

University of St Andrews



Full metadata for this thesis is available in
St Andrews Research Repository
at:

<http://research-repository.st-andrews.ac.uk/>

This thesis is protected by original copyright

UNIVERSITY OF ST ANDREWS
DEPARTMENT OF ART HISTORY

THE DYNASTIC AND ARCHITECTURAL
DEVELOPMENT OF KELLIE, FIFE,
C.1150 - C.1613

©LISA JAYNE GARTY

M.LITT NATIONAL TRUST FOR
SCOTLAND STUDIES

30 SEPTEMBER 1992



I LISA GARTY HEREBY CERTIFY THAT THIS THESIS, WHICH IS APPROXIMATELY 30,000 WORDS IN LENGTH, HAS BEEN WRITTEN BY ME, THAT IT IS THE RECORD OF WORK CARRIED OUT BY ME AND THAT IT HAS NOT BEEN SUBMITTED IN ANY PREVIOUS APPLICATION FOR A HIGHER DEGREE.

I WAS ADMITTED AS A CANDIDATE FOR THE DEGREE OF M.LITT IN OCTOBER 1990 THE HIGHER STUDY FOR WHICH THIS IS A RECORD WAS CARRIED OUT IN THE UNIVERSITY OF ST ANDREWS BETWEEN JUNE 1991 AND SEPTEMBER 1992.

I HEREBY CERTIFY THAT THE CANDIDATE HAS FULFILLED THE CONDITIONS OF THE RESOLUTION AND REGULATIONS APPROPRIATE FOR THE DEGREE OF M.LITT NATIONAL TRUST FOR SCOTLAND STUDIES IN THE UNIVERSITY OF ST ANDREWS AND THAT THE CANDIDATE IS QUALIFIED TO SUBMIT THIS THESIS IN APPLICATION FOR THAT DEGREE.

IN SUBMITTING THIS THESIS TO THE UNIVERSITY OF ST ANDREWS I UNDERSTAND THAT I AM GIVING MY PERMISSION FOR IT TO BE MADE AVAILABLE FOR USE IN ACCORDANCE WITH THE REGULATIONS OF THE UNIVERSITY LIBRARY FOR THE TIME BEING IN FORCE, SUBJECT TO ANY COPYRIGHT VESTED IN THE WORK NOT BEING AFFECTED THEREBY. I ALSO UNDERSTAND THAT THE TITLE AND ABSTRACT WILL BE PUBLISHED, AND THAT A COPY OF THE WORK MAY BE MADE AND SUPPLIED TO ANY BONA FIDE LIBRARY OR RESEARCH WORKER.

SYNOPSIS

The ensuing thesis attempts to trace the dynastic and architectural development of the small Fifeshire barony of Kellie from the twelfth century to c.1613. The approach is largely chronological. Chapter one deals with the earliest history, tackling the problems of Normanisation, the tenure of the Siward family, their role in the wars of independence and their relinquishing of the barony in 1360. The second chapter examines the first period of the Oliphant family's tenure from 1360-1560. The origins of the distinct branch of the Oliphants of Kellie are traced, the role of the Oliphants as Fifeshire landholders examined, and their conflicts with neighbours and the crown explored. Chapter three covers the second period of Oliphant tenure from 1560-1613. The background to the Lord Oliphant's takeover of the barony, its legality and repercussions are discussed. The political careers of the Lords Oliphant are considered and the importance of the barony of Kellie to them assessed. Before leaving the dynastic development the reasons behind Kellie's sale in 1613 are analysed. In the fourth chapter the architecture of Kellie is explored. Attempts are made to reconstruct the different phases of development and to attribute them to individuals. In order to do this recourse has been made to comparative material both in Fife and elsewhere and to the fourth Lord Oliphants other building activities.

ACKNOWLEDGEMENTS:

Grateful thanks are firstly owed to the National Trust for Scotland for the use of their archives and continued support, in particular to Stephanie Blackden, Isla Robertson, Margaret Cameron and William Hanlin. Secondly, to all those people who allowed me access to their properties and time, especially Earl Balfour, Lt. Col. Cardwell Moore, Richard Oliphant and the Duke of Hamilton. For their advice and assistance, many thanks to Nicholas Bogdan and Edwina Proudfoot. I gratefully acknowledge the help of all the staff of the National Gallery of Scotland, Scottish National Portrait Gallery, National Museum of Scotland, Scottish National Monuments Record, National Library of Scotland Manuscripts department and most particularly to everyone at the Scottish Records Office. For their financial support throughout the past year I am grateful to the Royal Holloway and Bedford New College. On a personal note I am indebted to both Kate and Joanna, who were there when I needed them, and to my parents for their generosity, support and love.

TABLE OF CONTENTS:

ABBREVIATIONS

INTRODUCTION	p1
CHAPTER ONE	p6
CHAPTER TWO	p22
CHAPTER THREE	p43
CHAPTER FOUR	p67
CONCLUSION	p97

APPENDIX ONE

APPENDIX TWO

APPENDIX THREEE

BIBLIOGRAPHY

ABBREVIATIONS:

AA	Acts of the Lords Auditors of Causes and Complaints 1466-94 (Edinburgh, 1839)
ALC	Acts of the Lords of Council in Civil Causes 1478-1501 (Edinburgh, 1878, 1918) 2 vols
ALCP	Acts of the Lords of Council in Public Affairs 1501-54 (Edinburgh, 1932)
ALHT	Accounts of the Lords High Treasurer of Scotland 1473-1580 (Edinburgh, 1877-1978) 13 vols
APS	Acts of Parliament of Scotland 1124-1625 (Edinburgh, 1844-56) vols 1-4
ARBROATH	Liber Sancti Thome de Aberbrothoc Registrum Vetus 1178-1329 (Edinburgh, 1843)
DRYBURGH	Liber Sancti Marie de Driburgh (Bannatyne Club, Edinburgh, 1847)
DUNFERMLINE	Registrum de Dunfermlyn (Bannatyne Club, Edinburgh, 1842)
ER	Exchequer Rolls 1264-1600 (Edinburgh, 1878-1908) 23 vols
HMC	Historical Manuscripts Commission
INCHOLM	Easson D and MacDonald A Charters of the Abbey of Incholm (Edinburgh, 1938)
LINDORES	Chartulary of Lindores Abbey (Edinburgh, 1903)
MAY	Stuart, J Records of the Priory of the Isle of May (Edinburgh, 1867)
NLS ADV MSS	National Library of Scotland Advocates Manuscripts
RCAHMS	Royal Commission on the Ancient and Historical Monuments of Scotland
RCHMSS	Royal Commission on Historical Manuscripts
RMS	Registrum Magni Sigilli Regum Scotorum (Edinburgh 1912-14) 11 vols
ROT SCOT	Rotuli Scotiae in Turri Londinensi et in domo capitulei Westmensteri Asservati (Edinburgh, 1824) 2 vols
RPC	Register of the Privy Council of Scotland 1545-1625 1st series (Edinburgh, 1877-98) 14 vols

- RRS** Barrow, GWS Regesta Regum Scottorum (Edinburgh, 1960) vols 1, 2, 5, 6
- RSS** Regesta Secreti Sigilli Regum Scottorum 1488-1584 (Edinburgh, 1908-82) 8 vols
- SRO** Scottish Records Office
- ST ANDREWS** Liber Cartarum Prioratus Sancti Andree (Bannatyne Club, Edinburgh, 1841)

INTRODUCTION

Kellie castle is situated three miles north of St Monans on the East Neuk of Fife. As it stands today the castle represents the family home of the Lorimers who acquired and restored it in the late 1870's. Despite the interest in the Lorimer family and their occupation of the castle it is apparent that Kellie's formative period was considerably earlier. The aim of this study is therefore to trace both the dynastic and architectural development of Kellie from the earliest times to c.1613 when the barony was sold by the Oliphant family, who had possessed it for over two hundred years, to Thomas Erskine, Viscount Fenton.

Prior to this present study there has only been one short analysis of the castle and its history - the so called, and unpublished, Red Book written by Professor James Alan Lorimer in the late nineteenth century. As Lorimer's Red Book negotiates the same fundamental issues as will be tackled later, a brief consideration of his views may be justified.

Lorimer's key sources for the Red Book were the Rev. Walter Wood's East Neuk of Fife (1887) and Joseph Anderson's The Oliphants of Scotland (1879). Wood's work is antiquarian in nature, giving brief details of the families of the East Neuk of Fife and the lands with which they were associated. Chapter three is devoted to Kellie and its neighbourhood and enumerates the Oliphants of Kellie from c.1360. Wood frequently fails to cite his sources and it is therefore difficult to corroborate some of his information. Anderson's work, by being more specialised, is of more value. This work falls into two sections - a chronological narrative of the Oliphant family and secondly a series of transcripts of selected Oliphant charters. Unfortunately only a small proportion of the latter are directly relevant to Kellie. Other secondary sources used by Lorimer included Conolly's Biographical Dictionary of Eminent Men of Fife (1866), Sibbald's History of Fife, Kinross and Clackmannan (1803) and Skene's Celtic Scotland (1866). Lorimer did have access to some

primary material through recently published chartularies - such as that of Dunfermline abbey.

Lorimer divided his Red Book into five chapters: The Celtic Period; The Anglo Saxon Period; The Norman Period; The Scotch Period; and 'No Mans Period' - of which only the first three are relevant here.

In his first chapter Lorimer uses Skene's Celtic Scotland (V3) for an etymological exploration of the estates name. This is traced from 'chellin' in the reign of David I to its present form of 'kellie', which we are told, is Gaelic for a wood or wooded country. An early charter to the priory of May is cited and the names of those involved are again examined etymologically - leading Lorimer to pronounce that they were "still pure celts". (p13) As the charter is dated to the mid twelfth century, Lorimer stated that there could be no architecture surviving from this period, although the reference to an early chapel on the site is acknowledged.

Lorimer's second chapter concentrates on the Siward family. He opens by refuting an idea of Wood that the Siward who acquired Kellie was a close relative to the eleventh century Earl of Northumberland. (p21) Instead Lorimer suggested that Siward was one of the Saxon nobles who emigrated into Scotland in this period. Lorimer was aware of the conflicting opinions of his sources - unlike Wood, Skene advocated Celtic survival into the reign of Alexander III. Lorimer therefore suggested that Kellie was the name given to a territory, rather than a specific single unit of land, and that parts of Kellie may have been held by the native Celt and new Saxon lords simultaneously.

Lorimer claimed that the earliest authentic document connecting the Siwards with Kellie dated to 1306, when Robert the Bruce gave the barony to William Siward. It was suggested that William was the father or brother of the Richard Siward whose daughter, Helen, resigned Kellie to Walter Oliphant in 1360. As will be explored later, Lorimer questioned the relationship between the two families and concluded that they must have been kinsmen.

Before closing his second chapter, Lorimer returned to the architecture to consider whether any of the existing structure could be assigned to the Siwards and proposed that, if any, it was the vaulted understorey of the northern tower.(p32)

With the opening of his third chapter Lorimer entered into a much more documented period, the history of the Oliphant family. Lorimer gives an account of Walter Oliphant, who acquired Kellie in 1360, detailing his father's involvement in the seige of Stirling in 1304 and vacillation during the wars of independence. Through Anderson, Lorimer knew Walter had married Elizabeth Bruce, illegitimate daughter of King Robert I, and of his subsequent acquisition of numerous parcels of land. It is to this Walter that Lorimer attributed the northern tower which he conjectures was 'a massive square keep or fortalice, intended for defence rather than residence'.(p42)

Lorimer was aware that the corner turrets were later and suggested that the earlier roof was battlemented. The narrowness and steepness of the turnpike is noted as an archaic feature as were the 'quaint' rooms "more like guardrooms than dwelling or sleeping apartments".(p42) Furthermore, as each room was supplied with two fireplaces, Lorimer thought that the original chambers were divided into two by partition walling. Recognising the difficulties in dating the northern tower, Lorimer was cautious when reconstructing the arrangement of the upper floors. The possibility of some pre-1573 building existing along the central facade was conjectured as was the presence of outbuildings. Lorimer also proposed, somewhat tentatively, that Sir William Dishington of Ardrross, builder of St Monans church, and a relative of Oliphant through marriage, may have had a hand in building the castle.

Having examined the architecture, Lorimer returned to his genealogy, revealing that Walter Oliphant II was keeper of Stirling castle in 1368 and his marriage to a daughter of Robert Erskine. According to Lorimer, Walter II's son and heir, John of Aberdalgie, had a son Thomas by his second wife, daughter to Sir Thomas Home. It was this Thomas who, Lorimer claimed, was the first distinct Oliphant of Kellie.

Lorimer knew very little of the fifteenth century Oliphants, merely repeating Wood's list of their names and dates of occurrence - such as William in c.1447, Walter c.1471, and John c.1493-1537. However, Lorimer did at least recognise Wood's shortcomings and indicated that the succession was incomplete.

The next Oliphant of Kellie given by Lorimer is Alexander who succeeded in 1537. Details are given of his dispute with the prioress of North Berwick and Lorimer knew of his marriages to both Katherine Leslie and Katherine Oliphant.

Of the return of the Lord Oliphants in c.1560, Lorimer, using Wood, said that it was Peter Oliphant who disposed the castle to Lawrence third Lord Oliphant in 1563, retaining only the lands of Kellie Mill.

Lorimer continued to give brief descriptions of the political involvement of the third and fourth Lords Oliphant before considering their architectural contribution - quoting the 1573 date and initial stone on the eastern tower. Lorimer regarded the style of the eastern tower to be that of a French chateau and suggested that it was also at this time that the outworks were demolished and the garden wall erected.

At this point in the Red Book Lorimer stated that Kellie has a very distinct relationship with another Oliphant castle - that of Hatton in Forfarshire, "the fact is that Kellie was the model after which Hatton was built".(p72/3) Having 'proved' his case, Lorimer continued his family history, giving details of the master of Oliphants disappearance and the fifth Lord Oliphant who was ultimately responsible for the castle's sale. Lorimer considered that it was the latter who was responsible for the "main architectural features which raised Kellie from a plain bare country house to that of a baronial mansion of great beauty".(p82)

Thus Lorimer's Red Book traces the history of the families of Kellie and their contribution to the castle's architecture for over five centuries. He tackled the same intrinsic issues as must be covered by the present study - such as the relationship between the Oliphant

and Siward families, the genealogy of the Oliphants and the successive architectural stages. However, Lorimer's Red Book is by necessity part of the antiquarian tradition of its day and does, therefore, contain numerous misconceptions and omissions. These will need to be analysed and overcome if we are to fully appreciate the dynastic and architectural development of the castle.

CHAPTER ONE - THE EARLIEST HISTORY

The aim of this chapter is threefold. The first objective is to establish the earliest reference to Kellie and to assess its role in the locality at the time. The question of Normanisation must be tackled - how and when did Kellie become the property of the new Norman aristocracy? Finally we must consider the complex issue of the Siward family who resigned the estate in 1360 - when did they obtain the barony, what was their involvement in the turbulent politics of the wars of independence and why did they relinquish it?

The earliest reference to Kellie occurs in a charter of David I (1124-1153) to the monks of May, which would seem to date to the end of his reign, possibly c.1150.(1) David granted a half of "Balegallin" as perambulated by Gillicolm Mac Chinbethin, Machet Mac Torfin and Malmure 'thein de Chellin', with common pasture in the 'sira de Chellin' and 'sira de Chere'.(2) This grant raises the issue of local administrative organisation in Fife. The exact meaning of 'sira de Chellin' has frequently been given as that of 'shire', though a smaller, parochial unit may be a truer definition.(3) In conjunction with the shire of Kellie we have Malmure as thane. In his examination of prefeudal Scotland Barrow indicated the parallels between royal lordship in England and Scotland - based on units variously known as the lathe, soke, shire or thanage.(4) Essentially these were administrative units rendering specific goods and services to the crown - such as teinds, military service, wood cutting, carrying and hospitality, known collectively as 'forinsec' service. The thane, the local official responsible for the area, seems to have been part of the free population, although different statuses may have been applied to individuals. There is evidence in Teviotdale, Tweeddale and Lothian of a shire system with the characteristic of fee farm - whereby the king granted out land to his thanes to be held in perpetuity in return for some fixed annual payment. However, it would seem that in most areas the thanage was never a true tenure, but a ministerial relationship with the crown and the weakness of the thanes tenurial position can be seen in the granting of thanages to new feudal vassals.(5) The thanage or shire was usually equipped with an identifiable stretch of common pasture and evidence of this

is found at Kingsmuir near Crail, Coldingham moor and Culross moor. There was also a central mill for grinding the shire's grain whilst thanes appear to have enjoyed duties from the local parish church - Walter of Berkeley of Inverkeilor (Angus) released the local church from grescon (grazing cain), whilst the thane at Laurencekirk possessed rights to the church lands and of ecclesiastical patronage.(6)

The view of Kellie as an early shire or administrative unit is reinforced by the evidence of an early church on the site. In a charter c.1157-60 Malcolm IV granted the church of Kellie and chapel of "Abercrombin" to Dunfermline abbey.(7) This grant was later confirmed as part of the abbey's general landholdings by Bishop Richard of St Andrews c.1165-9 (8), reconfirmed by William the Lion and Alexander III (9) and by successive popes.(10) The stipend for the church of Kellie is given as 80 merks - only 10 less than that of Crail.(11) The parish church of Kellie still existed in 1243, for in that year it was dedicated retrospectively by Bishop David of St Andrews.(12) A Thomas 'chaplain' of Kellie is found as a witness to two charters granting land to the monks of May at the end of the twelfth century.(13)

Both Kellie and Crail appear as estates rendering grain to the king - William the Lion confirmed Dunfermline's right to the whole teind of his revenues from Kinghorn and Kellie in wheat, malt and oats in c.1165-71.(14) Whilst in a later grant to Robert son of Henry "Pincerne" there is a reference to the king's mill at both Kellie and Kinghorn.(15)

Thus in its earliest form Kellie appears in the middle of the twelfth century as a shire or thanage with associated common pasture, church, teinds, mill and thane - fully in keeping with the known administrative development of other lowland areas. Malmure thane of Kellie does not reappear in any other known document. Both Gillecolm Mac Chinbethin and Machet Mac Torfin, who perambulated with Malmure, do reappear - witnessing David I's confirmation of Dunfermline's possessions and privileges C.1150 (16) and David's charter to Dryburgh abbey c.1150-52.(17) Machet had previously

witnessed David's grant of Pittenweem and Inverin to the monks of May c.1145(18), whilst Gillicolm witnessed the grant of Nithbren and Balchristin to Dunfermline c.1150.(19) The predominance of Fifeshire localities in these grants may suggest that they were landholders in Fife and perhaps more significant than Malmure.

How did Kellie develop in the second half of the twelfth century? The next name to be associated with Kellie is that of Robert de London. Robert continued the association between Kellie and the abbey of Dunfermline - granting six merks from Kellie in c.1178.(20) The register of Dunfermline also records an agreement made between the church of Kellie and the oratory of Robert de London of Kellie, which implies a private chapel within Robert's household.(21) Robert patronised the priory of the Isle of May - granting them "Lingoc", part of his 'waste' of Kellie. This last grant also helps us to identify him - Alexander II confirmed the charter and styled Robert as 'my brother'.(22) Robert was not, however, Alexander's direct brother, but his step brother, being an illegitimate son of William the Lion and Matilda Ferrers.(23)

Robert de London had extensive landholdings and granted Lessuden to Dryburgh for "anima regis willelmi patris mei et domini alexandri regis fratri mei".(24) In addition to holding Kellie, Robert was endowed with other lands in Fife - granting the lands of Colestun, Balemamol and Montquey in his fief of Aberdour to Roger Frebern c.1189-99.(25) Inverkeithing was described by Robert as "burgo meo" in c.1195 when he granted a toft there to Lindores abbey.(26) He also patronised the abbey of Incholm granting it land in Inverkeithing and Kincardine c.1199.(27) From his father Robert received a forest in Outh, Dunfermline, with liberty that no one was to fell timber or hunt there without his permission on the pain of the king's full forfeiture.(28)

As a large Fifeshire landowner Robert is found witnessing local charters. As has been noted above, "Lingoc" or Lingo is described as part of Robert's 'waste' of Kellie and it was probably as the feudal superior that he is found as the first witness to a charter of Eggou Ruffus, granting an adjacent portion of land to the monks of May.(29)

Robert is found as a witness to the settlement of a dispute between St Andrews priory and Saer de Quincy, concerning patronage of the church of Leuchars c.1209-11.(30) He is also found, along with Bricio 'persona de Kellin', as a witness to the convention between the priory of St Andrews and the Cele Dei.(31) However, despite his extensive possessions he is most frequently found as a witness to both his father's and stepbrother's charters and it would appear that he spent the majority of his time at the royal court rather than on any one of his estates.(32)

How and when did Kellie come into the possession of Robert de London? The association of Robert de London with Kellie can be set into the wider context of the increasing Normanisation and feudalisation of Fife which occurred in the third quarter of the twelfth century. As Barrow illustrated there is a small amount of evidence that David I began the process of establishing feudal holdings north of the Forth.(33) However, the Normanisation of Fife was given particular impetus under 'Countess' Ada de Warenne, mother of Malcolm IV, William the Lion and David Earl of Huntingdon.(34) Ada was granted both Haddington and Crail as her dower lands - the latter being described as 'my burgh' in a charter to Dunfermline.(35) It is apparent that Ada had feudal superiority over the surrounding localities and granted the church of Kilrenny and half an carucate of land in Pitcorthy to Dryburgh abbey.(36) By exercising her feudal superiority Ada had a significant impact on Fife, actively establishing Norman landholders. William of Beavey referred to Ada as 'my lord' in a grant of a bovate and carucate in Airdrie to the monks of May.(37) Ada endowed Robert de Newham, a Northumbrian landowner, with land in Crail and Cambo (38), whilst Alexander de St Martin was granted a carucate of land in Petollin in Crail and a full toft in both Crail and Haddington.(39) Ada must also have been acting as feudal superior when she witnessed a confirmation by John de Dundemor to the monks of May concerning the lands of Turbrech.(40)

Robert of London can also be seen as one of Ada's vassals. In a charter to Dunfermline, Robert granted six merks per annum from Kellie and the forest of Outh. Ada is called 'my lord' and as Robert

had Outh by gift of his father, we may conclude that Countess Ada had granted him Kellie - this would mean that Robert de London had possession of Kellie before Ada's death in c.1178.(41)

Thus, during the second half of the twelfth century Kellie appears to have undergone a change in ownership from a Celtic thane to a new Norman lord, which epitomised the general trend in the Lowlands at the time. Whether Robert's tenure of Kellie was significantly different to that of Malmure's is uncertain. Barrow suggested that where feudal barons were established in Scotia replacing thanes, they simply took over the existing jurisdiction.(42) With the establishment of a new ruling class it did, however, become easier to specify the 'feudal dues' expected in return for the tenure. There is indirect evidence of this being applied to Kellie - when Robert son of Henry "Pincerne" was granted Cassingrey in Carnbee, he was required to perform the forinsec service due from half a ploughgate of land in Kellieshire.(43) We can even see the new lord of Kellie's involvement in subinfeudation - granting Colestun, Balemamol and Montquey in return for one searjeant on a horse and a haubergel in the royal army.(44)

Robert de London was still alive, although he refers to his infirmity, in 1219 when he wrote to Hubert de Burgo justiciar of England requesting advice on arrears of service owed to him by the English king and amounting to £100 11s. 14d.. (45) The last known evidence for him occurs in c.1221 when he witnessed a charter of Alexander II granting his wife Joanna £1000 of dower land.(46) It would appear that Robert left no direct heirs, his nephew Robert of Roxburgh, confirming the grant of Lessuden to Dryburgh. (47)

With the death of Robert de London we enter a darker period of Kellie's history, it is uncertain whether Robert of Roxburgh succeeded to his uncle's estates or whether they were returned to the crown. The latter may be suggested for in c.1223 Geoffrey, son of Richard, sheriff of Crail and other men were instructed by the king to hand over to Ivo, son of Nigel "Coco", lands in the territory of Kellie, in fee and heritage for the same service as he already rendered for Balcaskie and "Pedunin".(48)

The next person firmly linked with Kellie occurs in c.1266. In that year an agreement was made in the court of Fife and Fothrif between Sir Richard Siward 'lord of Kellie' and Sir Richard Chamberlain 'lord of Gibbotistoun'.(49) Siward granted common pasturage in the moor of Kellie for fifty animals and forty cartloads of peat from the 'great peatery of Kellie' and forty from the peatery of 'Stinchandum'.(50) Siward quitclaimed all his rights to the land which Buchach of Balmalkin ploughed on the north side of Kinkathislaw with arable northwards to the marches of Cassingrey and all the moor on the west side to the marches of Kinbrachmond. In return Chamberlain and his wife quitclaimed the pool of Kellie with all the grazing, although they reserved the right of free entry for their animals.(51)

How and when did Siward acquire Kellie? The earliest reference to a Richard Siward occurs c.1236 in an interesting document to Alexander II from Henry III. Siward seems to have been taken prisoner whilst in England and there were grounds to suggest he had made an agreement with Henry against his fealty to Alexander. Henry denied that he and Richard had made such a pact against Alexander and stated that he had only seized Richard to 'secure the peace of the kingdom'.(52) The background to this document may be found in a later letter from William Ferrars Earl of Derby c.1244. Ferrars refers retrospectively to Sir Richard Siward leaving England along with his nephew Payan de St Philibert and others.(53) Siward may have been in the country even earlier than c.1236 - a Richard Siward witnessed two charters of John Earl of Huntingdon to the monks of Arbroath c.1219-37.(54) The identification of the earlier Richard Siward with the later lord of Kellie may be supported by an agreement made between the abbey of Arbroath and Thomas de St Philibert, possibly a relative of Payan, over the multure of Cullelaw, held by Thomas of Richard Siward in his fief of Aberdour.(55) Thus we find Richard Siward holding both Aberdour and Kellie, two of the estates previously held by Robert de London. If Richard was in Fife as early as c.1221/2 then both estates may have been granted directly to him on Robert's death.

The next substantial evidence for a Richard Siward occurs c.1284-1311 and we may, therefore, be dealing with a son of the above Siward. What was this Siward's role in the political turmoil of the wars of independence?

From the surviving evidence it seems that Siward was an important figure, heavily involved in the politics of the time. In 1284 Siward was present in the parliament at Scone when Alexander III ordered his lieges to receive his grand daughter Margaret the 'Maid of Norway' as the future queen.(56) With the death of Margaret in c.1290, Siward is found in association with Comyn Earl of Buchan and John Balliol. He was in parliament at Scone on the 5th of February 1292(57), and later in the same year was paid 40 merks by the Treasury for keeping the three castles of Galloway and Nithsdale.(58) In the following year Siward was one of the twenty five nobles who witnessed Balliol's fealty to Edward I at Newcastle.(59)

Siward's relationship with Edward I appears slightly unusual. Despite a command ordering the seizure of all English lands of Balliol's supporters, a writ was sent to the sheriffs of Southampton and Northampton ordering them to restore those of his "liege" Richard Siward on 6 December 1295.(60) Around this time Edward I also gave protection, to Marie wife of Richard Siward to travel northwards with her retinue to join her husband .(61)

Siward's support for Balliol ended in April 1296 when he was defeated at the battle of Dunbar. Siward's involvement in this battle was recorded by the Chronicon de Lanercost which states he was responsible for giving up the castle of Dunbar to the English. More importantly, the Chronicon describes him as "virum nominatum et in armis expertum dominum Ricardum Sywardo" and this description may help to explain his involvement in the fortification and garrisoning of the vulnerable border castles.(62)

With Balliol's defeat Siward's English lands were seized and the extent of these becomes apparent. Like Comyn and Balliol, he held lands in Northumbria, but he also had lands in Tyndale, Chelveston in

Northampton, Burgstede in Essex or Hertfordshire and had once held the manor of Croule in Worcester.(63)

The captives from Dunbar were despatched to England for imprisonment. Richard Siward, in the company of the Earls of Ross, Atholl, Menteith and John Comyn, was sent to the tower of London. A Richard Siward junior, given as son to the above, was sent with Alexander Comyn to Bristol.(64)

During their husband's imprisonment Edward I allowed the wives of eleven captives to receive annuities for their sustenance. One of these was Marie, wife of Richard Siward (snr) who claimed to have 500 merks worth of land and nine children. Both Marie and Elizabeth, wife of Richard (jnr) were also granted a special concession of £40 of land where 'no castle nor fortalice' existed.(65)

Richard Siward (snr) was freed from the tower on 30 July 1297 on the surety of the Bishop of Durham, John Comyn and John Earl of Atholl being released at the same time. All had to go abroad to serve the English king.(66) In his stead Richard Siward (snr) left another son, John, as surety, who was kept in Chester castle until his release in c.1300.(67)

Richard's (snr) service for Edward I must have been notable for, on 29 May 1298, Nicholas Ferinbaud, constable of Bristol, was commanded to remove the fetters of Richard Siward (jnr) and to treat him with leniency, giving him a chamber with a privy "on account of the late good service of his father in Flanders."(68) Siward's service also seems to have been rewarded in other ways - a roll of the knight's horses of Edward I's household compiled in 1298, reveals that he had a horse for his own riding by special gift of the king.(69)

On his return from Flanders Siward is once again found in the Dumfries region, but this time fighting in the war on the English side. Siward was appointed warden of Nithsdale in 1299 and his cousin Sir John de St John was also given military responsibility in the area.(70) Siward seems to have played a key role in fortifying the area.

Edward I's supporters in Annandale were ordered to aid him and master Richard de Abingdon in strengthening the palisade of Lochmaben castle (71), whilst in August 1298 Siward began building his own castle of Tibbers.(72) Tibbers was garrisoned for the English cause and Edward I even seems to have provided £100 towards repairing the castle - although £50 of this was still outstanding in 1302.(73)

The importance of Siward in the Borders is reflected in his presence on Christmas day 1303 when the Prince of Wales dined at Perth in the company of Earls Lancaster, Warwick, Ulster, Atholl, Strathmore, Sir John de Britain and Hugh Despenser amongst other nobles, English, Irish and Scottish, who were in Edward I's army.(74)

After his murder of Comyn on 10 February 1306 Bruce gained control of the castles of Dumfries, Ayr, Dalswinton and Siward's castle of Tibbers. A document of 1306 reveals that Bruce had captured Siward and William Balliol and held them prisoner 'as he did before'.(75) Furthermore Bruce had:

"taken from the castles of Dumfries, Ayr, Dalswinton ...Tibres, whatever he has found to be good and he is causing his own castles to be garrisoned and he intends to destroy those other castles as soon as the power of the king reaches those parts."(76)

Siward was imprisoned in the castle of Kildrummy but was released after a short time and travelled to meet Edward I at Lanercost. On 4 August 1306 John de Seton was sentenced to be hung and drawn for: "holding Tibres against the king for Robert the Bruce a traitor and for aiding in killing John Comyn in the church of the Friars Minors of Dumfries and likewise on the same day of the capture of the said Richards [Siward] person, then the kings sheriff of the county of Dumfries and constable of the castle".(77)

Siward was restored as the constable of Dumfries receiving payment of 100 merks for 10 esquires, 12 balisters and 12 archers in the castle in 1307 and he is still found as sheriff and keeper of Dumfries castle c.1309-11.(78) Tibbers also seems to have been restored to him and regarrisoned at this time.(79) Siward's service for the

English in the wars of independence was recognised by them in 1308, when he and his cousin Sir John de St John, were among the magnates specially thanked by Edward II for their support during the war.(80)

What then was the fate of the Siward family and of their estate of Kellie? Siward's support for the English caused the forfeiture of his Scottish estates - for example Thomas Ranulph, Earl of Moray, was granted Aberdour in 1325.(81) It would seem that Richard's son, Richard Siward (jnr) had succeeded to the barony of Kellie, possibly as part of a marriage settlement.(82) Robert I confirmed a grant to John de Dudington of the lands of Pitcorthy in the barony of Kellie, which had been resigned by Richard Siward.(83) It was probably Richard Siward junior who is found as sheriff of Fife in c.1303 (84) and who in 1304 was ordered to restore the castle and regality of St Andrews to Bishop William.(85) Richard Siward (jnr) disappears in c.1305, in September of 1305, under the ordinance of Edward I for the settlement of Scotland, Constantine of Lochoe became sheriff of Fife, whilst Richard Siward senior was made sheriff of Dumfries.(86) Richard Siward (jnr) must have died between c.1305 and 1307 as his 'widow' Elizabeth was staying at Chikesand priory in Bedford in 1307 and was allowed 3d per day for her expenses and 1 merk per year for her dress.(87)

William Siward, Richard's (snr) son, also appears to have held the barony of Kellie at one time - a grant being recorded in a charter roll of Robert I, and he may therefore have succeeded after his brother c.1305/7.(88) The exact dating of the grant is uncertain but William was in Fife c.1310 as he was a witness to a brieve of Robert I setting down the dues and privileges of the constable of Crail.(89) A William Siward is also found in the garrison of Edinburgh castle c.1336-7 (90), whilst in May 1342 Edward III commanded the chancellor to pay a quarter at 12d per day to his vallets David Comyn and William Siward who were recorded as having had lost their lands for allegiance to him and were then in his service.(91)

Little is known of William's brother, John. He is found in the garrison of Berwick in 1311(92) and Edward II forfeited his lands in

Northamptonshire in 1314.(93) John Siward described as the 'son and heir' of Sir Richard Siward, attested the sale of all his goods and chattels on the manor of Chelveston, for £40 sterling, to Thomas Earl of Lancaster in January 1315.(94)

The next member of the family to be found holding the barony of Kellie was Helen Siward who had possession of it c.1327 when an agreement was made with Thomas Ranulph Earl of Moray 'concerning her lands of Kellie'.(95) By a later charter Helen is said to have been a daughter of Richard Siward and, although it is not identified whether it was Richard Siward senior or junior, it may be suggested that it was the latter - the elder Richard's sons and daughters appearing to have been married in the 1290's.(96) In a later document Helen names her husband as Eustachius or Eustace Maxwell (97) and we could propose that he was one of the Maxwells of Caerlaverock, who were found in association with Richard Siward (snr) in the Borders.(98) He might even be identifiable with the Eustachius Maxwell who was awarded an annual of £10 and £22 sterling by Robert I for demolishing the castle on his lands of Caerlaverock.(99) If Helen Siward was granted Kellie as her dower lands then we may suggest that, although the rest of her family seem to have been forfeited for their English allegiance, she was allowed to keep hers through the support of her husband. Eustachius went over to the English in 1332 and was appointed sheriff of Dumfries in 1336.(100) Two years later Edward III instructed his chancellor to grant him a manor of £40 p.a 'where such could be found for the residence of his wife and children'.(101)

If Helen Siward spent most of her time in the Dumfries region with her husband, then it is unsurprising that little evidence of her involvement at Kellie now survives. However, in 1358 she granted an annual rent of 4 merks from the land of Easter Pitcorthy to John Strang for his 'good and faithful service', and for a great sum of money "in ardua et urgente necessitate mea" - which may suggest that after her husband's death her circumstances were less comfortable.(102)

The only other document connected with Helen is the charter by which she resigned Kellie over to Walter Oliphant in c.1360. In this charter Walter is described as "consanguineum meum" and this has frequently been interpreted as meaning her cousin.(103) Some family relationship does seem to have existed. In August 1297 William Oliphant "esquire", one of the prisoners captured at Dunbar, was released from Rochester on the surety of Richard Siward (snr), possibly Helen's grandfather.(104). Moreover, in c.1304-6, Richard Siward (jnr?) appealed to Edward I for the dower lands of his wife, which the king's servants had seized because they found that Sir William Oliphant had possessed it in the time of the war.(105) Thus Siward's wife, whose first name Elizabeth, is given in 1296,(106) may have been an Oliphant. Presumably, by 1360, Helen had no direct heirs to leave the barony to and the English allegiance and subsequent forfeiture of her relatives may have prevented them, or any of their heirs, succeeding.

