

Christopher Lowther (1666-1731) was the eldest son of Sir John Lowther (1642-1706) the west Cumberland colliery entrepreneur, and the man who was regarded by his contemporaries as the founder of Whitehaven new town.¹ As such, Christopher stood to inherit not only his father's baronetcy, but also the fortune that he was rapidly accumulating in the later years of the seventeenth century. In fact, after much heart-searching, Sir John finally disinherited Christopher in 1701, in favour of his younger son, James (1673-1755). The latter went on to become the dominant entrepreneurial figure in west Cumberland and at his death was described as one of the wealthiest men in England. The reasons behind Christopher's disinheritance and Sir John's efforts to try to avoid such a move provide a fascinating account of just how strongly seventeenth-century landowners believed in primogeniture. This paper will attempt to reveal something of the planning and consideration which went into such a move.

Christopher Lowther was born at Sockbridge Hall in Westmorland, which was then his father's chief seat, and was baptized at Barton parish church on 4 June 1666.² Of his early years little is known, although it seems likely that he resided in London where his father's other two surviving children, Jane (1667-1731) and James were born.³ His mother, Jane, the daughter of Wooley Leigh of Surrey, died in 1678, and Sir John did not remarry.⁴ Christopher is known to have been lame; indeed, when his father sent him to Queen's College, Oxford, in 1685, it was with the instruction that he was to "redeem yourself from those disadvantages nature has subjected you to".⁵ Unfortunately, Christopher fell into bad company, among "players".⁶ He took to drinking and gambling, habits of which his father (and later his younger brother) strongly disapproved. Christopher left Oxford in 1686. Two years later he was at the Inns of Court, where stricter discipline was apparently having a good effect on his behaviour.⁷ So pleased was Sir John with his son's progress that he wrote to his namesake and relation, Sir John Lowther of Lowther (created Viscount Lonsdale 1696) in 1688, suggesting the possibility of having Christopher returned to Parliament for Appleby.⁸

The reform was apparently short-lived: some time in 1691 Christopher and his father had a disagreement, as a result of which they were to have little or no contact over the following seven years. Little evidence has survived about this quarrel, although it seems that Christopher had reverted to his former bad habits. By 1692 he was living with the Reverend H. Maurice at Tyingh (Tring?) where he was to spend a considerable part of the following years in what seems to have been some sort of guardianship. It was from Maurice's home that Christopher wrote to his father in January 1692 informing him that he had forsworn strong drink, and that for the past month he had kept to his word. He may have left Maurice's shortly afterwards, but found himself unwelcome in his father's home for fear "I should debauch my brother". Between 1694 and 1698 he resided with Maurice, whose task was to wean him off alcohol back to his uncompleted legal studies.⁹ Periodically he sought a reconciliation with Sir John. In 1695, for example, he wrote to his relation Lady Lonsdale, informing her that for five months he had not touched strong drink, nor

had he been tempted to gamble. He had even resumed his studies. However, Sir John still refused to acknowledge him, and Christopher asked Lady Lonsdale to help bring about a *rapprochement*.¹⁰ A year later no reconciliation had been achieved, and Maurice wrote to Sir John informing him of the extent of the problem:¹¹

Tis (strong drink) that he loves, and his taking a little makes him but long for more, till he forgets himself and all the promises he has made, and loses all sense of honour, duty and interest, till he is so full of chimeras that he thinks himself enlightened to deal with the greatest sharper he can meet. This puts him upon gaming, and when once he is in, he considers no farther.

Significantly, Maurice added that Christopher still hoped to outmatch his younger brother James, who had been member of parliament for Carlisle since 1694, and only a few months previously had been appointed Clerk of the Delivery in the Ordnance office.¹² Christopher's jealousy of James had become apparent following the younger brother's second return for Carlisle in 1695. According to Maurice, Christopher "was very angry and resolved to deny himself the use of strong drink no longer".¹³

Christopher Lowther's addiction to alcohol remained, as is clear from Maurice's reports. In October 1697 he wrote that¹⁴

(Christopher) sees he cant drink without taking too much, he cant do that without being mad, he cant be mad but he must game, game for all he has, for all he can borrow. Out of a sense of this he says he has taken up his good resolutions.

Hence Christopher's occasional letters to his father recording the exact time that he had abstained from drink. However, the situation deteriorated, and a year later Maurice was even more pessimistic:¹⁵

This last half year he has been much worse . . . he never lets any of my men go out with him, but I generally send a man after him to fetch him home, and when he has come home at midnight or after I often had a second trouble to persuade him to go to bed. . . . when he is got half seas over then he challenges anyone to game, and if they will not game with him he is disposed to quarrel, and presently brandishes his sword.

