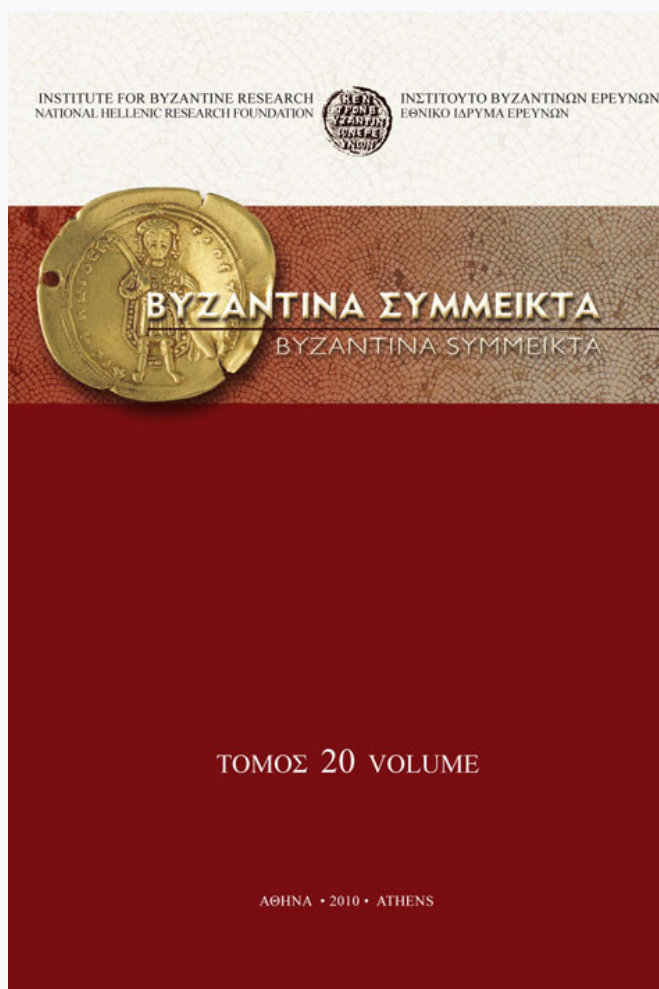


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### "Judges of the Velum" and "Judges of the Hippodrome" in Thessalonike (11th c.)

Andreas GKOUTZIOUKOSTAS

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ANDREAS GKOUTZIOUKOSTAS

*JUDGES OF THE VELUM AND JUDGES OF THE HIPPODROME*  
IN THESSALONIKE (11TH C.)

Although there is an abundance of studies on the Byzantine Empire's second city, there is one aspect of the history of Thessalonike that needs further research, and that is the administration of justice. This paper endeavours to analyse one facet of this topic. It focuses on judicial officers acting in Thessalonike in the 11th century, and more specifically on those who, according to the sources, had previously served in the courts of Constantinople. The wealth of sigillary material and documents relating to the region that is preserved in the archives of the Athonite monasteries has enabled us to draw certain conclusions regarding the operation of the judicial system itself.

The official responsible for hearing cases in the district of Thessalonike at that time was the *judge of the theme*. Since, however, from the second fifth of the 11th century onward, the sources refer to a broader judicial and financial unit comprising the *themes* of *Boleron*, *Strymon* and *Thessalonike*<sup>1</sup>, for

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\*This study is an elaboration of the paper I presented to the 21st International Symposium on "Christian Thessalonike" entitled: «Χριστιανική Θεσσαλονίκη καὶ Κωνσταντινούπολις ἀπὸ τοῦ ἑνδεκάτου αἰῶνος μέχρι σήμερον» [Christian Thessalonike and Constantinople from the eleventh century to the present], Blatades Monastery, 18-20 October 2007.

1. See S. KYRIAKIDES, Τὸ Βολερόν, *ΕΕΦΣΠΘ* 3 (1934) 289-494 [=IDEM, *Βυζαντιναὶ Μελέται*, II-V, Thessalonike 1939, no. IV), 313 f.f. (hereafter KYRIAKIDES, Βολερόν); P. LEMERLE, *Philippe et la Macédoine Orientale à l'époque chrétienne et byzantine. Recherches d'histoire et d'archéologie* [Bibliothèque des Écoles Françaises d'Athènes et de Rome, 158], Paris 1945, 159-168 (hereafter LEMERLE, *Philippe*); M. GREGORIOU-IOANNIDOU, *Παρακμή και πτώση του θεματικού θεσμού. Συμβολή στην εξέλιξη της διοικητικής και στρατιωτικής οργάνωσης του Βυζαντίου από το 10ο αιώνα κ.ε.*, Thessalonike 1985 (Thessalonike

the purposes of this paper we have studied seals and documents that mention *judges of Thessalonike* or *judges of Boleron, Strymon and Thessalonike*, as cited in the sources.

It is clear from the combined evidence of contemporary documents and seals that several of the judges, that we know to have served in Thessalonike in the 11th century, had previously been *judges of the hippodrome* or *judges of the velum* in Constantinople. According to the *Ecloga Basilicorum*, an extensively commented synopsis of the first ten books of the *Basilica* compiled most probably in Constantinople in 1142<sup>2</sup>, the *judges of the hippodrome* and the *judges of the velum* were not classed among the “great” or superior judges, that is, the powerful magistrates (*ἄρχοντες*) who presided over the courts of the *themes* (*krites, praitor*) or of the imperial capital<sup>3</sup>, such as the

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2007), 78-79, n. 273 (hereafter GREGORIOU-IOANNIDOU, *Παρακμή*); CHR. KYRIAZOPOULOS, *Η Θράκη κατά τους 10ο-12ο αιώνες. Συμβολή στη μελέτη της πολιτικής, διοικητικής και εκκλησιαστικής της εξέλιξης*, Thessalonike 2000, 207f.f. (hereafter KYRIAZOPOULOS, *Θράκη*). The evidence resulting from the publication of new documents and seals can now be added to the existing body of material relating to the *judges of Boleron, Strymon and Thessalonike* cited by these scholars: see e.g. *Actes de Vatopédi*, v. I, *Des origines à 1329*, ed. J. BOMPAIRE – J. LEFORT – V. KRAVARI – C. GIROS [Archives de l’Athos, XXI], Paris 2001, no. 6.10 (1033), which mentions the *judge of Boleron, Strymon and Thessalonike* Andronikos (see also the editor’s notes). See also the seals published by J.-CL. CHEYNET – C. MORRISON – W. SEIBT (see below n. 15) and a seal recently published by I. LEONTIADES (see below n. 14).

2. *Ecloga Basilicorum*, ed. L. BURGMANN [Forschungen zur byzantinischen Rechtsgeschichte, 15], Frankfurt a.M. 1988, vii-xviii (hereafter *Ecloga Basilicorum*); cf. S. TROIANOS, *Οι πηγές του βυζαντινού δικαίου*, Athens – Komotini 1999, 202; R. J. MACRIDES, *The Competent Court*, in: *Law and Society in Byzantium: Ninth-Twelfth Centuries*, ed. A. E. LAIOU – D. SIMON, Washington D.C. 1994, 117-130 [=EADEM, *Kinship and Justice in Byzantium, 11th-15th Centuries*, Variorum Collected Studies Series, Aldershot-Brookfield-Singapore-Sydney 1999, VIII], 118 (hereafter MACRIDES, *Court*).