FOOTNOTES:

- 1) MAY 3; ESC 207
- 2) *ibid.*, "Balegallin" Barrow suggests that this may be identified with Boglily in Kinghorn (RRS2,109)
- 3) RRS p42; Barrow GWS The Kingdom of the Scots (Edinburgh, 1973) p308
- 4) Barrow Kingdom chptr. 1 *passim*
- 5) *ibid.* p51
- 6) *ibid.* p50
- 7) DUNFERMLINE 40, RRS 2, 156, "Abercrombin" now Abercrumby in St Monans.
- 8) DUNFERMLINE 94
- 9) DUNFERMLINE 50, 174
- 10) DUNFERMLINE 237, 265, 272
- 11) DUNFERMLINE p208
- 12) The legatine council at Edinburgh 1239 stipulated that older churches, previously undedicated, were to be consecrated. On this see Anderson AO Early Sources of Scottish History (Stamford, 1990) v2 p523
- 13) MAY 26, 27
- 14) DUNFERMLINE 61, "Pincerne" - "the butler".
- 15) RRS 2, 286
- 16) ESC 209
- 17) ESC 242 ; DRYBURGH 1,
- 18) MAY 4, Inverin, now St Monans, see RRS2, p529
- 19) ESC 224, Nithbren, now Newburn, Fife; Balchristin/Balchristie in Newburn. RRS 1, P318
- 20) DUNFERMLINE 167
- 21) DUNFERMLINE 173
- 22) MAY 19
- 23) INCHOLM 7, p109; "Lingoc", Lingo, Carnbee, Fife. It is possible that there were two Robert de London's, Barrow identified the one who confirmed Lessuden to Dryburgh 1165x99 as being distinct to the royal bastard. On this see Barrow and Scott Handlist of the Acts of William the Lion (Edinburgh, 1958) p10, Easson believed that there was only ever one, see Incholm p109.
- 24) DRYBURGH 60
- 25) Miscellany of the Spalding Club v5 1852 p243; Colestun, Balemamol and Montquey in Aberdour, identified by Barrow as Couston, Balmule and Montquey, see Kingdom p301
- 26) LINDORES 85
- 27) INCHOLM 7

- 28) RRS 2, 463
- 29) MAY 26
- 30) RRS 2, 491
- 31) ST ANDREWS p318, on the Cele Dei see Barrow Kingdom pp216-25
- 32) RRS 2, 209, 244, 281, 301, 327, 328, 333, 342, 355, 356, 357, 360, 361, 362, 366, 367, 368, 369, 377, 378, 379, 381, 389, 397, 402, 413, 423, 447, 452, 454, 455-462, 467, 468, 479, 483, 493, 498, 502, 503, 508.
- 33) Barrow Kingdom p283
- 34) Ada, through her mother, Elizabeth Vermandois, was connected to King Henry I of France and thus with the Capetian family. Chandler, Victoria 'Ada de Warenne Queen Mother of Scotland 1123-78' in SHR v60, 170 Oct 1981 pp119-39
- 35) DUNFERMLINE 151, 152
- 36) DRYBURGH 16, 'carucate' a notional area of land which could be ploughed by eight oxen in one year, south of the Forth known as a ploughgate, on this see Barrow Kingdom p264
- 37) MAY 25, A bovate was an eighth of a carucate, also known as an oxgang, on this see above fn 37
- 38) Chandler 'Ada de Warenne' SHR 1981 p128, Cambo in Kingsbarns, Fife RRS2, 131
- 39) *ibid.* p126, "Petollin" in Crailshire, unidentified by Anderson in The Laing Charters (Edinburgh, 1899) no. 2
- 40) MAY 28, 29, Turbrech or Turbrek, possibly also as 'Torbrekin', near Pittowie, Crailshire, RRS2, 196
- 41) DUNFERMLINE 167; RRS 2, 463
- 42) By "Scotia" I am using Barrow's definition of the area north of the Forth, see Kingdom p41
- 43) RRS 2, 286, Cassingrey or 'Gasingrei', in Carnbee, Fife.
- 44) Misc. Spalding Club v 5, p243, and see above p8 fn26
- 45) Bain, Joseph Calendar of Documents Relating to Scotland (Edinburgh, 1881) 5 vols, v 1, 746
- 46) *ibid.* 808
- 47) DRYBURGH 61
- 48) RRS 2, 563, "Pedunin" unidentified, Balcaskie, Carnbee
- 49) Anderson, J The Laing Charters (Edinburgh, 1899) 8, 'Gibbotistoun', Gibliston?, Carnbee
- 50) *ibid.* The two peateries are both unidentified, the latter seems to have been near Belliston, Carnbee.
- 51) *ibid.* Balmalkin, Carnbee; 'Kinkathislav', unidentified; Cassingry, see p10 fn 43; 'Kinbrachmond', Kilbrackmont, Kilconquhar RRS6, 269; the pool of Kellie has not been

- identified, although there is one marked on later maps between Wester Kellie and Gillingshill, see Appendix 3.
- 52) Bain Calendar 1, 1295
- 53) *ibid.* 1656
- 54) ARBROATH 84, 137
- 55) INCHOLM 30, 'Cullelaw', Aberdour, Easson identifies it as Cullalo, see INCHOLM p147
- 56) Rymer, T Foedera, Conventions, Litterae et cujuscunque generis Acta Publica inter Reges Angliae et alios (London, 1816) v1, pt2, p638
- 57) Rymer Foedera v1, pt2, p782
- 58) Bain Calendar 2, 582, 589
- 59) *ibid.* 660, on January 16 1293
- 60) Bain Calendar 2, 723
- 61) *ibid.* 839
- 62) Chronicon de Lanercost Bannatyne Club, Edinburgh, 65, 1839, p175
- 63) Bain Calendar 2, 736
- 64) *ibid.* 742
- 65) *ibid.*; Rymer Foedera v1, pt2, p846; Stevenson, J Documents Illustrative of the History of Scotland 1286-1306 (Edinburgh, 1870) p93
- 66) Rymer Foedera v1, pt2, p869; Bain Calendar 2, 950
- 67) Bain Calendar 2, 1114, 1156
- 68) *ibid.* 986
- 69) *ibid.* 1011
- 70) *ibid.* 1170, 1171
- 71) *ibid.* 1112
- 72) *ibid.* 1005
- 73) *ibid.* 1141, 1307
- 74) *ibid.* 1516
- 75) Stones, ELG Anglo Scottish Relations 1174-1328 Some Selected Documents (London, 1965) p131
- 76) *ibid.* p133
- 77) Bain Calendar 2, 1811
- 78) Simpson G and Galbraith JD Calendar of Documents Relating to Scotland: Corriegenda (Edinburgh, 1982) v5, 492, 5667
- 79) *ibid.* 515
- 80) *ibid.* 499; Rymer Foedera v2, pt1, p51
- 81) RRS 5, 263
- 82) APS 1, p9; Stevenson Documents p93
- 83) RMS 1, Appendix 2 no 495 (117)
- 84) Bain Calendar 2, 1350
- 85) *ibid.* 1529
- 86) *ibid.* 1691; Stones Anglo Scottish Relations p120

- 87) Bain Calendar 3, 1910
- 88) RMS 1, Appx. 2, 638
- 89) RCHMSS 5, 1876, Bethune Muniments, no 22 p 626
- 90) Bain Calendar 3, p363
- 91) *ibid.* 1390, 1406
- 92) *ibid.* p393
- 93) *ibid.* 407
- 94) *ibid.* 416
- 95) RMS 1, Appx. 2, 701
- 96) APS 1, p9; Bain Calendar 2, 742; In c.1290 a papal mandate was issued to the Bishop of St Andrews allowing Richard son of David Marshall of Niddry to marry Agnes daughter of Sir Richard Siward. On this see Rolls Series: Calendar of Entries in Papal Registers: Letters p570. Agnes was one of the wives allowed an annuity when their husbands were captured at Dunbar. See above fn 65.
- 97) RRS 6, 206
- 98) For example Richard Siward and Herbert Maxwell are found in parliament together in 1290, 1293, 1297 and 1299. APS 1, pp82, 85, 97*
- 99) RMS 1, Appx. 2, 304; Appx. 1, 57
- 100) Bain Calendar 3, p317
- 101) *ibid.* 1143
- 102) RRS 6, 206
- 103) Lorimer Red Book p 28; Wood, W The East Neuk of Fife (Edinburgh, 1887) p258; Anderson, J The Oliphants of Scotland (Edinburgh, 1879) pxii
- 104) ROT. SCOT. 1, pp45-9
- 105) Bain Calendar 2, 1873
- 106) *ibid.* 742; Rymer Foedera v1, pt2, p846

CHAPTER TWO - THE EARLY OLIPHANTS

In c.1360 Helen Siward resigned the barony of Kellie over to Walter Oliphant. The purpose of this chapter is to analyse the earliest period of Oliphant tenure from c.1360-1560. Who were the Oliphant family and what was their relationship with the crown? Moreover, at what point did Kellie become the seat of an independent branch of the Oliphant family? The role of the Oliphants of Kellie as Fifeshire landholders must also be considered. What was the extent of the barony? How amicable was their relationship with other local landholders and what attempts were made to secure their tenure? As tenants of the king the Oliphants were expected to perform specific 'feudal' services and their involvement in local jurisdiction and military service must therefore be examined. Finally we must consider the lairds of Kellie in conflict with the crown - both through criminal activity and debt.

Unlike the Siwards who seem to have largely supported the English cause, the early Oliphant family were strong supporters of Robert the Bruce. Two William Olifards, one designated as knight and one as squire, were captured in the battle of Dunbar in 1296 and taken prisoner to England.(1) Perhaps the most famous historical event which involved an Oliphant was the siege of Stirling in c.1304. After a siege of over three months, the castle's keeper, Sir William Oliphant, finally surrendered it to the English forces - the last Scottish stronghold to fall.(2) In return for his service, Sir William Oliphant, father to the first Walter Oliphant of Kellie, received numerous grants of land from Robert the Bruce. On 21 December 1317 he received a charter of Newtyle and Kinprony in Forfar, in free barony performing a fourth part of a knight's fee.(3) More importantly, in 1326, he was granted the lands of Ochtertyre and Balcraig and the lands of Gaskness in Perth, all of which had pertained to John Comyn - whom Bruce had murdered in 1306 in order to seize the throne.(4)

Sir Walter Oliphant who received Kellie in 1360, continued his father's tradition and enjoyed considerable royal patronage. This was enhanced by his marriage to Robert the Bruce's illegitimate

daughter Elizabeth, sister to David II. The special relationship which existed between the first Oliphant lord of Kellie and the king may be reflected in two entries in the Exchequer Rolls for 1365 which record Elizabeth giving gifts of wine and food to her brother.(5) The extent of Walter's lands in 1365 can be determined by a series of charters regrating his estates after his own resignation of them into the king's hands. Walter and Elizabeth received the lands and barony of Gask in free barony; Ochtertyre and Balcraig - in return for three broad arrows on the feast of St Martin; and Newtyle and Kinprony for a pair of silver spurs on All Saints day. Another royal charter conferred Aberdalgie and Dupplin to be held in free barony and free forest with the advocations of the church of Dupplin, the privilege that none would hawk nor hunt there on the pain of £10 and a special liberty to fish in the Erne for three days in the prohibited season.(6)

Walter's son and heir, Walter II, who succeeded to Kellie in c.1378, also enjoyed a close relationship with the crown and held the custodianship of Stirling castle as his grandfather had done. In 1368 the Exchequer accounted for £26 13s 4d as part payment of his fee for keeping the castle and a second payment demonstrates that he was still the custodian in 1374.(7)

Thus the two earliest Oliphants to possess Kellie emerge as strong supporters of the crown who were employed in royal service and who possessed diverse estates amassed by royal patronage.

Establishing the further genealogy of the Oliphant family and the point at which the junior line of the Oliphants of Kellie diverged from the main family is no easy task. There were three attempts in the nineteenth century - notably those of Joseph Anderson, the Reverend Walter Wood and Dr Maitland Thomson. To these works must be added the earlier genealogies of the seventeenth and eighteenth centuries and the picture which can be collated from disparate documentary evidence.

Joseph Anderson's work The Oliphants in Scotland (1879) has been the foundation for much of the subsequent research on the Oliphant

family - including Wood's East Neuk of Fife (1887). In its turn Lorimer's Red Book and his genealogy of the Oliphants of Kellie relied heavily on both works.

Anderson's Oliphants in Scotland attempts to trace the Oliphant family from as far back as c.1142. For the period covered by the present study the first member of the family of any import is Walter Oliphant I. It was to this Walter, husband to Elizabeth daughter of Robert the Bruce, that Helen Siward resigned the barony of Kellie in 1360. Second in line is Walter Oliphant II 'younger of Aberdalgie'. According to Anderson, he married Mary daughter of Sir Robert Erskine, by whom he had two sons, his successor John and Malcolm from whom sprang the Oliphants of Hazlehead in Ayrshire. This Sir John, we are told, married first a daughter of Sir William Borthwick, producing a son and heir William, and secondly a daughter of Sir Thomas Home of Home by whom he had Thomas, "from whom are derived the Oliphants of Kellie".(8) From this point of departure Anderson continues with the senior line of the family - giving details of William Oliphant, his son Sir John II, and the successive lords Oliphant.(9)

Understandably, Wood's family tree starts in much the same way as Anderson's. Walter I and II are detailed and again Thomas Oliphant son, by a second marriage, of Sir John Oliphant I is named as the first of the house of Kellie. From this point Wood's tree diverges from Anderson's - Wood following the junior line of the Oliphants of Kellie. However, in reality, Wood's 'tree' becomes merely a list of references to various members of the family. William Oliphant of Kellie is mentioned in 1447 and 1456, Walter Oliphant of Kellie is found in 1471 and a John occurs c.1493-1516. More biographical detail is given on Sir Alexander Oliphant of Kellie who succeeded in 1537 - for example Wood knew of his feud with the nuns of North Berwick and of this marriage to Katherine Oliphant daughter to Lawrence third Lord Oliphant.(10)

Later research on the Oliphant family was done by Dr John Maitland Thomson, keeper of the Scottish Records Office, and his notebooks are still extant.(11) Maitland Thomson was familiar with Anderson's

work but also made use of a wide range of documentary evidence then in Register House and published in various chartularies. As with Anderson, Thomson was largely concerned with the senior line of the family, but he does give separate notes on the Oliphants of Kellie. His line of descent once again starts with Walter I, Walter II and John I but adds:

"according to the old genealogies [John] had by a second wife Thomas of Kellie (Dron?)... she was possibly Maria afterwards wife of James first Lord Livingston".(12)

In his separate notes on the Oliphants of Kellie Maitland Thomson made no attempt to establish the successive generations. Like Wood before him, Thomson merely listed the names and dates of known individuals - for example Walter Oliphant II in 1378, Sir Walter Lord of Kellie in 1411, William in 1419, 1424, 1439 and Walter in 1471 and 1478.(13)

Thus the genealogies portrayed by the three Victorian researchers are broadly similar - all start with Walter I and all suggest a split into a junior line of Kellie with Thomas, son of John I, in the early fifteenth century. The similarities suggest a common source, can one be identified?

Maitland Thomson, although using other published material, refers to the 'old' genealogies when citing Thomas as the first of the house of Kellie. Anderson would seem to have come across the same document and the bulk of his evidence was drawn from the original charters and deeds owned by the Oliphants of Gask and now in the National Library of Scotland. Amongst these papers there are indeed some older genealogies (numbering ten in total) dating from both the seventeenth and eighteenth centuries.(14)

The earliest of the seventeenth century genealogies seem to have been written c.1650 and purport to be copies of earlier documents. Although there are variants, the succession is largely as that given by Anderson. The genealogy on f6 gives an account that Oliphant of -- (a blank) in Fife was descended of Thomas son to Sir John, by his second wife Hoome. Another on f9, of similar date, also gives John's

second wife as Craighoom and mentions that he gave her eldest son the lands of Kellie. A later genealogy dated 1676 adds to this tradition:

"This Sir John had two wives he gave Kellie in Fife to the second wifes eldest son and tailzed the same to Dupplin failing heirs male of his body which in end by good providence failed".(15)

Of the eighteenth century material little new evidence is provided, one (f12) gives the second wife's name as Crichton and says that she had two sons - the eldest being the laird of Kellie. Another (f37) continued the tradition of 1676:

" after her death [John] married Craighoom and gave the eldest son the lands of Kellie in Fife with the express provision that the said lands should return to the family of Dupplin and Aberdalgie in case there were no heirs male which accordingly fell out".

Thus the collection of seventeenth and eighteenth century genealogies now amongst the Gask papers would seem to have provided the basis for all the nineteenth century genealogical work on the Oliphants, but just how reliable are they?

It is apparent that most of the genealogies are transcripts and derivatives of the earlier ones of c.1650, and these claim to be copies of even older ones no longer extant. The line of descent is often confused, for example f6 omits John m. Wischart, f9 includes him, f12 gives John not William as m. Erskine whilst f6 and f17 give Walter I m. Isabell lawful sister to Robert the Bruce - instead of Elizabeth illegitimate daughter.

On the question of the house of Kellie most of the genealogies reiterate that the originator was the son of John I by his second marriage. However only two documents - f6 c.1650 and a later genealogy of c.1720 actually name him as 'Thomas', all the others only refer to him as the 'laird of Kellie'. It seems probable that the author of the 1721 document was using the genealogy found on f6 and we may suggest that this author may have confused the first name of the laird of Kellie with that of his grandfather who, according to f19 was Thomas Hoome of Craighoome. Therefore,

although they contain some sustainable evidence, it would seem prudent to err on the side of caution when using these seventeenth and eighteenth century genealogies as a source for the early descent of the Oliphant family and the origin of the Oliphants of Kellie.

In order to evaluate both the earlier genealogies and the nineteenth century contribution to the genealogy of the Oliphants of Kellie, we must return to the original documentary evidence.

As has been seen the earliest genealogies suggest that the Oliphants of Kellie were founded by Thomas son to John Oliphant of Aberdalgie by his second wife Hoome or Craighoome. However, as yet, no single piece of primary evidence can corroborate this.(16) Moreover, where we would expect to have a reference to Thomas in the early fifteenth century we actually have a Walter Oliphant as 'lord of Kellie' in 1399, 1400 and 1411.(17) Walter also had a son William, who received Kyppen in Perthshire in 1399 and was a witness in 1404.(18) This Walter must be different to Walter II as the latter died c.1388 (19) and therefore we can suggest that the first distinct Oliphant of Kellie was not Thomas but Walter.

It seems most likely that Walter Oliphant was granted Kellie by John I at some time between c.1388 and c.1399. Walter may have been the son of John I, traditionally by his second marriage, however, this would pose a chronological problem if Walter already had a son distinguished by service, as early as c.1399. An alternative explanation may be that Walter was not John I's son, but his brother and this view may be slightly supported by the fact that John I granted his brother Malcolm, Hazlehead in Ayrshire which, like Kellie, became the seat of an independent Oliphant family.(20) This would mean that Walter Oliphant of Kellie was the son of Walter II, and possibly, if we generally accept the tradition, by a second marriage.

Whatever the exact relationship between John I and Walter Oliphant of Kellie, we may conclude that the two families diverged c.1388-99 and that both the seventeenth and eighteenth century genealogies and the nineteenth century works, are erroneous in naming the first

Oliphant of Kellie as Thomas. From this point of departure the Oliphants of Kellie became a secondary branch of the family and a line of succession can be reconstructed from the surviving documentary evidence and this is represented in Appendix 1.

In turning to consider the Oliphants of Kellie as Fifeshire landholders we must first establish the geographical extent of the barony. The earliest size of the barony of Kellie is difficult to determine. The charter by which Helen Siward granted Kellie to the Oliphants did not list any specific lands merely, "omnes terras meas de Kelly cum omnibus et singuis pertinenciis".(21) It would seem that Easter Pitcorthy was one of the pertinents - Helen had granted an annual rent from it to the Strang family in c.1358.(22) Lingo was mentioned as part of Robert of London's 'waste' of Kellie, but whether this was still attached to the barony in 1360 is unclear.(23) Pitkiery seems to have been included in the barony in the 1360's - Walter II receiving both Kellie and Pitkiery in an early grant of 1378, along with pertinents in a quarter of Crail.(24)

The first full description of the barony occurs on 20 July 1511 in the royal charter of sasine to John Oliphant of Kellie.(25) As granted these were the lands and barony of Kellie viz: the place and dominical lands of Kellie, Over Kellie, Kellieside, Baldutho, Belliston, Kellymills, Arncroach and Greenside with the superiority of Easter Pitcorthy. The same estates are enumerated in the sheriff's return for the barony in 1528, although the return for 1537 omits Kellieside, whilst in 1516 reference is made to "Mureflat".(26) A charter of 1517 gives a few more details - John Oliphant of Kellie promised to establish his grandson in Baldutho, Pitkiery, Kellielaw, Kellieton, Belliston, Arncroach, Kelliemills, Greenside, Gillinghill and Kellieside.(27) Much the same picture is given by James V's confirmation of sasine to Alexander Oliphant in 1542.(28)

Thus Kellie represents a relatively small barony, all of the lands lying within approximately 3 miles of the castle. Most of these can be identified on the earliest maps of the area and are shown in Appendix 2. The pertinents in the quarter of Crail seem to have

disappeared in the fifteenth century, whilst Pitkiery was confiscated by the crown in c.1460, but was reunited with the barony in 1511.

Despite the compactness of the barony it is evident that land disputes were frequent between the lairds of Kellie and their immediate neighbours. The half lands of Easter Pitcorthy were usually held by the Strang family. In an early charter of 1375, Walter Oliphant Lord of Abirdalgy, granted John Strang Lord of Wester Pitcorthy, the half part of Easter Pitcorthy with pertinents, which Christina de Duddingston had resigned in Walters's court of Kellie.(29) At the same time Walter promised not to quarrel the grant, under the pain of a hundred merks and the censure of the bishop of St Andrews.(30) In the middle of the fifteenth century the relationship between the lords of Kellie and Pitcorthy appears to have been good and intermarriage had occurred - Walter Strang being named as the nephew of William Oliphant.(31) However, a little later things became less amicable and a long running legal battle occurred between John Oliphant and Thomas Strang. This was caused by Thomas's claim that the half lands of Easter Pitcorthy were his heritage and he had even been served as heir to his father after an inquest in the sheriff court of Fife in May 1483.(32) The dispute was brought before the Lords in 1493 when Thomas denied Oliphant's possession of the lands and four years later he pursued Oliphant for the wrongful pasturing of oxen on the lands for seven years.(33) In his defence John alleged that he and his predecessors had been in peaceable possession of the disputed pasture and the Lords therefore ordered letters to the sheriff of Fife to arrange an inquest.(34) The outcome of the inquest was in John's favour and a decree of cognition was issued on 5 July 1499.(35)

The Oliphants of Kellie also had several land disputes with their neighbours the lairds of Carnbee. In February 1471 the Lords decreed that Walter Oliphant of Kellie should "devoid and rid" to Henry Melville of Carnbee the land called the "common and star of Kellie" - apparently on the strength that Henry had a charter granting him the 'star' of Kellielaw. The tack of the lands of Baldutho was also claimed by Henry, but in this instance the Lords decreed in Walter's favour.(36)

The lands of Stenhouse were disputed before the Lords of Council in 1493, when John Melville admitted that he had interfered with the mails of the half land of Stenhouse, by right of an assignation made to him by Henry Melville.(37) As with the Strang dispute, the row over Stenhouse originated in intermarriage. John Oliphant had granted the ward of the lands to Margaret Oliphant, wife of Henry, and William and John Melville, presumably her sons.(38)

The dispute continued into 1494 when Oliphant pursued John Melville for wrongful occupation of the lands and in his pursuit Oliphant alleged that the instrument of assignation "was false and also the notary declared infamy before the making of the said instrument".(39)

The actual outcome of this case is uncertain. It is possible that the Lords decreed in favour of the Melvilles - no reference being made to the lands of Stenhouse in any of the later charters of sasine for Kellie. It would seem that Stenhouse was an area between the Kellie/Carnbee boundary and it is significant that the territorial demarcation between the two baronies was regularly disputed. In 1477 the Lords had decreed that the instrument produced by the laird of Kellie of the marches between Kellie and Carnbee "be sufficient and true".(40) However, whatever the division was, it did not seem to satisfy the Melvilles and another perambulation was made on 12 February 1494.(41) This was followed by yet another only two years later and, despite an assize passed in the sheriff court of Fife, further recourse had to be made to the Lords to decide the division of the crops which had grown on the boundary.(42)

One final neighbour with whom John Oliphant of Kellie had a land dispute was George Strang of Balcaskie - probably a relative of the Strangs of Pitcorthy. Strang obtained royal letters charging the sheriff of Fife to call an inquest to decide the claim of himself, John Multrar of Seyfield, Master George Stirling of Brakye, to the lands of Balcaskie, which were being "telit, saune and labourit" by John Oliphant of Kellie.(43) The inquest decided that the pursuers were in lawful possession of the lands in the past and John Oliphant was required to overgive them.(44)

Several territorial incidents are also recorded with the Earls of Rothes. In July 1476 mention is made that George Earl of Rothes was summoned at the instance of Walter Oliphant of Kellie for the "wrangeous breking of his land of Kellyside".(45) Another dispute is recorded in 1498 when John Oliphant of Kellie raised an action against George then Earl of Rothes for:

"the wrangeous occupation of the lands of Balhelvy in the barony of Ballinbreich [Fife] for nine years past pertaining to John Oliphant in liferent by gift from the deceased George Earl of Rothes the defenders grandschir and uplifting the rents and profits extending to £20 of grassum every third year and of penny mail yearly £20 and two dozen capon at 20s each".(46)

The Lords found in John's favour by virtue of a charter of sasine shown to them.

One land dispute which did not go the Oliphants way was that over Balkerous. On 8 November 1491, the Lords considered the king's summons upon Walter Oliphant, brother to the laird of Kellie, for: "the wrongful occupation, labouring and manuring of the half lands of Balkerous with the pertinents and for wrongs impetracions and information by the said Walter to our Sovereign Lords commission of the setting of the said lands in Inverkeithing throw which the said Walter was put in the rental".(47)

Walter's tack was declared null and void and the lands reverted to Sir William Stirling of the Kem, knight. This decision may help to explain an entry in the Exchequer Rolls for 1487 which notes that the farm of the land of Balkerous and the mill there had been 'wasted' or destroyed by the war between the lords of Kellie and Ardross.(48)

Thus the picture that emerges for the fifteenth and sixteenth centuries is that land disputes were frequent and prolonged, not only with the Oliphant's immediate neighbours, but with other Fifeshire landholders too. Given this finding it is likely that the Oliphants of Kellie would have done as much as possible to secure their tenure of the barony and associated lands for their own lifetimes and future generations - is there any evidence of this?

As baronial overlords the question of marriage and the provision of legitimate heirs was of vital importance in ensuring the family lands were handed down through successive generations. References to the marriage contracts of some of the Oliphants of Kellie have survived. On the 26 October 1503, John Oliphant of Kellie made a reversion to John Lord Hay of Yester of an annual rent of forty merks from the lands of Admure in Perthshire which had been:

"granted by him for the secure payment of £500 for the completing of marriage ... between William Oliphant my son and heir apparent and Isabell Hay daughter of the said lord..".(49)

The reversion was made 'at my proper dwelling place of Kellie' and the witnesses included George Strang of Balcasky, William Oliphant 'my son' and Walter Oliphant. This marriage contract is unusual in that it seems to have followed on a papal decree. A dispensation made by Julian Bishop of Ostia allowed William Oliphant and Isabella Hay to marry:

"although the said William has been contracted to a certain lady related to the said Isabella in the fourth degree of consanguinity".(50)

John Oliphant also arranged the marriage of his grandson Alexander, presumably the son of William and Isabella, to Janet Forman, illegitimate daughter of Andrew Archbishop of St Andrews. The provisions of the contract included Sir John giving to Alexander and Jane the lands of Baldutho and Pitkiery with a royal confirmation to be obtained at the Archbishop's expense. However, before the lands of Pitkiery could be given to them, they had to be redeemed from Sir William Myrton, vicar of Lathrisk, who held them under an annual rent of forty merks.(51) John was required to confirm to Alexander the whole lands of Kellielaw, Kellieston, Belliston, Arncroach, Kelliemills, Greenside, Gillinghill and Kellieside with their pertinents. A further clause bound John not to make any alienation or give any liferent out of his lands excepting:

"assedations to husbandmen and labourers of ye ground for ye space of five years... nor to annul nor awayput the reversions he or his predecessors had of lands lying in wadset".(52)

In return for this extensive contract Andrew Archbishop of St Andrews was prepared to pay £1000 in instalments, the first of 874 merks being paid between the date of the marriage contract and the feast of Martinmas.(53)

In an attempt to be more binding the contract was registered in the books of council and the entry is immediately subjoined by a charter by Alexander himself and his curator David Learmouth of Clatto. Alexander duly bound himself not to sell, annual let or wadset any of the lands and barony of Kellie:

"exceptand alienation in case of takin of my said grandschir Sir John Oliphant of Kellie knight or myself in Ingland or sudden slaughter ... or any other urgent necessar or honest cause ... In the which case I bind and oblige me and my ars to recinde and give over ye feu of sa much of ye forsaid lands of kellie as salbe thocht expedient".(54)

Despite these attempts a succession dispute broke out on John's death in c.1528. On 29 July 1528 an action was brought before the Lords by Alexander and his tutor against Walter, Alexander and John Oliphant who had tried to assert their claim to the barony by force: "that quhar ye said Walter and Alexander hes now laitlie after the deceis of ye said Alexanders grandschir entered in his house and place of Kellie and be force and violence withalds ye same fra him and his said tutor".(55)

Walter and Alexander were charged to relinquish the house within forty eight hours and appear before the lords to prove any claims to the estate. However, Walter, John and Alexander evidently did not comply to the Lord's decree to surrender the house, because a second recourse was made on 31 July 1528. In this summons it was claimed that a part of the tenants would not pay the mails and duties of the lands, whilst Walter, John and Alexander Oliphant withheld the 'towerhouse and fortalice of Kellie'.(56) Again the Lords decreed letters should be sent to command the deliverance of the house.