By this time Christopher had been out of favour for seven years, and had not seen his father for five. He was tired of being confined at Maurice's house. Realising that any hope of returning to his father's pleasure would depend on his showing signs of reform, Christopher proposed that he should return to the Inns of Court to complete his legal studies.¹⁶ This proved unnecessary, since during the autumn of 1698 Sir John decided to abandon travelling between London and Whitehaven, and settle in the north-west. James remained in London, so that it was now possible for Christopher to live with his father without there being any fear of him having an unfortunate influence on his brother. On the recommendation of Dr Lancaster (Provost of Queen's College, Oxford, and the man who had overseen both Christopher and James' education), Sir John agreed to give his eldest son a trial at Whitehaven. He proposed to have him trained in accountancy "as necessary to understand the collieries, saltworks and other negotiations of this place".¹⁷

When Christopher arrived at Whitehaven during the spring of 1699,¹⁸ Sir John told Lord Lonsdale that he was ready to allow his eldest son "my whole lifetime to re-instate himself before I come to that utmost necessity you seem not to disapprove of". Sir John even proposed to have him made a justice of the peace,¹⁹ and considered the possibility of securing for him a government placement in the Custom house.²⁰ Several papers relating

to the collieries, in Christopher's hand, testify to the fact that he was not idle during his months in Whitehaven.²¹

On July 5th 1700 Christopher Lowther unexpectedly left Whitehaven.²² Three months later he was in custody in London at the instigation of his creditors.²³ Sir John commented to Dr Lancaster that²⁴

when sober he is sometimes passable enough, but not without discovering by fits notions very extravagant. When drunk no man in Bedlam more wild or more dangerous. The reflections he pretends to make afterwards, but if either dice or strong drink come in his way, he never yet resisted the temptation.

Christopher Lowther regretted his precipitate action, telling Lady Lonsdale in March 1701 that he had "very often repented of my folly in leaving Whitehaven without my father's consent".²⁵ Eight months later he was still in prison, and wrote to his father asking for help.²⁶ Sir John's store of sympathy was exhausted; it was left to Dr Lancaster to help him out, (by lending him money to pay some of the debts) and he was eventually released in 1702. In May that year Christopher was back with his former guardian, Mr Maurice.²⁷

This second defection on the part of Christopher was the final straw. When Sir John became ill in February 1701 he decided to pursue what now seemed the only logical path, and disinherit Christopher. Accordingly, on 13 February 1701 a settlement was executed in favour of James, with remainder to the late Viscount Lonsdale's three sons, Richard, Henry and Anthony.²⁸ James was duly grateful. He told his father in December that year he hoped "every day will give you more and more reason to be confirmed that your resolution is well grounded".²⁹ He continued to live in London, and took whatever opportunities arose to transmit scurrilous stories about Christopher to his father. These continued until May 1702, at which point he decided "never to mention his name to you again unless you could hear it with the same indifference as others".³⁰

The inheritance had still to be made operational. James was surprised and disappointed to find he had been made only life tenant. This was a common practice in the seventeenth century, designed to ensure that a spendthrift son could not waste the estate, but that it would be preserved for his heirs. However, James regarded such a settlement as an affront, an indication that his father did not fully trust him. He reminded Sir John that had such a situation pertained to his tenure of the estate, it would have been impossible to prevent Christopher from entering the inheritance. James requested an explanation of the situation,³¹ although it is not clear whether he received one. He visited Whitehaven in 1703 for what may have been the first time,³² since his father had been an irregular visitor and he himself had been brought up in London. Perhaps it was during this visit that he received an explanation, since Sir John did not change his mind. He did confirm the settlement in a new will drawn up in 1705, and this gave James some comfort.³³

Sir John died in January 1706 and James returned to Whitehaven to take up his inheritance. He realised that many people would have preferred to see Christopher at Whitehaven, because out of jealousy they would have taken delight in seeing the estate and fortune wasted.³⁴ Reports actually reached Whitehaven that Christopher was hurrying north to take possession of the estate. On behalf of James the estate and colliery stewards, who had been made trustees by the 1701 settlement, took formal possession of the property.³⁵ In fact, Christopher, or as he now was, Sir Christopher, seems to have had no intention of leaving London, although a number of tenants used the rumours as an excuse for withholding their rent. In June a story circulated in west Cumberland that Christopher

intended to sue his brother,³⁶ but all this was malicious gossip since an amicable agreement was reached during the summer months.

