

# WILLIAM PENN



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If he had never come across the Great Sea, if he had never founded his peaceful commonwealth, we would still be in debt to William Penn. At twenty-six, with all his better-known achievements before him, he performed an enduring service to the liberties of the English-speaking world. It was London in 1670, ten years after the overthrow of Cromwell's Puritans and the Restoration of the Stuarts. A new crusading faith was making its appearance, and young Penn, a Quaker agitator, was on trial for disturbing the peace.

Members of the court threatened the jury with fines and hinted at torture if they did not bring in a verdict to the judge's satisfaction - but they would not yield: "NOR WILL WE EVER DO IT!" their foreman shouted in answer to Penn's impassioned appeal, "Give not away your right!" The trial is a landmark in English and American history.

Less than 400 years ago, these twelve men established the independence of English juries: they should make their own decisions, and not be "led by the nose" by any court. The right they defended was embodied in Magna Carta, which stated: "No Freeman shall be taken, or imprisoned, nor be disseized of his Freehold or Liberties or Free-Customs or be Outlawed or Exiled, or any other ways destroyed; nor we shall not pass upon him nor condemn him, but by lawful judgment of his peers, or by the Laws of the land." Now that pledge, so painfully extracted from King John, was being discarded by the courts. Three years before Penn's trial, the House of Commons had investigated Lord Chief Justice Kelynge in connection with official misconduct, asserting that he had undervalued, vilified, and condemned Magna Charta, "the great preserver of our lives, freedom and property"; and on November 13, 1667, an entry was made in the Parliament journal: "Resolved that the precedents and practice of fining or imprisoning jurors for verdicts is illegal." But this resolution had not stopped the practices of the judges. What did stop them was the obstinate courage of an English jury who had faith in their law and knew how to assert it, under the skillful leadership of the man they were trying.

The members of this jury were everyday men, none of them gentlemen, as Penn was described in the indictment, men of no importance. In ordinary circumstances, a trial for disturbing the peace would have been held before only a single judge, who

would quickly have sent the accused to jail, and the case would have been forgotten. But Penn had roused the Quakers with his dogged insistence that they had the right to worship their own God in their own way; to bow and scrape to no man, not even to a judge - only to God did they owe their obedience.

Aware that Penn was behind this "nuisance," claiming the rights of Englishmen - as if Quakers could be thought of in those terms - the Crown decided to put on a show, and summoned the Lord Mayor, Sir Samuel Starling, in his robes and his massive gold chain and his pitiful ignorance of the law. With him sat the Recorder, John Howel, the chief criminal judge of the city of London, equally ignorant of the law which he was supposed to administer, a stupid man with little to sustain him except a few worn Latin proverbs which he took delight in misapplying. He was a dull, heavy man, who was angry when he suspected that Penn was making fun of him - which indeed Penn was. Sir John Robinson, the prosecutor for the Crown, was Lieutenant of the Tower and had come to know this obstinate young Quaker agitator and pamphleteer when he had been sent to the Tower for nine months to keep him out of mischief. Four aldermen also sat on the bench, all of them knights, and three knighted sheriffs. A number of spectators also in attendance hated judges, and would not observe silence in court, and so strongly expressed their sympathy with the prisoners that the recorder frequently had to call them to order.

William's father, Sir William Penn, a Royalist at heart, was still a practical man and knew how to get along during the Protectorate. He advanced under Cromwell to become Rear Admiral of the Irish Seas and Vice Admiral in command of England's Third Fleet. After Sir William defeated the Dutch in 1653, when William was eight, the Protector appointed him general at sea; many enemy ships, casualties, prisoners, and prizes lay to his credit. But in two or three years, the admiral himself was in the Tower, suspected of being too close to the exiled Charles II. Released in five weeks, he went to his castle at Macroom in Ireland, and it was there that William saw the "inner light" for the first time - the quickening of man's soul by direct mystical communication with its Creator. For, as we are informed by various Penn biographers, an itinerant and eloquent Quaker named Thomas Loe had been invited to Macroom, and when he

preached, a black servant belonging to William's father wept aloud; William, watching with awe, saw the tears running down his cheeks, and he too was deeply moved. They were told of the new doctrine that men had the right to worship the Lord unaided by any kind of priest. Loe talked of the simplicity of honest, plain living, devoid of plumes and laces, and of the dignity of humility.