3. *Ecloga Basilicorum* B.2.2.207 (68.2-11): καὶ γὰρ οἱ ἄρχοντες ἐξουσίαν ἔχουσι κατὰ τῶν ὑπὸ τὴν ἐξουσίαν τούτων. Οἷον ἄρχων λέγεται ὁ δούξ ἢ ὁ πραιτωρ ἢ ἄλλος ἄρχων ἐκάστης ἐπαρχίας· ἕκαστος γοῦν τούτων ἐξουσίαν ἔχει κατὰ τῶν ὄντων ὑπὸ τὴν ἐπαρχίαν αὐτῶν. Καὶ πᾶς δικαστὴς, ἂν ἐν Κωνσταντινουπόλει ἐστίν, ἄρχων λέγεται καὶ ἐξουσίαν ἔχει κατὰ τῶν ὑπὸ τὴν δικαιοδοσίαν καὶ τὴν κρίσιν αὐτοῦ. Οἷον ὁ ἐπαρχος ἐξουσίαν ἔχει ἐπὶ πᾶσι τοῖς συστηματικοῖς καὶ ιδιώταις καὶ τέχνην οἰανδήποτε μετερχομένοις, καὶ ἀπλῶς πᾶς δικαστὴς ἐξουσίαν ἔχει ἐπὶ τοῖς ὑποκειμένοις καὶ δικαζομένοις παρ’ αὐτοῦ. Λέγεται οὖν ἡ τῶν ἀρχόντων ἐξουσία ἰδικῶ ὀνόματι κράτος—καὶ εἰκότως, ὅτι κρατεῖ τῶν ὑπὸ χεῖρα καί, ὅποι καὶ ὅπως βούλεται, ἄγει αὐτούς; B.2.3.70 (112.20-24): Τῶν δικαστῶν οἱ μὲν ἔχουσι δικαιοδοσίαν καὶ δύνανται καὶ προστιμᾶν καὶ τιμωρεῖσθαι

*megas droungarios*, the *eparchos* of the city, the *dikaiodotes*, the *koiaistor*, the *protoasecretis*, the *epi ton kriseon*, and the *katholikos*<sup>4</sup> or προκαθήμενος τῶν δημοσιακῶν δικαστηρίων<sup>5</sup>, but were lower-ranking judges: «Ἄλλ’ οὐδὲ δικαστήν, ἐν ὧσ’ κρίνει καὶ τὴν ἰδίαν ποιεῖται διάγνωσιν, χρὴ καλεῖν εἰς δικαστήριον — ὑπόθου δὲ τὸν τοιοῦτον δικαστὴν μὴ κατὰ τοὺς προειρημένους ἔπαρχον ἢ πραιτώρα ἢ τοὺς ἄλλους τοὺς τοιούτους, ἀλλ’ ὑποδεέστερον, οἷός ἐστιν ὁ κριτὴς τοῦ βήλου ἢ τοῦ ἵπποδρόμου»<sup>6</sup>. The *judges of the hippodrome* and the *judges of the velum* were, then, “small” or inferior judges<sup>7</sup> who sat as commissioned judges or assessors, since they had

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τοὺς ἀμαρτάνοντας, ὁποῖοι εἰσι σήμερον ὁ δρουγγάριος, ὁ ἔπαρχος καὶ οἱ τοιοῦτοι οὗτοι γὰρ δύνανται καὶ δικαστὰς διδόναι ἐπὶ ὑποθέσει τοὺς ἄλλους κριτάς. Οἱ δὲ μηδὲν τοιοῦτον ἔχοντες τοῦτο μόνον ἔχουσιν, ὅτι δικάζουσιν, ὁποῖοι εἰσιν οἱ τοῦ βήλου κριταί; B.7.2.32.6 (244.20-25); B.7.3.1 (250.24-32): [Ἐνταῦθα μέλλει διδάξαι ὁ νομοθέτης περὶ τῆς τῶν δικαστηρίων τάξεως, ἡγουν περὶ τοῦ ποῖόν ἐστι μείζον, ποῖον δὲ ἔλαττον καὶ τίνες μὲν ὑπόκεινται τῷδε, τίνες δὲ ἐκείνῳ καὶ περὶ δικαιοδοσίας. Καὶ ἴσθι καθόλου, ὅτι πᾶς ἄρχων προκαθήμενος δικαστηρίου ἢ ἔχων ἀρχὴν ἔχει καὶ δικαιοδοσίαν καὶ κράτος· προκαθίστηνται δὲ δικαστηρίων οἱ ὀφφικιαῖοι, ὡς ὁ μέγας δρουγγάριος, ὡς ὁ δικαιοδότης, ὡσαύτως καὶ οἱ τῶν ἐπαρχιῶν ἄρχοντες, καὶ ἔχουσι καὶ δικαιοδοσίαν, τούτεστι δύνανται διδόναι δικαστὰς τοῖς ἔχουσι δίκας, οἷον ὁ μέγας δρουγγάριος καὶ ὁ τῆς ἐπαρχίας ἄρχων δύνανται ἐντεῖλαισθαι τῷδε τῷ δικαστῇ δικάσαι τόνδε καὶ τόνδε, τὸν Πέτρον τυχόν καὶ τὸν Παῦλον. See also B.7.3.10 (254.15 f.f.); B.7.5.12.1 (270.3.f.f.).

4. See MACRIDES, Court, 119-120; cf. A. GKOUTZIOUKOSTAS, *Η απονομή δικαιοσύνης στο Βυζάντιο. Τα κοσμικά δικαιοδοτικά ὄργανα καὶ δικαστήρια τῆς πρωτεύουσας* [Βυζαντινά Κείμενα καὶ Μελέται, 37], Thessalonike 2004, 152-154 (hereafter GKOUTZIOUKOSTAS, *Απονομή δικαιοσύνης*).

5. See GKOUTZIOUKOSTAS, *Απονομή δικαιοσύνης*, 238-245.

6. *Ecloga Basilicorum* B.7.8.2+4 (σ. 286.15-18); cf. L. BURGMANN, Zur Organisation der Rechtsprechung in Byzanz (Mittelbyzantinische Epoche), in: *La giustizia nell’Alto Medioevo (secoli IX-XI)* [Settimane di studio del Centro Italiano di Studi sull’Alto Medioevo, XLIV], 11-17 aprile 1996, Spoleto 1997, 905-930, and here 924 (hereafter BURGMANN, *Rechtsprechung*); GKOUTZIOUKOSTAS, *Απονομή δικαιοσύνης*, 154.