The immediate outcome of the dispute is unclear. The Alexander who married Janet Forman disappears in 1528 and his son Alexander is found trying to claim the barony.(57) However the sasine was not

recovered and the crown took direct control of Kellie - the sheriff of Fife accounted for £200 of farm from the barony of Kellie in November 1528.(58) The barony seems to have been held by the crown for eight years, the last account for £1600 farm being registered in 1537,(59) when Alexander, great grandson to John Oliphant, was granted sasine.(60)

Alexander's succession may be clarified by a later document of 1550 which indicates that in c.1527/8 a contract was made between John Oliphant of Kellie and the Earl of Rothes whereby Alexander was to wed a legitimate daughter of the Earl and his wife Margaret Crichton. However, it was alleged that Alexander was surreptitiously married, under the silence of night and aged only fourteen, at Aberdeen, to Katherine Leslie, illegitimate daughter of the earl and Elaine Forsyth.(61) It was on these grounds that Alexander was granted a divorce from Katherine and was able to marry Katherine Oliphant daughter to the third Lord Oliphant.(62)

As landholders and tenants of the king the Oliphants of Kellie were obliged to perform specific 'feudal' services and we must therefore, consider their involvement in local jurisdiction and military service.

The actual grant of the barony of Kellie as given by the king, included a 'reddendo' clause which specified that the lairds of Kellie were expected to attend 'three suits in three head courts in the sheriff court of Fife'.(63) The three head courts, as opposed to the more frequent general courts, were held at Yule, Pasch and Michaelmas and the usual location was Cupar. Evidence of the lairds of Kellie honouring this burden is found in the surviving sheriff court books of Fife from c.1515 onwards.(64) Outwith these times the lairds of Kellie were requested to attend the lesser courts, but were not obliged to attend personally - for example, in c.1520 Thomas Callander was entered as a suitor for the lands of Kellie.(65)

The lairds of Kellie are found to be personally involved in several recorded cases. William Oliphant of Kellie is named as one of the jurors on an inquest at Cupar, 19 May 1439, before Henry Wardlaw sheriff depute.(66) William was also involved in the official

perambulation which defined the marches of Wester Pitcorthy and Kilconquhar on 9 April 1449.(67) Another case in which William was involved, as an arbiter, was the dispute between James of Kynnimond and the priory of St Andrews which occurred in May 1438. Fuller details are available for his case, James claiming: "that ye [the bishop of St Andrews] wald do me law and reason in favourabil maner in thir poynts that is to say, that the pertinence that I want of the lordship of kynnimond in the first Monniacky meadow, sen as I am possessit of part of it, considering that it did you never profit; item sen Ovirmalgask is fundin a tenandry in your own court of the forenamed lordship, that I might have fre recourse therto with your compliance; item your bailery, landstewartry, marshalry I clame with thir points in fee and heritage with household for me, two gentlemen, two yeomen with ilk boys followand, my wife and two gentlewomen with her with sic household as afteris, a falcon and goshawk, a brace of greyhundis and a capill of rachys, the best chaumer the best stabill next my lords with forty pund of fee followand thir offices".(68)

Perhaps unsurprisingly, James Kynnimond's claims appear to have been rejected, but a second claim to them was made ten years later when William Oliphant of Kellie was once again called upon to act as arbiter.(69)

In addition to attendance of the sheriff court of Fife, the Oliphants of Kellie were expected to provide military service to the crown. Alexander Oliphant of Kellie was involved in the general war preparations in Fife in 1557 when the sheriff of Fife and his deputies were instructed to charge "the lairds of Kellie in Fife, Largo, Creich, Blackmont, Colluchie, Earlshall, Keepors of Raith, subprior of St Andrews and portionars of Dunmore and Glenduky to make balls [cannonballs]".(70)

It was probably also as military service that Alexander Oliphant of Kellie was required to accompany the Cardinal of St Andrews to France in July 1541 - James V taking his lands and goods under royal protection.(71)

The provision of military service, or a monetary equivalent, was passed on to feudal subtenants. However it was not always easy to enforce these obligations. In December 1527 John Oliphant of Kellie brought an action against Isabell Strang, Jill Strang and Agnes Strang daughters and heirs of Walter Strang of Pitcorthy, and their husbands for:

"the wrangeous postponing and defering to have made sum of ane servar to ye said John for Pitcorthy ... haldin be yame of him in chief liand within ye sheriffdom of fife in the two last radis and hostis assemblit be our sovereign lord and his tutors and govenors first at Salway Sands and ye second at Wark in Inglan And also to hen yame decernit to make ye said service off ane yeoman be yar spousis intime tocum in hoise and arms according to yair charter and infeftment".(72)

The lords declared that in all future hosts and armies the eldest sister and her husband should make the service of a yeoman to John Oliphant and his heirs as their chief.

Of the other types of obligation owed to the crown few details survive. There is one recorded account of a different type of military service provided by the Oliphants of Kellie - in 1513 the Treasury made a payment of £3 4s for a 'third medium culvering' (a small field gun) drawn by eight oxen belonging to the laird of Kellie.(73) Whilst in August 1553 there was a payment of thirty shillings to the laird of Kellie's fiddler - presumably for his entertainment of the royal household.(74) There is also one recorded instance of the laird of Kellie being present at parliament - in Edinburgh on 17th May 1484.(75)

Thus we can see the Oliphants of Kellie duly performing their feudal services to the crown, both in judicial responsibilities and in military service.

Having considered the Oliphants of Kellie as Fifeshire landholders we can turn to the issue of conflict with the crown, can we see the Oliphants of Kellie under the higher jurisdiction of the king?

A frequent charge which was levelled against the Oliphants of Kellie was that of debt. An early incident occurred in the 1470's when the king seized the western dominical lands of Kellie due to Walter Oliphant's outstanding debt of £700.(76) In June 1493 John Oliphant was summoned before the Lords for non-payment by the executors of the deceased Alexander Stewart of Avondale, who produced John's obligation "subscribed with his own hand".(77) Royal letters were also despatched in 1545 to the lairds of Balweary and Kellie to come and make payment of 'certain sums of money to the treasurer owing by them in his books of compt'.(78)

Disputes over annual rents were also frequent. In c.1496 John Oliphant of Kellie was pursued by Sir David Henreson chaplain, master of St Paul's hospital near Edinburgh for the:
"wrong detention and withholding from them of the sum of forty merks owed to them of Whitsunday and Martinmas bigane."(79)

John challenged the hospital's right to the annual rent in c.1500, raising an action against David Henreson to:
"produce the letters obtained by them anent the annual aucht til them of the lands and barony of Kellie to see if they be orderly proceeded".(80)

The hospital's right must have been sufficiently proven because the lords charged John to enter his person in ward for default of payment.(81)

John's default on payment was not restricted to the hospital of St Paul's. In 1484 he admitted he owed the master and puremen of the hospital of Our Lady founded by Thomas Bishop of Aberdeen, the sum of five pounds - promising to settle the debt within fifteen days.(82)

The Oliphants of Kellie also came into contact with the crown over more serious criminal offences. In March 1483 John Oliphant was accused of stealing church teinds, John Walch of St Andrews raising a case against John and his brother Thomas for:

"the spoilation and taking away of half a chalder of wheat ane chalder of bere and forty of aits of the teinds of the kirk of Kilryny pertaining to the said John [Walch] by reason of tak of the Abbot of Driburgh".(83)

There was a dispute between Alexander Oliphant of Kellie and the prioress of North Berwick in 1550 when Alexander was punished for not entering Florimont Strang in Kellie and five others to underly the law for:

"art and part in the forethought felony and oppression done to Margaret Hume prioress of North Berwick beseiging them within the mansion house of the said lands".(84)

The dispute was not, however, all one sided. In March of the same year Margaret was forced by the official of St Andrews to underly the law for:

"the waylaying and invasion of Alexander Oliphant of Kellie for his slaughter and for other crimes of oppression committed against him and Alexander Gourlay of Kinraig".(85)

The laird of Kellie was involved in another crime in c.1494/5. The exact nature is not specified but also involved were Robert Douglas of Lochleven, John Lindsay of the Dowhill and David Lindsay of the Mounth - they were all convicted of error and fined £80. A letter was sent to John Oliphant of Kellie, fining him £50 and he must have paid up as a discharge for that sum is recorded later.(86)

Perhaps the most amusing criminal case brought against a laird of Kellie was the one raised by Alexander Lord Hume, which clearly demonstrates John Oliphant's opportunistic nature. Alexander, as chamberlain and warden of the Borders, was responsible for giving passports to Englishmen travelling into Scotland on business. He had given a pass to Harry Talzefair of Berwick to:

"come to Scotland for gettin Scotsmen ransoms nevertheless the said John Oliphant of his own authority took Hary prisoner and ransomed him to 180 of anglish and resavit a part of the same and took sureties for the remanent".(87)

Unsurprisingly, the Lords decreed that John should remit the amount received and discharge the remaining sureties - Patrick Lord Lindsay of the Byres, the abbot of Cambuskenneth and the archdeacon of St Andrews standing surety for his compliance.

FOOTNOTES - CHAPTER 2

- 1) Anderson, J The Oliphants of Scotland (Edinburgh,1879) pxi
- 2) *ibid.*
- 3) RCHMSS V, 1876, Bethune Muniments p621
- 4) RMS 1, Appendix 2, 448 (72), 652 (28)
- 5) ER 2 p222
- 6) Anderson Oliphants pxxvi; RRS 6, 357, 338, 339, 340, 341, 342
- 7) ER 2 p307, pp457-8
- 8) Anderson Oliphants pxxviii
- 9) *ibid.* chapter 2 *passim*
- 10) Wood, W The East Neuk of Fife (Edinburgh, 1887) chptr 3 *passim*
- 11) SRO GD212 box 1 no. 1
- 12) *ibid.* p23
- 13) *ibid.* pp54-63
- 14) NLS ADV. MSS 82.9.1 ff5, 6, 7, 9, 12, 17, 19, 35, 36, 37; another 31.6.3 f50
- 15) 82.9.1 f17
- 16) Maitland Thomson also expressed his doubts by suggesting that Thomas Oliphant of Dron may have been mistaken. GD212 box 1 no. 1 p23
- 17) RCHMSS 3, p397; SRO GD1/34/1; GD212 box 1 no. 1 p54
- 18) RCHMSS 3, p397; SRO GD212 box 1 no. 1 p24
- 19) Anderson Oliphants pxxviii
- 20) NLS CHB1362
- 21) Anderson Oliphants 7; NLS CHB1359
- 22) RRS 6, 206
- 23) MAY 19
- 24) Anderson Oliphants 10; NLS CHB1361
- 25) RMS 2, 3590
- 26) ER 15, p672; 17, p736, 'Mureflat' is unidentified.
- 27) SRO CS5/32 f76, the barony of Kellie seems to largely correspond with the later parish of Carnbee, on this see RRS2, p309
- 28) RMS 3, 2798
- 29) NLS ADV. MSS 34.6.24 f132
- 30) *ibid.*
- 31) *ibid.*
- 32) *ibid.*
- 33) ALC 1, p312; ALC 2, p47

- 34) ALC 2, p183
 35) NLS ADV. MSS 34.6.24 f133
 36) AA p18
 37) ALC 1, p301, 'Stenhouse' is unidentified.
 38) *ibid.*
 39) AA p201
 40) Anderson Oliphants 187
 41) *ibid.*
 42) ALC 2, p63
 43) Croft Dickinson, W ed. The Sheriff Court Book of Fife 1515-1525 (SHS 3rd series, Edinburgh, 1928) p32
 44) *ibid.*
 45) AA p53
 46) ALC 2, p243, Ballinbreich or Balinbrek, see Wood East Neuk of Fife p76, in Largo?
 47) ALC 1, p206
 48) ER 9, p513
 49) Harvey, CCH and McLeod J Calendar of Writs at Yester House 1166-1625 (SRS Edinburgh, 1930) 269
 50) *ibid.* 268
 51) SRO CS5/32 f76, Lathrisk in Kettle
 52) *ibid.* f77
 53) *ibid.*
 54) *ibid.* f78
 55) SRO CS5/38 f143
 56) *ibid.* f148
 57) SRO CS5/39 f76
 58) ER 15, p672
 59) ER 17, p736
 60) *ibid.* A royal charter of confirmation is recorded on 2 Oct 1542. RMS 3, 2798
 61) Liber Officialis Sancti Andree (Abbotsford Club, Edinburgh, 1845) p107
 62) SRO CS6/27 ff76-9
 63) RMS 2, 3590
 64) Croft Dickinson Sheriff Court Book *passim*; SRO SC20/1/2, SC20/1/5, SC20/1/10 *passim*
 65) Croft Dickinson Sheriff Court Book p161
 66) RCHMSS 4, p503
 67) NLS ADV. MSS 34.6.24 p135
 68) Baxter, JH ed. Copiale Prioratus Sancti Andree: the Letter Book of James Haldenstane Prior of St Andrews 1418-43 (Oxford, 1930) p162
 69) SRO GD212 box 1 no. 1 p54, Kynnimond/Kynnimonth, Ceres parish; Monniacky meadows unidentified; Ovirmalgask, Over Magask, see RRS2, p394

- 70) ALHT 10, p336; Largo, east Fife; Creich, Tayside; Blackmount unidentified; Colleuchie, Colluthie, Moonzie; Earshall, Leuchars; Raith, Kirkcaldy; Dunmure/Denmuir, Dunbog; Glenduky, Flisk, Tayside.
- 71) RSS 2, 4117
- 72) SRO CS5/38 f49, on this see DH Caldwell Scottish Weapons and Fortifications (Edinburgh, 1981) p98
- 73) ALHT 4, p518
- 74) ALHT 10, p195
- 75) APS 2, p167
- 76) RMS 2, 1375
- 77) AA 182
- 78) ALHT 8, p360, Balwearie, Kinghorn.
- 79) ALC 2, p24
- 80) *ibid.* p431
- 81) *ibid.*
- 82) ALC 1, p107*
- 83) ALC 2, pcxv, 'bere', a four rowed variety of barley, on this see Ian Whyte, Agriculture and Society in Seventeenth century Scotland (Edinburgh, 1979) p62, 'Kilryny', Kilrenny, east of Kellie.
- 84) Pitcairns Criminal Trials in Scotland (Bannatyne Club, Edinburgh, 1833) v1 p347
- 85) *ibid.*
- 86) ALHT 1, p210
- 87) ALC CIVIC, p33

CHAPTER THREE - RETURN OF THE LORDS

The aim of this chapter is to examine the second period of Oliphant tenure from c.1560 to c.1613, when Kellie returned to the senior branch of the family, the Lords Oliphant. How did the Lords regain possession of the barony, how legal was their takeover and what tenurial problems did they face? In direct contrast to the junior line of the lairds of Kellie, the Lords Oliphant were men of large estate and status - what was their involvement in the political turmoil of the period? The takeover by the Lords Oliphant also marked a shift in the status of Kellie - from being the seat of a Fifeshire family, to one of numerous possessions of the Lords Oliphant. We must therefore assess the importance of Kellie to the Lords - how often were they there and what provisions were made for the barony's management? Finally we must consider the background to the barony's sale in 1613 - how and why did it come about?

In 1560 the barony of Kellie passed from the junior Oliphant branch, which had held it for over 150 years, back to the senior line, then represented by Lawrence third Lord Oliphant. From the surviving evidence it becomes apparent that this reversion was hotly disputed - how then did it come about and how legal was the lords takeover?

The last of the Oliphants of Kellie was Sir Alexander who held the barony from c.1537. Alexander died in c.1559/60 and on his death a succession dispute broke out between his heirs and Lawrence Lord Oliphant. An early reference to the dispute is found in an obligation dated 15 February 1560. Peter Oliphant styled as "air of tailze to ye lands of Kellie", bound himself and his marriage to John Lord Borthwick in return for his support in Peter's 'play' against the Lord Oliphant.(1)

It would seem that Peter had actually been served heir to Alexander within the sheriff court of Fife on the 31 October 1560, where he is named as Alexander Oliphant's nephew.(2) Despite this service it would appear that the Lord Oliphant had managed to get possession

of the barony whilst the claim was being disputed - both the lord and master of Oliphant being recorded at Kellie in June 1561.(3)

Peter Oliphant's claim to Kellie was not the only one. Alexander left three daughters, Margaret, Janet and Jane who all attempted to claim their heritage. Alexander's first wife, Katherine Leslie, also felt a legitimate right to a part of the estate as she brought a case before the Lords in May 1562.(4)

Despite a decree of divorce (5) and her remarriage to Peter Inglis, Katherine Leslie was styled as widow of Sir Alexander "her lawful spouse". The case was brought not only against Lawrence Lord Oliphant "allegand him to be heretable fear of the land and barony of Kellie" but also against:

"Katherine Oliphant his dochter allegit relict of ye said umq Sir Alexander, Margaret Oliphant and Jane Oliphant his dochters gottin betwix her and ye said umq Alexander ...Peter Oliphant allegand him to be air male and of tailze of ye lands and barony and all other havand or pretending to have interest in the said lands".(6)

Katherine hoped to have her bill of divorce reduced and claim a tenth of Alexander's lands and three parts of his movable goods, or at least to pursue her right to the tocher goods given by her father the Earl of Rothes. It would seem that the Lords did reduce the bill of divorce five years later, but whether Katherine was successful in her claim to Kellie is uncertain as no further reference is made to her in the later actions.(7)

Lawrence Lord Oliphant's pursuit against the other claimants first appears in the records for January 1562, when Margaret, Janet and Jane Oliphant, daughters and heirs apparent of line to Alexander, Katherine Oliphant their tutor testamentar and Peter Oliphant "pretendit air appearand of mail or tailze", were charged to appear before the Lords to show their precepts of sasine.(8)

The dispute dragged on into the following year when the Lord Oliphant again brought the case before the Lords. At this time Lawrence claimed that Kellie was his in heritage, held in line from Alexander by reason of an infeftment made to him.

However, Lawrence charged the Lords to decide which of the heirs had most right to the barony and all the parties had forty days to produce any relevant charters before them.

Having considered the evidence the Lords decreed that Lawrence had:

"line and is to line ye superiority of ye forsaid lands and barony of Kellie, milns, multures, orchards, woods, fishings, tours, fortalices, with yer peritinentis ... and yairfore decree and ordains ye said Lawrence Lord Oliphant to enter bruik and hald ye precept yerof our said sovereign lady immediate superior of the samn".(9)

Lawrence's precept of sasine of Kellie was granted on 26 April 1563.(10)

On what basis did the Lords make their decision? If we return to the royal charter confirming the barony to Sir Alexander Oliphant of Kellie made by James V in October 1542 we discover that the barony was to be held by him and his male heirs, which being deficient those of his grandfather John, or if those were deficient, Bernard Oliphant son of Peter Oliphant and his heirs. If the latter were also defunct then it was to be transferred to the nearest heirs of Alexander bearing the arms and name of Oliphant.(11) Thus the Lord Oliphant's takeover of the barony would seem to be contrary to the original line of inheritance as stipulated in 1542.

In effect the Lord Oliphant seems to have come into possession of Kellie through marriage. Alexander married twice - in the first instance, Katherine Leslie, daughter of the Earl of Rothes. However a bill of divorce was granted by the official of St Andrews on 25 September 1550. The reasons given were that, contrary to the original agreement made in 1527 between the Earl and Alexander's grandfather John, Alexander was married to an illegitimate daughter of the earl at Aberdeen under the silence of night and when he was still in his minority.(12) Perhaps a better explanation for the divorce, may be Alexander's desire to marry Katherine Oliphant, daughter of the third Lord Oliphant, the contract being dated 8 July 1551 - it is this contract which embodies the strength of the Lords claim to Kellie.(13) In the contract Sir Alexander Oliphant:

"being of gud mynd and will yat ye heritage of Kellie and quatsumever lands pertaining to him or yat may pertain remane with ye surname of Oliphant and desyrous to make provision to yat effect And als for diverse pleasures, gratitudes and sums of money bound and payit to him by ye said Lawrence Lord Oliphant faithfully binds and obliges him his heirs and assignees.. to infest ye said lord his airs and assignees..in all and haill his lands and barony of Kellie... with tenants, tenandries, service of fee tenants, touris, fortalices, maner places, houses, orchards, doocattis, meadows, woods, fishings mills, multures, collis, collheuchis wyn and to be wyn and all and sindry ye pertinents be double sufficient infestments charter and precepts of sasine containing all clauses necessar..".(14)

Alexander constituted Lawrence and his heirs as his assignees to a group of land grants within the barony but retained his right to Kellie during his lifetime. In return the Lord Oliphant promised to redeem the barony to the male heirs of Alexander and his wife when they reached the age of fourteen and had been lawfully returned heir to their father. However, in the event of Sir Alexander leaving only daughters the Lord Oliphant would pay their tochers but was entitled to retain the barony.(15)

Only after specifying the clauses for the future transfer of Kellie was the question of marriage between Alexander and Katherine Oliphant considered. Once again Kellie was involved. Alexander promised to give Katherine, before their marriage a liferent from the two part of the mains of Kellie with its 'lands, tenants, tower, fortalice, manor place, houses and doucattis'.(16)

In return for the marriage, Lawrence Lord Oliphant promised to pay to Alexander the sum of 2100 merks as Katherine's tocher. However, Alexander was not free to use the money at his own discretion - it was to be used specifically for the redemption and reversion of the land grants named in the contract. Other clauses also protected the Lord Oliphant's interest. If Katherine died without leaving children and Alexander remarried producing male heirs, he was to refund to the Lord 1000 merks. Moreover Alexander was forbidden to divorce Katherine:

"[if] ye said Sir Alexander sall cause himself to be separate by sentence defunctive fra ye said Katherine and sall purchase and bring hame dispensations ane or ma ... fra Rome or nearer yat yair may be had for sic impediments ... [he] sall newlie solempnalize ye said band of marriage with hir in face of halikirk".(17)

This marriage contract would, therefore, suggest that the Lord Oliphant's takeover of Kellie was indeed legitimate. However, a final clause in the contract may throw doubt on the situation:

"And gif it beis as god forbid yat ye said Sir Alexander or Lord has maid any bond, obligation or contract in times bigane or happins to make in times cumming wherethrow yis present contract may not pass to effect in all points and conditions contained yer in till In that caise ye party failzand therein till or any part yer of sall pay to ye party keepand his part of ye present contract ye sum of 4000 merks usual money".(18)

Thus if Alexander had constituted Peter Oliphant his heir of tailze (and not revoked it at some point) he must have been in breach of his contract with the Lord Oliphant. As there was no clause to specify what was to be done if such another agreement was discovered after Alexander's death, then we may suggest that both parties had a claim to Kellie. As Alexander left no direct male heir, only a nephew, the Lords felt that the Lord Oliphant's claim was sufficient for him to succeed to the barony.

Having obtained a decree from the Lords and a royal charter of sasine the Lord Oliphant must have been expecting a resolution of the dispute over Kellie. However, it is evident that the lord's tenure was still problematical.

The weight of Peter's claim to the barony was enough for him to retain rights to the mill and mill lands of Kellie, which he had probably received from Alexander during his lifetime. In 1586, Peter Oliphant of Kelliemills styled himself as 'lord superior' of Easter Pitcorthy and confirmed a charter by Alexander Grundeston a portioner of the same.(19) More importantly, a contract was made between Peter Oliphant and Lawrence fifth Lord Oliphant as late as

1606, where Peter is again styled "nearest and lawful heir male and of tailze of umq. Sir Alexander Oliphant of Kellie".(20) Under this contract it was stated that Peter and his son John confirmed all of Alexander's past sasines and infeftments, and although not specified, the 1551 marriage contract is evidently implied. The key issue was control of the barony of Kellie:

"And speciallie of ye toure, fortalice and maner place of Kellie, housis, dowcattis, orchards, yards and grenis yerof of ye mains of Kellie and pendicles yerof viz. Parkshoill, Eweshoill, ye town and lands of Overkellie, Kelliside, Greenside, Kellielaw, Baldutho, Belliston, Arncroich and the town and lands of Kelliemills, mill and mill land yerof, land and town of Pitkery and other parts".(21)

Peter's right to the two parts of the mill and mill lands of Kellie and twenty eight acres in Overkellie was approved by the Lord Oliphant who agreed to pay him six thousand merks for endorsing his claim to Kellie.(22)

This 1606 contract may be seen as a compromise. Prior to the agreement, Lawrence's grandfather, the fourth Lord Oliphant, had tried to forcibly remove Peter. A deed is registered in 1573 when Bernard Oliphant of Kilmarone became surety for Peter Oliphant of Kelliemills:

"who is warnit at ye instance of Lawrence Lord Oliphant to flitt and remove himself his tenants, servands family and gudes fra ye lands of Kelliemills and mill of the same before the feast of Whitsunday".(23)

The lord's early tenure was complicated further by the gift of nonentry granted out by the crown. In the first instance the gift of nonentry was awarded to Peter Oliphant as 'nearest and lawful heir of tailze' to Alexander. Yet within six weeks, and presumably because of the dispute between Peter and the Lord Oliphant, the gift of nonentry was granted to William Oliphant and his heirs.(24) The gift of nonentry entitled William to the farms, profit and duties from the barony which he claimed were being withheld. A case was brought by him before the Lords in February 1562 against the Lord and Master of Oliphant, Walter Geddes, Janet Forman, Andrew Wood

of Largo, Margaret and Janet Oliphant daughters of Alexander, and Katherine Oliphant his widow. Lawrence Lord Oliphant must have owed money to William Oliphant for in the same year he pursued master James Wemes for a debt owed from the parish church of Crail:

"It is of veritie that the haill males fermes and dewties of ye said lands [of Kellie] may not instantly pertain to ye said William Oliphant be virtue of his present gift of nonentries of the said Because there is 11 merks annual awand furth of the said lands pertaining to ane chaplain of ane altar within ye parish kirk of Crail Whereof the said master James Wemes of Lathoker is patron who has ye fundation yerof in his hands....the said master James Wemes will on na wise produce ye same before the said Lords to yat effect".(25)

The Lords assigned the tenth of July for the Lord Oliphant to prove that James had 'or has fraudlie put away ye said fundation' and charged him to produce witnesses to testify.(26)

The dispute continued into 1568 when Lawrence Lord Oliphant was put to the horn at the instance of William Oliphant for the nonpayment of £400 and in the following year the master of Oliphant was granted the gift of his father's escheated goods.(27)

As would be expected the Lords decree in favour of the Lord Oliphant created discontent within the barony and disputes arose, most noticeably between Janet Forman and the master of Oliphant. Janet Forman, as "lady Kellie", pursued the master of Oliphant before the Lords because, despite a decree of the sheriff of Fife, he had not paid her £40 for peat which had been taken away and withheld by him, nor her allocated expenses of £10 6s.(28)

A further conflict occurred before the sheriff of Fife between the same parties over lime. Janet claimed that in June 1561 the master of Oliphant had stolen from her lands and lime kiln of Baldutho, 20 chalders of lime valued at 20s a chalder.(29) The total damage was estimated to amount to 200 merks. In his defence, the master of Oliphant claimed that he had arranged to buy the lime from Janet's servant, John Oliphant, and had paid him five shillings as part

payment. Taking this into consideration, the sheriff court decided that Oliphant should pay the outstanding amount and £8 10 s of expenses.(30) Despite this ruling, the master of Oliphant refused to settle his debts and Andrew Wood of Largo, Janet's widower, was forced to appear before the sheriff court of Fife for the same amounts in April 1576.(31)

In 1560 the barony of Kellie passed to the Lords Oliphant and this event marks a change not only in ownership but also in the management of the estate. Kellie was no longer the principle residence of a local Fifeshire laird, but a part of the large landholdings of the Oliphant lords. In order to assess the impact that this change had upon the development of the barony, we must first consider the lives of the Lords Oliphant - what role did they play in the turbulent politics of the reigns of Mary and James VI?

Lawrence third Lord Oliphant was elderly on his acquisition of Kellie and only lived to officially hold the barony for three years (1563-66). In 1542 he was captured at Solway and sent to the Tower of London. At that time Bishop Turnstall assessed his lands as worth 500 sterling merks with his goods an extra 627 and in 1543 his ransom was fixed accordingly at 800 merks. (32)

Lawrence fourth lord Oliphant succeeded his father in 1566 and was a staunch supporter of Mary. Even before his succession he was one of the lords extraordinary who took proceedings against the Earl of Moray for his attempt to break off the match between the queen and Darnley.(33) Two years later he was one of the assizers to acquit Bothwell of Darnley's murder and the following week signed a bond to Bothwell declaring him fit to be the queen's husband.(34) In May 1567 he was appointed a member of Mary's Privy Council and after her escape from Lochleven Oliphant was one of twenty seven lords who entered into a bond to support her and abjure feuds.(35) The queen's supporters, including the Lord Oliphant, despatched a missive to France requesting support (36) and later in the same month wrote to Elizabeth I herself.(37)

By January 1569 Oliphant was one of sixteen nobles together with Huntly, Chatelherault and Argyll, appointed by Mary as special advisers due to the critical circumstances of the kingdom. Moray's support from England forced Argyll to acknowledge James VI as king and Oliphant is also found with the infant king and the regent at Inverness.(38) With Moray's murder in early 1570 the queen's party gained extra momentum and after meeting at Linlithgow on 9 April they, with the French ambassador and the banished Earl of Westmorland, advanced on Edinburgh. However on Sussex's invasion Oliphant finally submitted and he was described as being "obedient" on 18 September 1570.(39)

The struggle for control of the young king continued and the Oliphants are found to be heavily involved as supporters of Morton and in 1575 a kinswoman of Morton, Christian Douglas daughter to the lord of Lochleven, was given in marriage to the master of Oliphant.(40) Oliphant was present in the parliament at Stirling in 1578 when James VI accepted government in person. However Morton, with support of the Earl of Argyll and Douglas of Lochleven, regained possession of the king and Oliphant is also found at their parliament in Stirling on 12 June.(41) A month later the Lords Ruthven, Oliphant and Drummond were responsible for holding up the royal robe.(42)

The Oliphants had adopted the new, stern protestantism and it was the protestant lords who engineered the so called 'Raid of Ruthven', on 23 August 1582. The Earls of Gowrie and Mar, the Masters of Glamis, Oliphant and the laird of Lochleven amongst others, seized the king and conveyed him to Ruthven castle. Arran, arriving on the scene too late, was likewise captured and imprisoned in the Oliphant castle of Dupplin.(43) The Ruthven Raiders maintained ascendancy until June 1583 when the king entered himself in St Andrews castle where he was joined by Huntly, Argyll, and Marischall. Arran returned to power and the raiders were banished. In a second attempt to overthrow Arran, Stirling was taken and the masters of Morton and Oliphant were responsible for seizing four loads of arms enroute to reinforce the king's garrison.(44) The plot failed, Arran

seized Gowrie and the king advanced against Stirling in person. The master of Oliphant was one of those listed as having fled the country.

It is at this time and as traitors in flight from the king that the masters of Oliphant and Lochleven disappear altogether. It is evident that the general consensus in Scotland in the years immediately following the banishment of the raiders was that the masters of Oliphant and Lochleven had died or been killed. In November 1586 James VI confirmed a charter by Alexander Lord Home concerning his marriage to Christian Douglas 'widow' of Lawrence master of Oliphant.(45) Similarly in January of the same year the king confirmed a charter to William Douglas of Lochleven as son and heir to Robert master of Lochleven.(46) Towards the end of the century a rumour circulated that Lochleven and Oliphant were being held as slaves in Algiers and Robert Oliphant petitioned Elizabeth I to support a search for them, none was forthcoming and no search was ever made.(47)

The Oliphant's deep involvement in political affairs is also manifested in their feuds with the Lord Ruthven and Earl of Caithness.

The feud with Ruthven started in c.1571. In September of that year, Peter Oliphant of Turings, John Oliphant, Lawrence Oliphant of Williamstoun and eight others, servants to the Lord Oliphant, were involved in an incident that caused the slaughter of James Rose of Maitlands. Letters were raised by the Lord Oliphant against the Roses for the convocation of the king's leiges, to the number of 200 men, who came to his lands of Dupplin and Aberdalgie and took John Mule, Thomas Miller and others as captives to Perth. On the same day the Roses had beseiged Dupplin castle 'purposlie to have slain' the Lord Oliphant, and broken into the house and fortalice of Malare.(48) The parties were not reconciled until 1576 when the Oliphants were finally granted a remission.(49)

A second feud broke out between the Oliphants and Ruthven in 1580. Ruthven, returning home from Kincardine, passed near Dupplin and was chased and shot at by the master of Oliphant resulting in the death of Alexander Stewart of Schuttingleis.(50) A very personal

account of the attack in provided in the Lord Oliphant's letter to Lord Abercainey in December 1580, when he requested him to stand as surety.

