CHAPTER I.

FAMILY, HOME-LIFE AND TRAINING.

GILBERT BURNET belonged to an ancient and honourable Scottish family. It is probable that the Burnetts of Leys were of Anglo-Saxon origin, and that an ancestor of theirs coming from England in the train of David I settled in Roxburghshire. It is beyond question that Alexander Burnard aided King Robert the Bruce, and that the grateful king some six years after the battle of Bannockburn granted to "his beloved and trusty adherent" certain lands within the forest of Drum on the borders of Aberdeen and Kincardineshire. The house of Alexander Burnard was built on an island in the loch of Banchory, and his descendants remain in the parish of Banchory-Ternan to this day, the present Sir Thomas Burnett being the 24th laird and the 12th Baronet of Leys.

The Burnetts were not only able to keep what they had gained but to add to it, the family history for its first three centuries on Dee-side being a record of ever-increasing prosperity. In 1488 Alexander Burnet received a charter uniting all his lands into one free barony. But the most remarkable addition to the estates occurred in the lifetime of the ninth laird, also an Alexander, and is of great interest as shewing how the friends of the Roman Catholic Church as well as the reforming lords acquired Church lands. He married about 1540 Janet, the natural daughter of Prebendary Hamilton. The bride was well-dowered with the property of the Church, to which Cardinal Beaton, the abbot of Arbroath, greatly added "by granting under the seal of "the monastery to Alexander Burnet and his heirs-male a "charter of the various lands within the regality of Arbroath

"and barony of Banchory-Ternan[1] which he or the members 'of his family had held in lease." There is no doubt that this Alexander Burnet, who died in 1574, remained true to the Church which had been so generous to him. But it is certain that his grandson, also named Alexander, adopted the reformed faith. He had a large family and he fervently desired to give his sons a liberal education. Two of them became eminent physicians, a third was a minister of the Church of Scotland, a fourth—the most famous of all and to us the most interesting, because it was probably owing to his celebrity that the future Bishop received his name—was Gilbert, Professor of Philosophy at Basel and Montauban. He was held in such esteem that a national synod of the Protestants of France appointed his philosophical writings to be printed at the expense of the Church. But he died before his manuscripts were arranged, and only his book of ethics was printed. The eldest of the brothers, Alexander, succeeded to the estates in 1578. He was a man of singularly moderate views, but in his later days he evidently supported James VI in his Episcopal policy, for we find him appointed as one of the commissioners "to see that constant moderators "be received by the presbyteries." His second son Thomas succeeded him in 1619 and became the first baronet of the family in 1626. He was one of the leading covenanters of Aberdeenshire, but won the respect of both parties by his moderation. His third son James, the ancestor of the famous and eccentric Lord Monboddo, also took the side of the Covenant in the memorable struggle. The fourth (third surviving) son was Robert Burnet, the father of Gilbert, Bishop of Salisbury, of whom we must speak at greater length. He was born in 1592, a memorable year in the ecclesiastical annals of Scotland, for during its course the Act was passed which has been described as the Magna Charta of the Scottish Church. The Tulchan Episcopate was brought to an end and Presbyterianism established. Presbytery seemed triumphant all along the line. But the victory was not final. It ushered in that important

[1] It is curious that the two chief families in this Dee-side parish—the Burnetts of Leys and the Douglases of Tilwhilly—should each have given a prelate to the See of Salisbury. Bishop Douglas was also connected with Saltoun, his grandfather having been minister of the parish.

struggle which decided the form of the government of the Church of Scotland and has left such indelible marks on the national life, thought, and character. And much of the interest and the pathos in the lives of Robert Burnet and his more distinguished son lie in the fact that both these good and sincerely religious men were stout upholders of the cause that lost.

Of Robert Burnet's early career little is known. He adopted the legal profession, and we find him in France in 1611 prosecuting his studies but bitterly complaining about his father's parsimony.

"My father deals ouer hardlie w^t^ me," he writes, "and haid "rather I neglected my studies than that I cost some siller "til him in imploying my tyme weel. Gif he continue in that "resolution he will compel me to take ane resolution that "will not please him and bind myself for ever in France "qlk I haid done or now haid not my uncle impesched me."

The elder Burnet evidently wished his son to get a liberal education at the minimum of cost. The difficulty, however, was surmounted and the threat in the letter unfulfilled, for Robert Burnet returned to Scotland and was admitted to the Bar in 1617. Three years later he married Beatrix Maule, who died in 1622, leaving him a daughter, by name Bertha.