By the terms of Sir John Lowther's will Christopher was left £2 a week "as is most suitable to his unfortunate by past and hopeless future management". In June 1706 James, by his own account, acted as his brother's only friend in the world by paying £54 to have him released from Newgate, to which he had been committed from a gaming house. In return for agreeing to pay Christopher's debts, it was agreed that James should have full possession of the estate. James settled an annuity on his brother, which, together with the £2 a week from Sir John, gave him an annual income of £200.³⁷ A settlement was completed in July, and James completed the legal moves by executing a common recovery in January 1707.³⁸

Sir Christopher never returned to Whitehaven, but spent the remaining twenty-five years of his life in the south of England. He was again arrested for debt in 1709, but the following year he married Jane, the daughter of Mil Nanson, rector of Newnham in Hampshire. She was reputedly "dumb but handsome".³⁹ He seems to have lived thereafter either with his father-in-law in Hampshire, or at his London house in Brook Street, Holborn. He died there in October 1731, and was buried in St. Andrew's Holborn.⁴⁰

Sir Christopher died childless, and the baronetcy followed the estate in passing to his younger brother. Sir John had long believed that James was capable of managing the estate; indeed, by 1700 he regarded him as "an equal assistant"⁴¹ in estate matters. This diagnosis turned out to be correct. During his forty-nine-year tenure of the property he extended the estate and ruthlessly exploited the collieries. He became a noted London financier with considerable holdings of government stock and a variety of mortgages. He never married, thereby avoiding the difficulties he had foreseen by being only life tenant. Ironically, because he had the right to dispose of the estate as he wished but no direct heirs, contemporaries believed that he did not know who to leave it to.⁴² Eventually the property passed to his distant cousin Sir William Lowther of Holker.⁴³ With his death a year later, it became just one part of the extensive properties of Sir James Lowther of Lowther (created earl of Lonsdale, 1784).

Christopher Lowther was out of step with his father's business-orientated life-style. It was James, the younger son, who inherited the characteristic. Nonetheless, Sir John was prepared to allow Christopher every opportunity to give over his bad habits and adopt a more acceptable life-style. Although during the 1690s he kept the brothers apart in an effort to prevent the one corrupting the other, it was not until 1701 that he took the final step of disinheritance. Even then it was during a period of illness, when his own life was in doubt, rather than a rational decision taken without external considerations. Furthermore he made the settlement restrictive and did not confirm it until 1705. All of this indicates the strength of primogeniture and the father's reluctance to divorce the baronetcy from the estate by disinheritance. The restrictions on James' freedom of action indicate an unresolved fear that his younger son might prove to be as unreliable as his elder. That James was made only life tenant in spite of his father's experience is an indication of how reluctant seventeenth-century landowners were to allow their heir the freedom to dispose of the estate as they wished. It was, however, a weapon which worked only under certain circumstances. In this case it was effectively nullified by James' decision to remain a bachelor. In the end Sir John's move was the only sensible one if he wished to see the estate preserved, and the foundations which he had laid, built upon. The feelings about his eldest son expressed in his will had developed only slowly, and extremely reluctantly.

