NES FITZ WILLIAM AND THE EARLS OF FIFE: THE ORIGIN OF THE HOUSE OF FIFE, 962-1129

by Michael Anne Guido[1]

ABSTRACT

This article deals with the origins of the Fife family as well as presenting a new theory which postulates that Nes Fitz William, who is ancestral to Saher de Quincy and his descendants, is the grandson of Constantine, Earl of Fife. Many ideas have been propounded as to the reason behind the unique position of the earls of Fife in Scotland as first among equals, which began during the reign of the early Scottish kings. This work presents and analyses the existing documents and historical data concerning these individuals and the basis for their role in 12th century Scotland.

Foundations (2006) ***2*** *(2): 112-134* *© Copyright FMG*

Most modern historians concur that the origin of the earls of Fife begins with King Dubh, eldest son of Malcolm I[2] (Bannerman, 1993, pp.20-21). Dubh succeeded Indulf[3] in 962 when the latter was killed by Vikings at Invercullen (Skene, 1867[4], p.10). The succession of the kings of Alba was mandated by the laws of tanistry, a practice which only allowed adult members of the ruling family to assume kingship. The succession was split between the lines of Aedh (nicknamed Swift-foot) mac Cinead and his brother Constantine mac Cinead (figure 1a). After their father Kenneth Mac Alpin, who died on 6th February 860[5], the succession descended through both surviving brothers for three other sons of Kenneth Mac Alpin had preceded him in death; Loern, Tenegus and Fergus[6] (Skene, 1867, pp.8 & 174). Constantine I ruled Alba 862-877 (Skene, 1867, p.8)[7] and was killed at Inverdovat, in the parish of

---

1 Michael Anne Guido is a semi-retired accountant and historian who lives in upstate New York. She is currently studying the 19th century transcriptions of the existing cartularies of Abbeys and Priories in Scotland and Northern England.

Email address: Claudiusi0@aol.com

2 Bannerman used the derivation from the Gaelic of mac and Dubh [Duff] as well as the uniqueness of the name Dubh as only Dubh, son of Malcolm I, bore this name in any historical documentation in Scotland before the twelfth century.

3 Indulf was the son of Constantine son of Áed and was killed at Invercullen in 962.

Pictish Chronicle (Skene, 1867): *Indulf held the throne for 8 years. In his time Edinburgh was evacuated, and abandoned to the Scots right up to the present day. A Viking fleet was destroyed off Buchan.*

4 This chronicle is dated by Brown (1997) to the reign of Indulf. It was added to chronologically and therefore is contemporary with the history recorded here. He suggests that a lost chronicle of Dunkeld may have supplied the original entries for the Scottish Chronicle between 849-903 (and possibly beyond).

5 Pictish Chronicle (Skene, 1867): *And so Kenneth, the son of Alpín, the foremost of the Scots, ruled that kingdom of Pictavia successfully for 16 years. He finally died of a tumour, before the Ides of February on the third day of the week in the palace of Forteviot.*

6 Chronicle of the Picts and Scots, MCCLI: A Registro Prioratus Sancti Andreae (Skene, 1867). *Kenneth, son of Alpin, the foremost of the Scots, who destroyed the Picts died in Forteviot and was buried on the isle of Iona where [his] three sons called Fergus, Loern and Tenegus were buried.*

7 Pictish Chronicle (Skene, 1867): *Constantine the son of Kenneth ruled for 16 years.*

Forgan in Fife in a battle against the Vikings. A legend has grown around his death that he was killed by a marauding band of Vikings after defeating their countrymen off the coast of Fife in 877 by being taken to a cave near Crail and slowly put to death (Robertson, 1862, p.48)[8]. His brother Aedh[9] (Robertson, p.48) ruled only for one year (877-878). Aedh was killed by Giric mac Dungal, a chieftain whose residence at Dundurn (Hudson, 1994, pp.131-132)[10] marked his pre-eminence among the northern magnates whose allegiance was to the Thorestein[11] (Skene, 1867, p.9; Robertson, p.49). Giric mac Dungal was of Cenel Loairn not Cenel nGabrain and this was the first attempt of the rival clan to claim the kingship of both northern and southern Scotland a feat which would be repeated again successfully by MacBeth in the eleventh century[12] (Hudson, 1994, p.136). Giric Mac Dungal used Eochaid mac Rhun, a grandson of Kenneth mac Alpin by his daughter who had married Rhun mac Artgal, King of Strathclyde, as a puppet co-ruler (Skene, 1867, p.9). Giric was expelled in 889 as was Eochaid and the succession returned to the heirs of Aedh and Constantine[13] (MacQuarrie, 1993, pp.13-14). Donald II, king of Alba was son of Constantine mac Cinead and ruled 889-900[14] (Skene, 1867, p.9). He was succeeded by his cousin Constantine II, son of Aedh mac Cinead, and his reign lasted from 900 to 943 when he abdicated[15] (Skene, 1867, p.9) and Malcolm I, son of Donald II,

---

8 Robertson states that Macpherson, in his *Geographical Illustrations of Scottish History*, explains the *Werdofatha* of the Register of St. Andrews and Wyntoun to mean *Wem-du-fada*, 'the long black cave,' in which Constantine is supposed to have suffered the cruel death of 'the spread eagle.'

9 Aedh is cited by Robertson as equivalent to the Germanic name Hugh.

10 Hudson notes that Dundurn was accessible equally from three western areas; the Cenel Loairn stronghold of Dunollie [in Argyll], the Dal Riata ceremonial centre at Dunadd and The British fortress in Strathclyde at Dumbarton Rock. He speculates that holding Dundurn would be an advantage to someone wanting to control the entirety of Strathearn and still be in close proximity to the area around Oban in Argyll. Recent archaeological excavations at Dundurn have shown that the site was refortified at the end of the ninth century which is the time of the kingship of Giric (Alcock et al., 1989).

11 Pictish Chronicle (Skene, 1867): *Áed held the throne for 1 year. The shortness of his rule has left nothing memorable to history; but he was killed in the town of Nrurim.* [Aedh was killed in battle with Giric in 878 at Nrurium which is probably in Strathallan near Stirling].

12 Cenel nGabrain and Cenel Loairn were two of the four divisions of Dal Riata in the sixth century. These were rival clans with Cenel nGabrain named after Gabrain, king of Dal Riata 538-558. Kenneth mac Alpin was of Cenel nGabrain as were all of the kings of Alba except Girc mac Dungal. The kings of Scots from Malcolm II forward were also of Cenel nGabrain except for Macbeth whose wife Gruoch was of Cenel nGabrain but Macbeth (whose father was Findlaech mac Ruardri, mormaer of Moray) was of Cenel Loairn.

13 Eochaid (*fl.*878-889) may have ruled jointly with Giric (878-889) and have been expelled by him. According to 'Berchan's Prophecy', Eochaid was the first Briton to rule over the Gael; he is called '*an Britt a Cluaide, mac mna o Dhun Guaire*' (the Briton from the Clyde, son of the woman from Dun Guaire). Berchan gives him a reign of thirteen years and states that he was dispossessed by 'Mac Rath' (*ie* 'son of fortune'---probably Giric), who abased Britain and exalted Alba. In 890, according to Brut y Tywyssogion, '*the men of Strathclyde had to depart from their country, and go into Gwynedd*'. They were settled there by Anarawd king of Gwynedd whom they aided in defeating the Saxons.

14 Pictish Chronicle (Skene, 1867): *Donald the son of Constantine held the throne for 11 years. At that time the Norsemen laid waste to Pictavia. During his rule a battle was fought at Innisibsolian, between the Danes and the Scots: the Scots were the winners. Dunottar was destroyed by the foreigners.*

15 Pictish Chronicle (Skene, 1867): *Constantine the son of Áed held the throne for 40 years and infirm in his old age he took the staff, and was devoted to the Lord: and he entrusted the kingdom to Malcolm the son of Donald.*