As a lawyer his acquirements were solid rather than brilliant. He was, his son informs us, "learned in his "profession, but did not rise up to the first form in practice. "His judgment was good, but he had not a lively imagination "nor a ready expression, and his abilities were depressed by "his excessive modesty....When he found a cause morally "unjust he would not plead in it, but pressed his client to "consider his conscience more than his interest, in which he "often succeeded, for he spoke with great authority on these "occasions....He was always ready to plead the causes of "the poor, and instead of taking fees from them he supplied "such as he saw were unjustly oppressed very liberally. "He never took any fee from a clergyman who sued for "the rights of his Church...and he told me the full half of "his practice went for charity or for friendship."

Such rules however do not seem to have kept him from being successful in his profession, for we find him as an

advocate of seventeen years' standing, the possessor of two landed estates, from one of which, Crimond, in Aberdeenshire, he afterwards took his territorial designation.

Of more interest to us than the success of the lawyer is the character of the man, which all the contemporary writers who mention him describe as of singular excellence. He seems to have been a quiet, peace-loving, God-fearing man, gentle, but by no means weak, for he had a large share of that "dourness" which has been reckoned a characteristic of his nation. His gentle nature shrank from all bitter disputes, but he shewed, as we shall see, that he could suffer for conscience' sake in circumstances where moral courage of a very high order was required.

In Church matters, which were the chief problem of the day, he was an Episcopalian of a very moderate kind. "He preferred Episcopacy (his son tells us) to all other "forms of government, and thought it was begun in the "apostles' time, yet he did not think it so necessary but that "he could live under another form, for indeed his principle "with relation to Church government was Erastian."

In fact, like his friends Sir Robert Moray and Bishop Leighton, he may be described as a fine type of those Erastian pietists of the seventeenth century who were more numerous and exercised a greater influence on the religious history of their country than has generally been supposed.

At this point it is necessary to explain the change that had taken place in the Scottish Church. We have seen that Presbyterianism had been established in 1592, the year of Robert Burnet's birth. But when James VI became king of England he resolutely set himself to assimilate the ecclesiastical governments of the two national Churches, and partly succeeded. The leading Presbyterian ministers who opposed the king's policy were banished, and bishops were introduced into the Scottish Church. It was probably the intention of the king to assimilate the ritual of the Churches also, but the temper in which the nation received the Five Articles of Perth convinced even James of the danger of proceeding further. The result was a curious compromise. The Church government now established might fairly be described as bishops superimposed on Presbytery. The bishops ordained the ministers, but only with the assistance

of ministers appointed to act with them. They presided over the Church Courts; but the four Presbyterian Courts, General Assembly, Synod, Presbytery, and Kirk-Session were still sanctioned by law. A strong party in the Church was in favour of bishops, but few regarded them as essential. In fact the doctrinal standard of the Church, the Scots Confession, declared "that apostolic succession through "bishops was not a mark of the Church." One point it is well to note. There was no schism. The Church of Scotland remained as it had been from the Reformation, one and undivided. "The Presbyterians," a Church historian says, "continued in the Church without making "secession or separation though they struggled against her "defections."

We have seen that Robert Burnet's sympathies were with Episcopacy. This is not surprising. His father had supported the policy of King James. He came from Aberdeenshire, the district in Scotland most favourable to Episcopacy. Two of his most intimate friends were Patrick Forbes the Bishop of Aberdeen, and William Forbes afterwards Bishop of Edinburgh. In politics too he was strongly attached to the king's party. That his friends did not belong to one party, however, is clearly shewn by the step he took seven years after his return from the Continent. The history of the family to which Rachel Johnston, his second wife, belonged, presents a strong contrast to the peace-loving, law-abiding Burnets. The Johnstons of Annandale were one of the most famous and lawless of the Border clans. In the wars against England they were always to be depended on, at other times they gave to their king such obedience as they saw fit. Even so late as 1593, the year after Robert Burnet was born, they defeated and slew the King's Warden in the battle of Dryfe Sands. If there is anything in heredity, a descendant of this race was not likely to favour the doctrine of the Divine right of kings. With this famous Border battle, however, Archibald Johnston, the grandfather of Rachel, had nothing to do. He had left Annandale many years before and had become a successful merchant in Edinburgh, where he married a wealthy heiress, Rachel Arnot. She was the daughter of Sir John Arnot, Lord Provost of

Edinburgh, and distinguished for her devotion to the Presbyterian cause. The eldest son of this marriage was James Johnston, who married Elizabeth, daughter of Sir Thomas Craig, a famous Scotch lawyer and a most zealous Presbyterian. The third generation kept true to the family traditions. They united the strength of the Johnstons with the Presbyterian zeal of the Arnots and Craigs. There were no more sturdy champions of Presbyterianism or more consistent opponents of the absolutism of the king than Rachel Johnston and her younger brother Sir Archibald Johnston, Lord Warriston, the framer of the National League and Covenant.