7. See also *Scholia Basilicorum*, ed. H. J. SCHELTEMA, *Basilicorum Libri LX*. [Series B], v. I, *Scholia in Librum I-XI*, Groningen 1953, 7.1.3: Ὅρα ἐκ τούτων, ὅτι τοὺς ἄρχοντας τοὺς ὑπεράνω τῶν θείων δικαστῶν ὄντας, ἦτοι τῶν τοῦ ἵπποδρόμου κριτῶν... Cf. N. OIKONOMIDÈS, *Les listes de préséance byzantines des IXe et Xe siècles* [Le Monde Byzantin], Paris 1972, 322; R. J. MACRIDES, Justice under Manuel I Komnenos: Four Novels on Court Business and Murder, *FM VI* (1984) 99-204 [=EADEM, *Kinship*, IX], 173; EADEM, Court, 120; BURGMANN, *Rechtsprechung*, 923-924; GKOUTZIOUKOSTAS, *Απονομή δικαιοσύνης*, 155.

legal training and belonged to the class of professional judges and not that of *archons*<sup>8</sup>.

We have used the evidence of the sources to construct a chronological table of judges who had served in the courts of the imperial capital before being sent to Thessalonike or to the region of *Boleron, Strymon and Thessalonike* as *judges of the theme*. Wherever possible, we have endeavoured to formulate a specific position or hypothesis as regards the numerous problems of identity that we, like others before us, encountered.

The first *judge of Thessalonike* mentioned in the sources is the *protospatharios and krites of the hippodrome* Ioannes, who is named on a lead seal published by G. Schlumberger<sup>9</sup>. This seal probably predates the second fifth of the 11th century, the period in other words when the *theme of Thessalonike* begins to appear as a financial and judicial entity together with those of *Boleron* and *Strymon*. The *judges* cited below belong to the category of those whose sphere of responsibility lay within this administrative unit.

Thus, the Michael named on an 11th-century seal as *protospatharios, mystographos*<sup>10</sup>, *krites of the hippodrome, Boleron, Strymon and Thessalonike*<sup>11</sup>, for example, may well (according to J. Nesbitt – N. Oikonomides) be the same person as the *protospatharios of Chrysotriklinos and krites* (of *Boleron, Strymon, Thessalonike*) Michael Serblias mentioned in a document *circa* 1029<sup>12</sup>. While it is clear from the evidence of seals

8. See GKOUTZIOUKOSTAS, *Απονομή δικαιοσύνης*, 155 and n. 663 with the relevant primary sources.

9. G. SCHLUMBERGER, *Sigillographie de l'empire byzantin*, Paris 1884 (Torino 1963), 103, no. 3 (hereafter SCHLUMBERGER, *Sigillographie*); cf. KYRIAKIDES, *Βολερόν*, 354 (no. 4).

10. For the *mystographos* see A. GKOUTZIOUKOSTAS, Some Remarks on *Mystographos* and *Mystolektes*, in: *Ἡπειρώδης. 10th International Symposium of Byzantine Sigillography*, Ioannina, October 2009, Abstracts, p. 10.

11. G. ZACOS, *Byzantine Lead Seals* (Compiled and edited by J. W. NESBITT) [Τετράδια Ἀρχαιολογίας καὶ Τέχνης, 3], v. 2, Berne 1984, no. 594 (hereafter ZACOS, *Seals*); J. NESBITT – N. OIKONOMIDES, *Catalogue of Byzantine Seals at Dumbarton Oaks and in the Fogg Museum of Art*, v. 1, Washington 1991, v. 2, Washington 1994, v. 3, Washington 1996, and here v. 1, no. 18.25 (hereafter NESBITT – OIKONOMIDES, *Catalogue*); cf. KYRIAZOPOULOS, *Θράκη*, 215. See also: [www.pbw.kcl.ac.uk](http://www.pbw.kcl.ac.uk) (2006.2) (Boulloterion 253).

12. *Actes d'Iviron*, v. II, *Du milieu du XIe siècle à 1204*, ed. J. LEFORT – N. OIKONOMIDES – D. PAPACHRYSSANTHOU, avec la collaboration de V. KRAVARI et d'H. MÉTRÉVELI [Archives de l'Athos, XVI], Paris 1990, no. 34.7: ...τηνικαῦτα τὰς κρίσεις τοῦ [καθ' ἡμᾶς] ἰθύναντος

and the *Ecloga Basilicorum*<sup>13</sup> that the Serbliai were a family of jurists in Constantinople, we do not know whether the above references concern one person or two.

A few years ago Ioannes Leontiadēs published a seal of Michael, *patrikios, krites of the velum, of the hippodrome, Boleron, Strymon and Thessalonike*, dated by the editor on the basis of typological characteristics to the middle of the 11th century<sup>14</sup>. This *patrikios* Michael, who is probably not the same person as the *protospatharios* (or *protospatharioi*) mentioned above, is yet another judge whose career took him from the courts of the imperial capital to those of the *theme* of *Boleron, Strymon, Thessalonike*.

Other judges appointed to this *theme* were the *protospatharios, thesmographos and krites of the hippodrome* Niketas, who is attested by a seal of the second quarter of the 11th century<sup>15</sup>, and the *protospatharios, hypatos and krites of the hippodrome* Basileios, attested by a seal that has been dated to the middle of that century<sup>16</sup>.

Another official who apparently served as *judge of Boleron, Strymon and Thessalonike* from 1047-1056 was the *protospatharios and krites of the hippodrome* Georgios Hexamilites, who is mentioned in documents preserved in the archives of the Monastery of Ivron<sup>17</sup>.

θέματος περιδόξου (πρωτοσπα)θ(α)ρ(ίου) ἐπὶ τ(οῦ) Χρυ(σοτρι)κλ(ίνου) κυ(ροῦ) Μ(ι)χα(ήλ) τοῦ Σεβλίου (hereafter, *Actes d'Ivroun*).

13. Βλ. *Ecloga Basilicorum* B.7.3.1 (251.38), which mentions the Serbliai in the plural; cf. L. BURGMANN, Vier Richter des 12. Jahrhunderts, in: XVI. Internationaler Byzantinistenkongress, Wien 4-9 October 1981, Akten II/2, JÖB 32/2 (1982) 369-372, and here 372 and n. 13; IDEM, Rechtsprechung 924 and n. 77. Another member of this family, Petros Serblis, is also mentioned on 11th-century seals as *magistros, vestes, krites of the velum, of the Peloponnese and Hellas*; see NESBITT – OIKONOMIDES, *Catalogue*, v. 2, no. 8.26. See also v. 3, no. 39.16; cf. SCHLUMBERGER, *Sigillographie*, 270-271.

14. I. LEONTIADēs, *Μολυβδόβουλλα του Μουσείου Βυζαντινού Πολιτισμού Θεσσαλονίκης* [Βυζαντινά Κείμενα και Μελέται, 40], Thessalonike 2006, no. 17.

15. J.-CL. CHEYNET – C. MORRISSON – W. SEIBT, *Les sceaux byzantins de la collection Henri Seyrig*, Paris 1991, no. 197 (hereafter CHEYNET – MORRISSON – SEIBT, *Seyrig*); see also: www.pbw.kcl.ac.uk (Boulloterion 538). Regarding *thesmographos* see GKOUTZIOUKOSTAS, *Απονομή δικαιοσύνης*, 200-201.