"I dout not but ye understand of ye late turble falling furth between ye lord Ruthven and my son upon ye first of November last past at ye quilk tyme ye said lord Ruthven attempted with three score ten horsemen in armour came by ye hieway to my place of Dupplin And yat knawand me and my son to have been within ye said place content destitute of ye maist part of all our servands maid provocation of ye said place and was upon sett purpose to have reft my sone of his life knawand him to be ane young man quhe wald not abide sic provocation ... he with great hazard issue furth of ye said place with sic servands as was yerin for ye time Of ye quilk number of servands ane was slane of ye said lord Ruthven and his company".(51)

When the case was brought to court the council forbade either party from coming to Edinburgh with a retinue of armed followers, allowing them to appear only with twenty four people in 'quiet and peaceable manner without armour'.(52) In the meantime William Douglas of Lochleven and David Barclay of Collernie became surety for the Lord Oliphant that he would enter himself in ward within the castle of Down in Menteith. The assize declared the Oliphants were to be acquitted of the murder of Alexander Stewart, even though, according to the evidence, he was shot with a poisoned bullet.(53)

The dispute with the Earls of Caithness originated in the early sixteenth century when Andrew Oliphant sold the estates of Auldwick and Berridale to the Lord Oliphant.(54) In 1549 the third Lord Oliphant was granted the ward and nonentry of extensive lands in Caithness, including Berridale, Auldwick, Subuster, Wick and the water of Thurso.(55) These were appraised to the Lord Oliphant three years later, making him one of the larger landholders in Caithness.(56)

The first evidence of dispute came in 1556 when remission was granted to George Earl of Caithness for various crimes including the violent seizure of salmon fishings on the Thurso belonging to the

master of Oliphant, for the last three years, amounting to 'three lasts yearly at £100 per last'.(57)

By December 1565 the Oliphant clan, including William Sutherland in Berridale and Angus Sutherland in Myllerie were commissioning the Privy Council to be exempted from Caithness' jurisdiction as heritable justiciar in the province.(58) In the following January they complained that they were most 'extremely handled' by the earl who intended, under the guise of justice, to destroy them.(59)

In April 1566 Caithness made a complaint in retaliation against the Sutherlands - that in August 1565 they had slain seven people and burnt the house of Andrew Bayne in Easter Alicht. When summoned the Sutherlands had failed to appear before the earl and retired into the 'house, place and fortalice' of Berridale belonging to the Lord Oliphant. There ensued a struggle over the castle where Caithness took it by force only to be ousted by the Sutherlands and the laird of Duffus on 23 December. The Lords of Council decreed the Sutherlands were to deliver the house to the lord Oliphant who was likewise charged to go north, or send some servants, to receive it.(60)

The master of Caithness also became involved in a local dispute in July 1569 when Andrew Keith and William and John Sutherland planned to attack master Tomas Keir of Wick. Hearing of the plan, the Lord Oliphant had sent some servants to warn Thomas, and on their way home Andrew, with seven bowmen 'in battle array' had shot at the Lord Oliphant's servants. John Sutherland was killed and several others injured.(61) In the midst of this dispute John master of Caithness, with a large number of armed men, besieged Oliphant's castle of Auldwick for eight days until eventually 'in default of victuals especially water they were constrained for safety of their lives to becum in his will'.(62) Oliphant successfully persuaded the Lords of Council to take the case out of Caithness' jurisdiction and the accused were tried before the justice general.(63)

The dispute between the Oliphants and the Earl of Caithness eventually caused the Lords of Council to remove the latter's justiciary in April 1582.(64) However, the feud continued and

deprived of a legal covering Caithness and his supporters resorted to direct action. The Lord Oliphant brought a case before the Lords in 1587 against David Sinclair, natural brother of George Earl of Caithness who in July 1583, at the instigation of the earl, forcibly ejected William Oliphant of Newton and his servants from Thrumbuster and stole their corns and goods.(65) Moreover since then the earl had ejected the Lord Oliphant's tenants and entered a 'great number of broken men and sorners' who would not recognise Oliphant as their lord, nor leave the lands. Archibald Hepburn, master householder to the earl and the master of Caithness with 60 men all 'bodin in feir of war' had also attacked the tower and fortalice of Tusbuster and ejected the Lord Oliphant's servants and stole his corn, horses, sheep and other goods.(66)

Through this oppression the Lord Oliphant's wife, lady Margaret Hay, who was then staying in Caithness, :

"can na ways remain in the said county partly in respect that she and her servants dare not openly repair in the county for fear of oppression and partly because the whole mains, goods and gear pertaining to the said Lord Oliphant within the said bounds are wrongly withaldin and spoilt".(67)

Problems between the two parties continued and the irredemable disputes were ultimately resolved in the early seventeenth century when the fifth Lord Oliphant sold all of his Caithness estates to the earl for the sum of 88,000 merks.(68)

Thus it becomes evident both through involvement with the crown, initially as strong supporters of Mary, and through feuds with major political figures such as Ruthven and Caithness, that (unlike their relatives the lairds of Kellie) the Lords Oliphant were deeply embroiled in the politics and power struggles of the time.

Having considered the Lord Oliphant's political career we must consider the specific role of Kellie within this larger context. How often were the lords actually at the barony and what provisions were made for its management?

In a comparison of over sixty documents dated between 1560 and 1613 we find 19 signed at both Dupplin and Kellie and this must therefore indicate that Kellie was a direct rival to the ancient Oliphant seat.(69) The distribution of dates does not directly show any change in favoured residence under the fourth or fifth Lords Oliphant. Ten belonging to the fifth lord are found at both Kellie and Dupplin and likewise nine each of the fourth lord's are found at both sites. One reason for Kellie's popularity, compared to the other Oliphant possessions such as Auldwick, may have been its proximity to Edinburgh - being only a short trip by boat at the Queens Ferry, or perhaps direct from Pittenweem or St Monans to Leith. Of the remaining documents five were signed at Perth and we may suggest that on these occasions the Lord Oliphant was resident at Dupplin. A further fifteen documents were signed at Edinburgh and it may be that on these occasions the Lord Oliphant had travelled into the capital from Kellie to conduct business. Ten out of these fifteen were signed in the seventeenth century and, we may therefore be able to suggest that, under the fifth Lord Oliphant, Kellie became the more favoured of the two castles.

The documents signed at Kellie were not constrained to Fifeshire business, but dealt with general transactions of the entire Lord Oliphant's estates. For example a contract dated 1608 promised to grant the middle mains of Aberdalgie to William Sandilands of St Monans for 600 merks.(70) At Kellie in April 1612 Oliphant promised an annual rent of 200 merks from Wester Cluthie and Muirhead in Perth to Peter Murray and his wife, whilst in April 1585 the marriage contract of Elizabeth Oliphant, daughter to the lord, was drawn up at Kellie.(71)

The first evidence of the Lord Oliphant's management of Kellie occurs in December 1574 when James Sandilands of St Monans renounced fifteen acres of land in Overkellie - presumably on the payment of a reversion sum by the Lord Oliphant.(72) In July of the following year a contract for an annual rent out of the barony was made between the fourth lord and master John Moscrop, who was to have 60 merks of annual uplifted in two equal instalments at Whitsunday and Martinmas, of all the lands of the mains of Kellie.(73) The

annual rent was set under the reversion sum of 500 merks to be paid within St Giles, Edinburgh, on forty days warning. The Lord Oliphant was also to protect Moscrop from all wards, reliefs, nonentries, taks, conjunct fees, liferents, sasines and other hazards. The annual rent was reverted, for the specified sum four years later.(74) Similarly in 1592 the Lord Oliphant, for 2000 merks, entered Alexander Crysteson, burges of Dysart and Margaret Archibald his wife into an annual rent of 200 merks from Belliston.(75) A quittance of the third part of the lands of Baldutho was also made by John Lindsay of Dowhill in May 1607.(76)

Having such large and disparate landholdings it was necessary for the Lord Oliphant to appoint an official to collect dues in his name. In September 1585 Henry Adamson, burges of Perth was constituted the Lord Oliphant's high chamberlain and uptaker of all the teinds and teind sheaves of his lands and baronies within Mearns, Fife, Angus, Strathern and Lothian and Kellie was, therefore, included in his remit.(77) When the Lord Oliphant left to travel abroad in 1598, he left Mr John Lindsay as his chamberlain in all areas except Caithness.(78) In April 1605 Lawrence son of Lawrence Oliphant of Newton was discharged from the office of chamberlain of the Lord Oliphant's livings in Strathern, Kellie and Newtyle and also of the teinds of Galraw and Dumbarney for the year 1603.(79)

Thus we can see the Lords Oliphant managing the barony by 'wadsetting' parts of Kellie to tenants and appointing chamberlains to collect dues in his absence. Another area in which Kellie played a prominent role was in the Lord Oliphant's marriage contracts. Perhaps originating from the original contract between Katherine and Sir Alexander of Kellie, parts of the barony appear to have been used as dower lands and this may account for Margaret Hay's initials, not the Lord Oliphant's, being present on the eastern tower.

As has been seen, in 1575 a marriage contract was made between Lawrence fourth Lord Oliphant and William Douglas of Lochleven, whereby the master of Oliphant was to wed Christian Douglas. Before the marriage the Lord Oliphant was to grant his son the baronies of Kellie, Berridale and others in Caithness. The Lord

Oliphant also had to enter Christian in liferent into various estates paying yearly twenty eight chalders of victual, these included Galraw giving 14 chalders of wheat, 'bere' and meal; the third part of Over Turingis giving 7 chalders of meal and 'bere'; an annual rent of three chalders of meal and 'bere' to be taken up yearly from Baldutho and Belliston in the barony of Kellie.(80) The transaction was not, however, that straightforward. A letter to William Douglas notes that the land promised to Christian was not free because the Lord Oliphant's sister held Pitkiery, whilst Baldutho was held by Andrew Geddes of St Andrews.(81) The Lord Oliphant had been unable to fulfill the contract as late as 1579 and her father William Douglas had clearly written to him to complain.(82)

Kellie also features in the marriage contract of Lawrence fifth Lord Oliphant and Lilas Drummond, daughter to James first Lord Maddertie, made in October 1603.(83) Lawrence was to enter his future spouse into lands and annual rents extending to forty chalders of victual:

"to wit in all and haill his lands commonly called ye mains of Kelly with the tour, fortalice, maner place, houses, orchards, yards and doocattis thereof extending in yearlie rent to twenty one chalders victual".(84)

Lilas was to be given the town and lands of Baldutho and Belliston, rendering 15 chalders; Arncroach giving 18 bolls victual; all the acres of Kellymill with a third part of the mill and the mill lands; and eleven bolls of victual, half meal and half 'bere', from the lands of Overkelly.(85) The contract recognised that Christian Douglas, the Lord Oliphant's mother, claimed certain rights to the same lands during her lifetime and therefore Lawrence had to grant Lilas Perthshire estates in the meantime.(86) In return for the marriage James Lord Maddertie was to renounce two annual rents, one of 900 merks from the lands of Abirdalgy and Dalquharquhy, and another from the same lands extending to 30 bolls of market quality wheat - both had originally been set by the fourth Lord Oliphant in 1592 under the reversion sum of 10,000 merks.(87) James also obliged himself to pay 24,000 merks which was to be used for the redemption of lands under annual rent - the lands to be redeemed

were to be chosen by himself, Peter Oliphant of Turingis, Alexander Bruce of Cultmalindie, George Oliphant of Bachilton, William Oliphant of Newton and Lawrence Oliphant of Forgundenny. By a special clause it was agreed that if the marriage brought only a female heir, the Lord Oliphant or his nearest male heir, would award 30,000 merks as her tocher, or if there were two daughters, 50,000 merks equally divided between them. The male heir was to keep them in 'meet clothing, living and virtue' according to their estate.(88)

Perhaps the most interesting document concerning the Lords Oliphant management of Kellie, and one only recently discovered, is a contract dated 26 June 1607. At that time Oliphant, with support of his wife, disposed to William Ethelene of Pittardo, William Carmichael burgess of Dysart, Harry Balfour of Drumtennet, Harry Drummond of Kingsfield and William Balfour burgess of Edinburgh, the entire coal and coal heughs throughout the barony of Kellie.(89) The prospectors were granted three acres of land on the west side of the coal heugh for building houses for the colliers, workers and servants.(90) They were specifically allowed to "win coills, break eird, cast coll potts, laverins water polls, suicks, bering eyes, stairs, airs" and had free issue and entry throughtout the entire barony. The miners were allowed to use and sell the coal at their discretion and had freedom to erect horse and cart gates where they were thought necessary. In addition permission was granted to quarry stone, 'failze' and 'dovate' for the use of the coalmine at the nearest site, while half an acre was allowed to lie unlaboured around the bearing eye where the owners might build stalls for keeping the coal horses.(91) Freedom was granted to traverse and wayfare throughout the whole barony either in 'muckland' or fieldland. If the land had been sewn and crops were growing, the colliers were to pay the lord and his tenants the damage and cost of the corn as perceived by any four honest men of the parish of Carnbee.

Allowances were made for the welfare of the workers - Mr William Ethelene and his colleagues being allowed to brew and sell ale, to build houses, lodges and horse mills, and to punish and correct their workmen as necessary. A reservation clause protected the

"place, houses, biggings, yards, orchards, of Kellie, byres, barnis, and barnyards thereof grenis and others within the stane dykes thereof ...Togidder with all meadows and woods of the said lands and barony of Kellie within the which particular designed bounds forsaid...the same requirit bounds sall remane with consent of baith the parties forsaid haill and unbroken up and na coills to be won thair in".(92)

In return for the right to mine coal in the barony the colliers were to pay £800 yearly in two instalments, at Whitsunday and Martinmas. The Lord Oliphant was to receive twenty loads of coal a week, to have liberty upon the lands and to burn as many coals as necessary to provide 60 chalders of lime. Furthermore, if the coal miners acquired a salt pan using the coal of Kellie or Balcaskie, the lord was to receive 20 bolls of salt yearly, of the measure of Pittenweem, whilst any tenants that they set were to grind their corn at Kellie mill, paying the same duty as the lord's other tenants.(93)

The coalminers were allowed to revoke the contract if they did not find sufficient coals before Whitsunday 1607, or if in future they found the contract prejudicial or unprofitable, they could give ten days notice to quit before Whitsunday or Martinmas in any year. A fine of £40 was to be made for late payment of the duty and if two years duty remained outstanding the lord Oliphant could revoke the contract.(94)

Thus in addition to using Kellie as a residence, the Lords Oliphant also used the barony as dower land and as the focus for a potentially lucrative coal mining contract.

Unlike his grandfather and father, the fifth Lord Oliphant did not enjoy any political career on account of his catholicism. The fifth Lord Oliphant is generally seen as the ruin of the Oliphant house and has been given a very bad press. Evidence can be found to support this view and money problems evidently did exist. Obligations to repay borrowed amounts litter the Register of Deeds throughout this period. For example in March 1609 Oliphant borrowed 1000 merks from William Sandilands of St Monans; another 1000 from James Oliphant son of Peter Oliphant of Turingis in 1605; 2700 merks from

'my loving friend' Peter Oliphant of Kersback on behalf of his daughter Margaret in 1607; and 2873 merks from William Lyne of Drumkilbo in 1611.(95) However, it is possible that the situation was not all his own doing. One possibility may be the mismanagement or fraudulence of his curators during his minority, although this is difficult to prove. It is noteworthy that the marriage contract with Lilas Drummond specifies that the tocher amounts had to be used for redemption of annual rents. Whilst, as has been seen, Christian Douglas, was unable to be entered into her allocated annual rents in Kellie because they were already taken.(96) Thus it may have been the amount of annual rents set for one off sums of money, and under large reversion amounts, which reduced the lands profitability and enhanced the lord's impoverishment. Unfortunately most of the obligations to refund borrowed money do not suggest the cause for the loan. One exception being an obligation made on 2 December 1613, where Lawrence borrowed the sum of 1100 merks from John Arnott, clerk of St Andrews, for the settlement of a debt with John's brother, James, a goldsmith.(97)

It is against this background of debt that we must place the contract of sale for Kellie made in 1613.(98) The contract, made at the Strand, Perth and Innerpeffrey on 23 March and 13 April, was made with consent of both Lilas, her father Lord Maddertie and her brother John. The sale incorporated the whole barony with mills, multures, coll heughs, woods, fishings, tours, fortalices, and other pertinents. Oliphant was required to make a sufficient charter of sasine, without any redemption or reversion, so that the barony became the heritable property of Thomas Erskine, Lord Fenton. However, there were exclusions - Easter Pitcorthie belonged to Sir David Lindsay of Balcarres and two parts of the land of Greenside belonged to John Arnott - the goldsmith's brother! Further reservations included two parts of Kelliemills and its connected 3 acres, 5 and a half acres in the town of Kelliemills and 28 acres in Overkellie, as possessed by Peter Oliphant. Twelve acres in Overkellie were excluded - 6 each belonging to James and John Oliphant, whilst a further six acres in Arncroach belonged to William Oliphant. A further exception was an annual rent of 200 merks granted by the fourth Lord Oliphant to David Chrysteson of Dysart,

from Belliston and under the reversion sum of 2000 merks.(99) Also excluded were a series of grants made by the Lord Oliphant to William Turnbull of Airdrie made between 1609-1611. The lands of Pitkiery were held under a reversion of 8500 merks; Belliston, Baldutho, the west half of the mains of Kellie and the acres of Kellie mill, under reversion of 28,000 merks; and the town and lands of Overkellie and Arncroach under reversion of 6500 merks.(100)

Thus the contract of sale clearly shows the extent to which pieces of the barony of Kellie had been alienated to different members of the Oliphant family. We may therefore suggest that it was these alienations, along with the large number of annual rents set under high reversion amounts, which seriously contributed to the fifth Lord Oliphant's debt and may even have necessitated the barony's sale.

The price for the barony was set at 116,000 merks. However, 43,000 merks were to be used for the redemption of William Turnbull's annual rents and the remaining sum was to be similarly deployed. The sum of 7300 merks was awarded as 'liquidat expenses'.(101) 73,000 Merks were to be paid in one amount before Whitsunday, at the receipt of which the Lord Oliphant promised to render: "the haill fortalice and maner place of Kellie with the haill office houses, yards, orchards and doocattis of ye same Togidder with the haill keyis yerof to be kept and usit by thaim fra tyme furth at yair pleasure".(102)

The Viscount of Fenton's royal charter of the barony of Kellie was made on 13 July 1613. As enumerated the lands were the dominical lands of Kellie with fortalice, manor, parks, woods, town and lands of Overkellie, Arncroach, Belliston, lands of Baldutho, Pitkiery, mill of Kelliemills, a third of Greenside, Parkshill and Cowshill, all incorporated in a free barony of Kellie with the 'manor' of Kellie as the 'caput'.(103)

FOOTNOTES:

- 1) SRO RD1/4 ff58-9
- 2) NLS ADV. MSS 34.6.24 p139
- 3) SRO SC20/1/2 f44
- 4) SRO CS7/24 f64
- 5) Liber Officialis Sancti Andree (Abbotsford Club, Edinburgh, 1945) p107
- 6) SRO CS7/24 f64
- 7) Liber Officialis S. Andree p107
- 8) SRO CS7/22 f450
- 9) SRO CS7/26 f132
- 10) Anderson, J The Oliphants of Scotland (Edinburgh, 1879) 187
- 11) RMS 3, 2798
- 12) Liber Officialis S. Andree p107
- 13) SRO CS6/27 ff76-79
- 14) *ibid.* f76
- 15) *ibid.* f78
- 16) *ibid.*
- 17) *ibid.*
- 18) *ibid.*
- 19) NLS CH1048
- 20) SRO RD1/125 ff371-375
- 21) *ibid.* f372, The exact location of Parkshill and Eweshill within the barony of Kellie is unknown, for the others see Appendix 2.
- 22) *ibid.* f375
- 23) SRO CS7/48 f396
- 24) RSS 5, 854, 899
- 25) SRO CS7/34 f174
- 26) *ibid.*
- 27) RSS 6, 420, 525
- 28) SRO CS7/25 f142
- 29) SRO SC20/1/2 f44
- 30) *ibid.*
- 31) SRO SC20/1/5 f102

- 32) Anderson Oliphants pxxxviii
- 33) *ibid.* pxi
- 34) *ibid.* pxli
- 35) RPC 1, p509; Anderson Oliphants pxlii
- 36) NLS ADV. MSS 22.2.18 f75
- 37) Anderson Oliphants pxlii
- 38) *ibid.*; RPC 1, p670
- 39) Anderson Oliphants pxliii; Illustrations of the Reigns of Mary and James VI (Maitland Club, Edinburgh, 1834) p63
- 40) Anderson Oliphants pxliv; APS 3, p84; SRO CS7/60 f450
- 41) APS 3, pp118, 121
- 42) Anderson Oliphants pxlvi; Moysie D Memoirs of the Affairs of Scotland (Bannatyne Club, Edinburgh, 1830) p28
- 43) Anderson Oliphants pxlvii
- 44) *ibid.*
- 45) SRO RD1/28 f246
- 46) RMS 5, 1145
- 47) Anderson Oliphants 156; Boyd W and Meikle H eds. Calendar of State Papers: Scotland (Edinburgh, 1936) v10 p224
- 48) Pitcairns Criminal Trials in Scotland (Bannatyne Club, Edinburgh, 1833) v1 p26
- 49) SRO RD1/15 f121
- 50) Anderson Oliphants pxlvi
- 51) SRO GD24/1/352
- 52) RPC 3, p329
- 53) Pitcairns Criminal Trials 1, p90
- 54) Anderson Oliphants pli
- 55) RPC 4,333
- 56) Anderson Oliphants pli
- 57) Pitcairns Criminal Trials 1, p395; Anderson Oliphants pli
- 58) RPC 1, p408
- 59) RPC 1, p428
- 60) RPC 1, pp447-50
- 61) RPC 2, p37
- 62) *ibid.*
- 63) RPC 2, pp57-8

- 64) RPC 3, p540
- 65) RPC 4, p229; NLS CHB2062
- 66) *ibid.*
- 67) *ibid.*
- 68) SRO RD1/132 f353
- 69) Kellie: NLS CHB1443, CHB1949, CHB1953, CHB2063, CHB1392; Anderson Oliphants 153, 162, 175; RMS 4, 2549, RMS 6, 2139; SRO CS7/49 f96, RD1/46 f25 RD1/190 f305, RD1/24 f447, RD1/41 f340, RD1/205 f100, RD1/167 f125, RD1/31 f244, RD1/41 f340, RD1/107 f225.
 Dupplin: LAING 837; Anderson Oliphants 137, 140, 179; SRO GD150/3439/9, RD1/357 f161, RD1/117 f171, RD1/106 f80 RD1/115 ff446, 359, RD1/132 f353, RD1/144 f236, RD1/32 f80, RD1/115 f381, RD1/28 f119 RD1/28 f276RD1/127 f201, RD1/212 f213; NLS CHB1449.
 Edinburgh: SRO GD24/1/352, CS7/60 f450, RD1/45 f148, RD132 f140, RD1/108 ff394, 422, RD1/115 f241, RD1/132 f317, RD1/147 f173, RD1/178 f161, RD1/205 f245, RD1/125 f371, RD1/14 f259, RD1/125 f372, RD1/163 f182, RD1/144 f150.
 Perth: SRO GD150/3441/10, RD1/120 f403, RD1/106 f41, RD1/147 f10, RD1/210 f164.
 Roscob, Angus RD1/147 f165; Cupar RD1/115 f351; Duncrub RD1/115 f389; Bachilton Anderson Oliphants 180; Balcormo RD1/127 f61, RD1/134 f285
- 70) SRO RD1/167 f125
- 71) NLS CHB1953; SRO RD1/24 f447
- 72) Anderson Oliphants 187
- 73) SRO RD1/14 ff259-60
- 74) SRO RD1/17 f142
- 75) SRO RD1/46 f25
- 76) SRO RD1/120 f239
- 77) SRO RD1/28 f119
- 78) Anderson Oliphants plxiii
- 79) NLS CHB2063
- 80) SRO CS7/60 f450, on 'bere' see above p39 fn83

- 81) SRO GD90/2/3 f3
 82) SRO GD150/3439/9
 83) SRO RD1/115 ff389-96
 84) SRO RD1/115 f390
 85) *ibid.*
 86) *ibid.*
 87) *ibid.* f393
 88) *ibid.* ff394-5
 89) SRO RD1/34 ff285-9
 90) SRO RD1/34 ff285-6,
 91) SRO RD1/34 f285, 'failze and dovate', turves, fail was thicker than dovate, on this see Craigie, William Dictionary of the older Scottish Tongue, (Aberdeen, 1935) v2, p386
 92) SRO RD1/34 ff286-7
 93) *ibid.* ff287-8
 94) *ibid.* ff288-9
 95) SRO RD1/190 f305, RD1/117 f171, RD1/147 f173, RD1/205 f100
 96) See above p59
 97) SRO RD1/220 f190
 98) SRO RD1/210 ff164-171
 99) SRO RD1/210 f165
 100) *ibid.* f166
 101) *ibid.* f170
 102) *ibid.*
 103) RMS 7, 883

CHAPTER 4 - THE BUILDING OF KELLIE CASTLE

As it stands today Kellie castle is an unusual 'T' shape on plan.(Appendix 3 no.1) Three towers are situated at the north, southwest and eastern corners, a lower central portion connecting the three. The aim of this chapter is to try and establish the different building stages of the castle. However, a note of caution must be made. No archaeological excavation has been carried out on the site and several building stages may therefore be misinterpreted as one or omitted altogether. Two date stones are found at Kellie. The earliest is that of 1573, with the initials 'MH' for Margaret Hay, positioned (though not necessarily in its original one) high up on the eastern tower.(Appendix 3 no.2) The second date, 1606, is recorded in a dormer pediment on the main front. Any dating of the castle's component parts must therefore be very tentative - relying on stylistic similarities and a knowledge of Oliphant family history as explored in the previous chapters. Comparisons must be made with other castles in Fife and elsewhere, and with other Oliphant architecture, though as Cruden warns dating by typology is a very "hazardous exercise".(1) With these reservations in mind we must first tackle the question of the oldest part of the castle.

Lorimer, who perhaps knew the castle most intimately, considered the oldest part to be the vaulted under storey and lower portion of the walls of the 'keep' or northern tower and this opinion has generally been upheld throughout later research.(2) However, there is disagreement over its exact date. Lorimer suggested it belonged to the fourteenth century and tenure of the Siwards (ie pre 1360).(3) MacGibbon and Ross disagreed, placing the date about a hundred years later (4), whilst the RCAHMS report for Fife suggests it dates from the early sixteenth century.(5) There have also been advocates for the fifteenth century - such as the recent works of Glen Pride and John Gifford.(6) Christopher Hussey also supported this century, calling Kellie a "typical" early tower house.(7) The fifteenth century is given the official National Trust for Scotland support in the castle's guide book and it reoccurs in the quinquennial architectural report of 1986.(8)

If we approach the architecture from the family history we would also seem to arrive at a fifteenth century date. When Helen Siward resigned Kellie to her 'cousin' in 1360, no mention was made of any castle or dwelling place, simply "omnes terras meas de Kelly cum omnibus et singulis pertinencis".(9) It is likely that there was a house on the estate but its exact nature or location cannot be known. It is worth remembering that the Siward family were not totally dependent upon the barony - holding extensive lands, and at one time a castle, in the Borders as well as Aberdour in Fife. Kellie need not have been the principal seat of the family and this idea may be reinforced by Helen's acquisition of the estate, perhaps as dower lands. Indeed the insignificance of Kellie may even be suggested by its continuation in Siward hands when all the other family estates appear to have been confiscated after Bruce's victory.(10) Thus the earliest building at Kellie may have only been a small manor house or domestic building of stone or timber.

With the change in ownership in 1360 Kellie passed to the Lords Oliphant who already possessed large tracts of land in Perthshire - for example Turin and Drony, Aberdalgie, Dupplin, Gask, Glensauch and Ochertyre. Would they have instantly begun building a towerhouse on a relatively isolated Fifeshire estate? Although there can be no answer to this question it seems much more likely that the first towerhouse, which today may be represented by the base of the northern tower (Appendix 3 no.3) was built not in the fourteenth but in the early fifteenth century when a junior Oliphant line was established with Kellie as the principal seat.(11) The first bulk of any evidence for an Oliphant of Kellie occurs c.1420-40 (although references are found earlier in c.1399) and it is to be assumed that the junior line, for practicality's sake and to announce their baronial status, would have required some stronghold and administrative centre.

What form did the early castle take? Although the bottom of the northern tower may belong to the original structure it is apparent that later building work was carried out during the course of the fifteenth and sixteenth centuries.(Appendix 3 no.3) It would seem that in its earliest form the castle was of rubble, barrel vaulted in the

ground and first floor, with a further two storeys above. A parapet line is still discernable on the west front, just below the corbelling of the later angle turret and a skew put also appears at this level and there may have been some type of parapet walk and a cap or guard house. At some point in the sixteenth century a fifth storey was added with two angle turrets and larger windows were inserted into the west front. The north side appears to have been devoid of any windows, unless there was one beneath the later insertion.(Appendix 3 no.4) The original entrance has now been lost, but may have been on ground, first or even second floor level.

Of the internal arrangements a turnpike stair rises in the south west corner not wholly contained within the thickness of the walls - which are approximately 4-5 feet thick at ground floor level, and rises through the whole height of the tower. The steps down from first floor level are noticeably steeper than those above, until the bottom five, which are larger and appear to be later. It has been suggested that there may have been a well situated at the foot of these stairs which may account for the apparent, unexplained 'dampness' of the west wall.(12) The second and third floors of this tower are unvaulted, but both contain two small intramural chambers on either side of a fireplace in the north wall. Both these floors have windows in the west and east walls with embrasures wide enough for the original stone window seats - these are still partially present on the third floor.(Appendix 3 no's 5, 6)

The tower seems to have had only one room per floor, possibly with a storage cellar on the ground floor, a hall above and two successive floors of private chambers. However, both the second and third floors are supplied with two fireplaces, one on the northern and eastern walls. This led Lorimer to conjecture that in their original state they may have been divided by a partition wall - giving a total of five residential apartments in total.(13)

The northern tower was attached to a retaining barmkin wall and part of this can still be seen extending southwards on the western front.(Appendix 3 no's 7, 8) Lorimer noted that the central facade looked almost as old as the base of the northern tower and thus must

have formed part of some building which existed prior to 1573.(14)(Appendix 3 no's 9, 10) It has been suggested that the central section of the castle lies along, or incorporates, the original walls of enceinte.(15) This view was supported by MacGibbon and Ross who also included the bottom of the south east tower on the same enceinte wall.(16) It is likely that the ancillary buildings such as the bakehouse, brewhouse and stables were furnished within the barmkin but independant from the towerhouse, whilst in his Red Book Lorimer spoke of foundation walls between the north west corner of the garden wall and the burn.(17)

How does this image and dating of Kellie compare with other Scottish castles?

In the thirteenth century the stone built castles of Scotland were castles of enclosure - with high curtain walls, corner towers and subsidiary buildings within, such as Tibbers or Caerlaverock in Dumfriesshire. The towerhouse gradually increased in popularity throughout the fourteenth century and although early examples are few, they are usually square or rectangular without projecting parts, three units or more high, with a lower barrel vault on the ground floor and a second vault above, usually divided by an entresol floor.(18) Entrances are found on ground, first or second floor level - the latter being reached by a timber, movable forestair or ladder. Stairs are usually situated within the thickness of the wall and most frequently are turnpikes, though straight stairs also exist. The two tier arrangement in vaulting necessitated the great thickness of the walls from the ground floor which scarcely diminished due to the need to abut the upper vault. At the top of the tower a parapet walk and guard house were furnished to enable defence from the wall head rather than from ground floor level. Earthworks were also common - for example Crookston in Renfrewshire is surrounded by a bank and ditch. This compares to the ditch running along the northern side of the garden wall at Kellie, which may be a remnant of the early fifteenth century defences of the castle before the barmkin wall was built.

The fourteenth century towerhouses appear to have more bulk than that found at Kellie. Drum in Aberdeenshire, for example, is a blunt rectangle without projections, measuring 53x40x70' high with walls 12' thick. Similarly Threave built c.1369-90 by the third Earl of Douglas 'Archibald the Grim', is 61x40x70' high with 8' thick walls and five separate floors. A ground floor cellar contained the well and situated above was a vaulted kitchen. Access from ground to first floor was by timber stair and thence by a turnpike in the north west corner rising straight up.

A smaller fourteenth century castle is Lochleven which can be dated to c.1335. It is a simple square towerhouse measuring 23' with walls 8' thick and has a parapet which projects slightly on single corbels. The tower has five floors, the ground and first floors are barrel vaulted and have separate entrances. The only communication between the two lower floors was by hatchway and it is possible that a similar arrangement existed later at Kellie. The second floor entrance at Lochleven gave direct access into the hall which then communicated with the turnpike, in the thickness of the wall. The internal arrangement at Lochleven was, therefore, designed to enhance security - visitors, or enemies, would need to ascend to the second floor and cross the communal hall before being able to obtain vertical access.