Rachel Johnston is a most interesting type of a High Church Presbyterian lady of the 17th century. She was fearless even to rashness in defence of the cause she loved, sincerely religious, but intolerant and narrow, a fanatical believer in the Divine right of Presbytery. But withal she was a true woman, who proved herself an affectionate wife and devoted mother.

Twenty-seven years afterwards when Robert Burnet made his will he speaks of her thus:

"Item, I leave my well-beloved spouse (of whose "carriage I have had so long proof and experience and "of whom I have had so great comfort blessed be God for "it) my only Executrix. Item, having had the experience of "the extraordinary motherly care and affection that my said "spouse carries to her children I leave her tutrix Testamen-"trix to my said sons, and straitly charge and command my "said sons to give full and absolute obedience to their said "mother in all their worldly affairs, as to myself if I were in "life, if they would wish the blessing of God to be upon them, "and ordain them to remain still with their said mother as "long as they remain at school."

These words, written in 1651 after the troublous period of the Covenants, are strong testimony of an enduring affection between husband and wife which many trials and much difference of opinion had failed to overthrow.

At the time of the marriage, however, the feeling between the ecclesiastical parties was not so bitter as it afterwards became. Episcopacy and Presbytery were considered by many to be compatible. Presbyterians and

Episcopalians worshipped in the same church side by side. But neither party was satisfied and ill-feeling was steadily growing. During the next thirteen years eight children were born to Robert Burnet, and the witnesses of their baptisms shew clearly how he fraternised with both parties. Among the names we find John Earl of Lauderdale, Sir James Skene of Curriehill, and, strangest of all, in 1636 the names of Thomas Sydserf, Bishop of Galloway, and Archibald Johnston stand side by side. It was perhaps the last time these two men met in friendship, for on July 23rd, 1637, occurred the historic riot in St Giles's Cathedral occasioned by King Charles I attempting to force Laud's Liturgy on the unwilling Scottish Church. The long-simmering discontent with the policy of the king and the people's hatred of the bishops broke into open revolt. The struggle between Episcopacy and Presbytery entered on a new phase. The day of compromise was over, the war of extermination had begun. It was a national rising. All classes took part in it: never had Scotland been so unanimous. It is true that the nobles and gentry had been deeply offended by the Act of Revocation with regard to the Church lands which the king had forced on Parliament, but it is absurd to suggest that the people would have stirred for such a cause. The driving force of the revolution was a religious one. The people were stubbornly opposed to the king's Church policy and were determined to submit no longer to his despotic dictation. The nation was united in opposing absolutism in Church and State. In this crisis Archibald Johnston, the brother-in-law of Burnet, leaped into prominence. The leaders of the movement realising the danger of their action sought to bind the nation together in the National League and Covenant, in the drawing up of which Johnston took a great part. The great majority of the people eagerly signed the Covenant, and pressure was brought to bear upon those who were unwilling. Robert Burnet was one of the minority. His position was a trying one. His two brothers, his wife and her relatives were all strong supporters of the Covenant. He himself had been so outspoken in his criticism of the conduct of some of the bishops that he had been regarded as a Puritan. But he was firmly opposed

to the abolition of Episcopacy and strongly disapproved of the armed resistance of the nation.

"Not that he thought that it was not lawful to rise in "arms when the king broke the laws, for he always espoused "Barclay and Grotius' notions in that matter, but he "thought that was not the case, but that the king's authority "was invaded against law."

The great strength of the man revealed itself. He firmly refused to sign the Covenant, the only man of note in Edinburgh who dared to do so. The consequence was that he was forced to give up his legal practice, and twice between the years 1637–43 he had to take refuge on the Continent. Probably he returned in 1641 at the time of the king's visit. The bishops had been deposed, Presbyterianism had been reestablished, and honours were being showered upon the leaders of the Covenant. Among these was Burnet's brother-in-law, who was knighted and promoted to the judicial Bench with the title of Lord Warriston.