The Penns lived four years in Ireland. Cromwell died in 1658 when William was fourteen. "It was the joyfullest funerall that I ever saw," wrote the essayist and diarist, John Evelyn, "for there was none that Cried, but dogs, which the souldiers hooted away with a barbarous noise, drinking & taking tabacco in the streetes as they went." The Penns had returned from Ireland by 1660, when Charles II entered London in triumph, and the boy may have seen "the waves strew'd with flowers, the bells ringing, the streetes hung with tapisstry, fountaines running with wine." Admiral Penn, who had helped in the Restoration, was knighted and made a navy commissioner, with sizable stipends that added to his already large fortune.

That same year, William was sent to Christ Church College at Oxford and entered as a "gentleman commoner." His tenure there was brief. He was shocked by the "Hellish Darkness and Debauchery" of the place, which was happily pro-Royalist. The persecution of the Puritan sects had already begun. His friend Thomas Loe was in jail in Oxford for teaching the Quaker faith; but John Owen, a famous Puritan preacher, dismissed as dean of Christ Church when the Restoration came, was exhorting nonconforming students, Penn among them, in the Puritan tradition. They refused to wear surplices and would not go to chapel. For this nonconformity, at the age of seventeen, Penn was expelled.

Samuel Pepys professed to be a friend of the admiral, and in fact, the two were good companions. Pepys found Penn "sociable, able, cunning" and full "uf merry discourse," fond of gaudy dress and lewd plays. Sir William taught Pepys to take drafts of sack (a Spanish wine) in the morning to cure headaches caused by too much drinking the night before. There is enough in this brief description to indicate the gulf between the father, with his indelicate sensuality, and the son, disgusted at the dissipation of Oxford. About this time, there arose a severe

misunderstanding between the two. William said that his father had administered him "bitter usage," whipping, beating, and turning him out of his house. The admiral found a letter from Dr. Griffith Owen to his son. Outraged but puzzled, he took it to Pepys, who thought that the Puritan preacher had "perverted" the boy, and now perceived what had put Sir William "so long off the hooks."

The father relented. He loved his son, even though he could not understand the young man's devotion to the Quakers, with their plain clothes and rubbish about the inner light. He also knew he could help his son, so he changed tactics, and in the summer of 1662, sent eighteen-year-old William to France with some "persons of quality," among them Robert Spencer, later the Earl of Sunderland, who became William's lifelong friend.

At the Académie Protestante de Saumur, Penn was befriended by the famous theologian and metaphysician Moïse Amyraut, the president of the college, and lodged at his house, where he embraced Amyraut's philosophy of toleration and religious liberty, learning in his classes to reject predestination and personal glory and to practice charity as well as piety.

Back in London in 1664, young Penn had become, according to Mrs. Elisabeth Pepys, "a most modish person, grown a fine gentleman," with his athletic build and candid eyes. He studied law for a short time at Lincoln's Inn, and his curriculum included the works of poet John Dryden and dramatists Francis Beaumont and John Fletcher.

When England for a second time declared war against Holland, William joined his father for a few weeks on the HMS *Royal Charles*. The admiral, who had been made Great Captain Commander, sent his son as a personal messenger to the king, hoping this action would be the beginning of a brilliant career based on royal favor. From Harwich, the boy wrote his father, whom he cherished: "I . . . firmly believe that if God has called you out to battle, He will cover your head in that smoky day . . . Your concerns are most dear to me. It's hard, meantime, to lose both a father and a friend." He had not yet made the choice to disavow the life his father had wished for him and to pursue the ways of the Quakers.