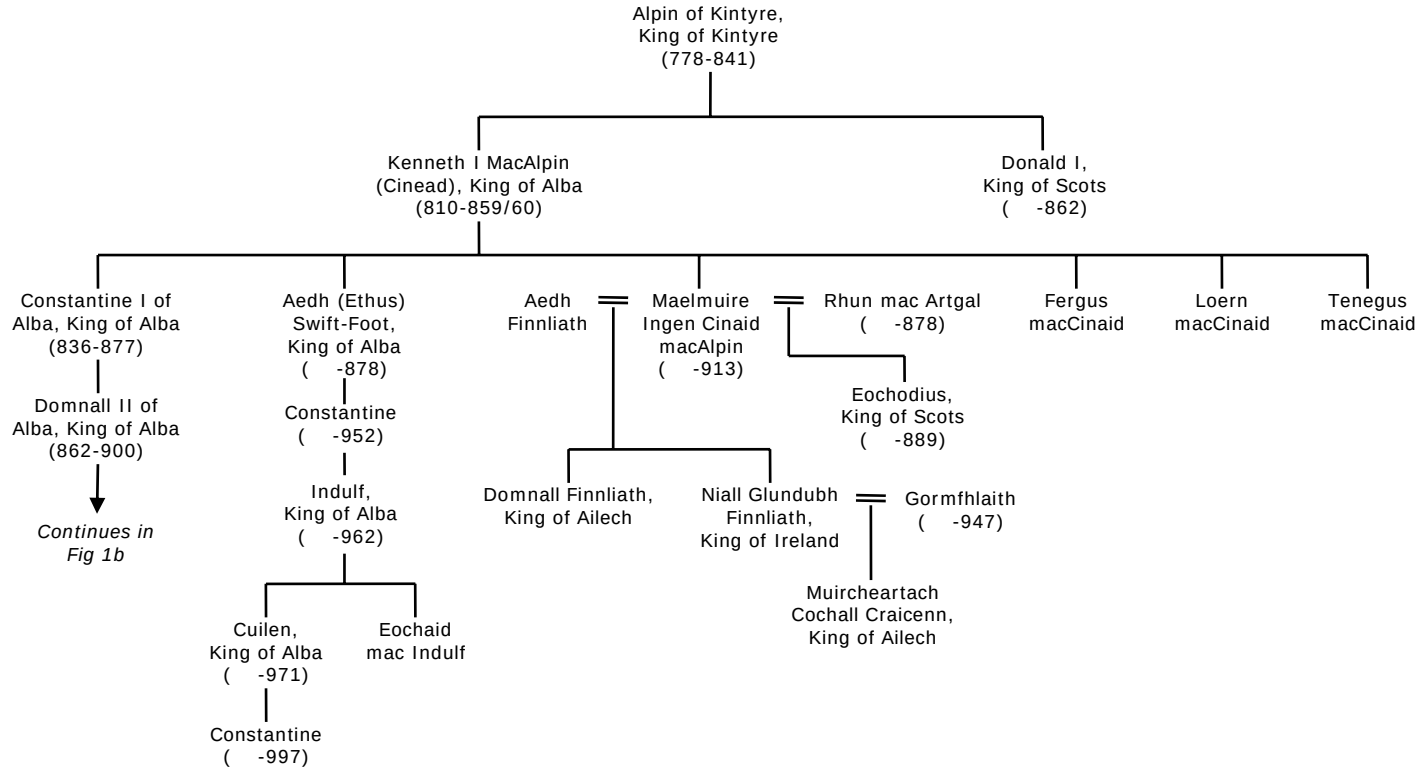


Fig 1a. ***Descendants of Alpin of Kintyre, King of Kintyre***

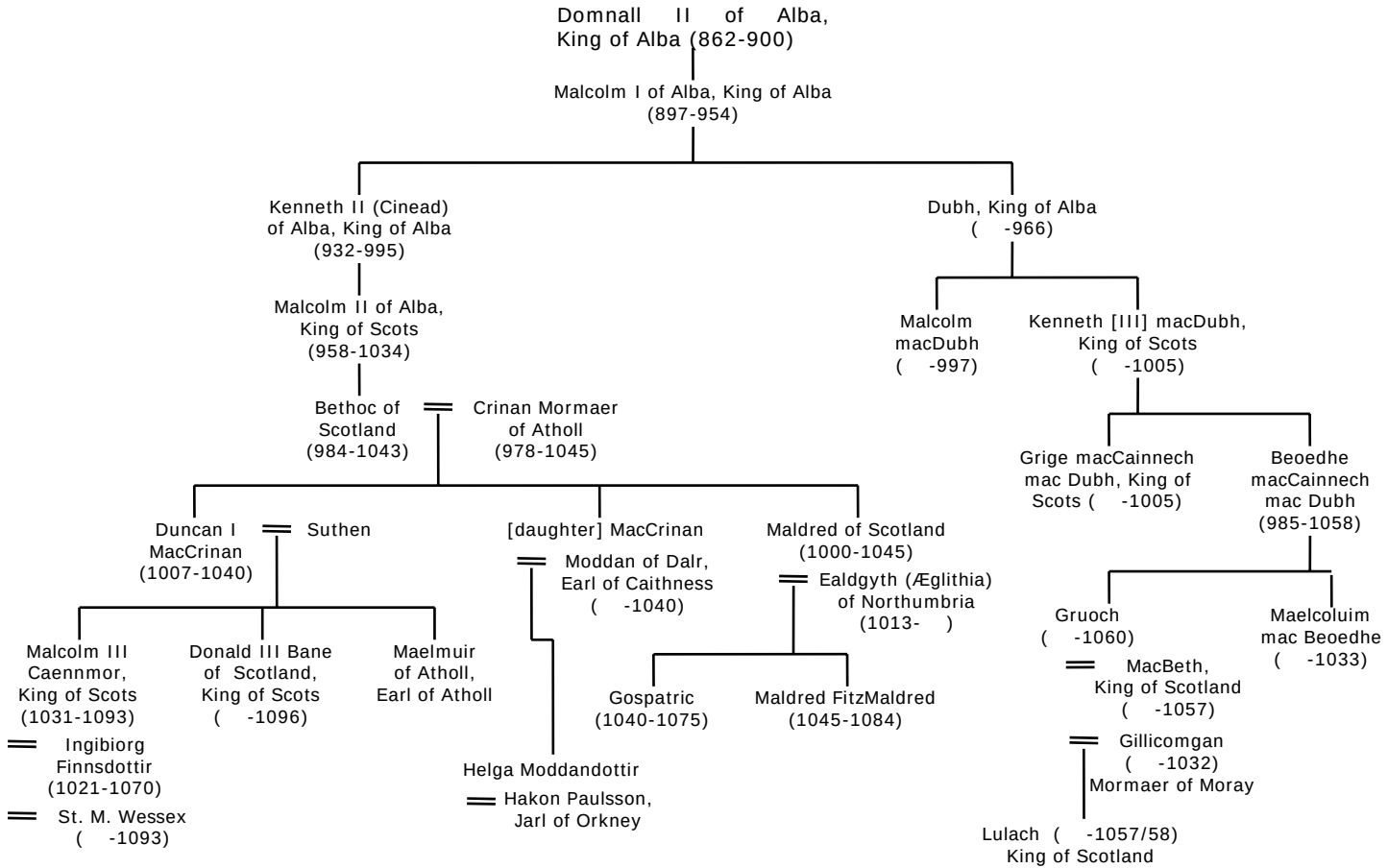


Fig 1b. ***Descendants of Alpin of Kintyre, King of Kintyre***

became king of Alba. Malcolm I was a strong ruler and he had two sons Dubh, the elder, and Kenneth, the younger, who would eventually reign as Kenneth II, King of Alba. Malcolm I held the throne of Alba between 943-954[16] (Skene, 1867, p.9). In 954 the succession passed to Indulf, son of Constantine II. Indulf ruled for 8 years and was succeeded in 962 by Dubh, the elder son of Malcolm I (see figure 1b).

By 962 a rivalry had arisen between the heirs of Aedh mac Alpin and the heirs of Constantine mac Alpin. Cuilen, son of Indulf thought he should have been named king and gathered support for his claim which included Dubdon, '*satrapas Athochlach*' (mormaer of Atholl)[17] and Duncan, Abbot of Dunkeld[18] (Skene, 1867, pp.10). In 965 the two opposing factions met at Duncrub[19] (Skene, 1867, p.364) and though Cuilen fled his two foremost supporters were killed which led to a rift between the house of Atholl and the line of Dubh for over a century[20] (Robertson, 1862, p.77). Dubh was later slain in 967 in Forres (which is in Moray). Upon his death Cuilen assumed the throne. The most descriptive account of Dubh's reign comes from John of Fordun who wrote in the late 14th century. Fordun refers to Dubh as a man of dove-like simplicity but harsh on rebels and lawlessness in his realm (Watt *et al.*, 1989, pp.352-355). It is also Fordun that tells us of an older son of Dubh, Malcolm, who he makes King of the Cumbrians[21]. Other than Fordun no one records any children of Dubh except one son, Kenneth mac Dubh, who in 997 became Kenneth III when his cousin Constantine III, son of Cuilen, was slain[22] (Ritson, 1828, pp.104-106). Kenneth had two known

---

16 Pictish Chronicle (Skene, 1867): *Malcolm, the son of Donald ruled for 11 years and men of Mearns killed Malcolm in Fodresach that is in Claideom.*

17 For a complete discussion of the title *satrapas* see Hudson (1998).

18 Pictish Chronicle (Skene, 1867): *Niger [Dubh] the son of Malcolm ruled for 5 years. Bishop Fothach was laid to rest. There was a battle between Niger and Caniculus* [Cuilen] *above Crup ridge* [Duncrub]*, in which Niger had the victory: at which Duncan the abbot of Dunkeld and Dubdon the governor of Atholl both fell. Niger was driven from the throne, and Caniculus held it for a short time.*

19 *Annals of Senait Mac Manus* (MacAirt & MacNiocaill, 1983): *965 Kal. Jan. Anno Domini DCCCCLXIV. Cath ettir fhiru Alban imoneitur ubi multi occisi sunt im Donnchadh i. Ab. Duincaillenn.* [Battle between the men of Alban among themselves, where many were slain about Duncan, abbot of Dunkeld].

20 Robertson (1862) states '*Accordingly the reign of Duff, the eldest son of Malcolm the First, and representative of the senior branch of the royal family, appears to have been passed in a continual struggle against the pretensions raised by the now rival line of Aodh in the person of Indulf's son Colin, and though at first successful, defeating Colin in the battle of Duncrub [AD 965], in which the Mormaer of Atholl and the Abbot of Dunkeld, partisans apparently of the defeated prince, were numbered among the slain* [a]*, he was subsequently less fortunate, and was driven by his rival from the throne, losing his life [A.D. 967] on a later occasion at Forres, a place so disastrous to every member of his family, where his body is said to have been hidden under the bridge of Kinloss, tradition adding that the sun refused to shine until the dishonoured remains of the murdered monarch received the burial of a king [b].*' Notes: [a] Innes (1885), Appendix 3; Annals of Ulster 964. The hostility of the House of Atholl was destined in the end to be fatal to the line of Duff; [b] Innes (1885) Appendix 3, 5. Fordun, 1. 4, c.28; Annals of Ulster 966. From the first authority it would appear that Duff never recovered the throne, and the story of his death rather favours the idea that he was killed when in exile.

21 See my article *Who was Malcolm, King of the Cumbrians,* in preparation for *Foundations (2007)*.

22 The slayer of Constantine III in 997 is presented as Cinead mac Mael Coluim a supposed illegitimate son of Malcolm I. Constantine, the son of Culin, reigned one year and six months. Killed by Kenneth, the son of Malcolm, in Rathveramoen, and interred in Iona. There are

sons: Giric, who was killed with his father at the battle of Monzievaird, Tayside in Strathearn on 25 March 1005, and may have been co-ruler with his father[23] (Skene, 1867, p.206; Duncan, 1975, p.113) as almost nothing is recorded in the Annals about Kenneth III's reign[24] (Swanton, 1996, p.133); and Beoedhe mac Cinead whose son-in-law would become Macbeth, King of Scots (Lawrie, 1905, pp.5-6). It is at this point that the direct line breaks from Dubh to the earls of Fife.

Upon the death of Kenneth III and his son Giric the throne of Scotland was assumed by Malcolm mac Cinead, son of Kenneth II and cousin to Kenneth III. Malcolm II ruled Scotland for 30 years from 1005-1034[25] (Skene, 1867, p.206) and it was during his reign that the succession changed. Malcolm had no direct male heirs and he wished to grant the throne upon his death to his grandson Duncan, son of his daughter Bethoc by her husband Crinan, lay abbot of Dunkeld. This was a very radical idea as it went against the Celtic laws of succession and was certainly not approved of by the Mormaers and Thanes. The laws of tanistry had always provided for an adult ruler to alleviate the problem of regency and minority rule as well as being based on the collective concept of clan and family which was ingrained in every Celtic person in the realm. In addition, there was no concept of succession passed through female lines in the Celtic system which was incompatible with the design of Malcolm II. In order to assure his new method of succession Malcolm II saw to it that no member of Cenel nGabrain survived to challenge the claim of Duncan. Malcolm II eliminated all rivals and in 1033 he had the scion of Clan Mac Dubh, Malcolm son of Beoedhe, killed[26] (Skene, 1867, p.368). On November 25, 1034, Malcolm II died at Glamis Castle in Angus. Duncan I succeeded his grandfather but he certainly raised the ire of the Celtic Mormaers who looked for a successor based on the old ways. One such

---

many confusions about the length of his reign based on the Duan which states seven years '*Seaght mbliadhna Constantin*' and the Elegiac Chronicles which again state 18 months '*Regens uno rex semis annis.*'

[23] Chronicle of the Picts and Scots, MCCLXXX (Skene, 1867): *Grige mac Kyneth mac Douf nine years, and was slain by Malcolm son of Kynech.*

Duncan makes an important point about the successors of king Dubh and the civil unrest between the descendants of Malcolm I. There was a delicate balance between the lines in the order of succession which was upset by Cuilen when King Dubh was killed. This was further exacerbated when Kenneth II, brother of Dubh, killed the brother of Cuilen and *tanaise* [heir apparent] Amlaib in 977. This caused rivalry, assassination and chaos in the period 997-1005. Kenneth III seems to have wanted to eliminate other segments from succession by associating his son Giric with himself not just as *tanaise* but also as joint king, *leth-righ*. This attempt was not successful but the same idea (elimination of other segments) was instituted by Malcolm II between 1005-1034.

[24] The only event recorded in the reign of Kenneth III is the attack made on Cumberland in the year 1000 by Ethelred the Unready: *1000. Here in this year the king traveled into the land of Cumbria* [MS. Cumberland] *and ravaged very nearly all of it. And his ships turned out round Chester, and should have come to join him, but they could not; then they raided the Isle of Man. And that summer the hostile fleet had gone to Richard's kingdom* [Normandy]. ASC MS.E. [The Peterborough Manuscript].

[25] Chronicle of the Picts and Scots, MCCLXXX (Skene, 1867): *This Malcolm reigned thirty years nobly and was victorious.* Malcolm II was also interred at Iona.

[26] *Annals of Senait Mac Manus*, (MacAirt & MacNiocaill, 1983): *1033 Kal. Jan. ii. f. l. xxvi. Anno Domini MXXXIII. M. meic Boete meic Cinaedha do marbhadh la Maelcolaim meic Cinaeda. (*The son of the son [The son of] Boete, son of Cinead slain by Malcolm, son of Cinaed). As the first initial M is used by the Annals it is very probable that the first name of this son of Beoedhe was Mael Coluim. This view is also stated by Robertson (1862, Vol.I, p.97).

claimant arose from Moray, MacBeth mac Findlaech who had become Mormaer of Moray upon the death of his cousin Malcolm mac Maelbrigde[27] in 1029[28] (Skene, 1867, p.368). Malcolm mac Maelbrigde and his brother Gillacogmain mac Maelbrigde[29] (Skene, 1867, p.368) killed MacBeth's father in 1020[30]. Macbeth challenged Duncan's claim to the throne based on the claim of his wife and stepson. Duncan was very young and very foolish and tried to invade Durham in 1039, suffering very heavy losses. He then retreated to the north and probably went looking for MacBeth[31] who was his direct rival for the throne. MacBeth killed Duncan on 15 August 1040 and became King of Scotland, ruling Scotland ably for 17 years. In 1050 he went on pilgrimage to Rome[32] but on July 27, 1054 was defeated in a major battle by Siward of Nothumbria[33]. MacBeth escaped but lost 3000 men including Norman mercenaries to whom he had extended refuge in 1052 when they were expelled from the English Court[34] (Hudson, 1994, pp.143-144). MacBeth was finally defeated at Lumphanan on

---

27 According to Hudson (1994, pp.135-136) the assassination of Findlaech cleared the way for his nephew, Mael Coluim mac Mael Brigti, to ascend the kingship. He would rule until 1029, when he died, apparently peacefully. Speculation based on the evidence would make it appear that the successor of Mael Coluim was not Gilla Coemgain, his brother, but the son of Findlaech named Mac bethad [MacBeth].

28 *Annals of Senait Mac Manus* (MacAirt & MacNiocaill, 1983): *1029 Kal. Jan. iiii.f.l. xii. Anno Domini MXXIX. Maelcoluim mac Maolbrigde meic Ruaidhre mortuus est* (Malcolm, son of Maelbrigde son of Ruadri, died).

29 *Annals of Senait Mac Manus*, (MacAirt & MacNiocaill, 1983): 1032 Kal. Jan. vii.f.l.xi. Anno Domini MXXXII. *Gillacomgan mac Maelbrigde Mormaer Murebe do loscadh co coecait do dhuinibh imme* (Gillacomgan, son of Maelbrigde, Mormaer of Moray, burnt with fifty of his men along with him). Gruoch the daughter of Beoedhe mac Cinead mac Dubh and the wife of Gillacogmain mac Maelbrigde escaped and married Mac Bethad mac Findlaech as her second husband. By Gillacogmain she had one son Lulach mac Gillacogmain who would succeed her second husband as king of Scots.