The rise of this able lawyer had indeed been remarkable. Though only thirty years of age Archibald Johnston was one of the best known men in Scotland. His legal knowledge and skill had been invaluable to the Covenanting party. No one had been more zealous for the cause. A very religious man, he is a striking example of the extreme High Church Presbyterians of his day with all their strength and weakness. Strong, but very narrow, pure in life, sincere and devout, praying five or six hours each day, he was also intolerant and ready to unchurch and excommunicate all who differed from him even in the external forms of religion.

"He had," as his nephew tells us, "the temper of an "inquisitor in him. He did overdrive all their counsels and "was the chief instrument of the ruin of his party by the "fury and cruelty of the proceedings in which he was always "the principal leader. But after all that appeared in his "public actions he was a sincere and self-denying enthusiast, "and though he had twelve children he never considered his "family but was generous and charitable."

No man was more opposed to Warriston's political opinions than Robert Burnet, yet each respected the other. Events were now about to take place which strained but

did not break their friendship. In 1642 the Civil War in England began. The Scotch would gladly have remained neutral. But unfortunately for the cause of Charles the great majority of the Scottish people did not trust him, and feared that if he were victorious he would immediately revoke the concessions which had been wrung from him by force. Alarmed therefore at the course of the war, for the arms of Charles were everywhere victorious, the Church party listened with favour to the earnest appeal of the English Parliament. The result was the Solemn League and Covenant.

It was at this troubled period in Scottish history that the eleventh and youngest child of Robert Burnet was born, Sept. 18th, 1643, and was baptized three days later by the name of Gilbert. His uncle Sir Archibald Johnston was one of the witnesses. It could not have been an occasion of unmixed joy, for everyone present must have known that there was every likelihood of Robert Burnet being again driven into exile. On the 25th of Sept. 1643, exactly one week after the birth of Gilbert, the English Parliament accepted the Solemn League and Covenant, which assured them of the assistance of a Scotch army but bound them "to seek the preservation of the Reformed Religion in "Scotland and the Reformation of Religion in England and "Ireland in doctrine, worship and government according to "the Word of God and the example of the best Reformed "Churches."

This was followed in Scotland on Oct. 22nd by an ordinance of the Committee of Estates enforcing (on pain of excommunication and forfeiture of goods) the signing of the Solemn League and Covenant.

Robert Burnet firmly declined to sign it. He maintained that there was no justification for the Covenanters taking up arms against their lawful king in a quarrel concerning the liberties and privileges of the English Parliament, of the nature of which most Scotsmen were ignorant. He refused to sign a Covenant which had not the consent of "the lawful Supreme Magistrate," which forced the conscience of some "not in the substance of religion, "but in circumstantial points of Church government." "To impose on men's consciences," he says, "covenants

"containing duties not only not expressly commanded in the "Word of God but...outside if not contrary thereto and that "under pain of excommunication seems hard to weak and "tender consciences and smells not a little of the anti-"christian tyranny of Rome." Such conscientious objections received but scant consideration from the prevailing party, and the stern but upright Warriston "thought it a crime to "shew his brother-in-law any other favour but to suffer him "to go and live beyond the sea."

Robert Burnet retired to Paris, where he met among others Grotius, whose views on theology and law he largely adopted. There also he met his old friend Sydserf, the deposed Bishop of Galloway. Warriston having heard of this renewed intimacy wrote warning his brother-in-law against having any dealings with an excommunicated person. Burnet replied in a most spirited manner, firmly refusing to break off a friendship of 27 years, declaring that he had never heard of a greater injustice than the excommunication of his friend.

"Alas, brother! what would you be at, now when you "have beggared him and chased him by club law out of the "country? Would you have him reduced to despair, and will "you exact that every man, yea against his conscience, shall "approve your deeds how unjust soever, yea out of the "country?...Be not too violent then," he adds, "and do as you "would be done to, for you know not how the world will turn "yet," a warning to which the subsequent fate of Warriston was to lend a grim significance.

Meanwhile the first five years of Gilbert Burnet's life were passing in a troubled and rapidly changing scene. The Solemn League and Covenant did much for the liberties of Great Britain, but its first triumph was not in the land of its birth. The army sent to England turned the fortunes of the Civil War at Long Marston Moor. But in Scotland there was not that unanimity which marked the National League and Covenant of 1638.

In 1644–5 Montrose, an old Covenanter now on the other side, conducted his brilliant campaigns, so useless to his king, so terrible for his country, till his victorious career was stopped and the excesses of his army terribly revenged at Philiphaugh. But when the Civil War ended in