16. ZACOS, *Seals*, no. 964; cf. KYRIAZOPOULOS, *Θράκη*, 209; cf. www.pbw.kcl.ac.uk (Boulloterion 1007).

17. *Actes d'Ivroun*, no. 34.15, 27 and p. 94, no. 35.12, 35 (1062), no. 48.12 (1098-1103); cf. A.-K. WASSILIOU, Die Familie Hexamilites. Ein Beitrag zur byzantinischen Prosopographie,



The record of a *dialysis* procedure settling a dispute between Constantine Phasoulos and the Monastery of St Panteleimon Sphrentze of the Thessalonians concerning the ownership of a piece of land lying between their properties, which is dated August 1056, mentions the *hypatos, krites of the velum, of the hippodrome, of Boleron, Strymon and Thessalonike* Leon Thylakas<sup>18</sup>. The litigants in this case, however, opted to have the matter settled by arbitration before the judicial decision was published<sup>19</sup>. Leon, as *hypatos, krites of the velum, Boleron, Strymon and Thessalonike*, also signs an act (September 1056) removing the metochion of Melissourgion from the *epitropoi* of the monk Kontoleon and returning it to the *lavra* of Iviron. According to this document, Leon had been commissioned by the Empress Theodora (1055-1056) to settle this dispute<sup>20</sup>.

Documents preserved in the archives of Athonite monasteries mention another two persons who are thought to be the same Leon Thylakas<sup>21</sup>. The monastery of Iviron has a document issued by the *patrikios, anthypatos, krites of the velum, notarios of the emperor and anagrapheus of the*

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*Ελληνικά* 52.2 (2002) 243-261 and here 248, no. 8, which mentions Georgios Hexamilites and his career. See also: [www.pbw.kcl.ac.uk](http://www.pbw.kcl.ac.uk) (Georgios 131).

18. The name Thylakas is known as well from another document in the Monastery of Iviron; See *Actes d'Iviron*, no. 37.5-6 (1063).

19. *Actes de Dionysiou*, ed. N. Oikonomidès [Archives de l'Athos, IV], Paris 1968, no. 1.14-19: Ὑμεῖς δὲ πάλιν προετίναται λέγειν ἀγορᾶς τροπ(ω) ἔχειν ταῦτα ἀπὸ Λέοντος σπαθ(α)ρ(ο)κ(αν)δ(ι)δ(ά)τ(ου) τοῦ Φουσκοῦλου. Ὡστε καὶ εἰς Λέοντ(α) τὸν περιβλεπτον ἕπατ(ον), κριτ(ήν) τοῦ βίλου τοῦ ἱπποδρ(όμου) Βολερ(οῦ), Στρυ(μόνος) καὶ Θε(σσαλονίκης) τὴν ἔγκλησιν μὲν ἐποιήσαμην καὶ τὰ ἐκάτερα μέρει ἐδικάσθημεν, οὕτω δὲ ἀπηρτήσθη παραυτοῦ ἡ ὑπόθεσις. Καὶ γὰρ τινὲς τῶν ἐμμέσω ἡμῶν εὐρεθέντων φιλοθέων ἀνδρῶν καὶ τὰ πρὸς εἰρήνην βραβεύσαντες, ἐκρίναμεν τὰ ἐκάτερα μέρει πάντα ἐκποδῶν ἀποκροῦσαι τὰ ἀναμεταξὺ ἡμῶν προτινόμε(να) καὶ τὸ τῆς εἰρήνης ἀγαθὸν ἀσπᾶσασθαι. Cf. D. PAPADATOU, *Η συμβιβαστική επίλυση ιδιωτικών διαφορών κατά τη μέση και ὑστερή βυζαντινὴ εποχή* [Forschungen zur Byzantinischen Rechtsgeschichte, Athener Reihe, 9], Athens – Komotina 1995, 34-35, 84, 120-121.

20. *Actes d'Iviron*, no. 31.47, 61, which is signed by Leon. With regard to the above case, see also *Actes d'Iviron*, no. 36 and 37; The document *Actes d'Iviron*, no. 31 is the same as that cited by KYRIAKIDES, Βολερόν, 314, no. 3 and 351 no. 4 but with an error in the date; see *Actes de Lavra*, v. I, *Des origines à 1204*, ed. P. LEMERLE – A. GUILLLOU – N. SVORONOS, avec la collaboration de D. PAPACHRYSSANTHOU [Archives de l'Athos, V], Paris 1970, p. 221 (hereafter *Actes de Lavra*).

21. See also: [www.pbw.kcl.ac.uk](http://www.pbw.kcl.ac.uk) (Leon 119) and (Leon 120).

West that has been dated by its editors to 1059<sup>22</sup>. Similarly, a document in the Monastery of Esphigmenou (1078) refers to an *isocodex* drawn up by the *dishypatos* and *judge of the velum* Leon, who, according to the editors, served as *judge of Boleron, Strymon and Thessalonike*<sup>23</sup> circa 1060<sup>24</sup>. Another document, this one in the Great Lavra Monastery (1079)<sup>25</sup>, mentions a *praxis* of the *dishypatos, krites and anagrapheus of Boleron, Strymon and Thessalonike* Leon from the third indiction before 1079, i.e. the year 1064/5<sup>26</sup>. As scholars have noted<sup>27</sup>, the identification of the above three persons, that is, Leon Thylakas, Leon the *patrikios* and *anagrapheus of the*

22. *Actes d'Iviron*, no. 32. See also p. 83 (comments) and no. 31 (comments on p. 75).

23. *Actes d'Esphigmenou*, ed. J. LEFORT [Archives de l'Athos, VI], Paris 1973, no. 4.2-4: Ἀναθεωρηθ(ῆ)ναι διὰ τοπικ(ῆς) ἐρεῦνης τὰ ἐν τ(ῷ) ἰσοκωδ(ί)κω ἐμφερόμ(ε)να ὄρια καὶ γ[ω]ρίσματα, τῷ καὶ ἐμφανιζομέ(νω) παρὰ τοῦ (μον)αχ(οῦ) Κλημ(εν)τ(ος) καὶ καθηγουμέ(νου) τ(ῆς) μον(ῆς) τοῦ Ἑσφιγιμέ(νου) καὶ φαινομένω ἐκτεθεῖναι παρὰ τοῦ δισυντάπ(ου) κ(υρο)ῦ Λέοντο(ς) κριτ(οῦ) τ(οῦ) βήλ(ου) καὶ δικαστοῦ χρηματίσαντ(ος) τοῦ καθ' ἡμῶς τούτου θε(μ)ατος (hereafter *Actes d'Esphigmenou*).

24. *Actes d'Esphigmenou*, p. 51; It is more likely to have been written in 1064/65, as indicated by another document by the *dishypatos* Leon; See also the following note.