30 Hudson (1994, pp.134-135) cites that among the events of 1020 is recorded the death of Findlaech mac Ruaidri who is awarded the title ri Alban, 'King of Scotland,' in the Annals of Ulster and the Book of Leinster. The circumstances of Findlaech's death show that Cenel Loairn was experiencing its own civil war, as he was slain by the sons of his brother Mael Brigte.

31 This is highly probable as Duncan was killed by MacBeth at Elgin in Moray. Obviously Duncan had come to Moray in pursuit of MacBeth in contrast to later ideas presented that MacBeth came to Duncan.

32 [1050] (xi) 1072. *Rex Scottie Machethad Rome argentum spargendo distribuit: Macbeth, King of Scotland, distributed alms lavishly at Rome.* (Darlington & McGurk, 1995, pp.552-553).

33 [1054] *Pope Leo died on 16 April. Siward, the vigorous earl of the Northumbrians, at the king's command, went to Scotland with a mounted force and a powerful fleet and joined battle with Macbeth, king of the Scots, and when many thousands of Scots and all the Normans, whom we mentioned above, had been killed he put them to flight and, as the king commanded, he set up Malcolm son of the king of the Cumbrians, as king. However, in the battle his own son and many of the English and Danes fell.* (Darlington & McGurk, 1995, pp.574-575)

34 Mac Bethad [MacBeth] would become the king who first introduced the Normans into Scotland. The Normans came from England and had been part of the entourage maintained by the English king Edward the Confessor after his accession to the throne in 1042. The Normans were used as mercenaries. MacBeth maintained such a force for combat, gaill comlaind, which was one of the privileges of a king, and it was not uncommon in either Britain or Ireland.

15 August 1057[35] and his stepson Lulach became King of Scots (Hudson, 1994, p.144). Lulach ruled only seven months before being slain by Malcolm III on 17 March 1058[36] (Skene, 1867, p.369).

In the reign of MacBeth, Fife was 'in the crown' (Robertson, 1862, p.124)[37] and no recorded documentation has been found in the early chronicles to show any history of the house of Fife. The first person to record any ruler of Fife in this era was John of Fordun whose mention of MacDuff is the oldest in existence (Skene, 1872, pp.436-439). According to Fordun, MacDuff was thane of Fife and was exiled from Scotland for his loyalty to Malcolm son of Duncan [Malcolm Caenmore]. Later the story of MacDuff was retold by Andrew of Wyntoun. Though Wyntoun finished his *Chronykil* in 1424 he never saw the work of Fordun who had finished the first six books of the *Scotichronicon* by 1387. This view was first expressed by David MacPherson in his publication of Wyntoun's *Chronykil* in 1795, the first publication of the work (Laing, 1872, p.xxxii)[38]. As both Fordun and Wyntoun relate a similar tale about MacDuff it is probable that they used the same source which is now lost to us (Duncan, 2002, pp. 37-38)[39].

The name MacDuff shows up in the mid eleventh century Gaelic ode *Alban Duan*. This poem listed the kings leading to Malcolm III and was sung at his coronation in 1058. The following passage shows that MacDuff was the name used for Kenneth III (Skene, 1886, p.383)[40]:

Seacht m-bliadhna Cusaintin cluin
Acus a ceathair Macdhuibh
Triochadh bliadhain, breacaid rainn,
Ba ri Monaidh Maolcoluim.

Seven years Constantine, listen,[41]
And four to Macduff,
Thirty years, the verses mark it,
Was king of Monaidh, Malcolm.

The use of the name MacDuff at this early date proves that it was being used as a patronym by the heirs of King Dubh in the eleventh century.

---

35 Hudson makes a point that Berchan records that MacBeth won the victory at Lumphanan but was mortally wounded. According to Berchan MacBeth was taken from the battle to Scone where he bled to death from his wounds the following day, 16 August 1057. This seems to be the correct account as Lulach succeeded MacBeth not Malcolm III.

36 *Annals of Senait Mac Manus*, (MacAirt & MacNiocaill, 1983): 1058 Kal. Jan. v.f. l. ii. Anno Domini MLVIII. *Lulach mac Gillcomgain Ardri Albain domarbhadh la Maelcolaim meic Donchadh i Cath, Macveathadh mac Finnlaich Airdri Albain domarbhadh la Maelcoluim meic Donnchadh i cath.* (Lulach, son of Gillacomgan, sovereign of Alban, slain by Malcolm, son of Duncan, in battle. Macbethad, son of Finlaech, sovereign of Alban, slain by Malcolm, son of Duncan, in battle).

37 Robertson stated that Fife was in the crown during the reign of Malcolm III but Fife was also held by MacBeth in his reign as a possession of the crown.

38 This view is also expressed by Innes (1885) and Skene (1867, pp.ii-iii).

39 Duncan has stated that he believes the common source was a romance of the 13th century. He also comments that Wyntoun kept more of the romantic elements while Fordun tried to make the information as accurate as he could, and often used William of Malmesbury in his portion of the *Scotichronicon*, referring to him by name in certain sections.

40 Skene relates that in later chronicles Kenneth III was called Girus or Grig, son of Kenneth, son of Dubh.

41 Translation from *The Albanic Duan.* Electric Scotland (website accessed 2006). http://www.electricscotland.com/history/literat/albanic.htm

The historical MacDuff belonged to Cenel nGabrain and was one of the descendants of King Dubh. He cannot be the grandson of Kenneth III which his chronology would indicate. Of the two known sons of Kenneth III Giric died leaving no recorded heirs and Beoedhe was still alive in 1058 when his grandson Lulach was defeated by Malcolm III. As Malcolm II sought to eradicate all claimants from the line of Kenneth III to the throne, MacDuff would not have escaped the fate of Malcolm son of Beoedhe if he were a legitimate heir. The other main issue proving that MacDuff was not an heir of Kenneth III is that MacDuff would have had a good claim to the throne upon Duncan's death as an adult male descendant who was younger than Beoedhe making him a target of assassination for MacBeth, who was of Cenel Loairn, and whose kingship relied on the claim of his stepson Lulach and his marriage to Gruoch. As MacDuff suffered neither of these destinies it can be safely assumed that he was probably the grandson of a brother[42] of Kenneth III which would explain several points made by Fordun as well as later privileges conferred on the earls of Fife.

The search for the real person known as MacDuff can be approached by assuming that the source used by the late fourteenth and early fifteenth century chroniclers is based at least partially on historical fact. Fordun recorded that MacDuff fled from Kennoway in Fife to escape MacBeth's suspicion and wrath. After his departure his lands and possessions were confiscated and became forfeit to the crown. This seems to indicate that MacDuff did have some claim to the throne and fearing MacBeth went into exile. The issue of loyalty to Malcolm son of Duncan is a poor reason for leaving Scotland or having his estates lost. His behaviour was far from seditious and there was definitely an underlying point not made by Fordun (Duncan, 1975, p.115)[43]. This portion of the story is cited by Wyntoun as well, as is the supposed alliance between MacDuff and Malcolm. In both versions MacDuff is sent back to Scotland to prepare the way for Malcolm III to return and claim the throne. It is interesting to note that John of Worcester cites that Siward defeated MacBeth on 27 July 1054 at the command of Edward [the Confessor] to establish Malcolm, son of the king of the Cumbrians on the throne. The chronicle does not record that he placed Malcolm son of Duncan on the throne of Cumbria, Scotland or anywhere else[44]. This Malcolm may be synonymous with MacDuff. Whoever MacDuff was he may not be a direct ancestor of the earls of Fife. He may well be an uncle or cousin of the first recorded earl, as Fife was the last province to give up the tanistic system of succession (Robertson, 1862, p.124)[45].

Some things are apparent from the privileges conferred on the earls of Fife by Malcolm III and his heirs. The earls of Fife were to crown the monarch and lift him to be seated on the stone of Scone (Bannerman, 1993, p.22)[46]. If they were descended

---

[42] See my article *Who was Malcolm, King of the Cumbrians?* In preparation for *Foundations (2007)*.

[43] Duncan is not inclined to dismiss completely the story which Fordun relates of Macduff fleeing Scotland to join Malcolm III. He points out that behind the elaborate narratives of Fordun there is usually some brief annal.

[44] For a detailed discussion of this point and proof of the accuracy of John of Worcester see Duncan (2002, pp. 27-42).

[45] Robertson makes a good point in that Fife appears to have been the latest earldom held by the old Scottish tenure, and its earls, like the earls of Atholl-a branch of the reigning family-never appear in the ranks of the king's enemies.

[46] Bannerman also mentions that the earls of Strathern were second to the Earls of Fife in this ceremony when the new monarch was elevated onto the stone by these two earls in this order. This ceremony became so important that in 1306, when Duncan earl of Fife had sided

from a senior line of King Dubh this would mean that they were the rightful claimants to the throne under the old tanistic laws, so by having them crown the kings placed on the throne by direct descent it showed their concession to the new monarch (Duncan, 1975, pp.114-115)[47]. This was very important during the reigns of Malcolm III and his successors as the early kings of this dynasty were very unpopular with the Celtic earls and thanes they ruled. Most saw Malcolm and his sons as usurpers and the reforms in the church and court brought by St. Margaret, wife of Malcolm III, were unwelcome and foreign to the majority of the people in Scotland[48]. The issue of the Roman church replacing the Celtic church had a vast impact on the country where hereditary lay abbots and Culdee monasteries had been very important in the role of the secular clergy and in the government of Scotland[49]. New rules were established to abolish the old system and replace existing Culdee abbots with ones conforming to the Roman rite[50] (Robertson, 1862, pp.333-344).

The earls of Fife were also first among equals and functioned more as sub-kings under the kings of Scotland than earls. Even in the time of Alexander II the earls of Fife had their own laws and justice system which were separate from the rest of the country and were upheld in the Scottish courts. From the time of Constantine, earl of Fife, they were Justiciars of Scotland[51] (Bannerman, 1993, pp.23-24; Duncan, 1975,

---

with Edward I, Robert Bruce had Isabella, Duncan's sister, perform the ritual to ensure that his coronation could not be questioned. This act cost Isabella much as she was captured and turned over to Edward I who had her exhibited in a cage at Berwick Castle for 3 years.

47 Duncan makes clear that he sees the earls of Fife as successors of Dubh and attributes their role in enthroning the monarch as a by product of being Dubh's heirs. He states "The discarding of the clan of Dubh as potential kings led to their becoming (as sometimes happened to discard segments in Ireland) enkinging and inaugural, possibly enrobement, officials."

48 Due to this Malcolm's sons brought Anglo-Norman families to Scotland and placed them in official positions to retain a firm control on the country. For further discussion of this see Barrow (1980).

49 Both the hereditary lay abbots of Dunkeld and Abernethy were secular leaders as well as heads of Culdee monasteries. These clerical laymen held great power in Scotland which was passed to their descendants. This system was weakened by St. Margaret's reforms and was completely abolished in the reign of David I, her son.

50 The majority of these reforms came during the reign of David I (1124-1153). The monks of the more important Culdee monasteries, such as St. Andrews, retained their right to hold secular possessions until their deaths. Their abbots were appointed to be the bishops or new high clergy as well, but they did have to conform to the laws of the Roman church including celibacy and submitting to the authority of Rome. The lesser Culdee abbeys were completely abolished or changed to the new system.

51 The title of Constantine as *Comes de Fyf* and *magnus judex* in Scotia were recorded in 1128. The term *magnus judex* was shown by Barrow to be an attempt to denote what was meant to be *Justicia* in Gaelic [*Brithem rig*]. The register of St. Andrews was written in Gaelic. The Latin title *justicia* became *brithem rig*. The register was then translated into Latin, *brithem rig* became *judex Regis*. Bannerman states '*The actual Gaelic text probably read brithem mor i nAlbain and the later Latin translator failing to identify Constantine as justiciar in Scotia, then gave a literal translation of what was before him*.' This problem of translation from the Gaelic occurs again in a charter of Aethelred abbot of Dunkeld to St. Andrews. Duncan states that Robert de Quincy was a justice of Fife and a junior colleague of the Justiciar of Scotland at the same time Duncan, Earl of Fife [1154-1203] was Justiciar. This may have been passed to Robert de Quincy through his marriage with the daughter of Nes Fitz William. The register of Paisley (Innes, 1832, p.76) and the *Liber de S. Marie de Calchou* (Innes, 1846, p.388) both show that Robert de Quincy was Justiciar during the minority of Duncan, Earl of Fife, between 1165-1172.

p.203) and were second only to the kings themselves. When David I died leaving a young heir, Malcolm IV, it was Duncan Earl of Fife who had taken him throughout the kingdom, while his grandfather was still alive, so the people would know Malcolm had his approval and that Duncan[52] (Bannerman, 1993, pp. 36-37; Duncan, 1975, pp. 173) would act as his regent.