The first changes to the square keep design were brought about by the desire to obtain more space without sacrificing security. This was achieved by the development of intramural rooms won from the thickness of the castle walls. Cruden uses this development to define work of the later fourteenth century and beyond:

"whenever there is this attempt to win more accommodation, however small, by encroachment into the main walls or by extension outside them, then we have later work".(19)

Threave has three mural chambers one on each of the entresol, first and second floors, all of which are contained in the thickness of the south west angle. The trend to improve internal organisation by the multiplication of intramural rooms, the addition of small jambs for turnpikes and the larger, more numerous windows, continued into

the fifteenth century. This is epitomised by Borthwick, a large ashlar tower of the first half of the century. On plan it is a long rectangle with two jambs advancing in the same direction from one side. Borthwick's walls are still prodigiously thick at 12-14 feet and the ground floor is again barrel vaulted with only a narrow slit for ventilation. As at Lochleven there are two entrances, the main one being situated on first floor level giving access to the hall which took up the entire floor space. The jambs are integrated into the hall, one containing a kitchen with an immense fireplace, and the other the solar. Access from the kitchen to the hall was by means of a wooden screens passage, which the main entrance also opened into. Above the hall are three floors each with its own barrel vault, an oratory with piscina and aumbry is fitted into a window embrasure on the second floor.

Another example of a fifteenth century towerhouse is Elphinstone, again of five storeys, its barrel vault being divided into two by a wooden entresol floor. An upper vault housed the hall which was followed by two unvaulted upper storeys. The need for extra space and accessibility was accommodated not by jambs, but by a large number of mural chambers and staircases within the 9' thick walls.

Documentary evidence for castle building in the fifteenth century is scarce, however, a handful of licenses do exist - although the exact nature of these documents is questionable. It seems unlikely that royal permission was needed before a towerhouse could be built, or more of these documents would have survived. The licenses may be linked to strategic areas where the crown felt the need for extra defensive measures or may be merely an honorary or technical formality confirming the right of property. It is interesting to note that a license was granted by the Lord Oliphant to the church of Dunfermline to build a chapel on his lands of Aberdalgie.(20)

Of existing towerhouses Dundas has the earliest license of 1424 and it specifies the permission to crenellate - a defensive feature: "license and special favour to build a tower or fortalice of Dundas in the manner of a castle with the kernels etc usual in a fortalice of this sort according to the manner of the kingdom of Scotland".(21)

Cawdor's license dates to 1454 and allowed the thane to erect a tower 'with walls and ditches and equip the summit with turrets and means of defence with warlike provision and strengths'.(22)

Similarly the license for Mearns allowed Lord Maxwell:

"to build a castle or fortalice on the barony of Mearns in Renfrewshire to surround and fortify it with walls and ditches to strengthen by iron yetts and to erect on the top of it all warlike apparatus necessary for its defence".(23)

However, these licenses need not always pinpoint the 'tempus post quem' of a castle. For example Sir Andrew Wood of Largo's tower seems to have already been constructed before he received his license in 1491.(24) James IV granted a license to John Dundas to fortify the island of Inchgarvie for the greater protection of ships in the Forth - but this was not built until 1515 and only then at the royal expense.(25)

These national tendencies in towerhouses also reappear in Fife and local castles of the fifteenth century. Burleigh (Kinross) is a coursed rubble built square keep of four storeys terminating in a parapet walk with bartizans, borne on a corbel course. As at Kellie, the ground floor is vaulted and a turnpike rises in the thickness of the wall. The hall on the first floor has a garderobe also in the thickness of the wall whilst the second floor room, like Kellie, is lit by two windows to the east and west with window seats in the embrasures. Part of the surrounding barmkin and moat also survive.

Balgonie seems to date to the fifteenth century and has four storeys rising to a parapet at a height of 65 feet.(26) The ground floor chamber which measures 27x18' compares to that at Kellie which is smaller, measuring approximately 15x18', three slits allow for ventilation and a hatch in the top of the vault allowed for communication. As at Lochleven the absence of any connecting stair meant that there were two separate entrances. Like Kellie the first floor, which was here originally reached by a forestair, was vaulted and the entrance arrived behind a wooden screen. A turnpike rose in the thickness of the north east corner, the opening at the stairfoot belonging to a later stage in the building when access was required

to a seventeenth century addition. Also similar to the arrangement at Kellie are the second and third floors which both have windows to the east and west and mural chambers, here used as garderobes, in the north wall.

Of the surviving remains of Ardross castle, another neighbour of Kellie, the earliest tower of the fifteenth century measures roughly 28x36' with walls 6' thick. The entrance is on the south gable and gave access to a mural lobby and staircase to the hall, the rest of the ground floor being taken up by a vaulted chamber with a small window in the east. Nearby Balwearie is similarly built, though its walls of the same thickness are of coursed ashlar rather than of rubble. The hall on the first floor has a garderobe in the north wall and window with seats in the north, south and east.

At Castle Campbell the original oblong tower dates to c.1489 and is nearly 60' high over walls 7'6" thick. Three of its four storeys are vaulted and the masonry is of coursed ashlar. Two entrances existed, one in the ground floor for the cellar and one in the south wall at first floor level. The hall is situated at first floor level and in the thickness of the wall on the eastern side there is a pit prison entered by a hatch, a straight service stair connects with the ground floor in the north west corner whilst a south west turnpike gave access to the higher floors.

Thus, from comparative evidence, Kellie's northern tower would seem to fit into the fifteenth century genre of Scottish towerhouses, both in the context of the surrounding locality and elsewhere. This would reinforce the idea that the earliest tower was of four storeys in height, originally with a single room per floor. The ground and first floor vaults, mural chambers on the second and third floors and window embrasures with stone seats may all help to place the northern tower into the earlier fifteenth century - exactly the time when a distinct Oliphant line was establishing itself at Kellie.

Perhaps the most striking quality of this reconstructed picture of Kellie's northern tower in the fifteenth century is its smallness - the ground floor measuring only approximately 15x18' internally. Even

taking into consideration that the Oliphants of Kellie were small Fifeshire lairds, would this have provided enough accommodation for landowners who would need to employ servants, entertain guests, hold baronial courts and administer to tenants?

A closer insight into the organisation of Kellie in this century may be gained through the recent work of Christopher Tabraham at Smailholm tower, Roxburghshire.(27) Prior to excavation Smailholm was presumed to be the typical laird's towerhouse, with the laird's accommodation within the tower and the subsidiary offices (kitchen, bakehouse and brewhouse etc) grouped around the barmkin - the free standing, self contained unit as portrayed by MacGibbon and Ross.

The towerhouse of the Hoppringall family, Smailholm like Kellie, belongs to the fifteenth century and possibly dates to c.1450 before the Douglas's downfall. The towerhouse measures 39x31' with walls approximately 6' 5" thick and has five storeys with the entrance situated at ground floor level. Both the ground and first floor are barrel vaulted and communicate by a hatch in the vault top, with the hall on the floor above. Vertical access was gained by a single turnpike stair rising in the south east corner. As at Kellie and elsewhere, the tower was attached to a barmkin, the north wall of the towerhouse itself forming the northern perimeter. Within the barmkin there were two separate courtyards - a larger to the west and a smaller to the east, a small strip of ground ran along the southern side in the immediate vicinity of the entrance doorway. Within the larger courtyard two separate buildings were situated opposite to each other, the northern of which showed two distinct building stages. At the first stage the range had comprised of two rooms, these were subsequently made into a three room structure with the largest measuring 33x16'. Entry was obtained from the courtyard by a doorway of finely moulded sandstone and led into a central room. Of the opposing south range, room 5 measured 18x13' and room 6 14' 7"x13'7". No evidence of any stone building was found in the eastern courtyard but a foundation wall parallel to, and abutting, the towerhouse may have formed the base for a stair giving access to the wallhead of the barmkin. From his findings Tabraham

concluded that the north range in the western court was not a service block but a residential one - forming a hall building with central hearth, entirely separate from the hall within the towerhouse. By this means the residential space of Smailholm was increased by an extra 275 square feet. Other findings at Smailholm were the four building complexes located outside the barmkin wall (although it must be stressed that these need not all be contemporaneous). The largest 49' to the south west of the barmkin entrance had two levels and Tabraham suggested that this may have provided stabling with a hay loft above. Building B 196' east of the tower and building D 984' across the moor were associated with yards and therefore may be seen as residential accommodation for tenants. At Smailholm the barmkin was up to 13' high in places over a varying thickness between 4'9" and 7'.

Tabraham's conclusions of living quarters within the barmkin but divorced from the tower can be reinforced by excavations at other castles. Excavations at Threave have shown that the towerhouse was not an isolated unit, two buildings being erected in the late fourteenth century during the completion of the tower.(28) It seems that one at least was two storeyed with apparently service accommodation on the ground floor and residential above. Bothwell also provides evidence of an external hall adjacent to the now vanished towerhouse - again of two storeys and almost identical to Threave's building 2 in ground floor lay out. Tabraham concluded: "At Bothwell the function is perfectly clear an outer or great hall on the first floor above an undercroft for storage".(29) Similarly Doune seems to have been furnished with both a towerhouse and a great hall in the beginning of the fifteenth century for the Duke of Albany.

Tabraham's conclusion that the view of the towerhouse as an independent residence is erroneous also seems to be supported by the preliminary excavation report on Niddry castle, West Lothian.(30) In the phase identified as III a stone building C of dressed rubble and finely dressed pale sandstone corner quoins was situated in the western part of the barmkin. This has tentatively been identified as a stone manor house with subsidiary buildings

ranged around a courtyard and containing a well. It is thought that this may represent the first phase of construction of the towerhouse and barmkin. Within phase IV - the building of the L shaped towerhouse at the end of the fifteenth century, two buildings are found within the barmkin. The south building E measured 36x15' internally and had thresholds, a clay oven and hearth and may be interpreted as a bakery and servants quarters. Building F measured 15'7"x53', had a cellar in the south end of the building with a room above. Two drains in the west barmkin wall from the middle of this building could indicate the ground floor was used as stabling, however, a garderobe outlet in the same wall must reflect residential areas on the second floor - ie: probably an external hall.

A similar arrangement seems to have existed at Balgonie, where the separate block contained two vaulted undercrofts forming the north side of the courtyard with access directly from it.(31) The larger chamber has a kitchen fireplace in the western gable and an ash shoot through the north wall, in the vault near the fireplace is a hatch - suggesting food was being transferred upstairs. A water inlet and slop sink are found in the smaller chamber which once again has a connecting hatch. The entrance to first floor level lies at the west end of the southern wall and seems to have been originally approached by a wooden bridge or platform from the towerhouse and it is suggested that a screens passage led into the hall with a chamber beyond.

How does all this compare to the structures found at Kellie? It would appear from the west front that the tower house was attached to a retaining barmkin wall and it has been suggested that the base of the central front also lies along or incorporates the barmkin. We would therefore expect some type of corner in the barmkin at the point where the south tower is abutted on to the main block. It is interesting to find that the most impressive doorway in the castle, of dressed orange sandstone (Appendix 3 no.11), is situated at the beginning of the corridor in the southern tower and thus on the line of the original barmkin - could this have been the original entrance into the castle's enclosure? The aperture of the doorway is relatively small being only 4' wide, this compares to the aperture at Smailholm

which is given as 8', although Tabraham does say it had been narrower.(32) Evidently the present size is too small to admit carts or wagons, though it is possible that the opening was reduced at a later date.

If we accept Tabraham's views on the need for additional residential space, and the limited size of the northern tower would corroborate this, then there must have been an external hall block in addition to the office buildings, within the barmkin at Kellie. It is possible that a two storey block, with vaulted undercroft for kitchen and storage, and a hall above, was situated along the wall of enceinte adjacent to the 'entrance doorway'. Perhaps a small courtyard filled the gap between the hall block and the northern tower in the south west corner of the barmkin enclosure. Both Lorimer and Hussey considered that there may have been an earlier, lower building predating the eastern tower along this central enceinte wall.(33)

The plan of the rest of the barmkin enclosure, or even its size or direction can not be determined, although a general idea of size may be obtained through reference to Niddry, where the subrectangular enclosure measured 106' east/west and 75' north/south.(34)

Unfortunately no documentary evidence of building activity at Kellie exists for the fifteenth century. However a later document reveals that the lands of Pitkiery were seized by the king c.1460, presumably for outstanding debts to the crown. Certainly Walter Oliphant was in debt in 1478 for £700 - the western part of the dominical lands, those directly associated with the castle, being seized in accordance with an Act of Parliament, but whether the lairds of Kellie had been lavishing all their money on the castle is unknown.(35)

It seems likely that the stone for the castle was quarried locally and this idea is supported by Knoop.(36) Quarrying activity within the barony is indicated by a number of disused quarries located on both the ordnance survey and an estate map of 1786.(37) Moreover a court case of 1497 was brought by Thomas Strang of Pitcorthy

against John Oliphant of Kellie for the wrongful pasturage of Easter Pitcorthy and:

"for the violent ryfting of the ground of the said lands and of holding of a quarry upon the common lands betwix the said Thomas and his portionar the which half quarry pertains heretably to Thomas and for the wrong and violent spoilation and withholding of failze and dovate of the said lands and of the half of the quarry of the stanes of the said ground in skaith of the said Thomas...".(38)

With the opening of the sixteenth century documentary evidence for the barony and the castle become much more common. One of the earliest references to Kellie comes in 1503 when John Oliphant made a reversion to John Lord Hay of Yester done "at my proper dwelling place of Kellye".(39) In 1511 John Oliphant was regranted the barony viz. "the place and dominical lands" but no specific reference is made to the castle.(40) A most illuminating document concerns the capture and withholding of the castle in 1528 - when Alexander Oliphant pursued another Alexander and Walter Oliphant and their accomplices, who had "entered in his house and place of Kellie and be force and violence witholds ye samn fra him".(41)

Despite a decree from the Lords George Earl of Rothes, Alexander's curator was forced to complain a second time that "Walter Oliphant, John Oliphant and Alexander Oliphant witholds fra him ye tour house and fortalice of Kellie".(42)

The very general definition of castellated structures in the sixteenth century is also revealed in legislation of 1535 for the vulnerable Borders, which stipulated that every landed man dwelling in the inland or upon the borders having £100 of land must build a sufficient barmkin of stone and lime on his land with a tower in the same for himself.(43) The variety of the terms 'castle', 'tower', 'fortalice' and 'maner place' continued throughout the sixteenth century, although a 1630 lawsuit does give some general concept as to definition:

" [it] was not a tower or fortalice having neither fosse nor barmkin wall about it, nor battling but was only an ordinary house".(44)

In the sheriff's return for Fife in both 1528 and 1537 the barony of Kellie is described as the dominical lands with tower and fortalice with pertinents.(45) Even the contract of 1551, by which Alexander resigned the barony over to the Lords Oliphant, is vague as to the castle:

"all and haill his lands and barony of Kellie...with tenants, tenandries, service of fie tenants, tours, fortalices, manerplaces, houses, orchards, dowcattis, meadows, woods, fishings, mills, multures, collis, collheughs...".(46)

Having examined the documentary evidence for building activities and structures at Kellie in the sixteenth century, we must return to the physical evidence.

In the previous assessments of the castle's development the eastern tower is generally attributed to 1573 and the fourth Lord Oliphant, whose wife's initials (MH - for Margaret Hay) appear on the upper portion of the tower.(47) However, an intake in the architecture is visible on the southern and eastern faces of this tower at third floor level, which may suggest that the lower levels are of an earlier date.(Appendix 3 no's 2, 12A, 13)

At ground floor level the eastern tower, like its northern counterpart, is barrel vaulted. The eastern tower is, however, distinguished by the size of its arched doorway - measuring 4'6"x6'3" (Appendix 3 no. 12B) the internal measurement being similar to that of the north, approximately 18x12'. There appears to be a hatch in the ceiling communicating with the first floor.

The eastern tower is differentiated from the norther one by a jamb containing the turnpike situated on the north side. There was probably a ground floor entrance in the jamb giving access to the stair and this appears to have been widened when the corridor was formed adjacent to the kitchen. The jamb also contains tiny intramural rooms in the thickness of the wall between the second and third storeys. If the intake represents the top of the eastern tower in its original form then it must have only comprised three storeys, possibly with a parapet walk and guard house on the top.

The jamb may have risen slightly higher than the main block to give access to the parapet and this may be represented by the stringcourse visible on the garden front.(Appendix 3 no.13)(48)

Stylistically the jamb became increasingly popular through the fifteenth and sixteenth centuries giving rise to the 'L' plan castles. At first the jambs advanced only slightly, for example at Affleck and Pitteadie, both of the fifteenth century - at the latter the jamb extended only four feet. Like the eastern tower at Kellie, Pitteadie also seems to have been three storeys beneath the wall head and has evidence of an attic and garret, the original entrance was situated on the first floor and corbels for a wooden landing or platform are evident at this level. Lordscairnie, dating from the late fifteenth or early sixteenth century, also has a square jamb containing the turnpike, with an entrance at the stair foot, the ground floor is vaulted and the whole rises to four storeys, as does the similar sixteenth century castle of Fernie. Later in the sixteenth century the jamb became enlarged and used increasingly as an extra residential space rather than just a stair tower - for example at Claypotts(1569), Castle Menzies(1571) and Drochil(1581). Thus it would seem that, stylistically, the lower portion of Kellie's eastern tower may belong not to 1573 but to the late fifteenth or early sixteenth century. In this context the evidence of quarrying 'stanes, failze and dovate', specific building materials, by John Oliphant of Kellie in 1496 may be more significant.(49)

Therefore, to recap, at Kellie in the earlier sixteenth century there appears to have been two towers and possibly a hall or service block between them. This arrangement is not unique. A similar organisation having been discovered at Cramalt, East Lothian, during excavations in 1977-9. At first only the north tower was evident, measuring 37x28' with walls 5' thick. As at Kellie, the ground floor was vaulted and a turnpike rose in the thickness of the walling. Excavations revealed a smaller southern tower which was more sophisticated in arrangement - the basement being divided into two floors beneath a high vault, containing an aumbry and a paved floor with a central drainage channel. A small mural chamber was situated at the foot of the stairs and a mural pit prison in the north

east corner was entered by a hatch on the first floor. Both towers were of local rubble but the southern one had cream sandstone ashlar dressings. The two towers stood 73 feet apart, further than the northern and eastern towers at Kellie, which are only c.50 feet apart. Although the northern tower could not be firmly dated at Cramalt, c.1490 was suggested, whilst the southern one was assigned to the third quarter of the fifteenth century. It was therefore concluded that the two belonged to the same general period.

Moreover Maxwell Stirling stipulated:

"the north tower was not built to replace the south tower but to supplement it, as it is virtually certain that the traces of harling found on the outside walls of both buildings were the same".(50)

At Doune in the fourteenth century, the Duke of Albany had built two towers a short distance from each other, linking the two with a hall building with central hearth and minstrels gallery. Two towers were also erected at Ruthven or 'Huntingtower' in Perthshire, although here they were much closer together. At Ruthven the eastern tower is the older, dating to the fifteenth century and was remodelled later in the same century and beginning of the next; the western tower also dates to the early sixteenth century and had three storeys plus a garrett. The two towers were originally connected by a wooden platform or bridge until the space between them was walled up and roofed over during the seventeenth century.

During the sixteenth century Kellie underwent a dramatic change - the transference of the barony to the Lords Oliphant in 1560. However, as has been seen in the previous chapter the Lord's takeover was far from straightforward and it seems unlikely, with the rival claims, that they began developing the castle immediately. What is apparent is that the third Lord Oliphant, or more rightly his son the master of Oliphant, undertook some repair work shortly after their acquisition of the barony. A case was brought before the sheriff of Fife by Andrew Wood of Largo and his wife Janet Forman in 1563 against the lord and master of Oliphant for their alleged theft of thirty chalders of lime from the pursuer's lands of Baldutho. The master of Oliphant claimed he had arranged to buy the lime,

through one of the pursuer's servants, because "he had neid of clean lyme for beiting of his fathers house of Kellie".(51)

The very specific usage of the lime for 'beting' or repairing, suggests that at first the Lord Oliphant was only concerned with renovation of the existing buildings and it is possible that the lime was to be used for harling or weather proofing rather than construction.

It seems unlikely that any substantial building work at Kellie was undertaken by the third Lord Oliphant in the three years between 1563 and his death in 1566. On his death the estate passed to his son Lawrence fourth Lord Oliphant and it must have been him who began developing the castle. The eastern tower would support this view, the date 1573 and the initials of his wife Margaret Hay, being set into the upper storeys. The reason why it is her initials and not his, that are present may be attributed to the traditional use of the barony as dower lands. The document of 1551 which transferred the barony to the lords stipulated that Katherine Oliphant, Alexander's second wife, was to be endowed specifically with two parts of the mains of Kellie - the lands attached to the castle, with "tours, fortalices, maner places, houses and doucattis".(52)

Similarly it seems that Lilas Drummond, the fifth lord's wife was also granted the mains of Kellie with the tower, fortalice, manor place, houses, orchards, yards, and dove cots.(53) Thus the eastern tower may represent Margaret Hay's dower house.

There is some doubt over whether the 1573 date stone is now in its original position - Christopher Hussey suggested that it had been moved.(54) However, if, as has been suggested, the bottom storeys of the tower are earlier, then the upper two floors would have been added by the fourth lord and the date stone could be in its original position.

The fourth lord may have been responsible for the renaissance window on the jamb of this tower as, stylistically, the decoration seems to place it into the later sixteenth century. The window has a crescent 'fan' top, flanked by plumed vases and is framed by heavy, decorated balusters.(Appendix 3 no.14) A dormer window and

pediment with similar decoration can be found at Claypotts castle built c.1569-88. Comparisons can also be drawn with detailing at Aberdour, Carnasserie and with the dormer windows at Castle Menzies in Perthshire of c.1577.(Appendix 3 no.15)

There are two further architectural details of this tower which are worthy of merit and may help to date its extension. The first is the outward 'bulge' which is found on the garden front between the third and fourth floors. This represents a small room, complete with door hinges, which is not quite contained within the thickness of the wall.(Appendix 3 no.13) The phenomenon of outward bulges can also be placed into the same general period, when wall thicknesses were being reduced, examples can be found at Queen Mary's House, Jedburgh, Branhholm Castle and Balhousie in Perthshire.(55)

The second feature is found below the second spiral staircase turret which communicates with the tower's upper storeys. The turret is not only corbelled out, but supported by a squinch as well.(Appendix 3 no.13) Evidently the squinch belongs to the later vertical extension as its left hand termination ends in a bricked up window on the main block. The use of the squinch is actually quite rare in Scotland - appearing, it seems, at only five other locations (56) - Hillslap (1585), Airdrie (1586), Glenbucket (1590), Muckerach (1598) and Midmar (c.1565-75). According to Gordon Slade, the credit for the invention of the squinch is normally attributed to Philibert L'Orme, who devoted seven chapters to it in his fourth book in his treatise on architecture in 1567.(57) At Hillslap and Airdrie, as at Kellie, the turret is corbelled out above the squinch. If we attribute the eastern tower's squinch to the same period as the upper storeys, ie: 1573 not 1606, then we may have a very early, possibly the first, example of its use in Scotland.

If the fourth Lord Oliphant was working on the eastern tower was he building elsewhere at Kellie? It would seem that it was also in the late sixteenth century that the northern tower was heightened to five storeys and the angle turrets added, late sixteenth century fireplaces can also be found on the upper floors and therefore the northern and eastern towers may have been heightened to

complement each other. It is possible that at this period there was some remodelling of the central block to link the two towers conveniently together and there are two blocked up doorways in the eastern tower's staircase which imply that the floor levels of the main block were different at one time - but whether this was a late sixteenth or a seventeenth century alteration is unclear. The second stair tower situated halfway along the central block in the northern side probably also dates from the the end of the sixteenth century, although it is evident that the roof pitch has been altered.(Appendix 3 no.16) If the two towers were joined up by the fourth lord then Kellie would have then taken the form of an 'L' on plan. Presumably the northern tower was broken into at the same time to provide ground floor access. In view of this arrangement the 'entrance doorway' on the line of the barmkin (as referred to above) may have been reduced to its present size to allow admittance, not into a courtyard, but directly into the basement of the central section.

Kellie's development under the fourth Lord Oliphant was typical of the trend which emerged in the second half of the sixteenth century. As Tabraham indicates:

"where formerly there would have been an array of service offices and domestic accommodation spread about the main residence now all was integrated into a single unit as far as was possible".(58)

The kitchen especially was relocated to enhance convenience and back stairs became increasingly popular for servants.

At Pitfirrane the fifteenth century tower was improved in 1583, when, like at Kellie, the wall head was removed and the tower heightened by a further storey complete with turrets corbelled out at the western angles. A new wing was also built projecting southwards in alignment with the western gable and containing a large turnpike rising to the second floor, the upper floors being reached by a stair turret corbelled out in the re-entrant angle.(59) Similarly, at Aberdour the outbuildings were destroyed and the remains used in the western part of a southern range which was linked to the old fourteenth century tower by a spacious turnpike tower.(60)

Aldie appears to have four distinct building stages. Originally the sixteenth century oblong tower had a wing at its southern corner - but this was removed later in the same century and replaced with a larger, lower, vaulted building containing the kitchen. Another wing extended eastwards and was connected to the tower with a scale and platt staircase. The tower itself was modified at the close of the century, the upper storey being rebuilt and low corner turrets, borne on continuous corbelling, added.(61)

At Cardross the early sixteenth century 'L' plan castle was extended by a long three storey vaulted range and the original tower heightened and corner turrets added at the same time.(62) Whilst at Balvenie the fourth Earl of Atholl, John Stewart (1542-76) placed his new lodging directly over one side of the walls of enciente.(63)

Perhaps the nearest comparison to the medley of architectural features found on the garden front at Kellie, is that of Elcho in Perthshire.(64) Like Kellie, Elcho originally appears to have consisted of a fifteenth century tower at the south west with parapet and bartizans. During the course of the sixteenth century a large oblong block was added to the east with a large angle turret on one corner. However, it is the rear of the building which so closely resembles Kellie - having three towers, two of them round stair towers corbelled into the square at the top (like Claypotts) the third, a square tower, contains a small room on each floor. All the towers are high pitched and crowstepped, whilst also like Kellie, there is a profusion of staircases communicating between the service area, communal rooms and private chambers. As with Margaret Hay's tower, the smaller north west tower at Elcho is slightly out of skew. Elcho belonged to the Fifeshire Wemyss family and the sixteenth century developments can probably be attributed to Sir John who died in 1572.

The concept that the fourth Lord Oliphant was responsible for a greater part of Kellie's structure than merely the eastern tower, may be corroborated by his involvement in building activity elsewhere. Kellie was not the only Oliphant castle to be developing in the later sixteenth century. Lorimer in his Red Book stated that Kellie was the

model for Hatton or Newtyle castle in Perthshire, which bears the date 1575 on the skew put.

"The fact is that Kellie was the model after which Hatton was built and that the latter is a very inferior specimen both in character and dimensions".(65)

However, whilst demonstrating Kellie's 'superiority', Lorimer also highlighted the differences between the two castles - such as the single entrance at Hatton and four at Kellie; a single spiral stair at Hatton and four at Kellie and the unlighted kitchen at Hatton. As a point of similarity, Lorimer cited that the principal entrance was situated in the same place - the eastern side of the south west tower. However, the re-entrant angle was favoured for a ground floor entrance throughout the sixteenth century and scale and platt staircases are frequently found in conjunction with them - for example at Craigievar and Killochan. Moreover, if the southern tower at Kellie was not built until 1606 then Hatton could not have been modelled on Kellie and Lorimer's argument is flawed. Similarly, comparing the window and fireplace alignment and the lack of adornment at both castles seems hazardous.

If Kellie was an 'L' plan rather than a 'T' in 1573, then Hatton can be seen as an improvement on Kellie's design rather than an imitation. Hatton appears to have been built 'from scratch' and therefore the mason had the opportunity to include conveniences in planning which could not be applied to Kellie. On plan Hatton forms a 'Z' with two square jambs protruding at opposing corners, the main ground floor entrance is housed in the re-entrant angle and a scale and platt staircase gives access to the hall on the first floor.(Appendix 3 no.17) Like Kellie, Hatton's ground floor is vaulted and comprises two cellars and a kitchen, however, accessibility is enhanced by a lateral corridor leading off from the main entrance - a similar arrangement can also be found at Elcho. Straight service stairs are found in the gable ends of the main block whilst the rooms contained in the jambs are integrated with the main floor level. There are in fact some marked differences between Hatton and Kellie. In size Hatton is smaller, its towers rising to only four floors, and unlike Kellie, has no angle turrets adorning the roofline. Hatton lacks the profusion of

stair turrets found at Kellie and has neither a squinch nor any surviving renaissance detailing. On the other hand Hatton is well equipped with gun loops and has a water intake and slop sink which Kellie lacks.(Appendix 3 no's 18, 19, 20) By comparison Hatton may have been the model for another 'Z' plan castle, Nunraw in East Lothian, which belongs to the same general period and is identical on plan - having a lateral corridor to the south of the vaulted cellars, square corner jambs and turnpike stairs in the re-entrant angles.(66)

Thus it would seem that Kellie was not the model for Hatton and this view can be supported by documentary evidence. The development of Hatton is unusually well documented. The first reference to the castle is found in the marriage contract between the master of Oliphant and Christian Douglas of Lochleven, dated 18th February 1575. By it the Lord Oliphant promised to "big and plenish ane sufficient house for yaim in ye haltoun of Newtyle".(67) Whilst the new house was being built the newlyweds were to reside in the: "tour of dupplin with ye haille hous and bigganes yerof...with two stabills and brewhousis and uther effect houses needful Togidder with ye toun and lands of duplin".(68)

Perhaps it was in anticipation of this necessity that the Lord Oliphant was extending Kellie for his own residence only two years earlier.

Until now Hatton has always been attributed to 1575, however a recently discovered document reveals that the castle was still unfinished almost twelve years later - this delay being explained by the death or disappearance of the master of Oliphant in 1584.

In 1587 a second contract was made between the Lord Oliphant and the builder of Hatton, who is now known to have been Walter Allardes 'mason and burgess of Dundee'.(69) At that time Walter was contracted to :

"big and construct to ye said noble lord of ye said house of newtyle the eist and west jaims yerof of five futtis length as ye eist jaim is presentlie endit To ye effect yat ye rwmss of ye same may convenientlie aggrie and compleit ye house".(70)

Thus it would seem that the castle was still largely a rectangular block, with the two jambs which make it a 'Z' plan unfinished. Other work was more superficial, including building the storm windows, completing the chimney heads and placing a coat of arms on the north side. The work was to be carried out between the 20 February and the last day of September. There is no reference to, or comparison with, the structures at Kellie at the time.

Despite the differences between Hatton and Kellie a point of similarity is the steeply pitched vertical towers which are found on the south west and north east angles at Hatton and compare to the simple, southern elevation of Kellie's eastern tower. The comparatively short lapse of time between the heightening of Margaret Hay's tower (1573) and the first work at Hatton (1575) may support the view that Allardes was also the mason employed at Kellie. A close relationship between the Lord Oliphant and Allardes would appear to be borne out by the language of the 1587 contract: "for ye luff and good will quilk the said nobile lord beirs towards ye saide Walter and gud expectation that he sall do and perform ye saidis work honestlie and convenientlie..".(71)

This rather personal style, which does not usually, enter into general business contracts of the period, may support the view that the two parties were well acquainted and had worked together before.

The fourth Lord Oliphant appears to have been involved in building work on his other estates and this activity may be linked to his close involvement in the politics of Mary and James VI's reigns, as a physical expression of his wealth and nobility. Presumably some building work was carried out at the ancestral seat of Dupplin, although nothing now remains to confirm this. In the marriage contract cited above the tower of Dupplin is cited as 'new'(72) but, apart from the office buildings, no further detail is given. A mason, John Forret of Perth, is found witnessing a charter at Dupplin in June 1571, but whether he was then working on the castle is unknown.(73) Little other documentary evidence can be found, although it is apparent that, like many baronial castles, it had a pit prison, probably contained within the thickness of the walling. In 1611 Sir Thomas Hamilton of Bynnie and John Earl of Tullibardine

complained to the Lords that the Lord Oliphant had seized their tenants and cast them in "the pit and thieves hole of Dupplin".(74) It is also possible that the Lord Oliphant was involved in the building of a town house in Pittenweem - now known as 'Kellie Lodging'. Traditionally dated to c.1590, this rubble built and crowstepped building has a heavy moulded corbel course similar to that on the castle's eastern tower. The small windows also have moulded margins close to certain ones found at both Kellie and Balcomie.