25. *Actes de Lavra*, no. 39.1 f.f.: Ἰωάννης βέστης βασιλ(ικ)ῶ(ς) νοτάριος τῶν οἰκει(ακῶν) στρατη(γός) καὶ ἀναγρα(φένς) Σμολέν(ων) σὺν τῇ νέ(α) διοικί(σει) Θεσσαλον(ίκης) (καὶ) Σεργῶν ὁ Καταφλώρ(ον) κ(α)τὰ τὴν θε(ί)αν (καὶ) βα(σιλικήν) πρ(όστα)ξ(ιν) τοῦ κραταιοῦ καὶ ἀγίου ἡμῶ(ν) βασιλ(έως) ἔρευναν ποιοῦμένο(ς) τῶν π(αρά) τ(ῶν) πρὸ ἡμῶ(ν) πρακτ(ό)ρ(ων) πράξεων, λέγω δὲ Ἰω(άννου) ἀσηκ(ρή)τ(ου) καὶ γεγρονό(ος) κριτ(οῦ) καὶ ἀναγρα(φένς) Βολερ(οῦ) Στρυμ(όνος) καὶ Θεσσαλον(ίκης), πρὸ(ς) δὲ καὶ Ἀνδρονί(κου) (πρωτο)(σπα)θ(αρίου) καὶ κριτοῦ χρημ(α)τίσαντ(ος) τῶν αὐτῶν θεμ(ά)τ(ων), καὶ μέχρι τοῦ δισυνπ(ά)του Λέ(ον)τ(ος) ὡς κἀκείνου κατὰ τ(ὴν) παρελθοῦ(σαν) γ<sup>(nv)</sup> (ἰνδικτιῶνα) κριτοῦ καὶ ἀναγρα(φένς) χρηματίσαντο(ς), ἀκριβῶς καὶ ἡμεῖς τὰς τούτου πράξεις ἀναζητήσαντες πολυπραγμονήσαντές τε καὶ ἐπιμελῶς διελθόν(τες), ἀνεγραψάμ(ε)θ(α) καὶ τὸ μετόχ(ιον) τοῦ Σωτήρο(ς) τ(ῆς) μο(ν)ῆς τοῦ Καλιούρ(ου) τὸ ἀπὸ τ(ῆς) ὑποτα(γῆς) τοῦ κ(ά)στρ(ου) Ἐρισσοῦ, καὶ ἐτυπώσαμεν καὶ τὸ τούτου δημόσιον κατὰ τὸ δέον ἐπανξή(σαντες) ἐπὶ τῶ(ν) πρώην δημοσι(ακῶν) τούτου [τελεσιμάτων] καθὼς ὑποτέτακται. For the *isocodex* see F. DÖLGER, *Beiträge zur Geschichte der byzantinischen Finanzverwaltung besonders des 10. und 11. Jahrhunderts* [Byzantinisches Archiv, 9], Leipzig – Berlin 1927 (Hildesheim 1960), pp. 108-109.

26. *Actes de Lavra*, p. 221-222. According to the editors the document should be dated to 1049/1050. Cf. however *Actes d'Iviron*, p. 83, with the annotation that the act of the *dishypatos, krites and anagrapheus of Boleron, Strymon and Thessalonike* Leon should be dated to 1064/1065, the year that corresponds to the preceding third indiction, as noted in the document («κατὰ τ(ὴν) παρελθοῦ(σαν) γ<sup>(nv)</sup> (ἰνδικτιῶνα)»), and not 1049/1050.

27. *Actes d'Iviron*, p. 83.



West, and Leon the *dishypatos* and *anagrapheus*, as one and the same raises problems relating to their titles and period of office in the particular region. However, it cannot be excluded that the *dishypatos* Leon and Leon Thylakas are perhaps one and the same person. If this is indeed the case, then one must assume that Leon served a second term as *krites*, and additionally as *anagrapheus*, in the same *theme*, following his promotion from *hypatos* to *dishypatos*. The alternative is that these are two different persons, in which case we have another instance of a *judge of the velum* being sent as *judge* to the *theme of Boleron, Strymon and Thessalonike*. As regards the *patrikios* and *anagrapheus of the West*, if we adopt the editors' dating of the document in which he is mentioned, i.e. 1059, then he cannot possibly be the same person as Leon Thylakas or Leon the *dishypatos*, since this presumes a demotion from *patrikios* to *dishypatos*<sup>28</sup>.

A *chrysobull* of Nikephoros III Botaneiates concerning the Great Lavra Monastery (1081) mentions a Niketas as *patrikios, krites of Boleron, Strymon and Thessalonike*. Concretely, it refers to a document written by Niketas before February 1062 when, as *doux of Thessalonike*, Botaneiates reversed the judge's decision<sup>29</sup>. This Niketas may, as N. Oikonomides thinks<sup>30</sup>, perhaps be the same person as the *patrikios, krites of the velum, judge of Boleron, Strymon and Thessalonike and king's man* mentioned on a seal, and if this is the case he must be added to the list of those who were sent to Thessalonike after having served in Constantinople<sup>31</sup>.

This document also suggests that the *doux of Thessalonike* sometimes heard disputes or ratified judicial decisions, like the one mentioned below,

28. Moreover, the editors of the relevant documents note that the signature of the *hypatos* Leon (*Actes d'Iviron*, no. 31) is not the same as that of the *patrikios* Leon (*Actes d'Iviron*, no. 32).

29. *Actes de Lavra*, no. 41.31-38: Κἂν γὰρ τὸ γεγονὸς(ς) ἔγγραφον τῷ τοῖς μοναχοῖς ἀντιδικήσαντι Θεοδώρῳ τότε παρὰ τοῦ π(ατ)ρικίου Νικήτ(α) (καὶ) γεγονότο(ς) κριτοῦ Βολεροῦ Στρυμῶνο(ς) (καὶ) Θεσσαλονίκ(ης) ἐπὶ τῇ πρὸς αὐτὸν παραδόσει ἐπὶ νομῇ τῶν ἐπεγνωκότων δεσπότας τοὺς μοναχοὺς τοπίων παρὰ τοῦ Θεοδώρου ποτὲ ἢ τοῦ μέρους αὐτοῦ ἐμφανίζεται, εἰς οὐδὲν παρὰ πᾶσι κριταῖς λογισθήσεται τῷ παρόντι χρυσοβούλλῳ ΛΟΓΩ τ(ῆς) εὐσεβοῦς ἡμῶν βασιλείας τὰ νῶτα κλίνον (καὶ) πᾶσαν σχολὴν κατακρινόμενον καὶ ἀσθένειαν.

30. NESBITT – OIKONOMIDES, *Catalogue*, vol. 1, no. 18.26. See also CHEYNET – MORRISON – SEIBT, *Seyrig*, no. 197; cf. [www.pbw.kcl.ac.uk](http://www.pbw.kcl.ac.uk) (Boulloterion 254) and (Niketas 122).

31. See GKOUTZIOUKOSTAS, *Απονομή δικαιοσύνης*, 203 n. 917.

which is co-signed by Botaneiates and the *judge of the theme* Nikolaos Serblias. In any case, the participation of the *doux* in court proceedings is an indication both of the fluidity prevailing in the administration of justice as regards the persons of the court officials and of the fact that from the middle of the 11th century on the *doux* performed military as well as civil functions<sup>32</sup>.