The earliest charter mentioning the earl of Fife was written before 1107 and is recorded in the register of St. Andrews (Lawrie, 1905, pp.11-12). This charter names Ethelred, son of Malcolm III of Scotland and St. Margaret, as "*Comes de Fyf*". Ethelred was also Abbot of Dunkeld a position which he held through hereditary right from his great-grandfather Crinan the Thane. This charter has created much confusion as later in the same document Constantine (MacDuff) is also called '*Comes de Fyf*. There have been several attempts to explain this apparent contradiction. The most common explanation given has been that Constantine was a son of Ethelred. This can easily be shown to be a fallacy as Ethelred is referred to in the charter as '*vir venerandae memoriae'* a term which Lawrie took to mean that Ethelred was an ecclesiastical abbot and not a lay abbot as his predecessors had been[53] (Lawrie, 1905, pp.244). Aethelred is also stated to have died without heirs in the Chronicle of Huntingdon, '*Edeldredum qui obit sine herede*' in a list of the children of Malcolm III and St. Margaret. The most logical explanation of the dichotomy in the charter was given by Bannerman (1993, pp.30) who stated that this error probably occurred when the original was transcribed from Gaelic into Latin[54]. It is very likely that the transcriber mixed the two separate individuals together and that Ethelred was probably just '*Abbas de Dunkelense'* and Constantine was '*Comes de Fyf*' as both men are known by these titles in other documents.

Constantine MacDuff, Earl of Fife is first seen as a witness to a charter of King Edgar in 1095[55] (Lawrie, 1905, pp.12-13, 246-248). He next appears affirming the confirmation charter of King David to Dunfermline abbey in 1124. The document is witnessed by 'Constantine Comes' and 'Gillemichel MacDuf' which indicates that these two were probably brothers. Constantine, Earl of Fife died in 1129[56] (Duncan, 1999, p.24). It is reported that he is buried in the walls of Dunfermline Abbey. As Fife was still using the tanistic succession Constantine was succeeded by his brother Gillemichel MacDuff as the next Earl of Fife in 1130. What is known of Gillemichel is that he was probably the first earl of Fife to change the succession of the earldom to

---

[52] The Earl of Fife may have been in a regent position to Malcolm until his death in 1154 and then this duty may have passed to the Earl of Strathern as Ferteth, Earl of Strathern, witnessed most of the charters of Malcolm IV at the beginning of his reign and was the first to oppose Malcolm IV when he went to Toulouse in the train of Henry II. Duncan takes the following from page 228 of Anderson's *Scottish Annals* based on John of Hexham, '*David I took Henry's younger son to be accepted Earl of Northumbria, and Duncan, Earl of Fife, to whom belonged a prominent role in the royal inauguration at Scone, took the elder son, Malcolm (IV) with a numerous army and 'conducted him round the provinces of Scotland and proclaimed him heir to the kingdom''*.

[53] In addition to the language of the charter it would have been highly irregular for Ethelred not to have been an ecclesiastical abbot as his mother, St. Margaret, was the person who initiated clerical reform in Scotland and brought them in line with the Roman Church. The idea that Margaret would have permitted her son to become a secular abbot is incomprehensible.

[54] Bannerman presents this argument well and leaves little doubt that the earlier charters at St. Andrews were sometimes erred because of the problem of translating from Gaelic into Latin.

[55] See Appendix for transcription of charter MC559 including a brief summary of its history and proof of the authenticity of the witnesses.

[56] Barrow stated that Constantine, Earl of Fife died in 1133.

direct descent. He is mentioned in the Book of Deer (Anderson, 1922, p.178) as the father of Ete[57] wife of Gartnach, Earl of Buchan. He is also mentioned in a very important charter of Dunfermline Abbey[58] as the father of Hugh [Aedh] who was one of the men selected to be a guardian of Dunfermline abbey where the body of David I was interred in 1153. This Hugh was the progenitor of the line of Abernethy as his son Orm Fitz Hugh and his descendants held Abernethy[59] (Innes, 1848, pp.26-27; Duncan, 1975, p.175). Gillemichel died before July 1136 and was succeeded by his eldest son Duncan. Duncan held the earldom from 1136 until his death in 1154. He was an important ally of David I. Duncan Earl of Fife left a young son also named Duncan upon his death in 1154. It was during the minority of this Duncan (1160-1172) that Nes Fitz William appears in Scottish documents for the first time. Figure 2 shows an outline pedigree of the MacDuffs.

The ancestry of Nes Fitz William has been occluded. There is significant indirect documentation indicating his parents. Nes Fitz William's father was William Lineth, a Norman, who was married to an heiress who held vast estates in Fife as her *maritagium* making her heirs very large landowners in the province. She and William Lineth[60] had two known sons; Nes Fitz William and Constantine fitz William. Both brothers affirmed a charter of Malcolm IV to Dunfermline Abbey c.1162 as '*Neis filio Willelmi et Constantino fratre suo*'[61] (Innes, 1842, p.23).

William Lineth is described by Land (1951, p.132) as Malcolm III's steward of Fife, an indicator that his wife may have been the daughter of the earl of Fife as the Celtic word *mormaer*, which was anglicised to earl, means steward[62]. Malcolm III probably arranged this marriage hoping to make William *jure uxoris* Earl of Fife as another Anglo-Norman official under his control.

---

[57] It seems highly likely that Ete, daughter of Gillemichel is the daughter of the Earl of Fife. This would make perfect sense from a logistical viewpoint as an alliance between Buchan and Fife would have been natural among the Celtic earls. The earl of Buchan would certainly have not married less than the daughter of another earl. Skene gives the pedigree:

Dobarcon → Macdobharcon → Cainnech → Gartnait (who m. Ete, daughter of Gillemichel, Earl of Fife) → Eva (who m. Colban, son of Merleswain - see below) → 2 sons: Roger, Earl of Buchan (ancestor of the Comyn, earls of Buchan, through his grand-daughter Marjory who m. William Comyn); and Merleswain (who witnessed charters with Nes Fitz William).

[58] See text below for full discussion of this charter and the family of Fife.

[59] Duncan (1975) states '*Thus the abbacy of the Culdee house of Abernethy had been given ---or more probably confirmed---by the king* [William the Lion] *to Orm, grandson of Gillemichel, Earl of Fife, to be held as a lay fief for ten pounds annually; Orm's son* [Laurence] *now gave to Arbroath from this abbacy the patronage of a number of churches on the south shores of the Tay and divided his personal Teinds between Arbroath Abbey and the Abernethy Culdees."*

[60] Barrow (1961, p.265) argued that this was really two names Nes fitz William and Unieth sheriff of Perth. The Unieth family is not shown on the existing list of sheriffs of Perth and is not known to have held land in this area making it a highly improbable that this was the case.

[61] See appendix for entire text of this charter.

[62] The etymology of the word *mormaer* is debated as is the exact meaning. The word came from Gaelic roots and is usually defined as meaning 'great steward' deriving from the Gaelic words mor 'great' and maor 'steward or bailiff'.

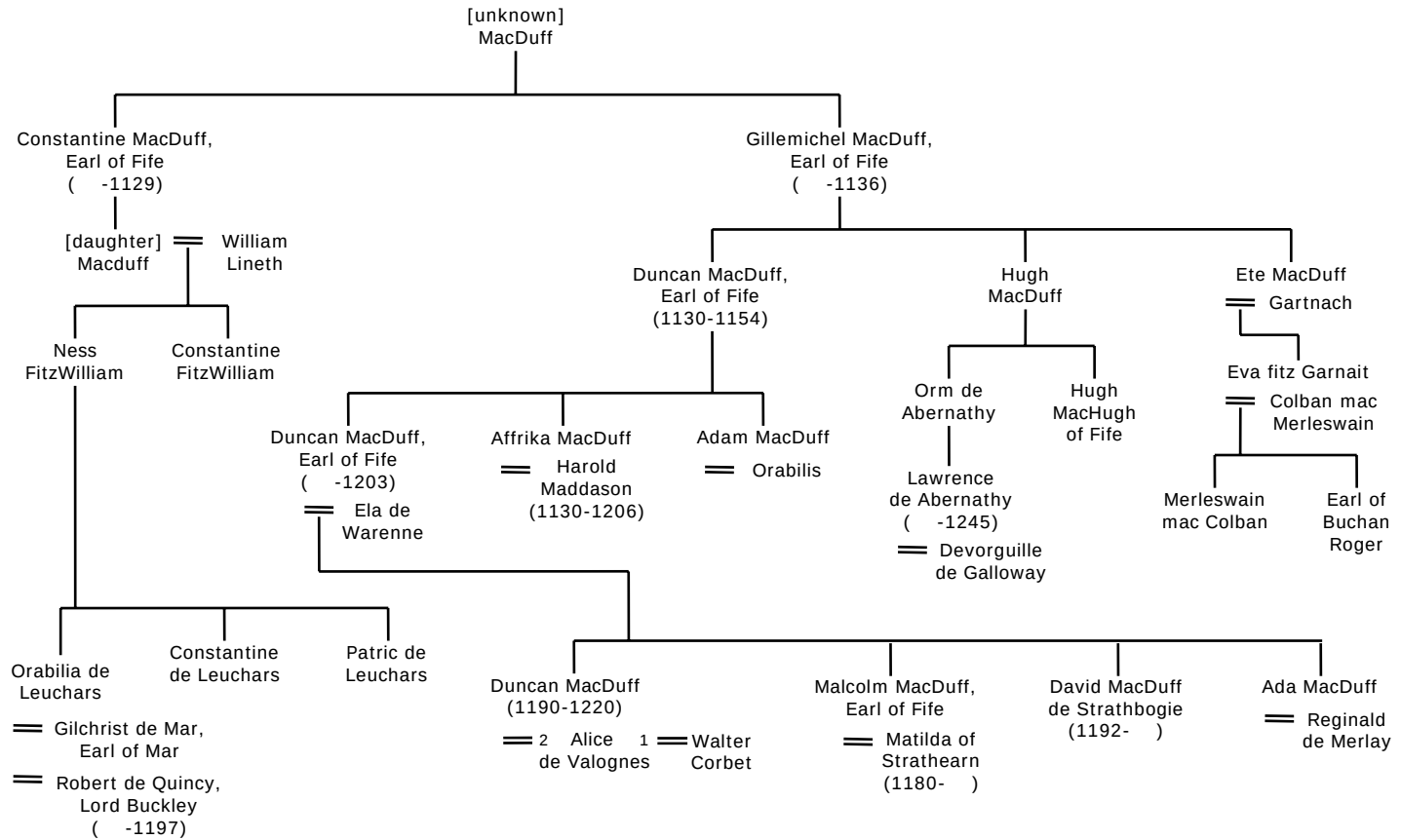


Fig 2. ***Descendants of MacDuff***

Nes Fitz William witnessed numerous charters for Malcolm IV and William I of Scotland. He was also one of the hostages exchanged at Falaise in 1174[63]. His inheritance consisted of lands located in Fife in strategic locations, the most important of which was Leuchars. His daughter Orabilla married Robert de Quincy who built Leuchars Castle on Castle Knowle north of the village in the late 12th century. As her father's sole legitimate heir[64] (Thomson, 1841, pp.286-288, 336; Anderson, 1922, p.493), Orabilla was one of the largest landholders in Fife[65].

Nes Fitz William signed many charters with his cousins[66] as he is often a witness with Duncan, earl of Fife, Merleswain and Orm fitz Hugh (Innes, 1842, pp.23-26, 32-35). The first of these charters which indicates that he was a member of the House of Fife is recorded in the register of Dunfermline Abbey:

De proteccione de Conneueth.

M Rex Scottie Comite Duncanus et Merleswain et Hugoni filio Gillemichel et G mac Sloclac et Neis filio Willelmi et Alun et omnibus probis hominibus tocius Fif salutem. Precipio vobis quatinus manuteneatis et custodiatis monachos de Dunfermelyn et terras suas et abbaciam ubi corpus avi mei David regis in Deo requiescit ita quod nullus vestrum eat super homines eorum et terras in Coneueth neque homines vestros [vestri] super meum plenarium forisfactum de hoc quod eis tantam iniuriam contulistis inde multum doleo. Testibus Episcopo de Katenes et Hugone de Moreville apud Edenburg.

This charter (1153 - 1162) was summarised by Barrow (1961, p.223):

Orders Earl Duncan (of Fife), Merleswain, Hugh son of Gillemichel, G. Mac Sloclac [The name is thus given in the MS, but it may be a miscopying of Slodac, Sludach or Slogadadh was a leader of 'the army of the bishop' presumably of St. Andrew's, c. 1128 (ESC, No. 80). This magnate of Fife was probably his son], Ness son of William and Alun and all his men of Fife to maintain and guard the monks of Dunfermline and their lands and their abbey where

---

63 Lawrie (1910, p.194) quotes *Benedictus Abbas,* vol. 1 p.396. List of hostages exchanged for William at Falaise. *Ness FitzWilliam as Hostage to King Henry (II) at Falaise in 1174. XLV: Convention of Falaise, 1st Dec. 1174.*

Pretera pro praedicta conventione et fine exequendo, liberavit rex Scotiae domino regi, David Fratrem suum in obsidem, et Comitem Dunecan et Comitem Waldevum et Comitem Gilebertum et Comitem D'anegus et Ricardum de Morvilla constabularium et Nes filium Willelmi et Ricardum Cumin et Walterum Corbet et Valterum Olifard et Johannem de Vals et Willelmum de Lindeseia et Philippum de Colvilla et Philippum de Valoniis et Robertum de Burnevilla et Hugonem Giffard et Hugonem Ridel et Valterum de Berchelsia et Willelmum de Haia et Willelmum de Mortmer.