With the death of the fourth Lord Oliphant in 1592, Kellie passed into the hands of a minor, the fifth Lord Oliphant who did not officially succeed to the title until 1604. The sasine of the barony was registered at Crail on the last day of July, when the castle was referred to in passing as "turribus, fortaliciis, et pertinenciis".(75) However, in the previous year, on October 12, a marriage contract had been drawn up between the Lord Oliphant and James Drummond of Innerpeffrey which included clauses on Kellie. Lawrence's future wife, Lilas Drummond, was to be entered into:

"all and haill his lands commonly called ye mains of Kellie with the tour, fortalice, maner place, housis, orchards, yards and doucattis thereof extending in yearlie rent to twenty one chalders victual".(76)

The only other date on the castle is that of 1606 which is found along with the Oliphant heraldic crescent on a dormer window pediment.(Appendix 3 no.21) It is therefore evident that the fifth Lord Oliphant was involved in building work at Kellie and the erection of the third, south western tower must be attributed to him - it being recognisably later than the other fabric and constructed of regular coursed ashlar.(Appendix 3 no.9) The southern tower appears to have been designed to complement its northern counterpart - rising to five storeys and equipped with conical angle turrets and crowsteps. The tower abuts the main block directly opposite the northern tower enclosing the earlier 'entrance' doorway, forming a 'T' plan and thereby rendering the castle symmetrical. In an attempt to improve the elevation of the western front a false gable with diagonally placed chimney stacks was erected between the two towers and may date from this time (77).(Appendix 3 no.8) The homogeneity of the castle was also given consideration. The

decorated dormer windows with moulded surrounds were continued from the main block, around the south and, presumably, the north tower to the garden front.(Appendix 3 no's 9, 12) It is noteworthy that in their printed drawing MacGibbon and Ross included a pediment on the northern tower in addition to the conical roofs of the stair turrets, this was evidently conjectural as their original rough sketch omitted these features.(78)

With the building of the southern tower a new entrance and wide scale and platt staircase could be inserted giving access to the hall and the unusual flat, wooden balusters which flank the staircase may also belong to this period. As on the eastern tower, the stair turret was corbelled out above a squinch and this would support the idea that the lower walling of the main block was already in existence.(Appendix 3 no.22) The central section of the castle may also have been heightened from two to three stories at this time.

The development of Kellie in the early seventeenth century can be compared to other contemporary improvements. Fyvie epitomises the new taste for external symmetry. In 1603 the late fourteenth century 'Preston' tower was linked to the later 'Meldrum' tower by a large central show facade with twin turrets and gables. Like Kellie, Inchdrewer in Banff was transformed from an 'L' plan to a 'T', whilst Carestan (Angus) and Castle Stewart were also rendered symmetrical. Methven castle also belongs to this period - it is nearly square on plan with round towers rising at each angle, moreover, like Kellie, the windows are larger and more regular than those found on earlier buildings. Parallels can also be found for the diagonally placed chimney stacks on Kellie's false gable. Early examples are provided by Grangepans and Luffness, whilst later ones are to be seen at Winton, Innes and Leslie.

Thus it would seem that it was the fifth Lord Oliphant who finalised Kellie's present form. Part of the central section of the castle must belong to his grandfathers time, if not earlier, but it appears that the fifth lord was responsible at least for the upper storey and overall homogeneity of the castle.

The idea that the building work at Kellie in 1606 was fairly extensive is corroborated by two documents signed at Balcormo on the sixteenth and twenty sixth day of March.(79) Balcormo was not a usual residence of the Lord Oliphant and its very close proximity to Kellie suggests that the lord chose to reside here whilst the building work was being undertaken - the lord's servants, David Rollok and Peter Murray were present as witnesses to the second charter.(80) The second of these documents is the coal mining contract discussed in chapter three and is useful for giving a description of the castle at that time. The coalminers were forbidden to work the 'place, houses, biggings, yards, orchards, byres, barns and barnyards' of Kellie within the stone dykes .(81)

The fifth lord attempted to secure his tenure of the newly restored castle in November 1606. A contract was drawn up with Peter Oliphant of Kelliemills whereby he finally and irrevocably resigned his claim to the:

"toure, fortalice, and maner place of Kellie, housis,doucattis, orchardis, yards and grenis yerof of ye mains of Kellie and pendicles yerof".(82)

The walled garden became increasingly popular from the end of the sixteenth century onwards. The two references to Kellie's orchards and the reference to 'greens' found in 1606 may therefore suggest that the fifth lord was responsible for laying out Kellie's gardens. Similar developments can be found at Edzell, where Sir David Lindsay laid out his 'pleasance' in 1604 and at Aberdour where the seventh Earl of Morton created a walled garden on the eastern side of the castle.

With the increasing number of writs and documents signed at Kellie and Edinburgh, and the presence of the Drummond arms in the decorated pediments, it would seem that Kellie was 'improved' in 1606 in consequence of the fifth lord's marriage and also as a suitable, comfortable residence to allow frequent trips into the capital to conduct business. However, despite the changes and development of Kellie, it is evident that Dupplin was still considered the ancestral seat of the Oliphants - in a royal charter of

confirmation, dated 28 January 1607, the castle of Dupplin was described as the "principale fore messagium".(83)

By the time of Kellie's sale in 1613 the building alterations of the fifth Lord Oliphant must have been completed. The cost of Kellie's renovation may even have contributed to the Lord's debt, forcing the castle's sale. Unfortunately the contract of sale is as unspecific as earlier documentary sources and the last Oliphant document concerning the castle merely describing it as:

"the haille fortalice and maner place of Kellie with the haille office houses, yards, orchards and doocattis of ye same Togidder with ye haille keyis yerof...".(84)

FOOTNOTES:

- 1) Cruden, Stewart The Scottish Castle (London, 1960) p109
- 2) MacGibbon, D and Ross, T The Castellated and Domestic Architecture of Scotland v2, p125; Hussey, Christopher 'Kellie Castle' in Country Life 20 Aug 1964 p448; Fenwick, H Scotlands Castles: Lothians, Edinburgh and Fife (v2) (London, 1976) p139; Gifford, John The Buildings of Scotland:Fife (London, 1988) p253
- 3) Lorimer, H Red Book p32
- 4) MacGibbon and Ross Cas. and Domestic v2 p125
- 5) RCAHMS Inventory of Fife, Kinross and Clackmannan (Edinburgh, 1933) p44
- 6) Pride, G The Kingdom of Fife (Edinburgh, 1990) pp161-2; Gifford Fife p253
- 7) Hussey 'Kellie Castle' in Co. Life 20 Aug 1964 p448
- 8) Lorimer, H Kellie Castle and Gardens (Edinburgh, 1985) p6; Cunningham, Jack and Fisher Kellie Castle: Quinquennial Report 20 Nov 1986, Unpublished, NTS
- 9) Anderson, J The Oliphants in Scotland (Edinburgh, 1879) 7; NLS CHB1359
- 10) On this see chapter one passim.
- 11) On this see chapter two p28
- 12) Re Stephanie Blackden, NTS Resident Representative, Kellie Castle.
- 13) Lorimer Red Book p45
- 14) *ibid.*
- 15) Hussey 'Kellie Castle' in Co. Life 20 Aug 1964 p448; RCAHMS Fife, Kinross and Clackmannan p44
- 16) MacGibbon and Ross Cas. and Domestic v2 p125
- 17) Lorimer Red Book p49
- 18) For a general history of early Scottish castle development see Cruden S The Scottish Castle (London, 1960) chapter 3.
- 19) Cruden Scottish Castle p113
- 20) SRO RH9/4/2 f10 no.20
- 21) Mackay Mackenzie, W The Medieval Castle in Scotland (London, 1927) p223
- 22) Innes C ed Book of the Thanes of Cawdor (Spalding Club, Edinburgh, 1859) p20
- 23) Cruden Scottish Castle p142
- 24) Mackenzie Medieval Castle p226
- 25) *ibid.* p140

- 26) Stell, G 'Architecture: The Changing Needs of Society' in Brown, J M ed Scottish Society in the Fifteenth Century (London, 1977) p157
- 27) Tabraham, C and Good G 'Excavations at Smailholm Tower, Roxburghshire' in PSAS 1988 pp231-267
- 28) Tabraham C and Good G 'Excavations at Threave 1974-8' in Medieval Archaeology 25, 1981 pp90-140
- 29) Tabraham C and Good G 'The Scottish Medieval Towerhouse as Lordly Residence in the Light of Recent Excavations' in PSAS 1988, p272
- 30) Proudfoot, E and Aliaga-Kelly, C Excavations at Niddry Castle 1986-1990: Interim Report p21, Forthcoming
- 31) Stell, G 'Architecture: The Changing Needs of Society' in Brown, J M ed Scottish Society in the Fifteenth Century (London, 1977)
- 32) Tabraham and Good 'Excavations at Smailholm' in PSAS 1988, p242
- 33) Lorimer Red Book pp45-6; Hussey 'Kellie Castle' in Co. Life 20 Aug 1964 p448
- 34) Proudfoot and Aliaga-Kelly Excavations at Niddry p18
- 35) RMS 2, 1375
- 36) Knoop, D and Jones, G The Scottish Mason and the Mason Word (Manchester, 1939) p14
- 37) Ordnance Survey 1972, NO50NW; SRO RHP2153
- 38) ALC 2 p47
- 39) Harvey, CCH and MacLeod, J Calendar of Writs at Yester House 1166-1625 (Edinburgh, 1930) 269
- 40) RMS 2, 3590
- 41) SRO CS5/38 f143
- 42) SRO CS5/38 f148
- 43) Lindsay, M The Castles of Scotland (London, 1986) p29
- 44) Gibson, AL of Durie The Decisions of the Lords of Council and Session 1621-42 (Edinburgh, 1690) p549
- 45) ER15 p672; ER 17 p736
- 46) SRO CS6/27 ff76-9
- 47) RCAHMS Fife, Kinross and Clackmannan p44; Lorimer Kellie Castle and Garden p6
- 48) The stringcourse at Kellie bears resemblance to that of Carnasserie, Argyllshire, built in the 1560's by John Carsewell, see MacGibbon and Ross Cas. and Domestic v4 p316.
- 49) ALC 2, p47
- 50) Maxwell Stirling, A 'Cramalt Tower: Historical Survey and Excavations 1977-9' in PSAS viii, 1981 p428
- 51) SRO SC20/1/2 f44, 'beting', repairing, see Accounts of the Masters of Works v1, p381

- 52) SRO CS6/27 ff76-9
 53) SRO RD1/115 f390
 54) Hussey 'Kellie Castle' in Co. Life 20 Aug 1964 p448
 55) MacGibbon and Ross Cas. and Domestic v4 p115, 199; v3 p587
 56) Gordon Slade, H 'Midmar Castle, Aberdeenshire' in PSAS 113, 1983, pp594-619
 57) *ibid.* p611
 58) Tabraham, C Scottish Castles and Fortifications (Edinburgh, 1986) p70
 59) On this see RCAHMS Fife, Kinross and Clackmannan p125
 60) *ibid.* p17
 61) *ibid.* p293
 62) On this see Lindsay M Castles of Scotland p41
 63) *ibid.* p56
 64) On this see Fenwick H Scotlands Castles (London, 1976) p 175
 65) Lorimer Red Book p73
 66) RCAHMS Inventory of East Lothian (Edinburgh, 1924) p30
 67) SRO CS7/60 f450
 68) *ibid.*
 69) SRO RD1/32 ff80-1
 70) *ibid.* f80
 71) *ibid.* f81
 72) SRO CS7/60 f450
 73) Anderson Oliphants 140
 74) RPS9, pp241-2
 75) SRO RS30/5 ff167-8
 76) SRO RD1/115 f390
 77) Though this may belong to a later building period under the Erskines.
 78) NLS MS691 no's 20, 21
 79) SRO RD1/127 f61; RD1/134 f285
 80) SRO RD1/134 f285
 81) *ibid.* f287
 82) SRO RD1/125 f372
 83) RMS 6, 1841
 84) SRO RD1/210 f171

CONCLUSION

The first known reference to the barony of Kellie occurs in a charter to the monks of the Isle of May dated c.1150. At this time Kellie emerges as a local royal administrative centre with its own mill, teinds, common pasture and thane, Malmure. In the ensuing three decades Kellie was Normanised and a new lord, Robert de London, illegitimate son of William the Lion, is found holding the barony of Countess Ada before c.1178. Thus Kellie can be seen as a representative of the general trend of transferrance from Celtic to Norman control which was occurring throughout the lowlands in the second half of the twelfth century.

The death of Robert de London in c.1222 marks the first dynastic change in Kellie's development, passing to the Siward family who held it for over 130 years. As has been seen above the Siwards were actively involved in the wars of independance. Sir Richard Siward senior earnt himself the reputation as an expert in arms and was used by both sides to secure the vulnerable borderlands of Dumfriesshire. However, the wars were not profitable to the Siward family their alignment with the English ensuring the forfeiture of their estates. Despite the forfeiture of the male members of the family Helen Siward is found to have possession of Kellie between 1327 and 1360. Helen may have held Kellie as her dower lands, her husband being recorded in 1358 as Eustachius Maxwell. If we can identify him with the keeper of Caerlaverock castle then Helen may have retained possession of Kellie through the allegiance of her husband. No architecture remains from this period (1) and little is known of Helen's tenure of Kellie, other than that in 1360 she resigned the barony to her kinsman Walter Oliphant.

In comparison with the Siwards the fourteenth century Oliphants were strong supporters of Robert the Bruce, were employed in royal service and rewarded with numerous grants of land. Towards the end of the century a junior branch of the Oliphant family was established at Kellie. Through an examination of the surviving documents it would seem that the first distinct Oliphant of Kellie was

Walter, not Thomas, as suggested by Lorimer and his nineteenth century sources, and the detailed succession to Kellie has now been traced.(Appendix 1)

The earliest tower house of Kellie seems to date from the beginning of the fifteenth century when the junior Oliphant line was establishing itself and may be represented by the lower walling of the northern tower. It has been suggested above that, like contemporary castles in Fife and elsewhere, Kellie consisted of four storeys, the lower two barrel vaulted with a guard house and parapet walk at the top. Alterations were made to the northern tower in the fifteenth and sixteenth centuries - the second and third floors with intramural rooms and window embrasures with stone seats belonging to the former, whilst the fifth floor and angle turrets belong to the latter.

The very limited space afforded by the northern tower may suggest that there were further residential apartments, furnished in a hall block. This would have been within the barmkin wall, seen on the western front, and possibly lay along the walls of enceinte extending eastwards. The earliest towerhouse provided accommodation for the Oliphants as small Fifeshire landholders and the geographical extent of the barony always seems to have been limited - all the associated lands lying within an approximate three mile radius. Despite its size, or perhaps in consequence of it, land disputes between the lairds of Kellie and other Fifeshire landholders were common. Recorded incidents occurred with the Melvilles of Carnbee, the Strangs of Pitcorthy and Balcaskie, the Earl of Rothes and the lairds of Ardrross. On the death of John Oliphant in c.1527 a succession dispute occurred within the Oliphant family involving a struggle over Kellie's 'tower house and fortalice'.

The junior line of the Oliphants of Kellie terminated in 1560 with the death of Alexander who had held the barony since 1537, and precipitated a second succession dispute. The third Lord Oliphant's takeover of Kellie is now known to have originated in the marriage contract between Alexander and Katherine Oliphant, dated October 1551. This specified that, in the event of the marriage failing to

produce male heirs, the Lord Oliphant would succeed. However, Alexander's nephew, Peter, challenged the succession, claiming he was the rightful heir of 'tailze'. The dispute, which also involved Alexander's three daughters and his previous wife, was taken before the Lords for adjudication and it was on their decision that the Lord Oliphant received the barony in 1563.

The succession of the Lords Oliphant marks a significant change in both the dynastic and architectural development of Kellie. Unlike their Fifeshire relatives, the Lords Oliphant were both prosperous and politically active. The fourth Lord Oliphant was a strong supporter of Mary, involved in acquitting Bothwell of Darnley's murder and a member of her Privy Council, whilst the master of Oliphant was involved in the 'Raid of Ruthven'. Two important feuds also occurred. The first between the Lord Oliphant and the Earl of Caithness which resulted in the latter's loss of his regional justiciary in 1582. The second was the Lord Oliphant's dispute with Ruthven which may have contributed to Morton's downfall by forcing him to choose between supporting Ruthven and his kinsman Oliphant.(2)

The political activity and the other estates of the Lords Oliphant necessitated an examination of Kellie's importance to them. From a comparison of over sixty documents we find that in popularity Kellie was an equal to the ancestral seat of Dupplin, possibly due to its proximity to Edinburgh. Kellie may even have become the more favoured of the two residences in the early seventeenth century. The barony of Kellie, though small, was extensively used as the Lady Oliphant's dower lands, which may account for Margaret Hay's initials being present on the eastern tower, whilst an extensive mining contract indicates an attempt to increase the barony's profitability.

It was under the Lords Oliphant that Kellie's architecture fully developed. With the early succession dispute it is unlikely that the third Lord Oliphant made any substantial alterations before his death in 1566 - although there is a reference to repair work being carried out five years earlier. The eastern tower which bears the initials 'MH' and the date of 1573, can be partially attributed to the fourth

lord. It has been argued in chapter 4 that the lower storeys of this tower may belong to an earlier building phase with the Lord Oliphant raising the height and adding the Renaissance window. The corbelled stair turret of this tower is supported by an apparently rare Scottish architectural feature, the squinch, and it is possible that this example is one of the earliest in Scotland. The fourth Lord Oliphant may also have been responsible for heightening the northern tower and possibly linking the two towers together, enhancing convenience and forming the castle into an 'L' shape. The idea that this Lord Oliphant was responsible for a greater part of Kellie's architecture than merely the eastern tower, may be supported by his building activity at Hatton castle in Perthshire in 1575 and the mason there, Walter Allardes, burgess of Perth, may have worked on Kellie only two years earlier.

The only other date on the castle, 1606, is found on a dormer window pediment and demonstrates that the fifth Lord Oliphant was also involved in the architectural development of Kellie. The third, southern tower may be attributed to him and is in accordance with the taste for external symmetry prevalent in the early seventeenth century. The central facade was probably heightened and the false gable could have been added at the same time. Homogeneity of the castle was created by moulded window surrounds and the decorated dormer pediments which occur on the north and south towers and on the front and back of the central section.

Thus it would seem that the fourth and fifth Lords Oliphant turned Kellie into a substantial, comfortable residence by uniting all of its component parts. The fifth lord was largely responsible for finalising Kellie's overall appearance and may also have been responsible for laying out the walled garden. The increasing number of documents signed at Kellie and Edinburgh, and the presence of Drummond heraldry in the dormer pediments, would imply that Kellie was improved in 1606 in consequence of the fifth lord's marriage and to provide a suitable residence to allow commuting into the capital.

The fifth Lord Oliphant's contribution to Kellie has been overlooked due to his reputation for causing the family's financial ruin. Debt

was evidently a problem but this may not have been entirely his own doing. The problems caused by the large number of alienations made to the Oliphant family, together with annual rents set under large reversion amounts, must have been considerable. However, the building improvements at Kellie can only have exacerbated the problem and contributed to the castle's sale to Thomas Erskine Viscount Fenton in 1613.

It is unlikely that Thomas Erskine, later first Earl of Kellie, made many alterations to the castle due to his continuous absence in England with the king. Evidence of some work at Kellie is provided by the plaster ceiling on the first floor of the eastern tower. This ceiling, with its roundels of 'worthies' and decorated strapwork bears the date of 1617 and, together with the coronets visible on the wooden panels of the dining room windows, seems to be part of an internal refurbishment made for a royal visit by James VI now known to have occurred in that year.(3) The moulds used for making this ceiling were transported to Edinburgh in June 1617 for use at the royal castle (4) and a similar ceiling is found at Glamis dated c.1619. Thomas died in England in 1639 and the second earl only held the barony for four years. Alexander third Earl of Kellie succeeded in 1643 but was captured at the battle of Worcester and spent most of the ensuing decade in the Netherlands. Despite this fragmentary and abstemious beginning it must have been one of these three earls who was responsible for enlarging the hall windows. In 1663 when Sir Philip Anstruther was building his new house at Dreel in Fife, he specified that the windows of the hall should be as large and complete as those of the hall at Kellie.(5) Relying on this, Hussey suggested that Anstruther would not have been copying windows almost sixty years old and therefore concluded that they were part of the repairs carried out by the third earl's sisters in anticipation of his return in 1661.(6) Hussey even suggested that Sir William Bruce of Balcaskie might have been involved (7) and this view might be supported by a later document of 1671 - whereby Alexander granted Bruce the advocations of the parish kirk of Anstruther Wester "for certane onerous causes".(8) A plaster ceiling in the dining room containing the third earl's coat of arms and those of his wife, and the Dutch style painted panelling of

this room could also be attributed to the same period. Thus it may be suggested that the first three earls of Kellie made few changes to the castle's basic structure other than enlarging the hall windows.

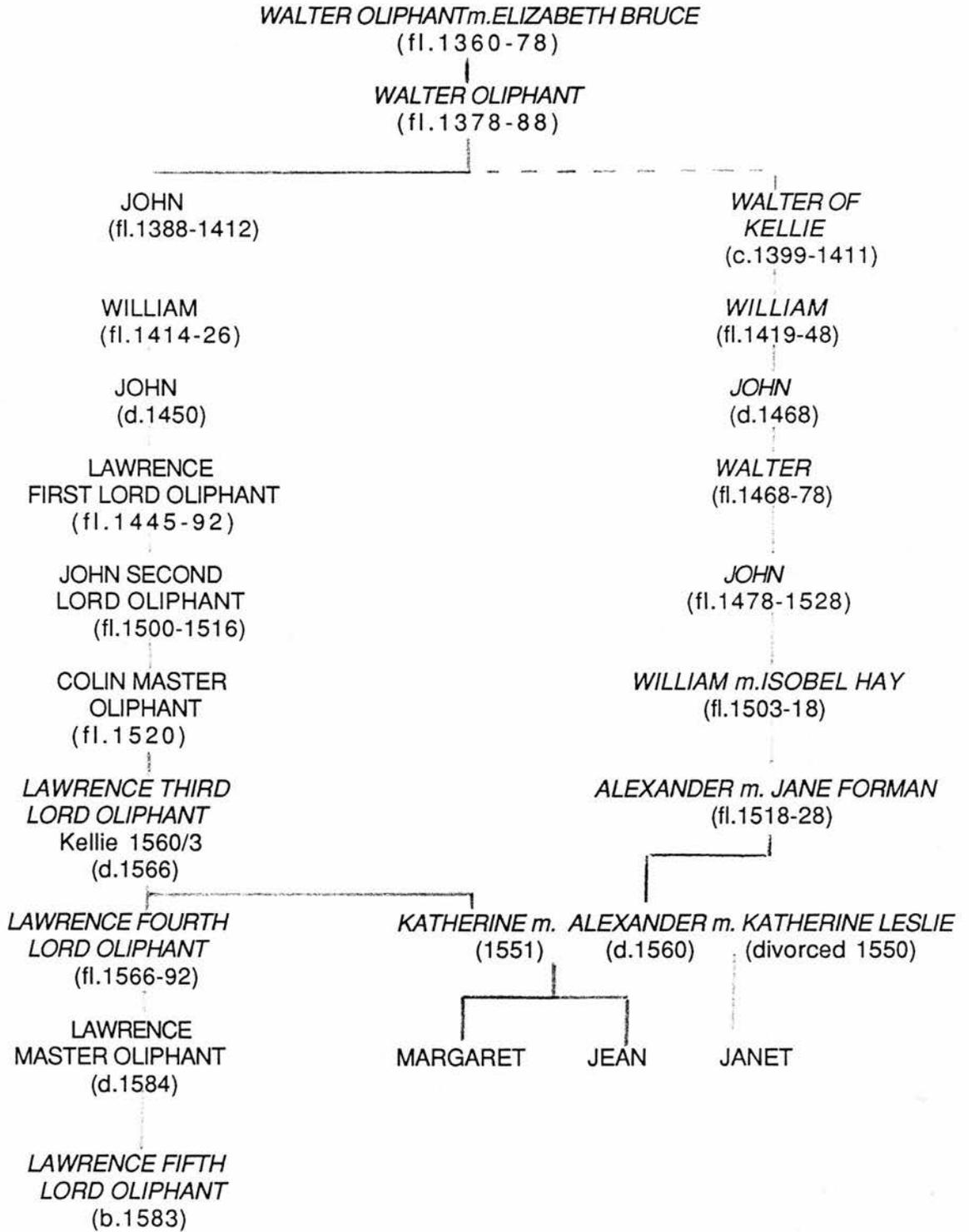
In conclusion then Kellie represents both the dynastic and architectural development of the Oliphant family from the early fifteenth century to 1606. Both the northern and eastern towers seem to be attributable to the junior line of the Oliphants of Kellie. However, it was the fourth and fifth lords Oliphant who were responsible for transforming the 'tower house and fortalice' of Kellie from a small, undistinguished lairds residence into the comfortable, lordly castle of today.

FOOTNOTES:

- 1) Although no archaeological excavation has ever been carried out at Kellie.
- 2) Anderson, J The Oliphants in Scotland (Edinburgh, 1879) pxlvi
- 3) HMC Report Mar and Kellie v60, 1904, p81; RPC2, p160
- 4) Imrie, J and Dunbar, J, eds. Accounts of the Masters of Works 1616-1649 (Edinburgh, 1982) p79
- 5) Gifford, J The Buildings of Scotland: Fife (London, 1988) p254
- 6) Hussey, C 'Kellie Castle' Pt 2 in Country Life 27 Aug 1964 p514
- 7) *ibid.*
- 8) SRO RD4/56/2 f730

APPENDIX ONE: FAMILY TREE

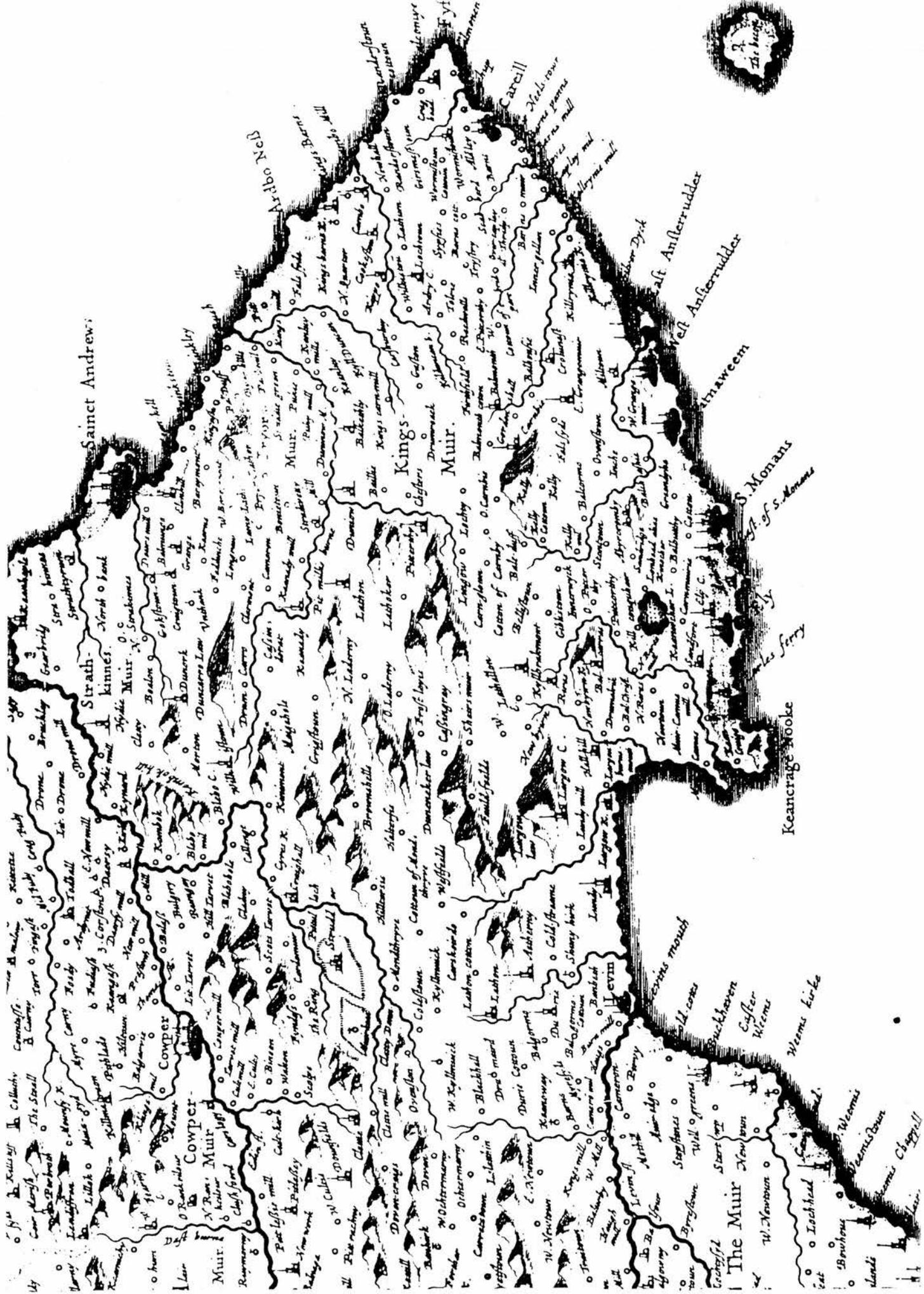
OLIPHANT FAMILY TREE SHOWING SUCCESSION TO THE BARONY OF KELLIE C. 1360 - C. 1613



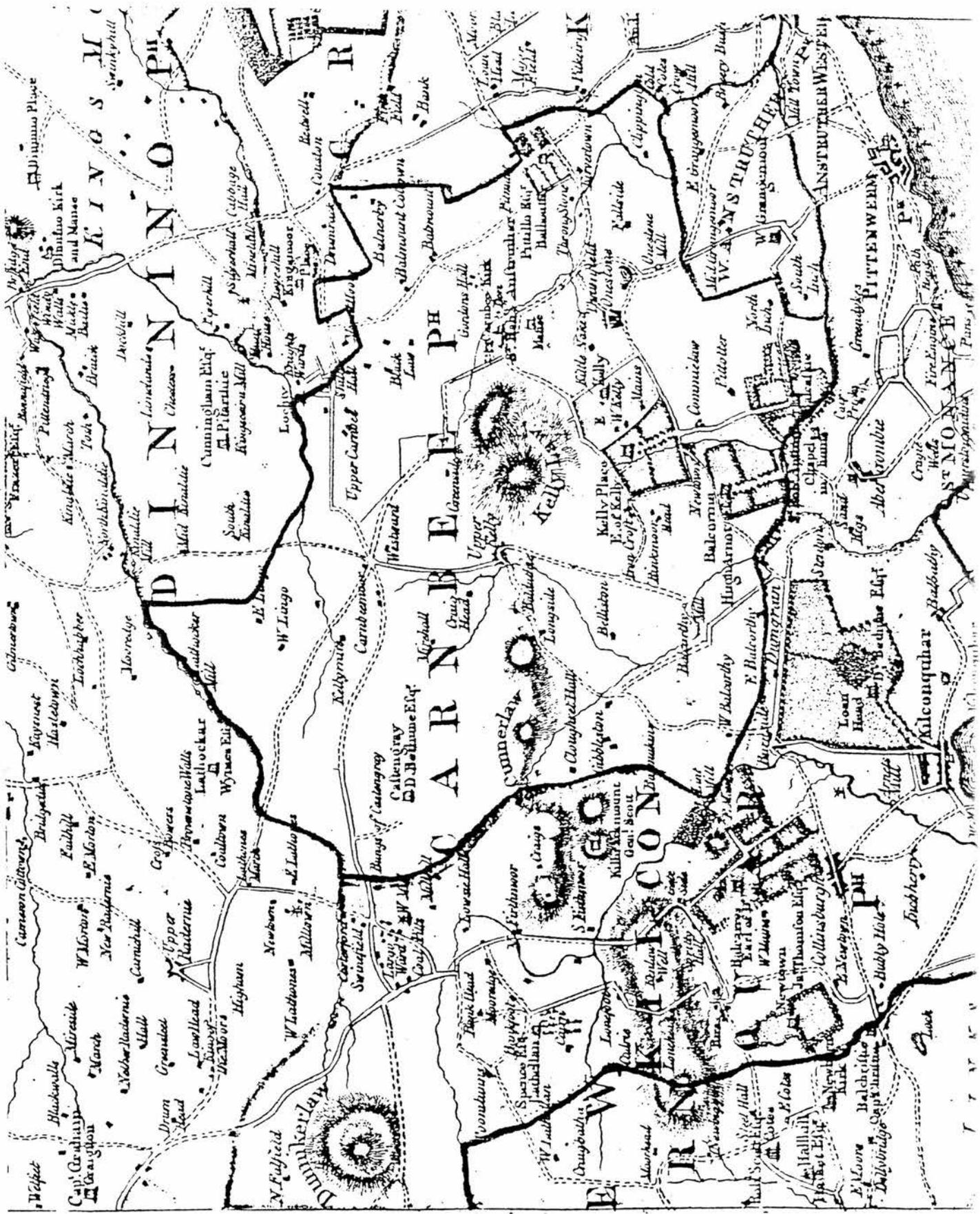
SALE OF KELLIE 1613

Italics denote possession of Kellie

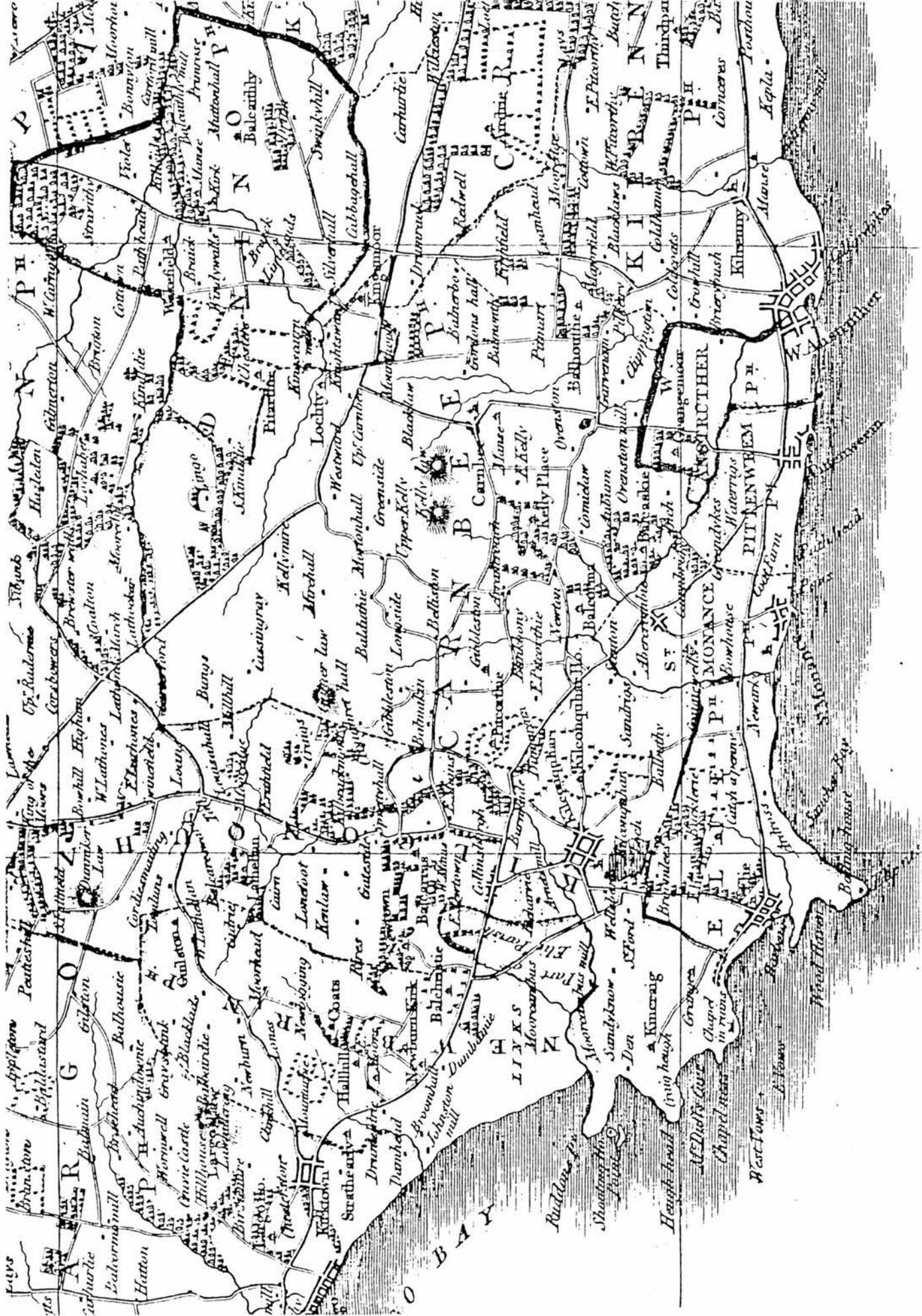
APPENDIX TWO: MAPS



Blaeu, Joan, Atlas Novus (1654)