The Monastery of Iviron possesses a judicial decision signed by Nikolaos Serblias (August 1062) as *hypatos, krites of the hippodrome, krites of the velum, krites of Boleron, Strymon and Thessalonike*, and also the related report drawn up by the *a secretis* Petros<sup>33</sup>. Nikolaos Serblias also appears as *krites of the hippodrome* and *krites of the velum* on a seal published by V. Laurent, which has been dated to the middle of the 11th century<sup>34</sup>. Taken together, these two sources confirm that this judge's career took him from the courts of the imperial capital to those of the *theme*.

Another judge who was transferred from Constantinople to the *theme of Boleron, Strymon, and Thessalonike* was the *protovestarches and krites of the velum* Christophoros L..., who is recorded in a document preserved in the archives of the Monastery of Esphigmenou (1078)<sup>35</sup>.

*Judges of the theme*, however, were not the only magistrates who heard cases in the courts of Thessalonike. The highest court in the Empire was the Imperial Court, and all citizens had the right to petition it for the settlement of a case or to hear an appeal. The emperor usually appointed imperial commissioners to hear cases, and then signed their decisions. An example of this is enshrined in a *chrysobullos logos* of Alexios I Komnenos (1084), according to which the emperor had mandated the *protoanthypatos* and *krites of the hippodrome* Michael Rhodios to investigate a dispute between

32. See also GREGORIOU-IOANNIDOU, *Παρακμή*, 81.

33. *Actes d'Iviron*, no. 34.33, no. 35.39-40, 51; cf. KYRIAKIDES, *Βολερόν*, 315, no. 6; KYRIAZOPOULOS, *Θράκη*, 211; cf. www.pbw.kcl.ac.uk (Nikolaos 115).

34. V. LAURENT, *Le corpus des sceaux de l'empire byzantin*, v. 2: *L'administration centrale*, Paris 1981, no. 842.

35. *Actes d'Esphigmenou*, no. 4.1-2: Κατὰ τὸν Μάρτι(ον) μῆνα τ(ῆς) ἐνισταμέ(νης) πρώτ(ης) ἐνδ(ικτικῶνος) τοῦ .ζφπ[ς'] ἔτους παρεκβόλι(ον) ἐνεχειρίσθ(η) ἐμὸι [N]ικολάω (πρωτο)σπαθ(αρίω) καὶ ἀν(θρώπ)ω τοῦ λαμπροτάτου (πρωτο)βε[σ]τάρχου κριτοῦ τοῦ βῆλ(ου) [Βολεροῦ Στρυ]μμον(ος) κ[αί] Θε[σ]σ[αλονί]κ(ης) κ(υρο)ῦ Χριστοφόρου τοῦ Λ[....]δ( ) πε(ρι)ῆχων αὐταῖς λέξεσιν οὕτ(ως). Cf. KYRIAZOPOULOS, *Θράκη*, 212; see also www.pbw.kcl.ac.uk (Christophoros 110).

the Great Lavra Monastery and the emperor's brother, the *pansebastos protosebastos* Adrianos. The *judge of the hippodrome* wrote a *parasemeiosis*, that is, a synopsis of his decision, and the monks then asked the emperor to ratify this decision with a *chrysobullos logos* to secure their rights, which he did<sup>36</sup>.

The case of Michael Rhodios is particularly interesting, because he is mentioned in other contemporary documents as *krites of Boleron, Strymon and Thessalonike*. Specifically, he is cited in a *chrysobull* of Alexios I Komnenos of July 1104 as having been ordered by the emperor to settle a land dispute<sup>37</sup>. It is thus clear that after having served as a judge in Constantinople Michael Rhodios was later transferred to Thessalonike. The information contained in the Athonite documents sheds light on his career

36. *Actes de Lavra*, no. 46 (1084); F. DÖLGER – P. WIRTH, *Regesten der Kaiserurkunden des oströmischen Reiches von 565-1453. 2. Teil (1025-1204) zweite, erweiterte und verbesserte Auflage*, München 1995, no. 1118 [1154] (hereafter DÖLGER – WIRTH, *Regesten*); cf. GKOUTZIOUKOSTAS, *Απονομή δικαιοσύνης*, 156-157; see also *Actes de Lavra*, no. 47.1 (1085); cf. KYRIAZOPOULOS, *Θράκη*, 214.

37. *Actes de Lavra*, no. 56.34 f.f. (1104): ...*(Καὶ) εἶδη(σις) μὲν τούτ(ων) ἐδ(ό)θ(η) τῇ βασιλ(εία) μου διὰ τοῦ γεγονότο(ς) πρακτ(ικοῦ) π(αρά) τοῦ ἀναγραφ(έως), ὡς εἶρητ(αι), πρ(ό)τα(ξις) δὲ ταύτ(ης) πρ(ό)ς τ(ὸν) πρ(ό)εδρ(ον) (καὶ) τηνικ(αὺ)τ(α) κριτ(ήν) Βολερ(οῦ) Στρυμ(όνος) καὶ [Θεσσ]αλον(ίκης) κ(α)τεπέμφθη τ(ὸν) Ῥόδ(ιον), ἀνὰ χειρ(ας) λαβ(εῖν) [αὐ]τ(ὸν) διοριζ[ομέ]ν(η) [τὸ] π(αρά) τοῦ κουροπα(λά)τ(ου) Κων(σταν)τ(ί)ν(ου) γεγον(ό)ς πρακτ(ικόν) κἀκεῖθ(εν) διαγνόν(τα) τὰ τε π(αρά) τ(ῆς) βασιλ(είας) μου προορισθέντ(α) (καὶ) τὰ π(αρά) τούτου [πραχθέν]τ(α)...Καὶ ἐπὶ μὲν τῇ ἀνταλλα(γῇ) ταῦτ(α) ποιῆσαι ἡ βασιλ(εία) μου τότε τῷ Ῥοδ(ίῳ) παρεκελεύσατ(ο)...Κ(α) τὰ τὴν π(ερί)λ(ηψιν) οὖν τ(ῆς) τοιαύτ(ης) προ(σ)τά(ξεως) παραδέδωκε πρ(ό)ς τὸ π(ῆς) μον(ῆς) μέρο(ς) ὁ πρ(ό)εδρ(ος) (καὶ) κριτ(ῆς) Βολερ(οῦ) Στρυμ(όνος) (καὶ) Θεσσαλον(ίκης) ὁ Ῥόδ(ιος) δι' ἐνεργ(είας) Λέοντ(ος) μαγίστρ(ου) τοῦ Ἡνδρειωμ(έ)ν(ου) τό τε ἄλ(ον) προ(ά)στ(ειον) τὴν Ἀσμαλ(οῦ) μοδ(ίον) εὐρεθ(έν) τετρακισχιλ(ίον) ἐννεακοσί(ων) ὀγδοηκοντ(α)δύο ἡμίσυ... Cf. LEMERLE, *Philippes*, 164-165, who notes that Michael Rhodios was a *krites* of the above *themes* prior to 1104; DÖLGER – WIRTH, *Regesten*, no. 1220e, who date the emperor's *prostaxis* to shortly before 1104. A Rhodios, possibly Michael, is also mentioned in a record of proceedings of the *krites and notarios* Gregoras Xerites; see *Actes de Lavra*, no. 47.1 (1085); cf. KYRIAZOPOULOS, *Θράκη*, 214-215, while a seal mentions the *exisotes of Athens* Michael Rhodios (11th/12th c.); see NESBITT – OIKONOMIDES, *Catalogue*, v. 2, no. 9.2; The editors of the Lavra documents raise the question as to whether Michael Rhodios is the same person as the Michael who was *pansebastos sebastos and logothetes of the sekreta*; see *Actes de Lavra*, p. 291 (comments), no. 58.24, 42-43, 47 (1109) (comments p. 302); cf. www.pbw.kcl.ac.uk (Michael 252) and (Michael 254).*