64 Orabilla is named as sole heir of her father in a charter of St. Andrews Abbey (1172 - 1188). Her brothers Constantine and Patric must have been illegitimate or else they were disinherited (skipped over) by command of the king to make Robert de Quincy heir *jure uxoris*.

65 Barrow (1953, p.53) states that Nes Fitz William was one of the chief landowners of Fife.

66 There are over 15 charters which are witnessed by Earl Duncan, Nes Fitz William and Merleswain. In many of these charters these three signatures are in order. In several of these Orm Fitz Hugh is also a witness and in two charters the fourth signatory in line with the other three. Six charters are from St. Andrews, four from Dunfermline, two from Scone, one from Incholm and one from North Berwick. There is also a charter in this group that was first published by Barrow (1971, pp.222-223) [original at the British Museum] which is the confirmation of Abernethy to Orm son of Hugh. It is affirmed by Duncan Earl of Fife and Ness Fitz William.

rests the body of King David I. None of them is to take 'Conveth' from the abbey's tenants or lands; the king is much grieved to hear that they have done so. Edinburgh.

This document reveals a great deal about the earls of Fife and their rank among the peers of Scotland. The six men named in the above charter have one of the highest honours in Scotland at that time, the privilege of being a Guardian of Dunfermline Abbey where the body of the former king David I is buried. It is also at Dunfermline where St. Margaret's body was brought for burial as well as the other brothers of David I (with the exception of Ethelred who was interred at St. Andrews). This is the family sepulchre for the line of Malcolm III, whose body would eventually be brought to join his wife at Dunfermline later. Four of the men named are members of the House of Fife. Both Duncan (Lawrie, 1905, p.238)[67] and Hugh are sons of Gillemichel MacDuff, Earl of Fife. Nes Fitz William appears to be the grandson of Constantine, Earl of Fife and the only adult male representative of that branch of the family[68] (Innes, 1842, pp.14, 17). Merleswain is most likely the grandson of Merleswain who came to Scotland with Edgar Aethling, his mother Agatha and his sisters Margaret and Christina. This Merleswain held Kennoway in Fife (Duncan, 1975, p.138) which had belonged to MacDuff (Watt *et al.*, 1989, p.437; Laing, 1872, p.132). Merleswain was the son of Colban, *jure uxoris* Earl of Buchan as is shown by two charters in the register of St. Andrews calling him '*Merleswanus filius Colbani'* and both charters are witnessed by Colban; the second is signed as Comite Colban[69].(Thomson, 1841, pp.258-260). King William the Lion gave Ardross to Merleswain[70] (Barrow, 1971, p.211). It is apparent that he is part of the royal segment the house of Fife composed and as such shared in the responsibility as a Guardian of Dunfermline. The other two men were connected with the abbey of St. Andrews.

The second charter of note is a forgery. It is still significant as the forger must have known the relationships between the House of Fife and tried to construct witnesses that were together in this family. He erred by putting people of different time periods as witnesses. It is quoted from Lawrie (1905, pp.8-9):

---

67 It is Lawrie that identifies this Duncan as the Earl of Fife from 1136-1154.

68 Two charters from Dunfermline Abbey dated c.1124-1128 show that Constantine, Earl of Fife was one of the primary landholders involved with the Abbey. The first charter [Dunfermline Register No.18] shows that David I commands Constantine, Earl of Fife and his men to render help to the abbey while it is being rebuilt, an event that occurred c.1124-5 shortly after David I ascended the throne. The second charter [Dunfermline Register No.29] shows that Constantine, Earl of Fife held the entire shire of Kirkcaldy which he willingly withheld from the abbey disobeying the king's orders. For this David I demands the return of Kirkcaldy to the abbey and forbade the abbey to answer to any of Constantine's heirs about the land. It is evident from these charters that Nes fitz William was appointed to his position as one of the guardians of Dunfermline Abbey because he was one of the heirs of Constantine, Earl of Fife as were the other members of the Fife family so entrusted.

69 The charters show that Merleswain was the son of Colban by his wife Eva fitz Garnait. See footnote 57 above for pedigree of Eva. Merleswain also witnessed a charter of Malcolm IV in 1160 as '*Merlesuano filio Colbani*'. In addition to these charters there are other charters showing the connection between the heirs of Roger Earl of Buchan and Merleswain son of Colban. The heirs of Roger son of Buchan confirmed several charters granting the church of Kennoway to St. Andrews.

70 King William I of Scotland confirmed 'Ardros' to Merleswain and heirs between 1172-1174. The witnesses to this charter include Earl Duncan of Fife and Nes Fitz William. Barrow makes a comment that Merleswain son of Colban, lord of Kennoway, is probably a descendant of the original Merleswain that fled England c.1070.

Charter X. Charter by Malcolm III to the Church of Dunfermline, A.D. 1070-1093. (Spurious) Printed in the Registr. de Dunferelyn, p. 417:

In nomine sanctae Trinitatis, Ego Malcolm Dei gratia Scottorum Basileus auctoritate regia et potestate, Margaretae Reginae uxoris meae, episcoporum comitum baronumque regni mei confirmatione et testimonio, clero etiam adquiescenteque populo.

Sciant praesentes et futuri me fundasse abbatiam in Monte infirmorum in honorem Dei omnipotentis et sanctae et individuae Trinitatis, pro salute animae Reginae Margaretae uxoris meae et onnium successorum meorum.

Concessi enim et hac carta mea confirmavi praedictae abbatiae omnes terras et villas de Pardusin, Pitnaurcha, Pittecorthin, Petbachichin, Lauar, Bolgin et Schiram de Kirkaladunt et Inneresc minorem, cum tota schira de Fortriffe et Muselburge cum omnimodis suis pertinentiis tam in capellis et decimis aliisque oblationbus quam in omnibus aliis ad eas terras villas et schiras juste spectantibus, ita libere sicut aliquis rex aliquas elemosinas unquam dedit vel contulit ab initio mundi ad hunc diem.

Testibus Ivo Kelledeorum Abbate. Mackduffe Comite. Duncano Comite. Araldo Comite. Neis filio Willelmi. Merleswain. Apud Edinburge.

This charter is very complex and deals with many issues which do not affect the focus of this article. For brevity's sake I will deal only with the pertinent issues concerning the House of Fife. In his notes to the charter Lawrie (1905, pp.237-238) specifies an anachronism in that '*this charter is deemed a forgery because of lack of accuracy not the truthfulness of the information.*' From the charter it is apparent that the forger knew that Macduff, Duncan, Merleswain and Nes Fitz William were related. The problem here is that the Merleswain who lived in the time of Nes fitz William affirmed charters with him, not the original Merleswain. The inclusion of other people also makes no sense. Macduff was an ancestor of the House of Fife and certainly wasn't living at the time of the first Duncan, Earl of Fife 1136-1154. Arnold[71], Bishop of St. Andrews, who was another witness, was also from the same period (c.1150) as Duncan, Nes Fitz William and Merleswain. Ivo the abbot appears in no other charter of Malcolm III and nothing else is known of him. The forger wanted to create authenticity by making the Fifes witnesses.

There is also onomastic evidence. As cited previously in the *Register of Dunfermline Abbey* a charter of Malcolm IV from 1162 is witnessed by '*Neis filio Willelmi et Constantino fratre suo*'. By 1177 a charter from Duncan, Earl of Fife to North Berwick Abbey shows '*Constantino de Lochor,* [et] *Neso filio Willelmi*' among those who affirmed the gift to the nuns in service there[72] (Innes, 1847, pp.4-6). About 1190 Saher de Quincy confirmed his mother's gift to St. Andrew's and included in the witnesses were '*Constantini et Patricio filiis Nesii avi mei*', his mother's half brothers. The name Constantine [Celtic - Causantin] is an extremely rare name in this era in Scotland

---

[71] This is the witness listed as '*Araldo Comite*'. This charter was transcribed by Sir James Balfour who was not adept at exact copies of charters. This is pointed out by Barrow in his analysis of another charter. This charter is presented not only by Lawrie by also in Innes (1842). In both cases the witness is listed as '*Araldo Comite*' indicating that the error was made either in the original charter or in the copy made by Balfour.

[72] This charter denotes land held by Duncan, Earl of Fife in the vicinity of Kennoway which was according to Fordun held by MacDuff. Duncan granted two hospitals one on each side of the Firth of Forth to the nuns of Berwick.

(Bannerman, 1993, p.24; Barrow, 1953, p.54)[73]. It was used solely by Cenel nGabrain in the period 850-1058 and the use of it in the line of Nes fitz William indicates the descent from Constantine, Earl of Fife. Nes Fitz William not only had a brother named Constantine but one of his two sons (who were either illegitimate or intentionally disinherited by the king) was named in a charter of Nes to St. Andrews[74] (Thomson, 1841, p.291) as Constantine (the other was named as Patric). This Constantine was known as Constantine de Leuchars and signed charters with Nes fitz William. This line of de Leuchars continued with the names of Nes and Constantine being used for several succeeding generations.

The most significant evidence showing the connection of Nes fitz William to the House of Fife is the charter of Malcolm IV from 1162 affirming the marriage of Ada [Ela] his mother's niece to Duncan, Earl of Fife[75]. This charter was the subject of intense review by Barrow (1953) and he came to some very important conclusions. It was transcribed originally by Sir John Skene, Lord Clerk Register (1594-1604) into his notebook and then transcribed from there by Sir James Balfour, Lord Lyon King of Arms (1630-1654). Though there are transcription mistakes, Barrow notes "*Although Balfour was incapable of making a correct and careful copy of a medieval Latin document, it must be said that the purported charter of Malcolm IV here given shows fewer traces of blundering inaccuracy than are usually to be looked for in a document of this provenance. Despite the serious difficulties which it presents, there seems to be little doubt that it was beyond Balfour's powers to have invented it: it comes too near genuiness for such a supposition.*' The only real error in the transcript is that Ada is used instead of Ela and she is called '*nepte*' of Malcolm IV which led Barrow (1961, pp.190-191) to conclude that she was the niece of Countess Ada, mother of Malcolm IV (see figure 3 for Ela's links to the Warenne family. The witnesses to this charter show a connection to each other and the royal family as follows:

1. First three witnesses – Clergy
2. William the Lion, brother and successor to Malcolm IV
3. Ada de Warenne mother of Malcolm IV and William the Lion
4. Walter de Bidun, Chancellor of Scotland
5. Gillebride Earl of Angus
6. Richard de Moreville, Constable of Scotland
7. Odenell de Umphraville, powerful family in both Scotland and Northumberland
8. Richard Comyn, husband of Hextilda, 2nd cousin of Malcolm IV
9. Philip de Coleville – powerful family in both England and Scotland
10. William de Burdet, Steward of Malcolm IV's Huntingdon estates
11. Another cleric

---

[73] Both Bannerman and Barrow note that Constantine was a name used by the royal family and that the earls of Fife were definitely connected to them by use if this name. Bannerman notes the uniqueness of the name in this period in Scotland.

[74] See appendix for the text of one charter denoting this.

[75] See appendix for text of charter and notes by Barrow on the ancestry of Ela.

12. Nes Fitz Countess [Nes Fitz William] – shows his mother's connection to the family of Fife – 2nd cousin of Duncan earl of Fife
13. Orm fitz Hugh – 1st cousin of Duncan earl of Fife
14. Robert de Quincy – 2nd cousin of Malcolm IV

This is the only charter that Nes Fitz William signed as Nes fitz Countess and it was because of his position in the family of Fife.

It is apparent from the discussion of the cited charters and the onomastic evidence given above that Nes Fitz William was the grandson of Constantine, Earl of Fife and a member of the royal segment of King Dubh. There are many other charters which include three or more members of this family group together or where at least two family members affirmed these at the same time. The sheer number of these charters is unknown in any other family group in Scotland in this period. Two of the most important were the confirmation of Ardross to Merleswain in 1172-1174 (Barrow, 1971, p.211) and the confirmation of Abernethy to Orm Fitz Hugh 1173-1178 (Barrow, 1971, pp.222-223). Not only do these two charters hint at the relationships between the witnesses but they are both scripted at different times by the same scribe[76]. The heirs of Nes Fitz William carried some of the Fife privileges with them, for example Robert de Quincy was a Justiciar for Duncan Earl of Fife (d.1154) and then Justiciar of Scotland during the minority (1165-1172) of Duncan, Earl of Fife (d.1203). It is through the ancestry of Nes Fitz William that the de Quincy family attained their abundance of land in Fife as well as their status in Scotland.