Notes and References

- ¹ J. V. Beckett, "Andrew Pellin of Whitehaven", CW2, lxxvii, 181-2.
- ² Barton Parish Register, copy in Carlisle R.O.
- ³ W. Jackson, *Papers and Pedigrees*, ii (1892), 169.
- ⁴ *Ibid.*, 167-9. Carlisle R.O. D/Lons, Wills, Settlements and Associated Papers, 1565-1814, no. 20.
- ⁵ J. Foster, *Alumni Oxonienses 1500-1714* (1968 reprint), 944. Carlisle R.O. D/Lons/W, Sir John Lowther's letterbooks (hereafter "Letterbooks"), Sir John Lowther to Christopher Lowther, 21 September 1686.
- ⁶ Letterbooks, Sir John Lowther to Christopher Lowther, 8 July 1686.
- ⁷ Letterbooks, Sir John Lowther to Cousin Teasdale, 25 Aug 1688.
- ⁸ Yale University Library, Osborne Collection: Sir John Lowther of Whitehaven to Sir John Lowther of Lowther, 8 Nov. 1688; copy in Carlisle R.O. under reference DX/598.
- ⁹ Carlisle R.O. D/Lons/W Miscellaneous Correspondence bundle 25 (hereafter "Bundle 25"), Christopher Lowther to Sir John Lowther, 19 June 1698, 26 Jan 1692.
- ¹⁰ Bundle 25, Christopher Lowther to Lady Lonsdale, 23 May 1695.
- ¹¹ *Ibid.*, H. Maurice to Sir John Lowther, 6 August 1696.
- ¹² *Cal. State Papers Domestic*, 1696, 153.
- ¹³ Bundle 25, H. Maurice to Mrs Dorothy Trevisa, 3 October 1698.
- ¹⁴ *Ibid.*, H. Maurice to Sir John Lowther, 5 October 1697.
- ¹⁵ *Ibid.*, H. Maurice to Mrs Dorothy Trevisa, 3 October 1698.
- ¹⁶ *Ibid.*, H. Maurice to Sir John Lowther, 19 May 1698, Christopher Lowther to Sir John Lowther, 19 June 1698.
- ¹⁷ Letterbooks, Sir John Lowther to Dr Lancaster, two draft letters dated January 1699.
- ¹⁸ Bundle 25, Christopher Lowther to Mrs Dorothy Trevisa, 11 May 1699.
- ¹⁹ Letterbooks, Sir John Lowther to Lord Lonsdale, 2 October 1699.
- ²⁰ Bundle 25, Sir John Lowther to Lord Lonsdale, 1 January 1700.
- ²¹ Whitehaven Public Library, MS 43 (loose papers in Christopher Lowther's handwriting).
- ²² Bundle 25, Lord Lonsdale to Christopher Lowther, 10 August 1699.
- ²³ Letterbooks, Sir John Lowther to Lady Lonsdale, 19 September 1700.
- ²⁴ *Ibid.*, Sir John Lowther to Dr Lancaster, 26 September 1700.
- ²⁵ Bundle 25, Christopher Lowther to Lady Lonsdale, 31 March 1701.
- ²⁶ *Ibid.*, Christopher Lowther to Sir John Lowther, 15 November 1701.
- ²⁷ Carlisle R.O. D/Lons/W, James Lowther to Sir John Lowther, 26, 28 March, 21 May 1702.
- ²⁸ Carlisle R.O. D/Lons St. Bees Miscellaneous, Indenture 13 February 1701.
- ²⁹ James Lowther to Sir John Lowther, 27 December 1701.
- ³⁰ James Lowther to Sir John Lowther, 30 May 1702.
- ³¹ James Lowther to Sir John Lowther, 16 July, 1 September 1702. As life tenant James was prevented from selling the property or mortgaging it beyond his own lifetime. In effect, he was legally bound to pass on the estate to his eldest son, intact. For an account of settlements used in the later seventeenth and eighteenth centuries see H. J. Habakkuk, "Marriage Settlements in the Eighteenth Century", *Trans. Royal Hist. Soc.*, 4th series, xxxii (1950). Habakkuk probably overestimated the significance of such legal moves.
- ³² James Lowther to Sir John Lowther, 8 June 1703.
- ³³ Carlisle R.O. D/Lons/L, Additional Wills and Settlements 1565-1706. The will is printed in Jackson, *op. cit.*, 181-4.
- ³⁴ *Ibid.*, 185. James Lowther to Sir John Lowther, 7 February 1702.
- ³⁵ Carlisle R.O. D/Lons/W Miscellaneous Correspondence bundle 44, William Gilpin to James Lowther, 23 January 1706.
- ³⁶ Carlisle R.O. D/Lons/W, Spedding letterbooks, no. 1, James Lowther to John Spedding, 26 April, 11 June 1706.
- ³⁷ *Ibid.*, James Lowther to John Spedding, 19 June, 23 July 1706.
- ³⁸ Carlisle R.O. D/Lons/W Estate Papers (1), unsorted, unlisted, copy indentures dated 15 January 1707.
- ³⁹ Carlisle R.O. D/Lons/W, James Lowther to William Gilpin, 7 May 1709, 2 February 1710. D/Lons/L Sir William Lowther of Swillington's Account Book.
- ⁴⁰ Carlisle R.O. D/Lons/W Miscellaneous Correspondence bundle 32, Jane Lowther to James Lowther, 17 July 1718. *Gentleman's Magazine*, i (October 1731), 449. Jackson, *op. cit.*, 169. Christopher Lowther apparently married a second time, the bride being Hannah Taylor. She was buried at St. James's,

Clerkenwell, London, in 1752. GEC *Complete Baronetage*, ii, 1625-1649 (Exeter, 1902), 181-2. Little is known of this marriage except that it must have taken place by September 1725. Carlisle R.O. D/Lons/W James Lowther's Cash Transactions Book, 1703-54, 58.

⁴¹ Letterbooks, Sir John Lowther to Lady Lonsdale, 29 August 1700.

⁴² William King, *Political and Literary Anecdotes of his Own Time* (1818), 103.

⁴³ For many years the heir was thought to be Sir Thomas Lowther of Holker (1699-1745). Ironically, in view of the situation with Christopher, Sir Thomas was an alcoholic. This information was deliberately withheld from Sir James, almost certainly because it was feared that he would alter the succession. J. V. Beckett, "The Lowthers at Holker: Marriage, Inheritance and Debt in the Fortunes of an Eighteenth-Century Landowning Family", *Trans. of the Historic Society of Lancashire and Cheshire*, 127 (1978), 47-64.