and thus confirms that those mentioned, chiefly on seals, as *judges of the velum* and *judges of the hippodrome* and also as *judges of a theme* were transferred for a time from the courts of Constantinople to a provincial centre with the higher rank of *judge of a theme*; as we have already seen, the *judges of the velum* and the *judges of the hippodrome* were inferior judges, whereas the *judges of the themes* ranked as *archons*.

An imperial *horismos* from the Palaiologan era preserved in the archives of the Monastery of Zographou concerning a dispute between that foundation and the Monastery of Karakalou over the Lontzian *proasteion* in the region of Strymon refers to earlier documents relating to a series of disputes and examinations in which two of the judges were the *sebastophoros*<sup>38</sup>, *judge of the hippodrome* and *logariastes of the estates of the despoina* (probably of Anna Dalassene<sup>39</sup>) Basileios and the *megalepiphanestatos kouropalates, krites of the velum, praitor* and *apographeus of Boleron, Strymon and Thessalonike* Euthymios<sup>40</sup>. There can be no doubt, however, that the excerpts of the documents contained in the imperial *horismos* date

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38. For the honorific title of *sebastophoros* see R. GUILLAND, Études sur l'histoire administrative de l'empire byzantin, Le Sébastophore: Ὁ σεβαστοφόρος, *REB* 21 (1963) 199-207 [=IDEM, *Titres et fonctions de l'Empire byzantin*, Variorum Reprints, London 1976, XVI]. Cf. *ODB*, v. 3, entry *Sebastophoros* (A. KAZHDAN).

39. Alexios I Komnenos granted his mother with extended administrative powers (see DÖLGER – WIRTH, *Regesten*, no. 1073) and she issued various documents. See DÖLGER – WIRTH, *Regesten*, nos 1083, 1137, 1137a, 1138, 1139, 1147, 1148, 1151, 1277 with the relevant references.

40. *Actes de Zographou*, ed. W. REGEL – E. KURTZ – B. KORABLEV, VV 13 (1907), Παράρτημα No. 1, no. 35.56-59 (1342?): προστάξει δὲ δεσποινικῇ ἐτηρήθη ἡ τοιαύτη ὑπόθεσις τοπικῶς παρὰ Βασιλείου Σεβαστοφόρου κριτοῦ ἐπὶ τοῦ ἵπποδρόμου καὶ λογαριαστοῦ τῶν κτημάτων τῆς δεσποίνης ἐκείνης πρότερον, 35.94-100: περὶ ἧς καὶ αὐθὶς ἀψιμαχίαι οὐκ ὀλίγαι καὶ ἀγῶγαι προέβησαν μέσον αὐτῶν, εἴθ' οὕτως καὶ δι' ὄρκου ἀποκατάστασις ἔχει δὲ ἡ ἀποκατάστασις τῆς τοιαύτης ὀρκωμοσίας, τῆς παρὰ Μιχαὴλ βέστου τοῦ Σπανοπούλου γεγυνυίας, ἐξ ἐπιτροπῆς πεποιηκότος ταύτην τοῦ μεγαλεπιφανεστάτου κουροπαλάτου καὶ τῇ [κριτοῦ, according to F. DÖLGER] τοῦ βήλου πραίτορος καὶ ἀπογραφέως Βολεροῦ, Στρυμόνιος καὶ Θεσσαλονίκης κυροῦ Εὐθυμίου. Cf. F. DÖLGER, *Regesten der Kaiserurkunden des oströmischen Reiches von 565-1453*. 4. Teil (1282-1341), München 1960, no. 2612, who thinks that the imperial *horismos* should be dated to the reign of Michael VIII Palaiologos, or even earlier; Cf. KYRIAKIDES, Βολερὸν, 329-331; KYRIAZOPOULOS, *Θράκη*, 213; GKOUTZIOUKOSTAS, *Απονομή δικαιοσύνης*, 179-180.

from the late 11th century and concern earlier disputes and contemporary attempts to settle them; this is further confirmed by the fact that Euthymios is cited as *protokouropalates*, *krites of the velum*, *praitor* and *anagrapheus* in a document of 1095 preserved in the Monastery of Esphigmenou<sup>41</sup>.

The evidence relating to the *krites* Euthymios suggests that it may be necessary to revise to some extent the assumption, based on the sources and especially on the seals, that the term *praitor* was used, unlike that of *krites*, for a person whose career was not that of a jurist<sup>42</sup>. The case of Euthymios shows that the titles of *praitor* and *krites* do not indicate a difference in the legal training of their bearers<sup>43</sup>, since, like him, *praitors* could also have previously followed a judicial career and have acquired legal experience as *judges of the hippodrome* or of *velum*. Nor is this the only such case: other *praitors of themes* had also served as *judges of the velum*, as witness the *praitor of Antioch* Ioannes Katotikos (second or third quarter of the 11th century)<sup>44</sup>, the *praitor of Armeniakon* Basileios (11th c.)<sup>45</sup>, the *praitor*

41. *Actes d'Esphigmenou*, no. 5.1-4, no. 34 (1095): Εὐθύμιος (πρωτο)κουροπ(α)λ(ά)τ(ης) πραί(ω)ρ καὶ ἀναγρα(φεὺς) Βο(λε)ρ(οῦ) Στρυμ(ό)ν(ος) καὶ Θεσσαλονί(κης), κ(α)τὰ θείαν καὶ βασιλικὴν πρόστα(ξ)(ιν) διερευνώμενο(ς) τὰς πράξεις τῶν προδ ἡμῶν γεγονότ(ων) ἀναγραφῶν τῶν αὐτῶν θεμάτ(ων), ἡγουν τοῦ τε μαγίστρου Νι(κή)τ(α) τοῦ Ξιφιλίνου καὶ τοῦ μοναχοῦ κυροῦ Γρηγορίου καὶ ὑπερτ(ί)μου τοῦ Ξηροῦ, καὶ ἐφ' οἷς δέον ταύτας ἐπανορθούμενο(ς)...ΕΥΘΥΜ(ΙΟΣ) ΠΡΟΝΟΙΑ Θ(ΕΟ)Υ ΠΡΩΤΟΚΟΥΡΟΠΑΛΑΤ(ΗΣ) ΚΡΙΤ(ΗΣ) ΤΟΥ ΒΗΛ(ΟΥ) ΠΡΑΙΤ(Ω)Ρ (ΚΑΙ) ΑΝΑΓΡΑ(ΦΕΥΣ). Cf. KYRIAZOPOULOS, *Θράκη*, 213; GKOUTZIOUKOSTAS, *Απονομή δικαιοσύνης* 179-180; cf. [www.pbw.kcl.ac.uk](http://www.pbw.kcl.ac.uk) (Euthymios 113).