Acknowledgements

I would gratefully like to acknowledge the collaboration of Rosie Bevan and Chris Phillips in making this work possible. Both analyzed major charters concerning the house of Fife and Reginald de Warenne in Scotland as well as providing additional material on the Strathern family and the de Quincy line. They also diligently proofread and refined the work through several revisions. Their assistance was invaluable.

References

Alcock, Leslie, Alcock, Elizabeth A & Driscoll, Stephen T (1989). Reconnaissance excavations on Early Historic fortifications and other royal sites in Scotland, 1974-1984: 3, Excavations at Dundern, Strathearn, Perthshire, 1976-1977. *Proceedings of the Society of Antiquaries of Scotland* **119:**189-226.

Anderson, Alan O (1922, compiler & translator). *Early Sources of Scottish History A.D. 500 to 1286.* Vol. II. Edinburgh: Oliver and Boyd.

Bannerman, John (1993). MacDuff of Fife. In: *Medieval Scotland Crown, Lordship and Community. Essays presented to GWS Barrow* (Alexander Grant & Keith J Stringer, editors). Edinburgh University Press, pp.20-38.

Barrow, G W S (1961, editor). *Regesta Regum Scottorum: The Acts of Malcolm IV King of Scots 1153-1165 Together with Scottish Royal Acts Prior to 1153 not included in Sir Archibald Lawrie's 'Early Scottish Charters'.* Vol.1. Edinburgh University Press.

Barrow, G W S (1971, editor). *Regesta Regum Scottorum: The Acts of William I King of Scots 1165-1214,* Vol. II. Edinburgh University Press.

[76] Both of these charters were written by Scribe Ai who is identified by Barrow as Richard of Lincoln. Richard of Lincoln also witnessed the charter confirming Ardross to Merleswain.

Barrow, G W S (1953). The Earls of Fife in the 12th Century. *Proceedings of the Society of Antiquaries of Scotland* **87:**51-62.

Barrow, G W S (1980). The Anglo-Norman era in Scottish History. In: *The Ford Lectures delivered in the University of Oxford in Hillary term 1977.* Oxford: Clarendon Press.

Brown, Dauvit (1997). Dunkeld and the Origin of Scottish Identity. *Innes Review*, **48:** 112-124.

Darlington, R R & McGurk, P (1995, editors). *The Chronicles of John of Worcester The annals from 450 to 1066*. (Bray, Jennifer & McGurk, P, translators). Vol. II. Oxford: Clarendon Press.

Donnelly, Joseph (1989). The Earliest Scottish Charters? *Scottish History Review* **68**(185):1-22.

Duncan, A A M (1958). The Earliest Scottish Charters. *Scottish Historical Review* **37:**103-135.

Duncan, Archibald A M (1975). *Scotland: The Making of a Kingdom.* New York: Barnes & Noble.

Duncan, A A M (1999). Yes, The Earliest Scottish Charters. *Scottish Historical Review* **78**(205):1-38.

Duncan, A A M (2002). *The Kingship of the Scots, 842-1292*. Edinburgh: University Press.

Hudson, Benjamin T (1994). *Kings of Celtic Scotland*. Westport, Connecticut: Greenwood.

Hudson, Benjamin T (1998). The Scottish Chronicle. *Scottish Historical Review*, **77**(204): 129-161.

Innes, Cosmo (1832). *Registrum Monasterii de Passelet, Cartas Privilegia Conventiones alique Munimenta Complectens, 1163-1529*. Edinburgh: Bannatyne Club.

Innes, Cosmo (1842). *Registrum de Dunfermelyn Liber Cartarum Abbatie Benedictine S.S. Trinitatis et Beate Margarete Regine de Dunfermelyn.* Edinburgh: Bannatyne Club.

Innes, Cosmo (1846). *Liber S. Marie de Calchou, Registrum Cartarum Abbacie Tironensis de Kelso, 1113-1567.* Vol. 1. Edinburgh: Bannatyne Club.

Innes, Cosmo (1847, editor). *Carte Monialium de Northberwic Prioratus Cisterciensis Beatae Mariae de Northberwic munimenta Vetusta Que supersent.* Edinburgh: Bannatyne Club.

Innes, Cosmo (1848, editor). *Liber S. Thome de Aberbrothoc Registrorum Abbacie de Aberbrothoc Pars Prior [Vol. I] Registrum Vetus 1178-1329.* Edinburgh: Bannatyne Club.

Innes, Thomas (1885). Critical Essay on the Early Inhabitants of Scotland. In: George Grubb (editor), *Historians of Scotland* VII. Edinburgh.

Laing, David (1872, editor). Andrew of Wyntoun, *The Historians of Scotland: The Orygnale Cronykil of Scotland*. Edinburgh: Edmonston and Douglas.

Land, Theo (1951 editor). *The Kingdom of Fife and Kinross-shire.* London: Hodder & Stoughton.

Lawrie, Archibald C (1905). *Early Scottish Charters Prior to A.D. 1153.* Glasgow: James MacLehose and Sons.

Lawrie, Archibald C (1910). *Annals of the Reigns of Malcolm and William Kings of Scotland A.D. 1153 to 1214*. Glasgow: James MacLehose & Sons.

MacAirt, Sean & MacNiocaill, Gearoid (1983, editors). *The Annals of Ulster to A.D. 1131: Part I Text and Translation*. Dublin: Dublin Institute for Advanced Studies. [citing the Annals of Senait Mac Manus, commonly called the Annals of Ulster, MCCCCXCVIII, MS Bodeleian, Rawlinson, 489 and MS Trinty College Dublin H. I. 8.]

Macquarrie, Alan (1993). The Kings of Strathclyde, *c.*400-1018. In: *Medieval Scotland Crown, Lordship and Community. Essays presented to GWS Barrow* (Alexander Grant & Keith J Stringer, editors). Edinburgh: Edinburgh UP, pp.1-19.

Ritson, Joseph (1828). *Annals of the Caledonians, Picts and Scots and of Strathclyde, Cumberland, Galloway and Murray*. Vol.II. Edinburgh: W & D Laing.

Robertson, E William (1862). *Scotland Under her Early Kings A History of the Kingdom to the close of the Thirteenth Century*, Vol. I. Edinburgh: Edmonston and Douglas.

Skene, William F (1867, editor). *Chronicles of the Picts, Chronicle of the Scots and other Early Memorials of Scottish History.* Edinburgh: HM General Register House.

Skene, William F (1872, editor [reprinted in 2 vols., 1993, Llanerch Facsimiles]). John of Fordun, Chronicle of the Scottish Nation. In: *Historians of Scotland Vol. IV.* Edinburgh.

Skene, William F (1886). *Celtic Scotland: A history of Ancient Alban*. 2nd ed. Vol.I. Edinburgh: David Douglas.

Swanton, Michael (1996, editor and translator). *The Anglo-Saxon Chronicle*. New York: Routledge.

Thomson, Thomas (1841, editor). *Liber Cartarum prioratus Sancti Andree in Scotia e registro ipso in archivis baronum de Panmure hodie asservato*. Edinburgh: Bannatyne Club.

Watt, D E R, Macqueen, Winifred & Macqueen, John (1989, editors). Bower, Walter: *Scotichronicon, Books III and IV*. Vol. 2. Aberdeen: Aberdeen UP.

APPENDICES

1. From Lawrie (1905, pp.12-13), *Early Scottish Charters prior to 1153 AD*:

XV. Charter by King Edgar to Durham, A.D. 1095. From a copy at the Treasury of Durham.

In nomine patris et filii et spiritus sancti, Amen. Notum sit omnibus Christi fidelibus praesentibus et futuris quod Ego Edgarus filius Malcolmi Regis Scottorum, totam terram de Lodoneio et regnum Scotiae dono domini mei Willelmi Anglorum Regis et paterna hereditate possidens, consilio praedicti domini mei Regis Willelmi et fidelium meorum, pro animabus patris mei et matris meae necnon et fratrum meorum Doncani et Edwardi et pro salute corporis mei et animae meae et pro omnibus antecessoribus et successoribus meis, do Deo omnipotenti et ecclesiae Dunelmensi et Sancto Cuthberto glorioso pontifici et Willelmo episcopo et monachis in eadem ecclesia Deo servientibus et in perpetuum servituris, mansionem de Berwic et cum ista mansione has subscriptas mansions scilicet Greiden, Leinhale, Dilsterhalle, Brygham, Edrem, Chirnesid, Hilton, Blakedir, Chynbrygham, Huton, Regninton, Paxton, Fulden, Morthyngton, Lamberton, aliam Lamberton, Hadryngton, Fyschewike, Horford, Upsetinton et mansionem de Collingam et cum ista mansione has subscriptas mansions scilicet Aldcambus, Lummesden, Reston, Suineston, Faudon, Ayton, aliam Ayton, Prendirgest, Cramsmowth, Hadynton, has subscriptas mansions do Deo et Sancto Cuthberto cum omnibus terries et silvis et aquis et theloneis et fractures navium et cum omnibus consuetudinibus quae pertinent ad praedictas mansions et quas pater meus in eis habuit quietas solidas secundum voluntatem Dunelmensis episcope in perpetuum libere disponendas. Signum X Egari Regis, Signum Alexandri fratris ejus, S X Menyanium, Agulfi, S. filii Doncani Eyluerti, S X filii Eghe Omani, S X Edgari Aederling, Uhtredi, S Filii Magdufe Constantini, S. X Rodberti de Humet, S. X Aetele, A X Gulfi, S. Alimoldi filii sui. X. David.

Haec carta fermata est iiii Kalendis Septembris in cimiterio Sancti Cuthberti apud Norham, praesente Willelmo episcopo et Durgoto priore et Ansketillo praeposito de Norham et Ilgero de Corneford et Waltero de Valonis et Galfrido de Aldreio et Willelmo filio Almodi et Johanne de Amundivilla et Rachone Lotharingo et Gilberto et Wilfrido et Alimodi filio Makodi et Anulfo fratre suo et praesente maxima multitudine Francorum et Anglorum quorum nomina longum est inscribere. Hoc autem factum est eo anno quo Rex Willelmus, filius magni Regis Willelmi, fecit novum castelum aoud Bebbanburgh super Robertum Comitem Northanhymbrorum.

Ista carta est sigillata cum sigillo rotundo dicto Regis Edgari, pendente cum filo serico et est in medio ejusdem sigilli ymago dicti Regis Edgari, sedens cum parva corona in capite et habet in una manu sceptrum et in altera gladium et habet superscriptionem Ymago Edgari Scottorum Regis.

This charter known as MC559 has been debated since it first appeared in Dugdale's Monasticon in 1655. Raine believed it genuine when he published it in North Durham and even explained the fact that Edgar was *de jure* king of Scotland since his father's death in 1093 and

living in England. His half brother Donald died in 1094 and his uncle was usurping the throne and ruling jointly with his brother Edmund. Edgar was trying to regain his kingdom in this period. Lawrie thought the charter spurious, based on MC560 which was a forgery created in the 14th century at Durham to prove Edward I's claim in the 'big Cause' (the right to Scotland). Lawrie also noted that some of the witnesses were not the same in the copy as in the register of Durham which was created in the thirteenth century. Skene thought it false because of the expressions it contained and was the only authority to ever question the witnesses which hasn't held up as proof in this matter. Duncan (1958) showed the charter to be authentic in his article in the Scottish Historical Review. Donnelly (1989) debated Duncan's article and suggested it was the work of Anthony Bek, but based on an actual charter of the eleventh century which Bek slightly modified to show Edward I's claim to the throne of Scotland. Duncan responded to Donnelly in his April 1999 article. In this final article Duncan conclusively shows, through the catalogue of Durham, the obscurity of many of the witnesses, the actual script used in the charter and the unique wording at the beginning of Edgar's seal (*Ymago Edgari Scottorum Basilei* on later charters) that MC559 is genuine. The beginning of the charter is the only one like it '*Ego Edgarus filius Malcolmi Regis Scottorum, totam terram de Lodoneio et regnum Scotiae dono domini mei Willelmi Anglorum Regis et paterna hereditate possidens,*' and was never used anywhere else. It certainly stated what Edward I wanted to say, but the rest of the charter was authentic and could not have been forged. Duncan has also found, through the Durham *Liber Vitae*, most of the obscure witnesses who signed the charter all of whom were indigenous to this time period. The witnesses which are the focus of this article can be used with certainty.

2. From Innes (1842, p.23). *Registrum de Dunfermelyn etc*

De Ledmacduuegil.

M Rex Scottie episcopis abbatibus comitibus baronibus vicecomitibus justiciaris ministris et omnibus hominibus tocius terre sue salutem. Sciatis me concessisse et dedisse pro salute avi mei Regis David ecclesie Sancte Trinitatis de Dunfermelyn et monachis ibidem Deo servientibus Ledmacduuegil in perpetuam elemosinam cum suis resteris divisas sicuti Magister Ailricus cementarius illam tenuit et habuit libere et quiete sicuti aliqua ecclesia melius et liberius in tota terra mea tenet elemosinas quas predecessores mei pro salute animarum suarum ei dederunt. Testibus Roberto episcopo de Sancti Andrea, et Herberto episcopo de Glascu, et GG episcopo Dunkeldi, et Aernaldo abbate de Kelchou, et W. abbate de Sancta Cruce, et Osberto priore de Jeddeworth, et W. Cancellario, et Hugo de Moreville, et W filio Alani, et W de Lyndesi, et Neis filio Willelmi, et Constantino fratre suo, et W de Ridale apud Castello Puellarum.

