

The Fight for American Religious Freedom

By Jerry Klinger

"I abhor two principles in religion and pity them that own them. The first is obedience to authority without conviction; and the other is destroying them that differ from me for God's sake."

- William Penn, Quaker, and founder of Pennsylvania

Warder Cresson was born in Philadelphia, Pa. in 1798. His parents, Quakers, John Elliot Cresson and Mary Warder were descended from Huguenot stock who had settled in Pennsylvania a century earlier. Warder Cresson was raised as a Quaker. He became a successful farmer. He married Elizabeth Townsend, also a Quaker, by whom he had two children.

According to some, Cresson's spirit was blessed, but according to others he was cursed with a restless religious soul that continually sought to encounter God directly. It was his desire to experience the Kingdom of Heaven as a living, present reality. His deep unfulfilled religious yearning brought him into conflict with his Quaker community and roots; eventually it was to cause his separation.

The American 1830's and 1840's was a period marked by Apocalyptic predictions. Cresson influenced by the end of days predictions of the Seventh Day Adventists and Campbellites became convinced that the second coming was near. A condition of the second coming was the ingathering of the Jews to Israel. " God must choose some medium to manifest and act through, in order to bring about his designs and promises in this visible world; ... This medium or recipient is the present poor, despised, outcast Jew ... God is about gathering them again." Warder Cresson wrote. No place on earth could be nearer to God and the second coming than Jerusalem Cresson reasoned.

Using the good offices of his friend Edward Joy Morris, the Congressional Representative from Pennsylvania, Secretary of State John C. Calhoun appointed Cresson the first American Consul to Israel. President John Tyler approved the appointment, May 17, 1844. Cresson bade farewell to his wife and left her with his power of attorney. Almost immediately after he set sail for Jerusalem to await the second coming, as the appointed American Consul, his position was rescinded by Secretary Calhoun, June 22, 1844. Warder Cresson was accused of being insane.

Cresson remained in Jerusalem for four years searching for his own direct encounter with God and the Kingdom on Earth. He found his soul's path to God and on March 1848, Cresson was circumcised and became an Orthodox Jew. He chose the name Michael Boaz Israel ben Abraham; Michael, one of the four archangels standing around the throne of God. Boaz, the great grandfather of King David and the husband of the Moabite convert Ruth, who said, 'thy People shall be my people, and thy God my God", Ruth Chapter 1.

Cresson returned to America to settle his affairs and reconcile himself to his wife. While he was gone, Elizabeth Townsend Cresson had converted to Episcopalianism. She could not and would not be reconciled to Warder Cresson's path to God. She abhorred his chosen belief and brought

suit to declare her husband insane. The evidence was Cresson's choice of Judaism as his path to God instead of Christianity...

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Three hundred and fifty years ago, 23 Jews, nearly destitute, frightened refugees from the Portuguese re-conquest of Brazil, arrived at the small Dutch port of New Amsterdam (New York), September 1654. The Jews were not welcome and were not greeted with open arms as children of God. Today, some would argue that Providence intervened. They were reluctantly permitted to stay as long as they never became a financial burden on the Christian community and kept their form of Divine worship out of sight.

The first Quakers to arrive in the New World came in 1656. They too were not greeted with open arms. In early Colonial America, Christians whose path to God were different from the accepted norms of the majority faced discrimination, ostracism, banishment and sometimes even death.

The Jewish experience in America was one of struggle and participation. Asher Levy won the first Jewish rights in New Amsterdam. He demanded the right to stand and defend the colony, shoulder to shoulder with his Christian neighbors.

Jews were not permitted to have a permanent house of worship, a synagogue, until 1730 when Mikveh Israel was built in New York. Jews quickly integrated into the American experience becoming urban dwellers, farmers, ship owners, frontiersmen and pioneers. The famous "Liberty Bell" with its Old Testament inscription "Proclaim LIBERTY throughout all the Land unto all the Inhabitants thereof; Lev. XXV X" was brought over to Philadelphia on the Myrtilla, a ship owned by the Pennsylvania Jewish firm of Levy and Franks. Jews served in the American revolutionary war as soldiers and financiers. Some would give their fortunes for America and others would give their very lives. America offered economic freedom and toleration to the Jew. Political freedom would be a struggle that would be fought on a State by State basis.

Religious test oaths and restrictions were very common in Colonial America and they carried over into the new American State governments. Originally test oaths were designed to exclude Catholics and non conformists from political access to government. Each State retained the right to determine who could and could not vote and hold office. It was not until the passage of the 14th Amendment to the Constitution in 1868, after the American Civil War that Federal Law was finally made superior to State law. North Carolina, in 1868, was the last State to relinquish legal political exclusion of Jews.

The struggle for political equality varied from State to State but in no State was the fight uglier than in Maryland. Maryland was originally founded as a haven for Catholics but that soon changed. Maryland adopted the Colonial Church of England and Catholics were quickly disenfranchised. Restrictive, discriminatory laws and test oaths were rapidly passed. One law was particularly heinous. If a parent in a Catholic family died, the Colony had the right to take the children away and raise them as Protestants in an intact family unit. It is not know if this law

was ever enforced but many of the discriminatory acts remained legal until the American Revolution.

