted letters of denization (which allowed him to take up or buy land, vote if otherwise eligible, hold office), September 10, 1663.

**Education:** Well educated. Practiced as a doctor and attorney (see below, Occupation). Depositions indicate he was well spoken (*Archives* 41: 203).

**Religion:** Jew (*Archives* 41: 203).

**Social Status:** Called Dr. and Mr. (see under Occupation and *Archives* 53: 413).

**Family:** Married ca. July 1663 Elizabeth Weale (Wild, Wiles), who had been his servant and was much less well educated and of much lower status than he (see under Comments). Lumbrozo was still alive and appearing in court on November 16, 1665, after which he disappeared from the records until his will was probated May 25, 1666. (*Archives* 49: 606-08; *Testamentary Proceedings* 1F: 93). On either June 5 or July 5, 1666 his wife, now Elizabeth Browne, bore a child named John. There was evidently some confusion when the birth was recorded about whether the father was John Lumbrozo or John Browne, but it seems clear that the child was Lumbrozo's. (*Charles County Court and Land Record* Q no. 1: 2 [back] says "John Browne ye son of Elizabeth Browne was borne ye fifth day of July" 1666; *Charles County Court and Land Record* C, f. 253, printed in *Archives* 53: 116 states that "Elizabeth Browne had a Sonne Named John Borne the 5th of June 1666"; and *Charles County Court and Land Record* C, f. 266, printed in *Archives* 53: 130, states that John Lumbrozo Sonne of John Lumbrozo decd was Borne in the Monthe of June Anno Dni 1666."). Probably the child had not been conceived when Lumbrozo wrote his will (September 24, 1665) without mention of children (*Testamentary Proceedings* 1F: 90-91), and presumably, (although not necessarily) he did not know when he died that his wife was pregnant.

Lumbrozo's will did his wife little favor. He left 50 acres to a friend in London, Edward Richardson; otherwise all went to her. However, his wife, named as his executor, was to send 4000 pounds of merchantable tobacco within two years to his sister Rebecca in Holland or elsewhere and another 4000 pounds two years later. At 2000 pounds of tobacco per year, this represented nearly twice the amount of tobacco one hand could raise in a year at this time. If his wife refused to be executor, his plantation was to be sold, his wife "only reserving her thirds during her life" and the proceeds were to go to his sister. He appointed Richardson and two Catholics, Justice Henry Adams of Port Tobacco and Justice Luke Gardner of St. Clement's Bay, as overseers to see that his will was carried out. Elizabeth probated the will on May 25, 1666, but the record does not otherwise tell us the outcome. (See also under Land.)

When Elizabeth probated the will, she was described as "Elizabeth Browne, now wife of John Browne, late relict of John Lumbrozo." The new husband did not long outlive his predecessor. In sickness he wrote his will November 2, 1666 and died November 7. (*Archives* 53: 116; *Testamentary Proceedings* 2: 91-93). He left Elizabeth for her life 100 acres of the 350 acres he had purchased of Oliver Balfe and all the cattle and household stuff that had belonged to his "predecessor John Lumbrozo." The rest of his property he left to his brother Gerrard Browne and his son John.

Whether this son was John Lumbrozo or a child by an earlier wife is uncertain. We do know that in 1659 and 1664 John Browne sold land without a wife (*Archives* 53: 216, 564-66). Browne named no executor but made his brother and two friends overseers of the will and charged them, if his child were abused, "to take charge of it." Gerrard applied for and received letters of administration on January 19, 1666[/7] (*Testamentary Proceedings* 2: 91).

On March 21, 1666[/7], Elizabeth married John Robinson, and soon afterwards the couple got the 100 acres of land John Browne had willed her for life transferred to them jointly without this restriction (*Archives* 60: 83-88, 116). Elizabeth was dead by June 13, 1671, the date on which John Robinson sold this land (*Archives* 60: 410-11). Her sons John Lumbrozo and John Robinson and others unnamed were still alive on January 11, 1672[/3], when young Lumbrozo received a gift of livestock that was to fall to his "next" brother John Robinson if Lumbrozo did not survive until he came of age (*Archives* 60: 405).

**Public Career:** Sat on grand and petit juries at the Provincial Court (*Archives* 49: 53, 76, 142, 145); appointed appraiser of estate of Daniel Gordian, April 30, 1664 (*Archives* 53: 502).

**Occupation:** Called doctor and surgeon and the administration account of Daniel Gordian shows months of medical care for Gordian's wife (*Archives* 53: 502-503); on four occasions acted in court as an attorney in Charles and St. Mary's counties (*Archives* 53: 357-58, 368-69, 386-87; 49: 156-57); received from the Council a license to trade with the Indians, June 16, 1665 (*Archives* 3: 526); received from the Provincial Court a license to keep ordinary at his house at Nanjemy Creek in Charles County, June 16, 1665 (*Archives* 49: 455). His inventory shows livestock, but no plantation tools and no servant. However, he clearly had had servants in the past (*Archives* 53: 387-90, 452, 498) and undoubtedly raised corn and tobacco.