Ainslie, John, The Counties of Fife and Kinross (1775)

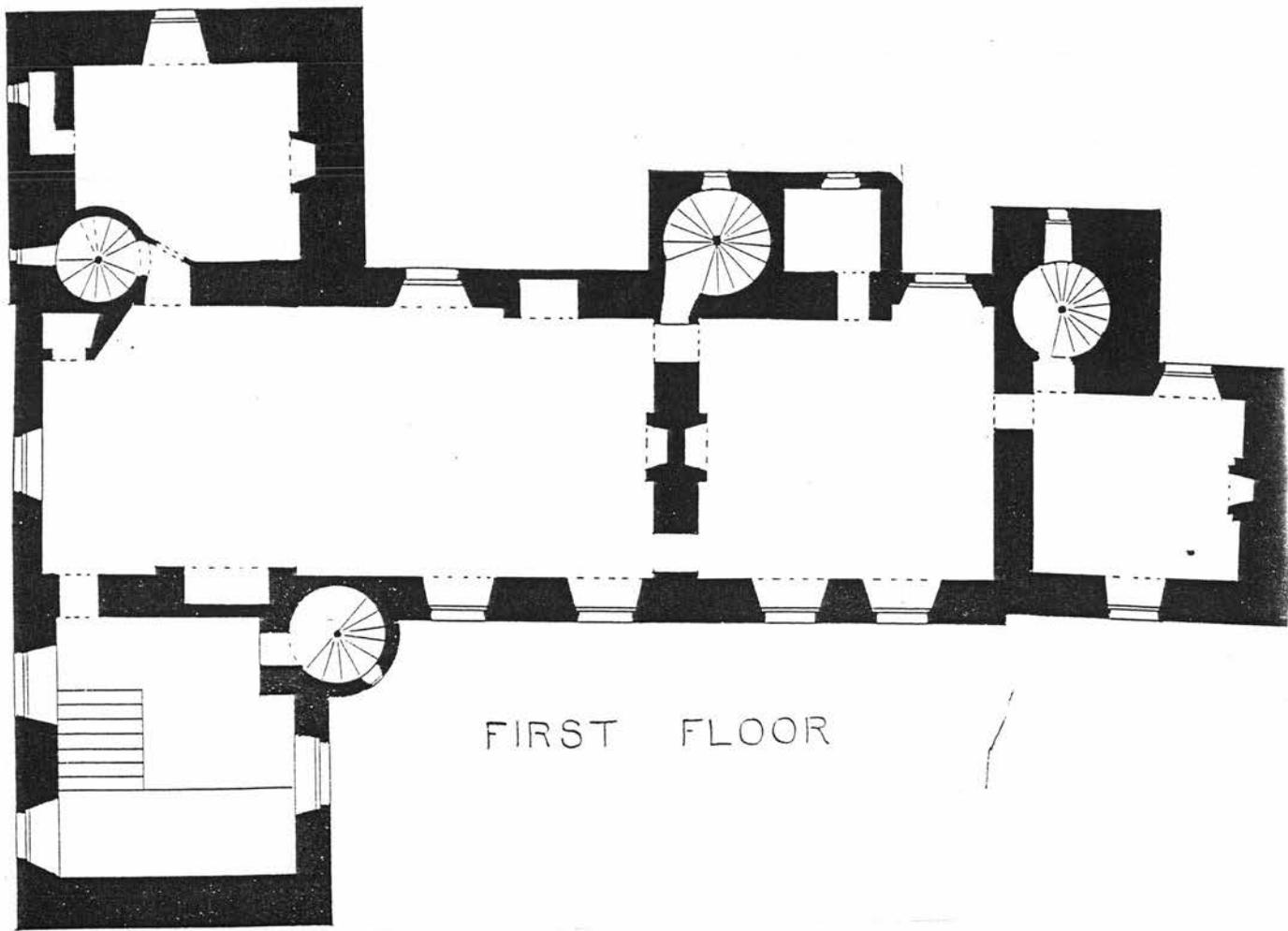


Ainslie John and Bell J, East Part of Fife (1827)

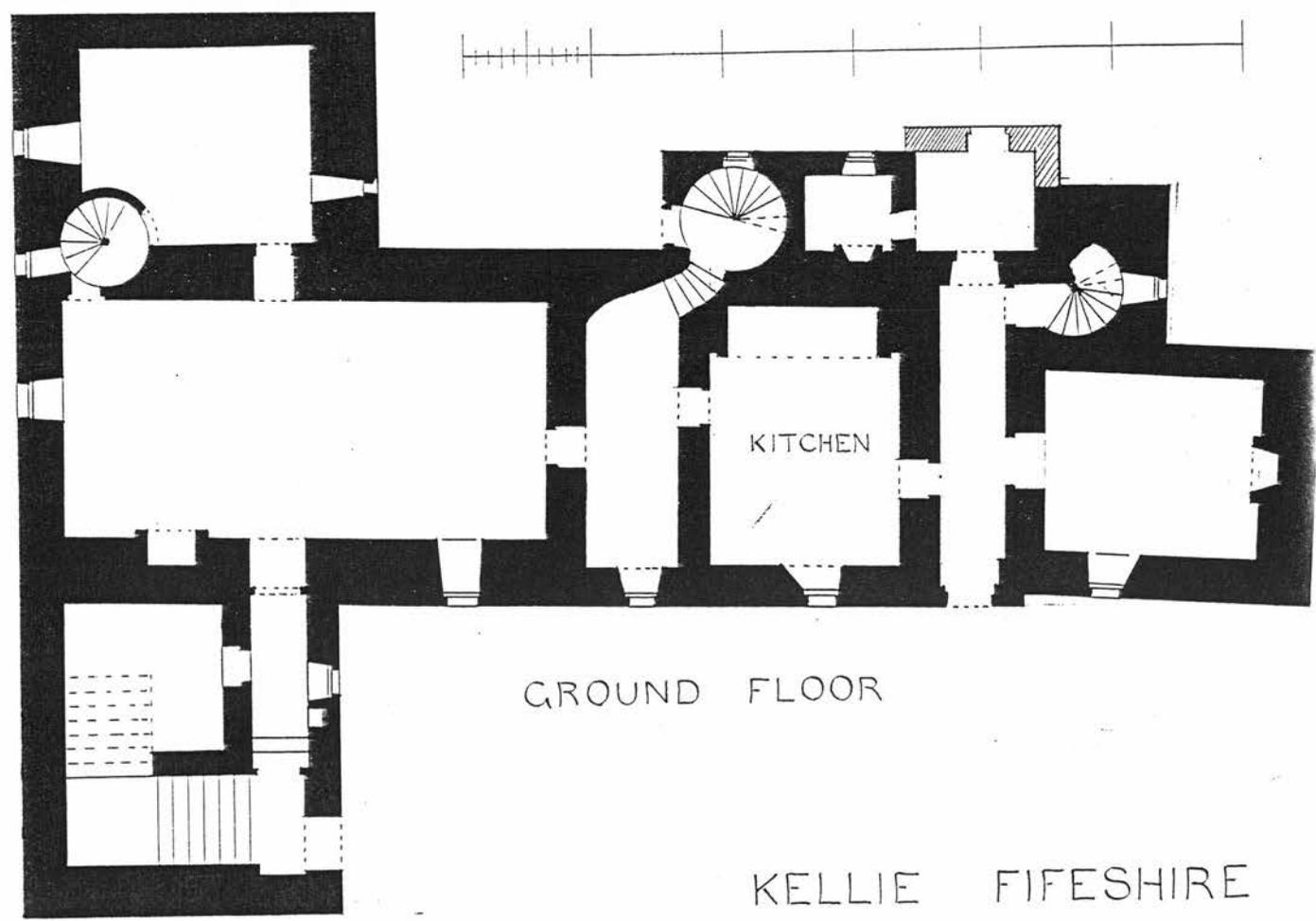
APPENDIX THREE: PHOTOGRAPHS

APPENDIX THREE: PHOTOGRAPHS

- 1) MacGibbon and Ross, Kellie, Ground and first floor plan (NLS MSS 691/22)
- 2) Lorimer, RS, Elevations of Kellie, 1887 (Reproduced with kind permission of the NTS)
- 3) Kellie, west front showing corbel course and skew put at fourth floor level (Author)
- 4) Kellie, north tower, garden front (Author)
- 5) Kellie, window embrasure, second floor (Author)
- 6) Kellie, window embrasure, third floor (Author)
- 7) Kellie, west front, barmkin detail (Author)
- 8) MacGibbon and Ross, Kellie, west front (NLS MSS 691/18)
- 9) Kellie, front elevation (NTS)
- 10) Kellie, central facade, detail (Author)
- 11) Kellie, 'entrance' doorway (Author)
- 12A) Kellie, Margaret Hay's tower, front (Author)
- 12B) Kellie, Margaret Hay's tower, doorway detail (Author)
- 13) Kellie, garden elevation (NTS)
- 14) Kellie, Margaret Hay's tower, renaissance window detail (NTS)
- 15) Castle Menzies, window pediment detail (Author)
- 16) Kellie, garden front, stair tower reduction in height (Author)
- 17) MacGibbon and Ross, Hatton, ground and first floor plan (NLS MSS 691/33)
- 18) Hatton restored, side view, gunloops detail (Author)
- 19) Hatton restored, entrance and gunloop detail (Author)
- 20A) Hatton, water inlet detail (Author)
- 20B) Hatton, slop sink detail (Author)
- 21) Kellie, dormer window pediment detail (NTS)
- 22) Kellie, south tower, squinch detail (Author)



FIRST FLOOR

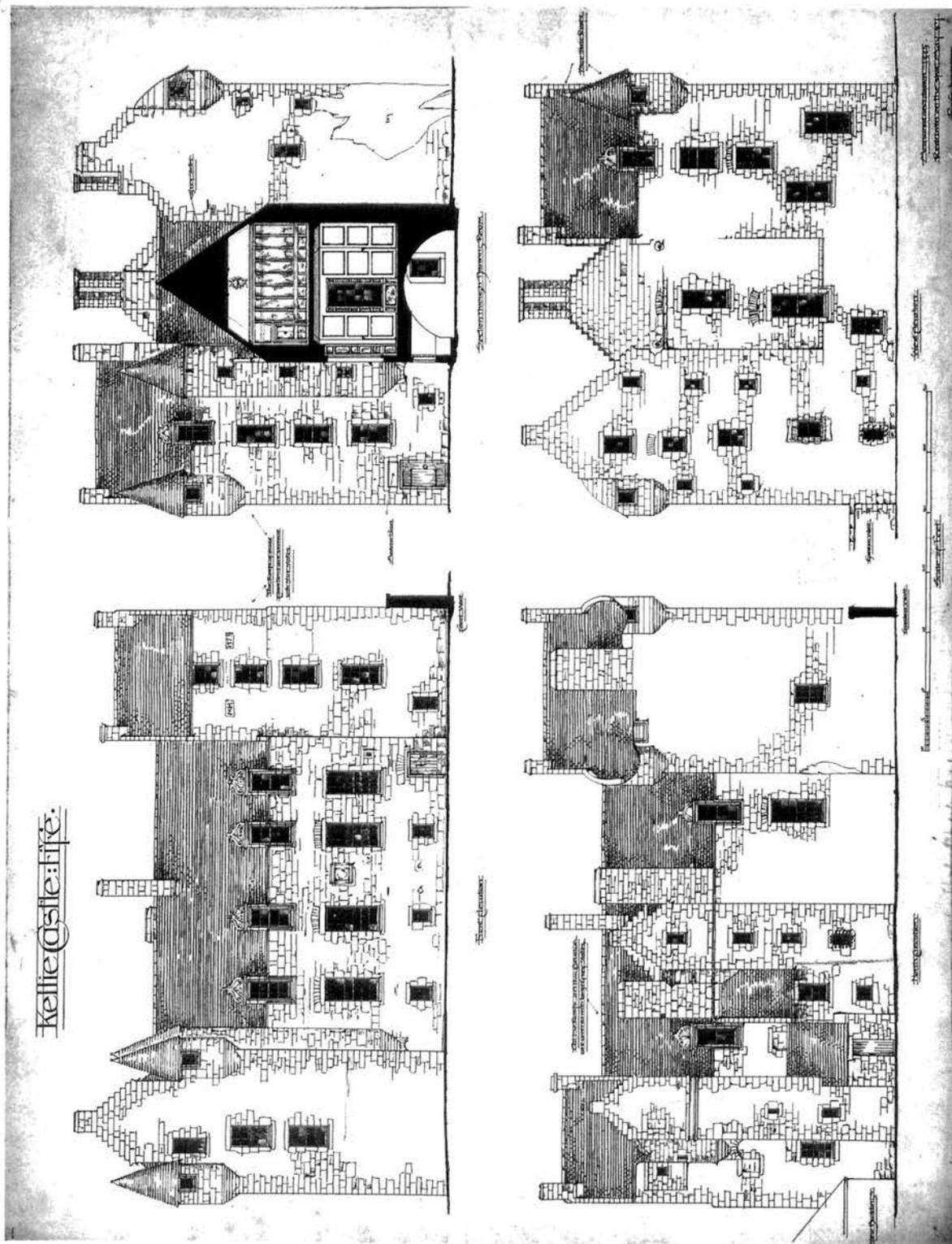


KITCHEN

GROUND FLOOR

KELLIE FIFESHIRE

1) MacGibbon and Ross, Kellie, Ground and first floor plan (NLS MSS. 224/22)



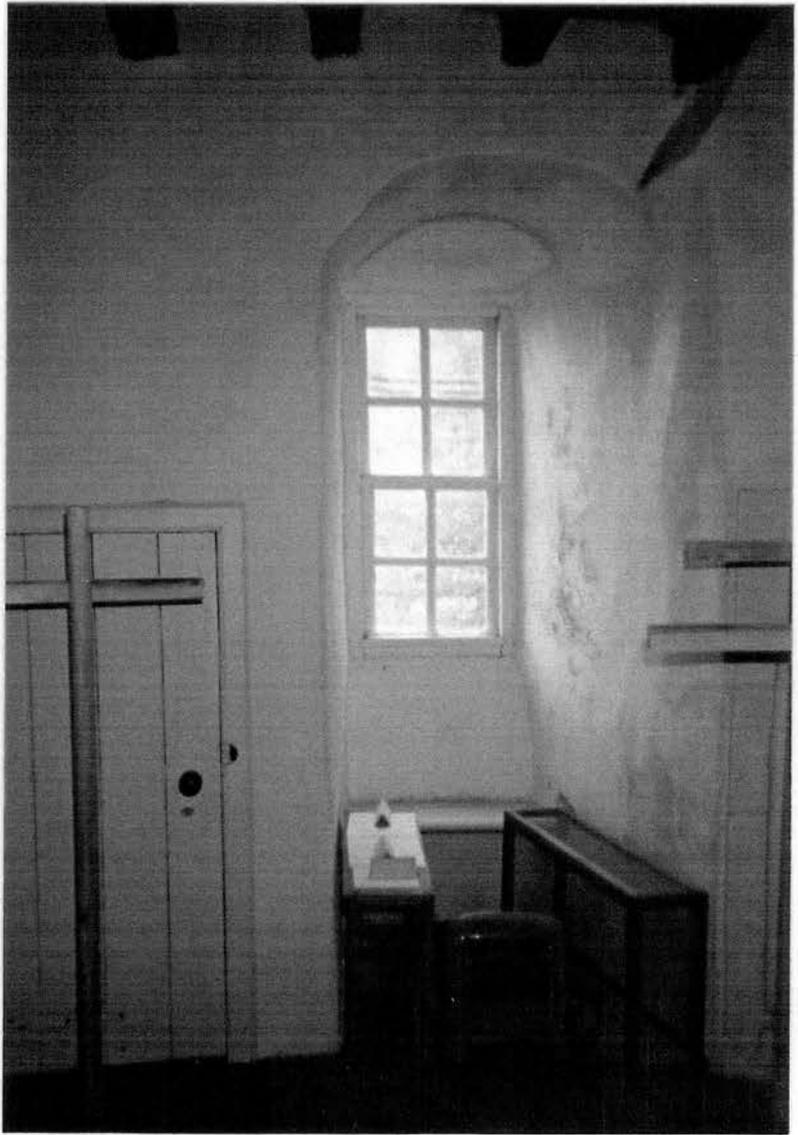
2) Lorimer, RS, Elevations of Kellie, 1887 (Reproduced with kind permission of the NTS)



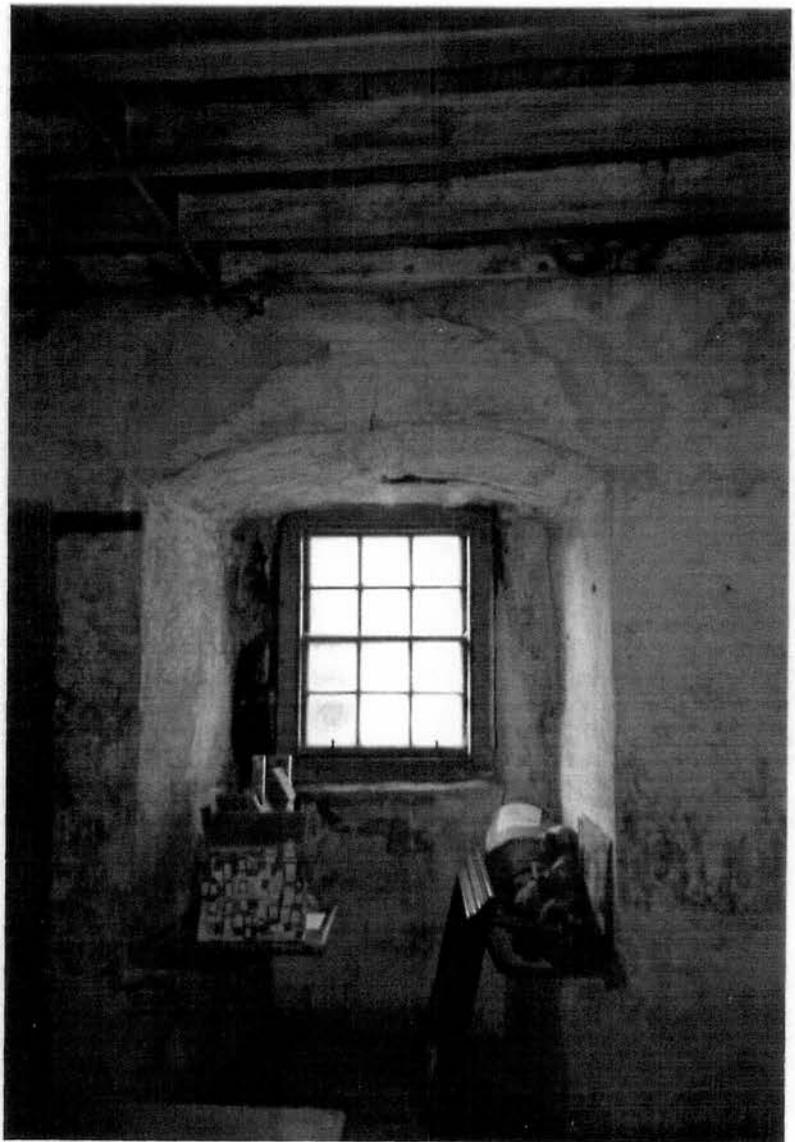
3) Kellie, west front showing corbel course and skew put at fourth floor level (Author)



4) Kellie, north tower, garden front (Author)



5) Kellie, window embrasure, second floor (Author)



6) Kellie, window embrasure, third floor (Author

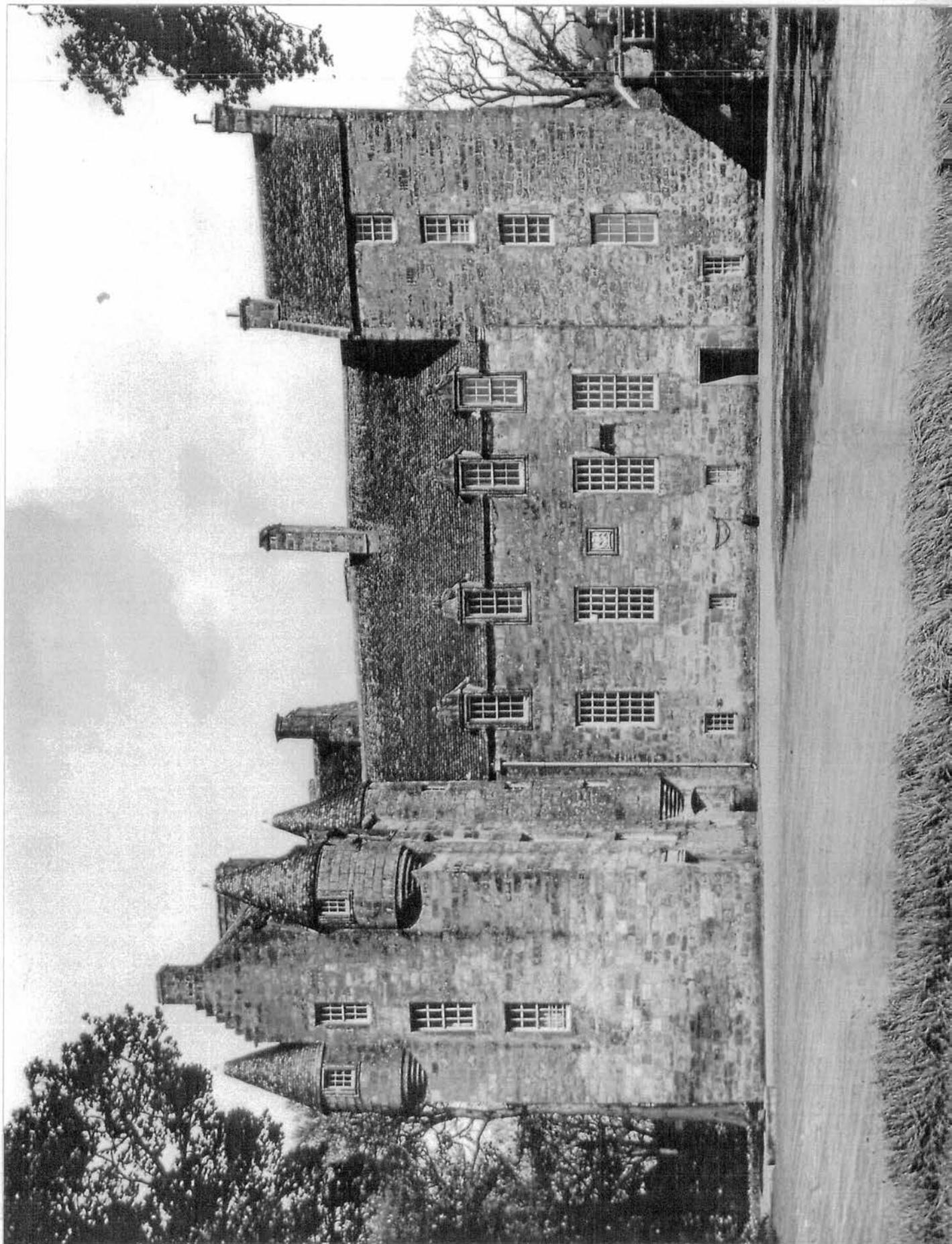


7) Kellie, west front, barmkin detail (Author)



KELLIE CASTLE

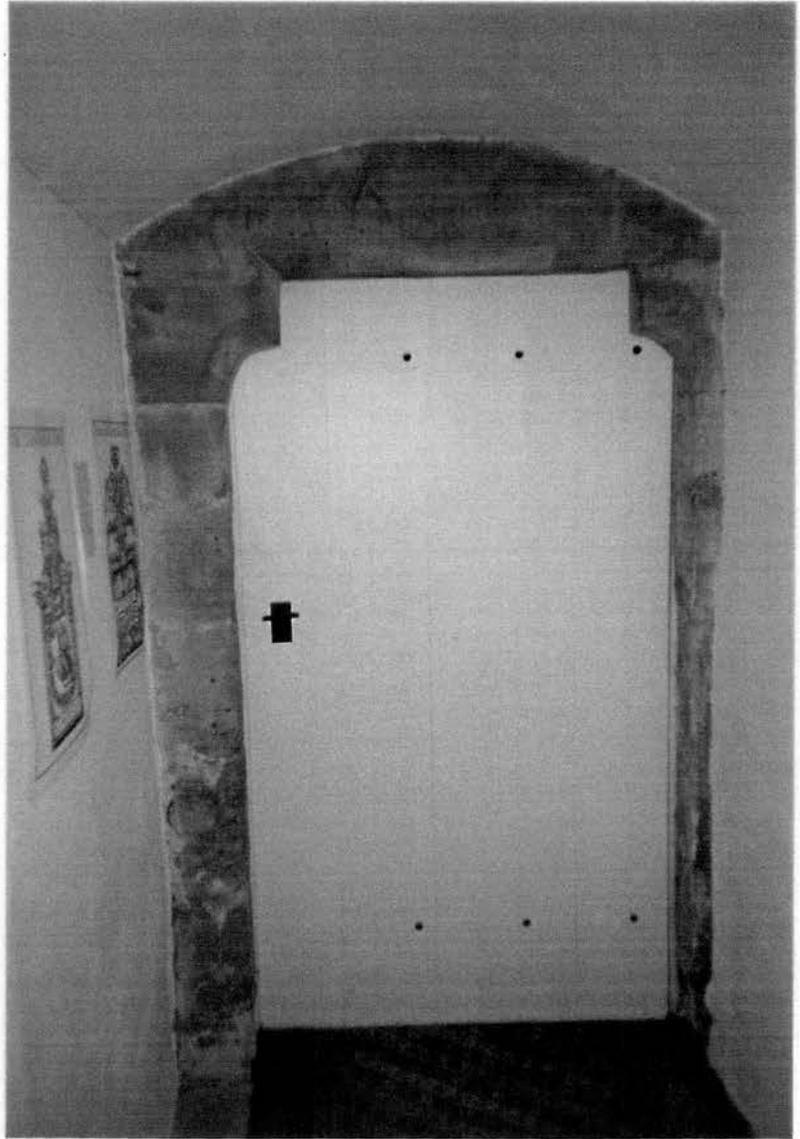
8) MacGibbon and Ross, Kellie, west front (NLS MSS 691/18)



9) Kellie, front elevation (NTS)



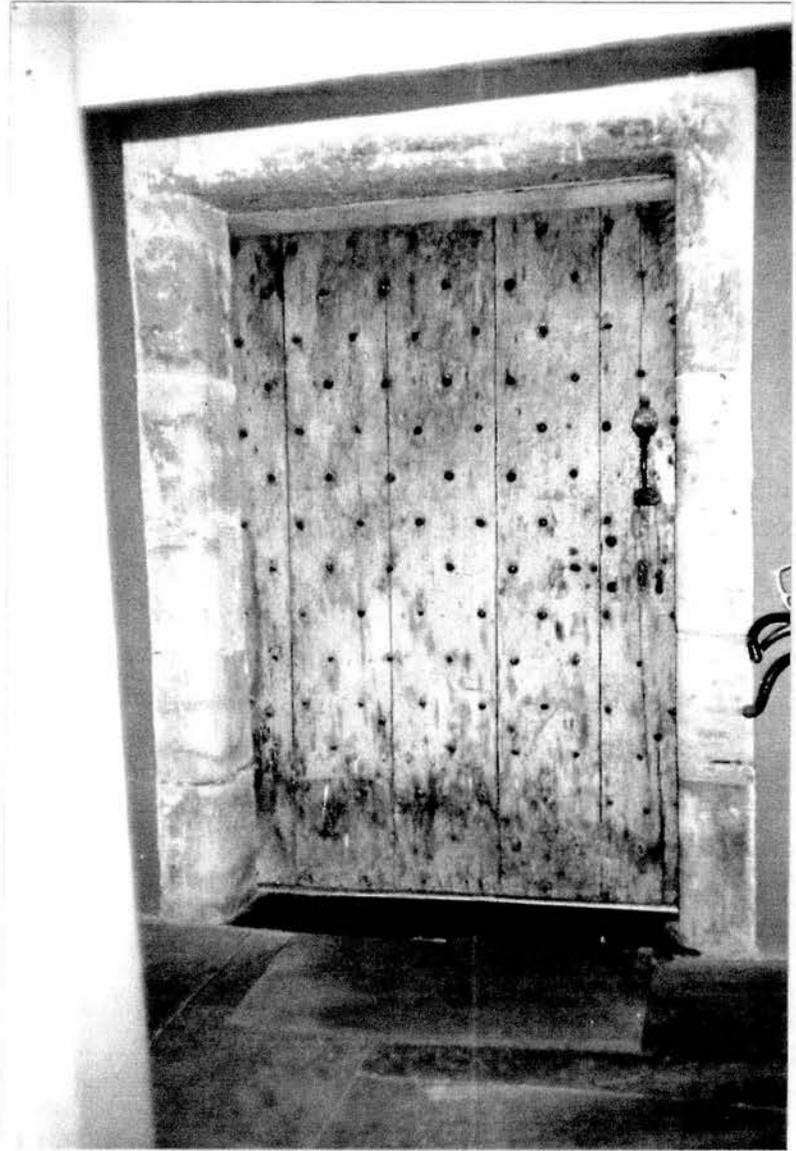
10) Kellie, central facade, detail (Author)



11) Kellie, 'entrance' doorway (Author)



12A) Kellie, Margaret Hay's tower, front (Author)