3. From Barrow (1961, pp.228-229). *The Acts of Malcolm IV King of Scots 1153-1165.*

190. Grants to Duncan, earl of Fife, and his heir born of his wife Ada, the king's niece, Strathmiglo, Falkland, Rathillet, Starthbraan and the whole ferm of (King's) Kettle, to be held in frank marriage, Edinburgh. (20 November, 1160 - 13 September 1162):

Malcolmus Dei gratia Rex Scottorum episcopis abbatibus comitibus baronibus justiciis vicecomitibus ministris et omnibus hominibus totius terre sue Francis, Anglis et Scotis, tam presentibus quam futuris salutem. Sciant tam posteri quam presentes me dedisse concessisse et hac mea carta confirmasse Duncano Comiti et heredi suo qui de uxore sua Ada nepte mea nasceretur Stradimiggloch et Falecklen et Radhulit et Stradbrauen et totam firmam meam de Cattell in liberum maritagium in bosco et plano, in pratis et pascuis, in aquis et molendinis, et in omnibus libertatibus iuste eisdem terris pertienentibus. Quare volo et precipio ut Comes Duncanus et heredes sui has prenominatas terras habeant et teneant libere et quiete in liberum maritagium. Presentibus testibus, Ernaldo episcopo Sancti Andree, Willelmo abbate de Streuelin, Osberto abbate de Jedburghe, Willelmo fratre regis, Ada Comitissa, Waltero cancellario, Gilberto comite de Angus, Ricardo de Moreuill, Odonell de Umphrauill', Ricardo Cumin, Philippo de Coleuill', Willelmo Burdet, Matheo archidiacono Sancti Andree, Nesso filio Comitisse, Orme filio Hugonis, Roberto de Quinci, apud Edinburghe, anno 7 regni regis.

According to No. 190, Malcolm gave his niece Ada in marriage with Duncan, earl of Fife, providing for her tocher some lands in Fife and Perthshire. The difficulties raised by this document have been discussed elsewhere, and may be very briefly summarized here. Malcolm

was the oldest child of earl Henry and Countess Ada, and save for Margaret of Brittany (whose children are all known), all their children were unmarried until 1162. If, therefore, the word niece (neptis) has been correctly copied in the charter (which in any case is a late and bad text), it must be used in an uncommon sense. The relationship may perhaps have been that of cousin, if earl Duncan's wife (whose real name incidentally was not Ada but Ela) was the daughter of King Malcolm's uncle, Reginald de Warenne. Further speculation would be useless, and the problems presented in this charter are unsolved.

4. From Barrow (1980, pp.87-88). *The Anglo-Norman Era in Scottish History.*

Earl Duncan II married a lady named Ela. Although for the present her parentage remains uncertain, it seems likely that she was the daughter of Reginald de Warenne, ancestor of the Warennes of Wormgay, and brother of Ada de Warenne mother of the Scots Kings Malcolm and William. In Balfour of Denmilne's bad seventeenth-century text of King Malcolm's marriage grant to earl Duncan II we would take the grantees to have been, not 'Earl Duncan and the heir born to his wife Ada my niece', but 'Earl Duncan and the heir born to his wife Ala, my mother's niece.' The existence of such a relationship is suggested by at least three facts which would otherwise be puzzling. A writ of Earl Duncan II anent army service in Fife was witnessed by Reginald de Varenne. A Charter by Reginald's son William, granting land at Brighton in Sussex, was witnessed by the earl's second son Duncan. And a family named 'de Varenne', using the first name of Reginald, appears on the borders of Fife and Perthshire at the turn of the twelfth and thirteenth centuries. An alliance with the Varennes would at once bring the Fifes into the charmed circle of the great Anglo-Norman nobility.

5. From Thomson (1841, p.291). *Liber Cartarum Prioratus Sancti Andree in Scotia…*

Carta Seyeri de Quenci de Dauac Icthar Hathyn.

Omnibus sancta matris ecclesie filiis Seerus de Quenci salutem. Sciant omnes tam presentes quam futuri me concessisse et hac carta mea confirmasse Deo et ecclesie Sancti Andree apostoli de Scocie et Canoniciis ibidem Deo servientibus et servituris dauac icthar Hathyn pro rectas divisas suas quam mater mea dedit eis in pascuis in pratis in bosco in plano in moris in aquis cum omnibus aisiamentis ad terram illam pertinentibus tenendam de me et heredibus meis in perpetuam elemosinam pro salute anime mee et predecessorum et successorum meorum concede et eis comunem pasturam pro totam Hathyn. Quare volo ut predicti canonici predictam elemosinam habeant teneant et possideant. Ita libere quiete et honorifice sicut aliquam elemosinam liberius quiecius et honorificencius tenent et possident sicut carta matris mee testator. Hiis testibus Roberto de Quenci pater meo, Stephano persona de Locres, Alano capellano, Johanne senesacallo, Willelmo capellano, Uctingus fratre eius, Constantini et Patricio filiis Nesii avi mei, Duncano filio Emeli, Syuuardo.