**Land:** Purchased 200 acres in 1660 from Giles Glover in the Nanjemy area, but sold it to Nicholas Emerson in 1663. (*Archives* 53: 265, 496-98). Received by assignment from George Thompson 150 acres in Charles County on May 3, 1664 and assigned it to Giles Glover on May 24, 1664. Surveyed 50 acres, "Lumbrozo's Discovery," September 7, 1664 and patented it June 24, 1665. This he left to Edward Richardson of London. I find no record of the acquisition of the dwelling plantation referred to in the will.

**Inventoried Wealth:** Total estate value, 4943 pounds of tobacco or L21.21, consisting of cattle, a horse, household goods, and a box of gallipots and glasses, presumeably for medicinal concoctions. (*Testamentary Proceedings* 2: 30-32). No account to show debts receivable or payable. Elizabeth Browne had had to give bond as administrator in 40,000 pounds of tobacco, indicating the expectation that there was much more estate (*Ibid.*, 93). However Lumbrozo's account book was lost and the only action for a debt receivable attempted was lost for lack of proof of the debt (*Archives* 49: 41, 48-49). His debts payable as recorded in actions at law amounted to 900 pounds of tobacco in recompense to Thomas Alcock for accepting goods stolen from his house (*Archives* 53: 74, 91-93; see also under Comments) and 800 pounds of tobacco owed to Walter Hall (*Archives* 53: 93-94). Other debts, receivable and payable, may have been settled without litigation. Nevertheless, the estate must have been much less than John Browne had anticipated when he married Elizabeth.

**Comments:** Jacob Lumbrozo is most well known for his prosecution for blasphemy, which occurred in the Provincial Court on February 23, 1658[/9]. Two depositions declared that Lumbrozo had said that Jesus was a man and that his miracles were a result of "Art Magick." Lumbrozo answered that he was a Jew and had responded to questions about his religion as reported, but that he had "sayd not anything scoffingly or in derogation of him, Christians acknowledge for their Messias." The Court then ruled that "the sd Lumvbrozo remaine in the Sheriffs custody untill he putt in security Body for Body to make answeare to what shall be layd to his charge, Concerning

those blasphemous words & speeches, att the next Provincial Court, & that the persons be there present to testify viva voce in Court.”

Whether Lumbrozo found security “Body for Body” is unknown. Since this required someone to be willing to be tried and punished in his stead if he absconded, and since under the Act of Toleration blasphemy was punishable by death, perhaps he did not find any one. However, eight days later, the last day of this Provincial Court session, Governor Josias Fendall proclaimed Richard Cromwell as the new Protector of England and pardoned “All & Every person or persons wch this Court in any Criminal Cause stood indicted Convicted or condemned to dye Resyding att this time within this province.” Lumbrozo, indicted, but not convicted or condemned to die as some have claimed, was thus spared trial. That he would in any case have been pardoned is likely, but he might have had to wait in custody for trial until April 20, 1659, the date set for the next session. (See *Archives* 41: 203-04; 258-59.)

Before and after that time, Lumbrozo was fully accepted in Maryland as a member of the community. The court records show him collecting debts, beginning in 1657. Once he was naturalized in 1663 he served on juries and as an appraiser. He practiced medicine and represented other planters in court. The Council granted him a license to trade with the Indians and the Provincial Court gave him a license to keep ordinary. I think one can interpret this history as indicating that a Jew was tolerated in mid-seventeenth-century Maryland.

True, the Act of Toleration was confined to Christians, but I do not think that Lord Baltimore had Jews in mind when he wrote the act. He had no intention of extending toleration to Indian religions. As his charter, declared, one reason to settle the New World was to Christianize the Indians.

Possibly after his scrape with Fendall’s Provincial Court (which came immediately after the four years of Puritan rule in which toleration in Maryland was in abeyance), Lumbrozo turned Christian. This seems to me doubtful, but there is one suggestive event. He informed against the minister John Legatt for performing a marriage without license or banns. Legatt pleaded not guilty and Lumbrozo could not produce proof, hence Legatt was cleared. One might argue that as a Jew, Lumbrozo would have had no interest in this issue. However, if Legatt had been convicted, Lumbrozo could have collected half the very large fine. There is nothing else to suggest that Lumbrozo converted and his will does not use Christian language. I do not think Lumbrozo became a Christian.

Lumbrozo had his unsavory side and it is evident from numerous depositions that he forced his maid servant, Elizabeth Weale, to sleep with him, got her with child, and gave her a drug to force an abortion. After telling various neighbors what had happened, she then tried to deny her tale, saying that she had made up the story, but she could not deny that Lumbrozo had given her a drug that had caused her to abort. Lumbrozo avoided prosecution by marrying her. The Charles County Court indicted them together, but the trial never took place, since, once married to Lumbrozo, Elizabeth could not testify against him. (*Archives* 41: 589-91; *Ibid.* 53: 316-20, 352, 355-57, 387-91.)

Finally, just before Lumbrozo’s death, Thomas Allcock accused him of receiving goods stolen from Allcock’s house after his wife and children had been murdered by Indians. The case went to arbitration and Lumbrozo agreed to pay Allcock 900 pounds of tobacco and give him back the property he had received. (*Archives* 53: 609, 616; *ibid.*, 60: 74, 91, 92-93.)

Clearly Lumbrozo was a well-educated and able man. However, he did not gain great success in Maryland. Perhaps some held his being a Jew against him. Nevertheless, he was not denied any civil rights as a Jew, and if he had lived longer he would probably have got richer.