For Jews, Quakers and non-conformists, in Maryland, the Test Oath remained long after the Revolution. In 1803, President Thomas Jefferson appointed Solomon Etting of Baltimore as the first U.S. Constable for Maryland. Because under the law of the Maryland Test Oath, Etting could not be legally elected even a dog catcher in Maryland. In 1814, Francis Scott Key watched, on a truce ship as Fort McHenry was bombarded, all night, by the British fleet. In the morning he saw the American flag flying high and strong. Inspired, he wrote the words to the American National anthem that were placed to a popular British tavern song. Key did not know that within the fort, defending it, were Jews from Baltimore.

The struggle for political Freedom for all citizens of Maryland began in 1818. Thomas Kennedy, a Scottish Presbyterian immigrant was elected to the Maryland House of Delegates. Kennedy was an ardent believer in Jeffersonian Republicanism. He learned of the discrimination against Jews, Quakers and other non-conformists and resolved to do something about it. Kennedy had never known a Jew in his life. He dedicated his political life to changing the Maryland Constitution and righting the wrong against all Marylanders.

In 1818 he began the, most bitter, ugly, political struggle for equality in the States. The eight year struggle became known as the "**Jew Bill**" of Maryland. Kennedy lost his seat. Bigotry and charges of anti-Christianism flew from one end of the State to the other. In 1826 a compromise was reached and the "Jew Bill" passed. The Maryland constitution was changed, though still requiring a test oath, but one swearing to a belief in future rewards and punishments; a workable compromise for the Jews. Over the next seventy five years continued efforts were made to enfranchise all Marylanders. Quakers were not enfranchised until 1901 when the vestiges of the Test Oath were finally abolished.

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May 15, 1849, Elizabeth T. Cresson filed an "Inquisition of Lunacy" which was "*BETWEEN Elizabeth T. Cresson, on the one part, as plaintiff, and Warder Cresson, on the other part, as defendant. The said Elizabeth T. Cresson began this suit in favor of him whom they call "God the Son."* David Paul Brown declared in court, "*that she had to deny either her Savior or her Husband: Warder Cresson. 'I, therefore, Warder Cresson, had to deny either the One Only God, or my Wife.*"

Cresson continued in his 1852 book, *the Key of David*, "They did it under that most blinding of all other blindness, and that most darkening of all other darkness, and that is, that **blindness** and darkness which can alone spring from *Religious prepossession and prejudice*". A jury of six men was chosen. "I was consequently condemned, without my being permitted to bring forward even their own letters and the letters of several ministers, as full and complete *testimony* that they thought me *perfectly sane*". *He was judged insane*; his property fell to his wife and son in full.

For the next three years Warder Cresson struggled to bring his case to a higher court. The case was finally reheard in Philadelphia, "The friends and family of Warder Cresson, Esq., late

Consul at Jerusalem are applying for a writ of *de lunatico* to shut him out of the possession of part of his property, on the ground of being a lunatic for embracing Judaism," New York Times. Nine witnesses testified to Cresson's lunacy. Cresson brought 73 distinguished members of the community who testified to his sound mind, honesty and good moral character. Josiah Randall Esquire, Warder Cresson's attorney put the context succinctly to Judge King "*if Mr. Cresson had been charged with lunacy for joining any other religious society than the Jews, the case would have been laughed and hooted out of the court.*"

The trial lasted six long days. When the jury of 12 men returned their verdict – Warder Cresson was ruled sane. The Philadelphia Herald reported on the trial's verdict – "This prosecution was an attempt to coerce conscience, through the horrors of a Lunatic Asylum, and deprive a man of his civil and religious liberty, and throw an imputation on the Jewish Faith; but the jury, with a sagacity and magnanimity (for they were all Christians) that does them high honor, vindicated the truth of American Rights, and of our Republican Constitution." Warder Cresson was raised as a Quaker. He chose a different path to God. He had vindicated a basic American institution – Freedom of Religion.

Cresson concluded his affairs in Philadelphia. He divorced his wife, in a mutually desired separation, and returned to Jerusalem. In Israel, he continued his path to God as an orthodox practicing Jew. He remarried and became a respected member of the Sephardic Community.

Cresson became an early Zionist, attempting to establish a Zionist agricultural community in Jerusalem in Emek (the Valley of) Rephaim. The agricultural effort failed for lack of funds.

Cresson remained known in Jerusalem as Michael Boaz Israel ben Abraham, died in 1860. He was buried on the Mount of Olives, or as it is known to the Jews, as Har Hamoshiach – the Mountain of the Messiah. His gravesite is lost today. He was buried quietly because of active hostility by the Muslim government. In later years, the Jordanian Legion, between 1948 and 1967, actively destroyed many Jewish gravesites on the Mount of Olives.

Jewish tradition believes that when the Messiah comes redemption will begin at the Mount of Olives. Warder Cresson, Michael Boaz Israel ben Abraham, as well as the souls of many righteous people of all paths to God who rest on the Mount of Olives, will be there first.