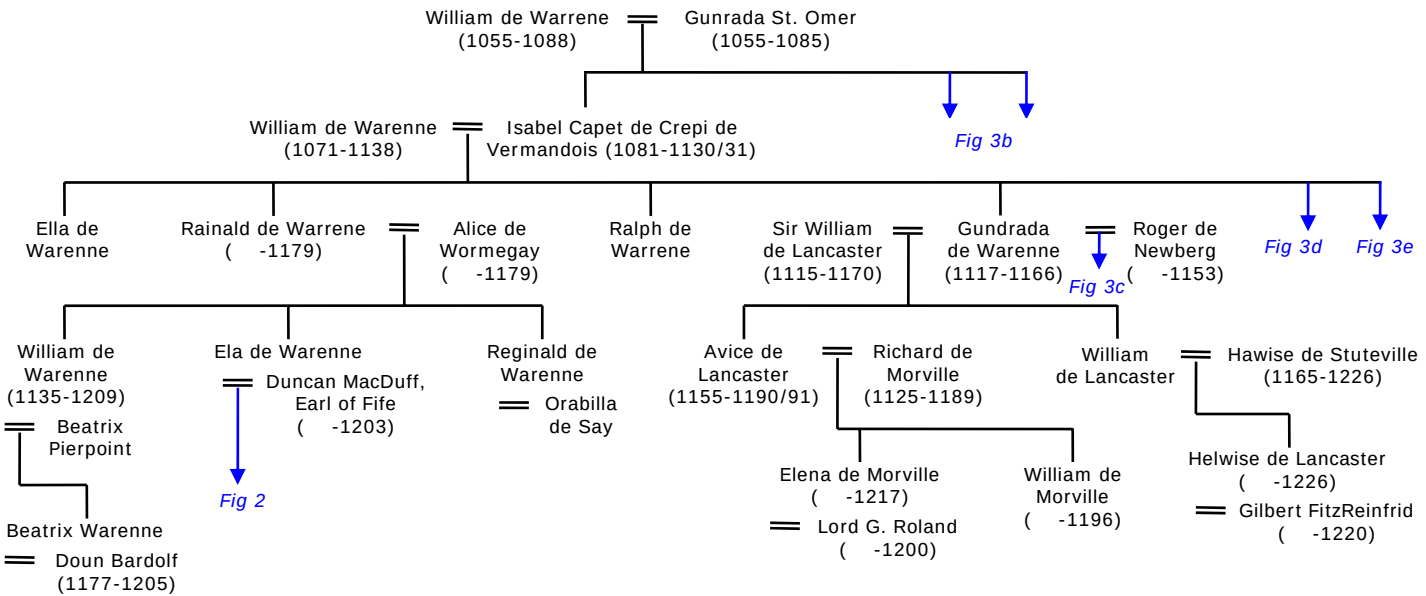


Fig 3a. ***MacDuff links to the Warenne family***

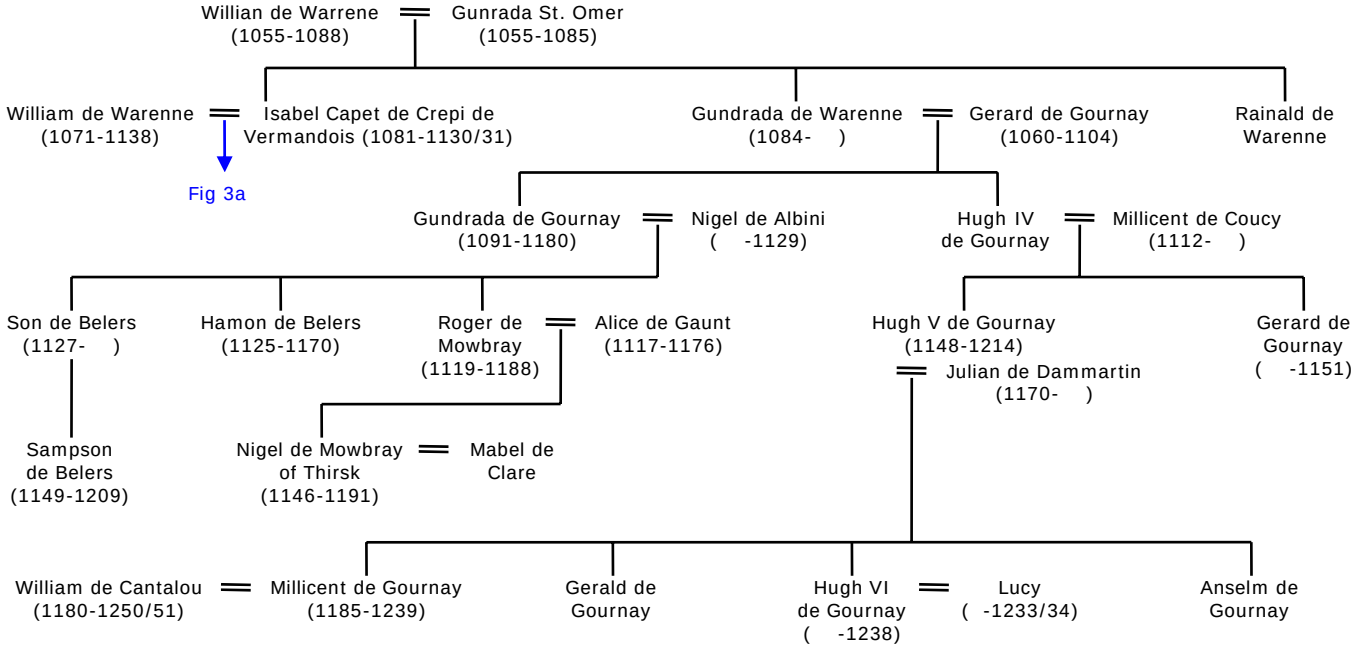


Fig 3b. ***Descendants of William de Warrene I, Earl of Surrey***

< <

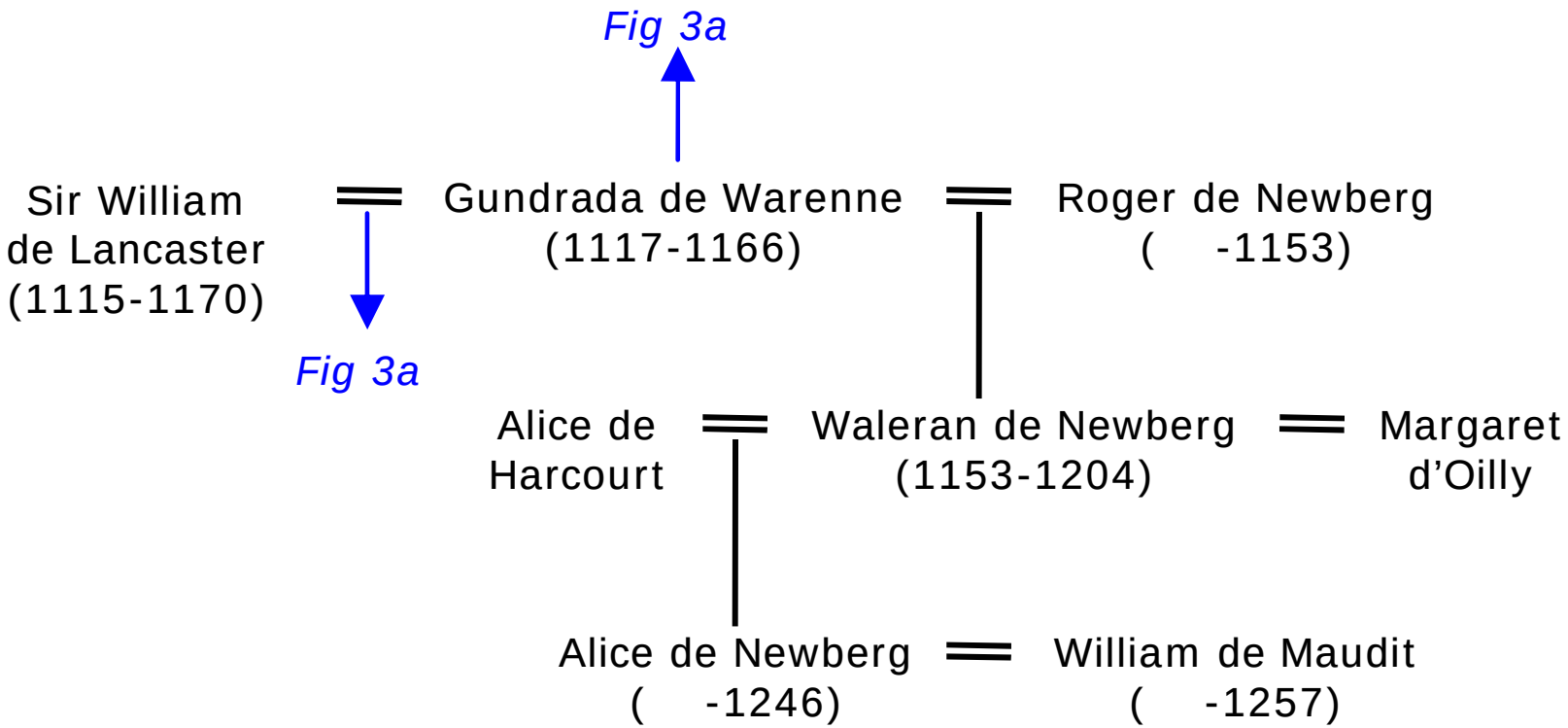


Fig 3c. ***Descendants of William de Warrene I, Earl of Surrey***

<

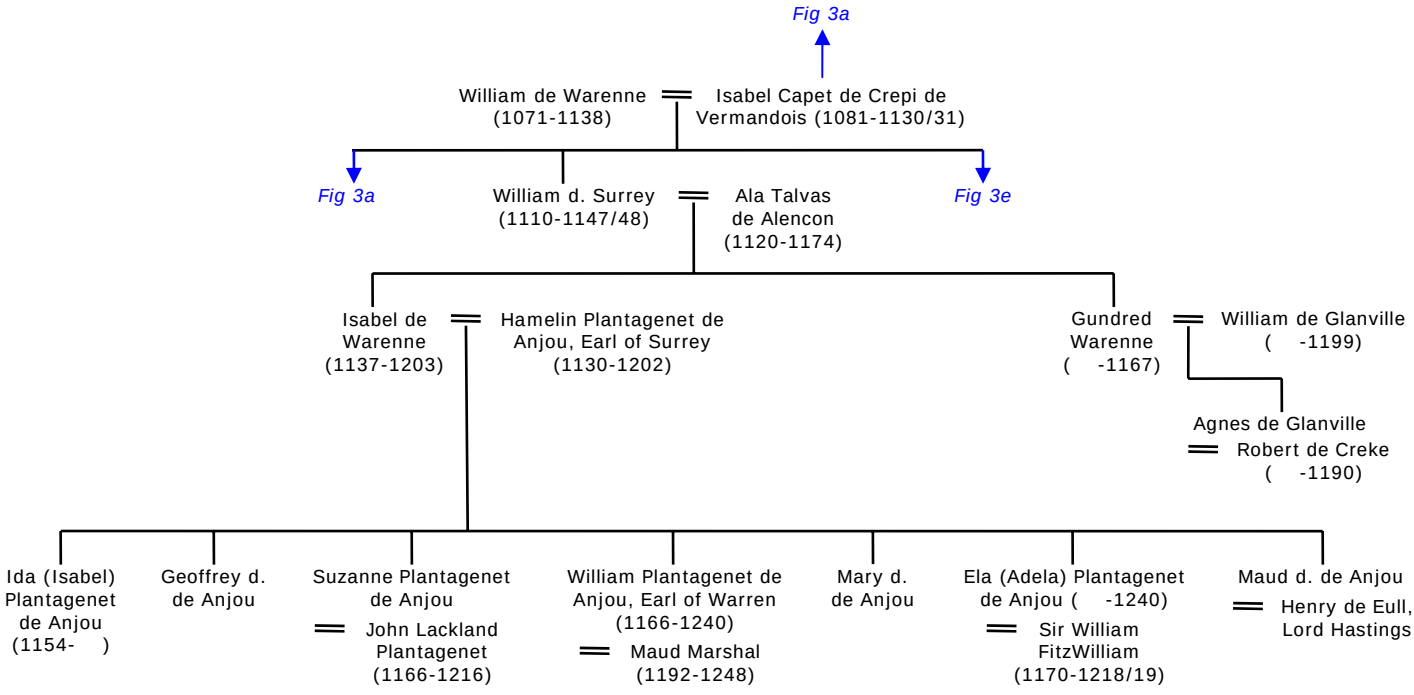


Fig 3d. ***Descendants of William de Warrene I, Earl of Surrey***

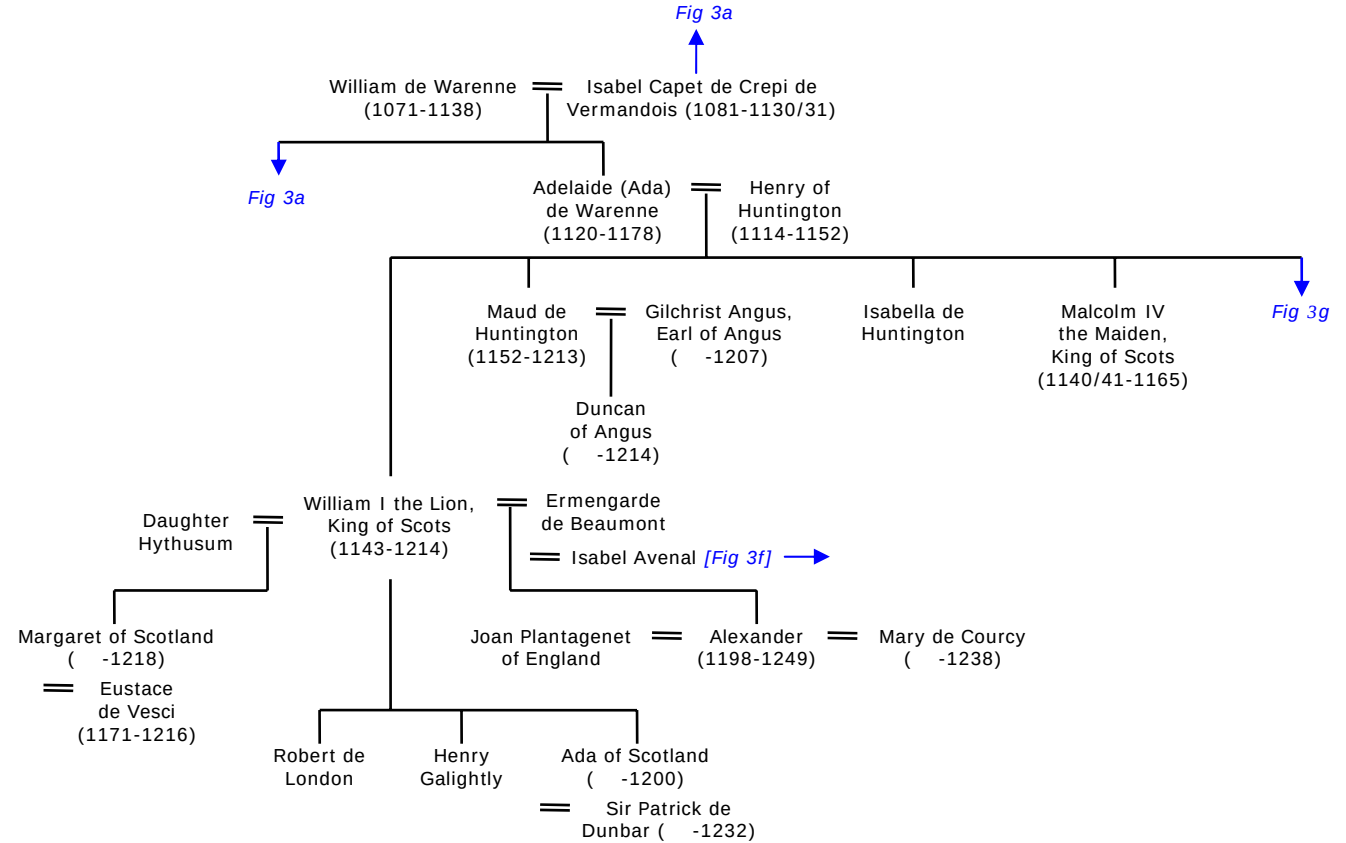


Fig 3e. ***Descendants of William de Warrene I, Earl of Surrey***

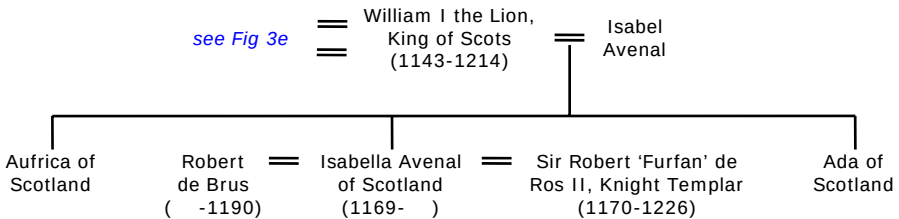


Fig 3f. ***Descendants of William de Warrene I, Earl of Surrey***

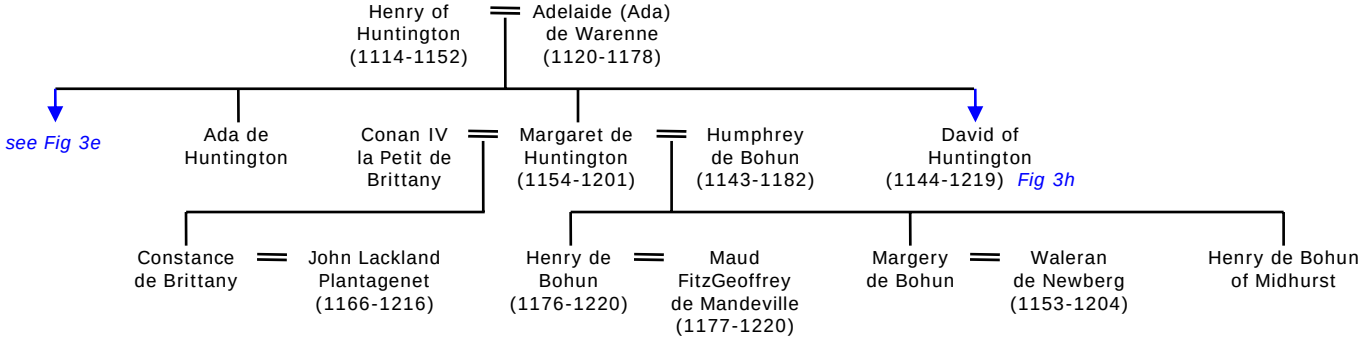


Fig 3g. ***Descendants of William de Warrene I, Earl of Surrey***

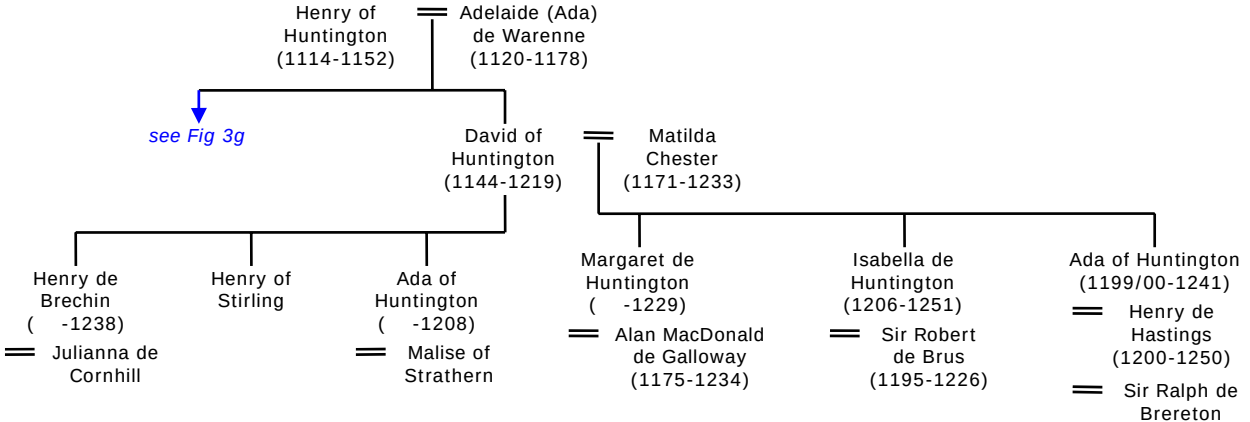


Fig 3h. ***Descendants of William de Warrene I, Earl of Surrey***