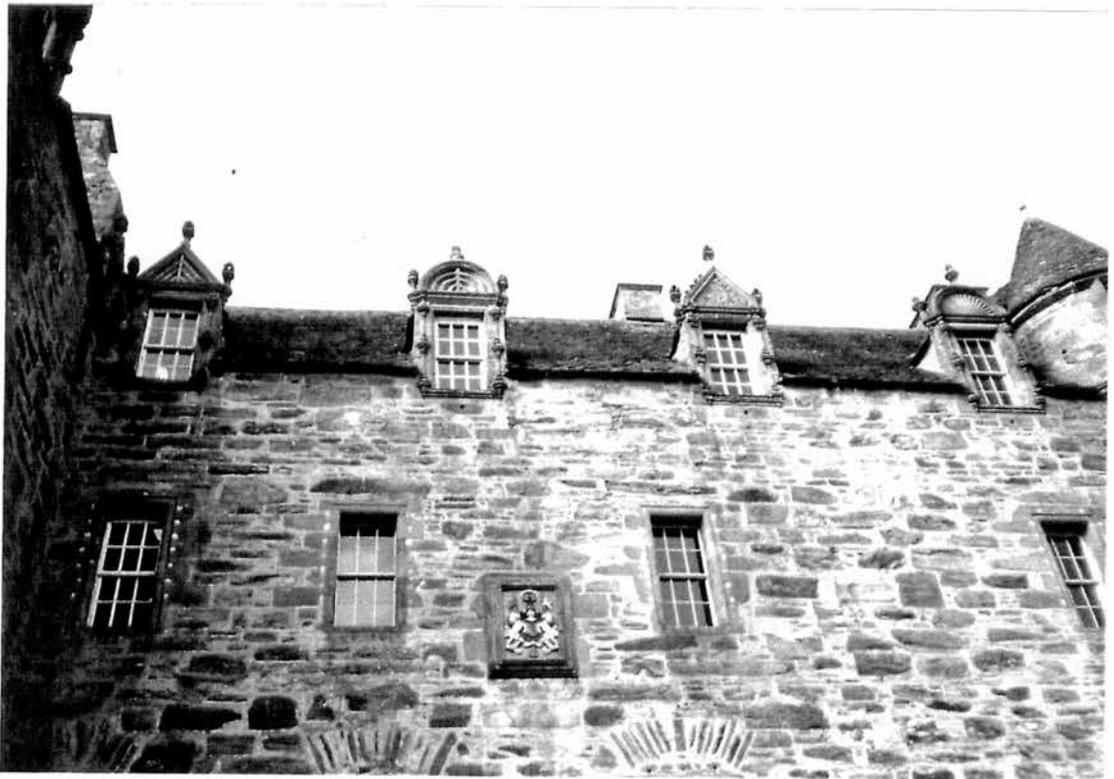
12B) Kellie, Margaret Hay's tower, doorway detail (Author)



13) Kellie, garden elevation (NTS)



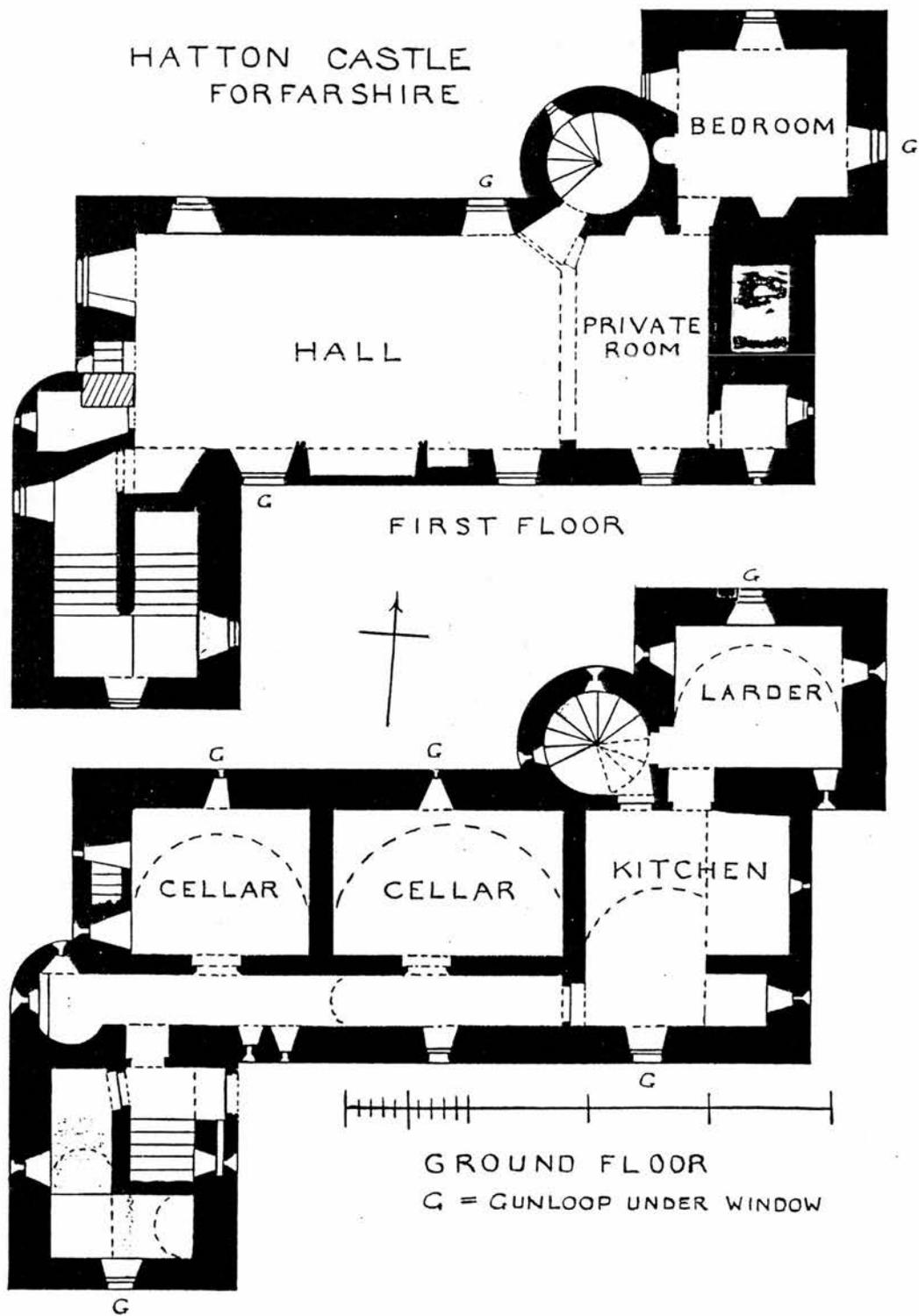
14) Kellie, Margaret Hay's tower, renaissance window detail (NTS)



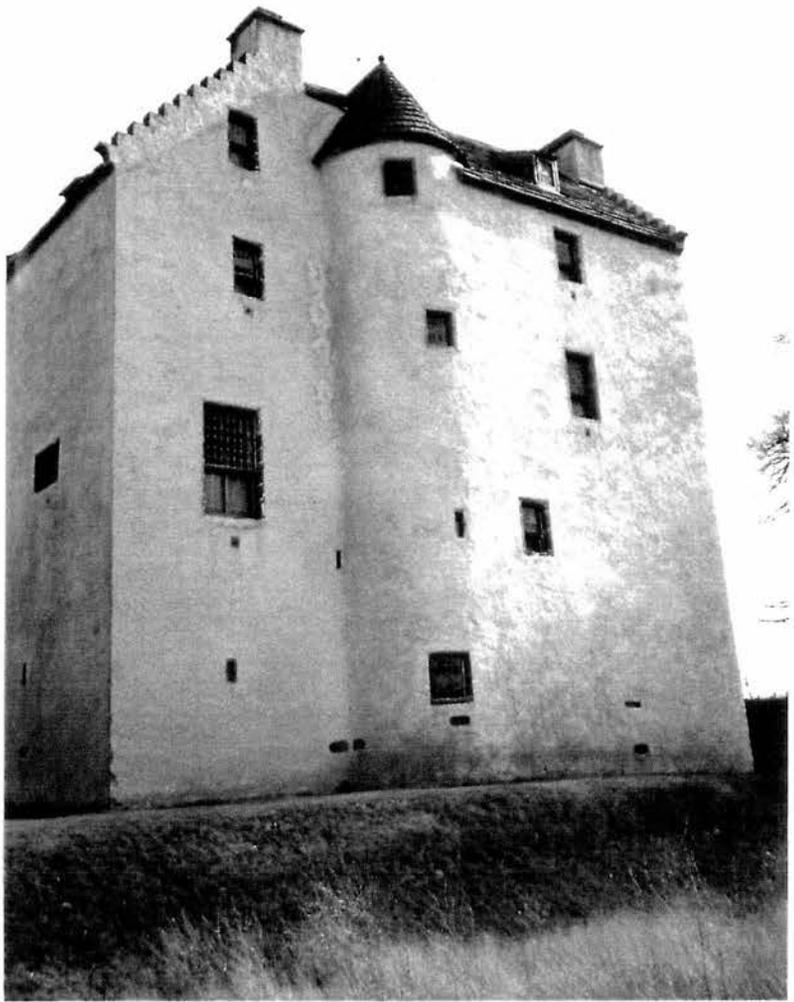
15) Castle Menzies, window pediment detail (Author)



16) Kellie, garden front, stair tower reduction in height (Author)



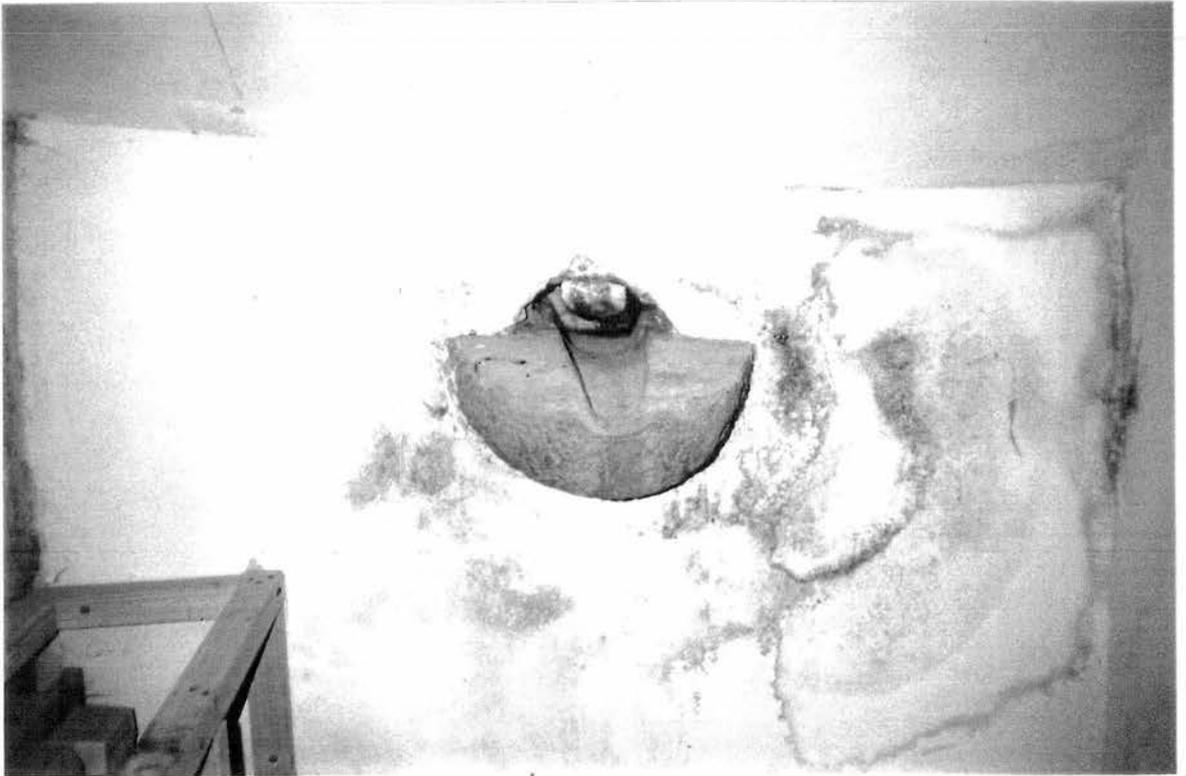
17) MacGibbon and Ross, Hatton, ground and first floor plan (NLS MSS 691/33)



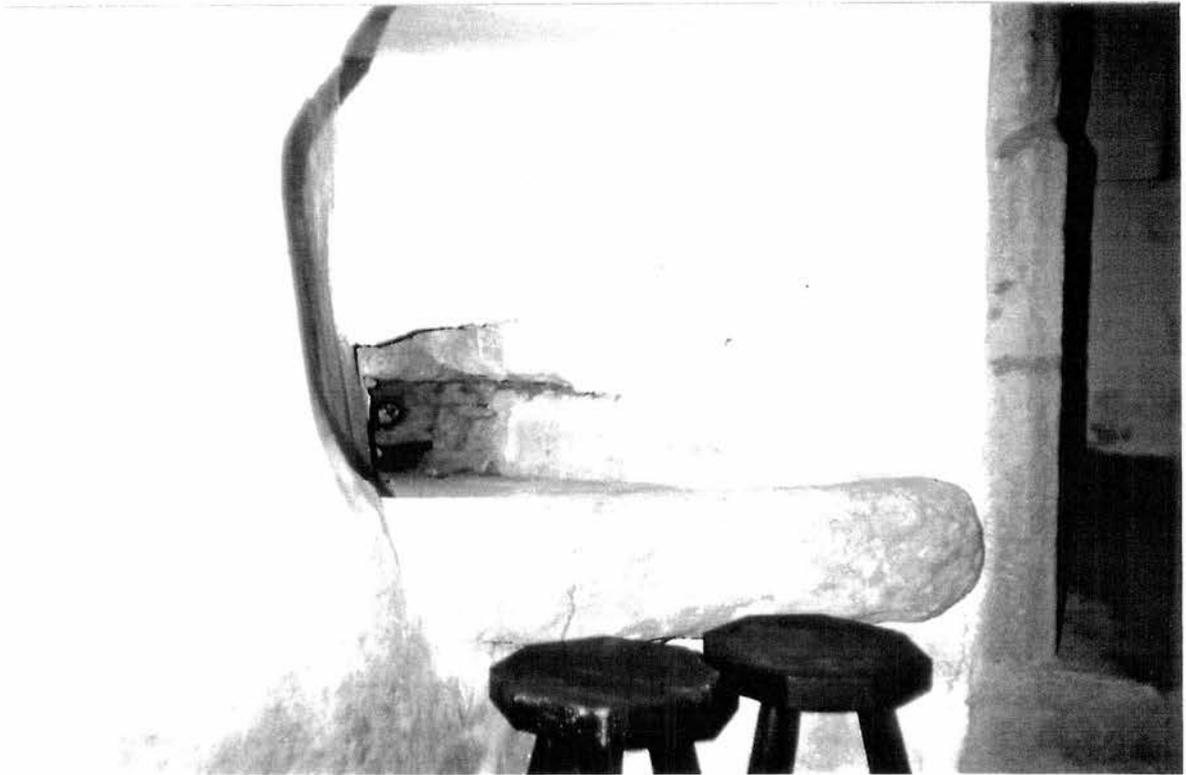
18) Hatton restored, side view, gunloops detail (Author)



19) Hatton restored, entrance and gunloop detail (Author)



20A) Hatton, water inlet detail (Author)



20B) Hatton, slop sink detail (Author)



21) Kellie, dormer window pediment detail (NTS)



22) Kellie, south tower, squinch detail (Author)

BIBLIOGRAPHY

PRIMARY SOURCES:

(1) UNPUBLISHED:

(A) NATIONAL LIBRARY OF SCOTLAND MANUSCRIPTS DEPT

(i) ADVOCATES MSS: 15.1.18, 17.1.3, 20.5.7, 22.2.18, 22.4.17, 29.4.2(vi), 31.6.3, 33.1.1, 34.6.24, 82.1.7, 82.1.8, 82.2.1, 82.2.4, , 82.2.7, 82.3.1, 82.9.1, 82.9.11.

(ii) CHARTERS: CH14333-5, 14338-9, 14340-2, 14343-7, 14348-9, 14351, 14354, 14357, 14360, 14361, 14362, 14365, 14368, 14369, 14375, 14377, 14380, 14382, 14387, 14493, 16761: CHB12, 39, 174, 288, 304, 307, 308, 1048, 1353, 1355-7, 1358-9, 1360-2, 1372-5, 1378, 1380, 1383-5, 1389, 1392-3, 1395-9, 1400-15, 1417, 1419-21, 1426, 1432-7, 1441-5, 1448-9, 1450-4, 1459-65, 1467-9, 1471, 1485-8, 1523, 1623-10, 1934, 1943, 1945, 1946, 1949, 1951, 1953, 1955, 2056, 2059, 2062, 2063, 2065, 2067, 2335, 3044, 4809.

(iii) MANUSCRIPTS: MSS683, 691, 3044, 5070, 14488, 16501, 16770, 16771, 16812, 16823, 17503.

(B) SCOTTISH RECORDS OFFICE

(i) COURT OF SESSION: INCLUDING CS5/32, 38, 39, 40; CS6/27; CS7/22, 23, 25, 26, 27, 34, 36, 48, 49, 60, 71, 193, 219.

(ii) COMMISSARY COURT CC20/4/15

(iii) GIFTS AND DEPOSITS: VARIOUS INCLUDING GD24/1/352; GD29/99; GD62/231; GD75/562,565; GD90/2/3; GD150/3439/9, 14; GD150/3441/10; GD212.

(iv) NOTARIES PROTOCOL BOOKS NP1/5A

(v) REGISTER OF DEEDS: INCLUDING RD1/4, 5, 12, 14, 17, 24, 28, 31, 32, 41,106, 107,108, 115, 117, 120, 123,125, 127,134, 144, 147, 161, 163, 176, 178, 190, 205, 220, 210, 212, 226, 277, 448: RD2/5, 26, 31, 33, 35, 52: RD3/3, 33, 46, 58, 59, 70: RD4/25, 33, 35, 36, 47, 52, 56: RD6/1, 3, 4, 5, 14, 15.

(vi) FIFE REGISTER OF SASINES: INCLUDING RS31/2, 4, 5, 6, 9, 10, 11, 13, 14, 15.

(vii) REGISTER HOUSE PAPERS RH9/4/2

(viii) REGISTER HOUSE PLANS RHP2152, 2153, 12449, 23134-6.

(ix) SHERIFF COURT BOOK OF FIFE SC20/1/2-10

(C) NATIONAL MONUMENTS RECORD OF SCOTLAND - VARIOUS MATERIAL LISTED UNDER KELLIE CASTLE, NO50NW4.

(D) NATIONAL TRUST FOR SCOTLAND

(i) Lorimer, H Red Book - Kept at Kellie castle, Fife.

(ii) Cunningham, Jack and Fisher Kellie Castle: Quinquennial Report 20 Nov 1986

(iii) Archival material kept at 5 Charlotte Sq, Edinburgh

(2) PUBLISHED:

Accounts of the Lord High Treasurer of Scotland 1473-1580, (Edinburgh, 1877-8) 13 vols

Accounts of the Masters of Works 1529-1649 (Edinburgh, 1957, 1982) 2 vols

Acts of the Lords Auditors of Causes and Complaints 1466-94 (Edinburgh, 1839)

Acts of the Lords of Council in Civil Causes 1478-1501 (Edinburgh 1878, 1918) 2 vols

Acts of the Lords of Council in Public Affairs 1501-54 (Edinburgh, 1932)

Acts of Parliament of Scotland 1124-1625 (Edinburgh, 1844-56) vols 1-4

Anderson, A O Scottish Annals from English Chronicles 500-1286 (London 1908)

Anderson, A O Early Sources of Scottish History (Stamford, 1990)

Anderson, J The Oliphants in Scotland (Edinburgh, 1879)

Anderson, J The Laing Charters (Edinburgh, 1899)

Bain, J ed. Calendar of Documents Relating to Scotland 1108-1516 (Edinburgh, 1881-1976) 5 vols

Barrow, GWS, Regesta Regum Scottorum (Edinburgh, 1960) vols 1, 2, 5, 6

Barrow, GWS and Scott, W Handlist of the Acts of William the Lion (Edinburgh, 1958)

Baxter, JH ed. Copiale Prioratus Sancti Andree: The Letter Book of James Haldenstane Prior of St Andrews 1418-43 (Oxford, 1930)

Bishop Leslie's History of Scotland 1436-1561 (Bannatyne Club, Edinburgh, 1830)

Calendar of the State Papers Relating to Scotland 1547-1603 (Edinburgh, 1898-1969) 13 vols

Chartulary of Balmerino and Lindores (Abbotsford Club, Edinburgh, 1841)

Chartulary of Cambuskenneth (Grampian Club, Edinburgh, 1872)

Chartulary of Holyrood Abbey (Bannatyne Club, Edinburgh, 1840)

Chartulary of Inchaffray (SHS, Edinburgh, 1908)

Chartulary of Lindores Abbey (SHS, Edinburgh, 1903)

Chronicon de Lanercost 1201-1346 (Bannatyne club, Edinburgh, 1839)

Croft Dickinson, W The Sheriff Court Book of Fife 1515-25 (SHS, Edinburgh, 1928)

Diary of Mr John Lamont of Newton 1649-71 (Maitland Club, Edinburgh, 1830)

Diary of Mr James Melville 1556-1601 (Bannatyne Club, Edinburgh, 1829)

Diurnal of Occurrences in Scotland 1513-75 (Bannatyne Club, Edinburgh, 1833)

Drummond, William of Hawthornden, The History of Scotland 1423-1542 (Glasgow, 1749)

Easson, DE and MacDonald, A Charters of the Abbey of Inchcolm (SHS, Edinburgh, 1938)

Exchequer Rolls 1264-1600 (Edinburgh, 1878-1908) 23 vols

Fountainhalls Historical Notices 1661-88 (Bannatyne Club, Edinburgh, 1848)

Harvey, CCH and MacLeod, J Calendar of writs at Yester House 1166-1625 (SRS, Edinburgh, 1930)

Historical Manuscripts Commission Reports 3 (1872), 5 (1876), 7 (1879)

Historical Manuscripts Commission Report Mar and Kellie (Edinburgh, 1904) Supplement (1930)

Lawrie, AC Early Scottish Charters Prior to 1153 (Edinburgh, 1908)

Letters of Mr John Colville 1582-1603 (Bannatyne Club, Edinburgh, 1848)

Liber Cartarum Prioratus Sancti Andree (Bannatyne Club, Edinburgh, 1841)

Liber Ecclesia de Scon (Bannatyne Club, Edinburgh, 1843)

Liber Officialis Sancti Andree (Abbotsford Club, Edinburgh, 1845)

Liber Sancti Marie de Calchou (Bannatyne Club, Edinburgh, 1846)

Liber Sancti Marie de Driburgh (Bannatyne Club, Edinburgh, 1847)

Liber Sancti Thome de Aberbrothoc Registrum Vetus 1178-1329 (Edinburgh, 1847)

Maitland Thomson, J ed. Inventory of Documents Relating to the Scrymgeour Family Estates (SRS, Edinburgh, 1912)

MacLeod, W trans. Protocol Book of John Foular (SRS, Edinburgh, 1930)

Palgrave, F Documents and Records Illustrating the History of Scotland (London, 1837)

Pitcairns Criminal Trials in Scotland (Bannatyne Club, Edinburgh, 1833) 3 vols

Reading Abbey Chartulary (RHS, London, 1987)

Register of the Privy Council of Scotland 1545-1625 1st series (Edinburgh, 1877-1898) 14 vols

Registrum de Dunfermlyn (Bannatyne Club, Edinburgh, 1842)

Registrum Episcopalis Brechinensis (Bannatyne Club, Edinburgh, 1856)

Registrum Magni Sigilli Regum Scotorum (Edinburgh, 1912-14) 11 vols

Registrum Secreti Sigilli Regum Scotorum (Edinburgh, 1908-82) 8 vols

Rotuli Scotiae in Turri Londenensi et in domo capitulei Westminster (London, 1814) 2 vols

Rymer, T Foedera Conventiones, Litterae et cujuscunque generis Acta Publica inter Reges Angliae et alios (London, 1816)

Scoular, JM Handlist of the Acts of Alexander II (Edinburgh, 1959)

Simpson, GG Handlist of the Acts of Alexander III, the Guardians and John (Edinburgh, 1960)

Spalding Club Miscellany vol 5 (Edinburgh, 1852)

St Andrews Kirk Session Register 1559-1600 (SHS, Edinburgh, 1889) 2 vols

Stevenson, J Documents Illustrative of the History of Scotland 1286-1306 (Edinburgh, 1870) 2 vols

Stuart, J ed. Records of the Priory of the Isle of May (Edinburgh, 1867)

Thorpe, MJ ed. Calendar of the State Papers Relating to Scotland 1509-1603 (London, 1858) 2 vols

Webster, B Handlist of the Acts of David II (Edinburgh, 1962)

SECONDARY SOURCES:

ANDERSON, Joseph, The Oliphants in Scotland, (Edinburgh, 1879)

APTED, MR, Aberdour Castle, (Edinburgh, 1985)

APTED, MR, The Painted Ceilings of Scotland, (Edinburgh, 1966)

BANKART, George P, The Art of the Plasterer, (London, 1908)

BARROW, GWS, The Kingdom of the Scots, (Edinburgh, 1973)

BARROW, GWS, Robert the Bruce, (Edinburgh, 1988)

BEARD, Geoffrey, Decorative Plasterwork in Great Britain (London, 1975)

BILLINGS, Robert W, Baronial and Ecclesiastical Antiquities of Scotland (Edinburgh, 1852)

BROWN, Keith M, Bloodfeud in Scotland 1573-1625: Violence, Justice and Politics in an Early Modern Society (Edinburgh,1986)

CALDWELL, DH, Scottish Weapons and Fortifications (Edinburgh, 1981)

CHANDLER, Victoria, 'Ada de Warenne' in SHR 60, Oct 1981, pp119-39

CONOLLY, MF Biographical Dictionary of Eminent Men of Fife (Edinburgh, 1866)

COOK, David, The Annals of Pittenweem 1526-1793 (Anstruther, 1867)

CORNFORTH, John, 'Ornamentally Scottish' in Country Life, 32, 184, Aug 9 1990 pp84-5

COULSON, Charles, 'Structural Symbolism in Medieval Castle architecture' in Journal of the British Archaeological Association,132, 1979, pp.73-90

CRUDEN, Stewart, The Scottish Castle (London, 1960)

CUMMING-BRUCE, ME, The Bruces and the Comyns (Edinburgh,1870)

DEWAR, AD, Castle Menzies (Derby, 1988)

DOUGLAS, Robert, The Peerage of Scotland (London, 1813)

DRUMMOND, William, The Genealogy of the Most Noble and Ancient House of Drummond (Edinburgh, 1831)

DUNBAR, JG, 'The Organisation of the Building Industry in Scotland During the Seventeenth Century' in Building Construction in Scotland (Scottish Vernacular Buildings Working Group, Dundee and Edinburgh 1976)

DUNCAN, A, Scotland: The Making of the Kingdom (Edinburgh, 1975)

FAWCETT, R, The Palace of Holyroodhouse (Edinburgh,1988)

FENWICK, Hubert, Scotland's Castles (London, 1976)

FENWICK, Hubert, Architect Royal - The Life Works of Sir William Bruce 1630-1710 (Kineton,1970)

FRASER, William, Memorials of the family of Wemyss of Wemyss (Edinburgh, 1988)

GIFFORD, John, The Buildings of Scotland: Fife (London, 1988)

GOOD, GL and TABRAHAM, CJ, 'Excavations at Smailholm Tower, Roxburghshire' in PSAS 118,1988, pp231-66

GORDON-SLADE, H, 'Midmar Castle, Aberdeenshire' in PSAS 113, 1983, pp.594-619

GRIMBLE, Ian, Castles of Scotland (London, 1987)

HEWITT, George R, Scotland under Morton 1572-80 (Edinburgh,1982)

HILL, Oliver, Scottish Castles of the Sixteenth and Seventeenth Centuries (London, 1953)

HUSSEY, Christopher, 'Kellie Castle, Fife' Parts 1 and 2, in Country Life, 20 and 27 August 1964 pp448 and 514

INNES-SMITH, R, Glamis Castle (Derby, 1989)

JAMIESON, John, Theatrum Scotiae by Captain John Slezer (London, 1874)

KNOOP, D and JONES, GP, The Scottish Mason and the Mason Word (Manchester, 1939)

LEIGHTON, JM , History of the County of Fife (Glasgow, 1840)

LEWIS, John H, 'Excavations at Lochleven Castle 1982' in PSAS 116,1986, pp577-81

LINDSAY, Maurice, The Castles of Scotland (London, 1986)

LORIMER, R, 'Kellie Castle' in Country Life 28 July 1906 pp126-32

LORIMER, Hew, Kellie Castle (Edinburgh, 1971)

LORIMER, Hew, Kellie Castle and Garden (Edinburgh, 1985)

MACGIBBON, D and ROSS, T, The Castellated and Domestic Architecture of Scotland (Edinburgh, 1887-92) 5 vols

MCKEAN, Charles, 'Finnart's Platt', in Scottish Architects Abroad Journal of Architectural Heritage Society of Scotland (Edinburgh, 1991) pp3-18

MACKAY, AJG, Fife and Kinross: The County Histories of Scotland (London, 1896)

MACKAY-MACKENZIE, W, The Medieval Castle in Scotland (London, 1927)

MACKECHNIE, A, 'Evidence of a Post 1603 Court Architecture in Scotland?' in Architectural History, 31, 1988, pp107-119

MARSHALL, R and HUTCHISON, R, Lennoxlove (Derby, 1981)

MAXTONE-GRAHAM, E, The Oliphants of Gask (London, 1910)

MAXWELL-STIRLING, Alastair, 'Cramalt Tower- Historical Survey and Excavations 1977-9' in PSAS 8, 1981, pp401-25

MICHAELSON, K, Scottish Architecture in the Seventeenth Century (Edinburgh, 1984)

MILLAR, AH, Castles and Mansions of Scotland (London, 1890)

MILLAR, AH, Fife Pictorial and Historical (Cupar, 1895)

MYLNE, RS, The Master Masons to the Crown of Scotland and their works (Edinburgh, 1893)

PRIDE, Glen, The Kingdom of Fife (Edinburgh, 1990)

PROUDFOOT, EVW and ALIAGA-KELLY, C, Preliminary Interim Report: Excavations at Niddry Castle 1986-1990 (FORTHCOMING)

RCHAMS Inventories including Argyll (Edinburgh, 1971-88) 6 vols; Dumfries (Edinburgh, 1920); East Lothian (Edinburgh, 1924); Edinburgh (Edinburgh, 1951); Fife, Kinross and Clackmannan (Edinburgh, 1933); Mid Lothian and West Lothian (Edinburgh, 1929); Peebleshire (Edinburgh, 1962) 2 vols; Roxburgh (Edinburgh, 1956); Stirlingshire (Edinburgh, 1963) 2 vols; Caithness (Edinburgh, 1911).

RAMAGE, CT, Drumlanrig and the Douglases (London, 1876)

RCHAMS

- RICHARDSON, James, The Medieval Stone Carver in Scotland (Edinburgh, 1964)
- RITCHIE, RLG, The Normans in Scotland (Edinburgh, 1954)
- ROSS, Stewart, Scottish Castles (Moffat, 1990)
- ROYAL Archaeological Institute of Great Britain and Ireland, Proceedings and Meetings Tibbers Castle (Dumfries, 1946)
- SALTER, M, Discovering Scottish Castles (Haverford West, 1985)
- SALZMAN, LF, Building in England down to 1540 (Oxford, 1952)
- SAMSON, R, The Social Archaeology of Houses (Edinburgh, 1990)
- SIBBALD, Robert, History of Fife and Kinross (London, 1803)
- SIMPSON, WD, 'The Towerhouse of Scotland' in EW JOPE, Ed. Studies in Building History (London, 1961) pp229-42
- SIMPSON, WD, Scottish Castles (Edinburgh, 1959)
- SIMPSON, WD, Belsay Castle and the Scottish Towerhouse (Gateshead on Tyne, 1940)
- SIMPSON, WD, 'Caerlaverock Castle' in SHR, 32, 1983 pp123-8
- SKENE, WF, Celtic Scotland (Edinburgh, 1886) 3 vols
- TABRAHAM, Christopher, Scottish Castles and Fortifications (Edinburgh, 1986)
- TABRAHAM, Christopher, 'The Scottish Medieval Towerhouse as Lordly Residence in the Light of Recent Excavation' in PSAS, 1988 pp267-76
- THOMSON, O and ROBSON, E, Crathes Castle and Garden (Edinburgh, 1988)
- TINDALL, Jemima, A Young Person's Guide to Kellie Castle (Edinburgh, 1986)
- WARRACK, John, Domestic Life in Scotland, 1488-1688 (Edinburgh, 1920)
- WHYTE, D, The Hogs of Newliston and Kellie (Edinburgh, 1981)
- WOOD, Walter, East Neuk of Fife (Edinburgh, 1897)
- ZEUNE, Joachim, The Long Pause - A Reconsideration of Scottish Castle Building c.1480-1560 (Bamberg, 1984)