42. N. OIKONOMIDES, L'évolution de l'organisation administrative de l'empire byzantin au XI<sup>e</sup> siècle (1025-1118), *TM* 6 (1976) 125-152 [=IDEM, *Byzantium from the Ninth Century to the Fourth Crusade. Studies, Texts, Monuments*, Variorum Collected Studies Series CS369, Hampshire – Brookfield 1992, X], 148.

43. The terms *krites* and *praitor* are considered to be synonymous. See H. GLYKATZI-AHRWEILER, Recherches sur l'administration de l'empire byzantin aux IX<sup>e</sup>-XI<sup>e</sup> siècles, *BCH* 84 (1960) 1-109 [=H. AHRWEILER, *Études sur les structures administratives et sociales de Byzance*, Variorum Reprints, London 1971, VIII], 75-76; GREGORIOU-IOANNIDOU, *Παρακμή*, 83; AIK. CHRISTOPHILOPOULOU, *Βυζαντινή Ιστορία*, v. II.1 (610-867), Thessalonike <sup>2</sup>1998, 310.

44. CHEYNET – MORRISSON – SEIBT, *Seyrig*, no. 163.

45. ZACOS, *Seals*, no. 967.

of *Boukellarion* Constantine Promoundenos (11th c.)<sup>46</sup>, and the *praitor of Macedonia and Adrianople* Niketas (950-1050)<sup>47</sup>.

The prosopographical material yielded by seals and documents (11th c.) thus leads us to the conclusion that several of the *judges* who were appointed to serve in Thessalonike came from Constantinople, where they had acquired both legal training and judicial experience. The administration of justice in the district of Thessalonike, as in other provinces, was organised on two levels, one on which cases were heard by the *judge of the theme*, and one on which they were heard by a *judge* from the capital who was sent out as a commissioned judge by the emperor or the central administration<sup>48</sup>. It should also be noted that the decisions handed down by the *judge of the theme* could be appealed in the courts of Constantinople<sup>49</sup>.

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46. E. McGEER – J. NESBITT – N. OIKONOMIDES (†), *Catalogue of Byzantine Seals at Dumbarton Oaks and in the Fogg Museum of Art*, v. 4, Washington DC 2001, no. 1.19. Cf. A.-K. WASSILIOU – W. SEIBT, *Die byzantinischen Bleisiegel in Österreich*, 2. Teil: Zentral- und Provinzialverwaltung [Österreichische Akademie der Wissenschaften. Veröffentlichungen der Kommission für Byzantinistik II/2], Wien 2004, 178 no. 228 (hereafter WASSILIOU – SEIBT, *Bleisiegel*).

47. NESBITT – OIKONOMIDES, *Catalogue*, v.1, no. 44.8; cf. WASSILIOU – SEIBT, *Bleisiegel*, 213 no. 398.

48. Another person who had served as *judge of the hippodrome* and taken part in a court hearing as a commissioner sent from Constantinople to the region of Strymon for that purpose was Ioannes Melidones, *protovestes, krites of the hippodrome and megas oikonomos of the sekreton of the Oikoproasteion*, who was also *man of the caesar* Nikephoros Melissenos, the husband of the emperor's sister. In 1085 Melidones was commissioned by Nikephoros, together with the *magistros* and *vestarches* Stephanos Chrysodaktylos, to settle a property dispute between the Diocese of Ezebos and the Monastery of Iviron. See *Actes d'Iviron*, no. 43.6 f.f. and the editors' comments, p. 144. See also no. 52.323 (1104), which contains a reference to certain property that belonged to the *proedros* John Melidones. This Ioannes Melidones may well be the same person as the *protokouropalates* and *krites* of the same name who is recorded in a document in the Monastery of Docheiariou as being a member of the court that heard a case in 1112. See *Actes de Docheiariou*, ed. N. OIKONOMIDES [Archives de l'Athos, III], Paris 1984, no. 3.13; cf. [www.pbw.kcl.ac.uk](http://www.pbw.kcl.ac.uk) (Ioannes 182) and (Ioannes 229).

49. ΓΚΟΥΤΖΙΟΥΚΟΣΤΑΣ, *Απονομή δικαιοσύνης*, 292.



**Table of judges of the velum and judges of the hippodrome in  
Thessalonike (11th c.)**

	Name	Honorific Titles - Dignities	Primary Sources	Date
1.	<u>Ioannes</u>	<i>protospatharios, krites of the hippodrome and of Thessalonike</i>	SCHLUMBERGER, <i>Sigillographie</i> , no. 3, p. 103	(before the second fifth of the 11th c.)
2.	<u>Michael</u> ↓	<i>protospatharios, mystographos, krites of the hippodrome, of Boleron, Strymon and Thessalonike</i>	ZACOS, <i>Seals</i> , no. 594; NESBITT – OIKONOMIDES, <i>Catalogue</i> 1, no. 18.25	(11th c.)
	According to J. Nesbitt-N. Oikonomides ↓ = <u>Michael Serblias</u>	<i>protospatharios, epi tou chrysotriklinou and krites of Boleron, Strymon and Thessalonike</i>	<i>Actes d'Iviron</i> , no. 34.7 (1062)	(circa 1029)
3.	<u>Niketas</u>	<i>protospatharios, thesmographos, krites of the hippodrome, of Boleron, Strymon and Thessalonike</i>	CHEYNET – MORRISSON – SEIBT, <i>Seyrig</i> , no. 197	(circa second fourth of the 11th c.)

4.	<u>Michael</u>	<i>patrikios, krites of the velon, of hippodrome, of Boleron, Strymon and Thessalonike</i>	LEONTIADES, <i>Μολυβδοβούλλα</i> , no. 17	(middle of the 11th c.)
5.	<u>Basileios</u>	<i>protospatharios, hypatos, and krites of the hippodrome</i>	ZACOS, <i>Seals</i> , no. 4	(middle of the 11th c.)
6.	<u>Georgios Hexamilites</u>	<i>protospatharios, krites of the hippodrome and of Boleron, Strymon and Thessalonike</i>  <i>protospatharios of the Chrysotriklinon, krites of the hippodrome, basilikos notarios of the ephoros and krites of Boleron, Strymon and Thessalonike</i>	<i>Actes d'Iviron</i> , no. 34.15, 27 (1062)  <i>Actes d'Iviron</i> , no. 35.12, 15, 35 (1062)  <i>Actes d'Iviron</i> , no. 48.12 (1098-1103)	(between 1047 and 1056)
7.	<u>Leon Thylakas</u>  ↓	<i>hypatos, krites of the velum, of the hippodrome, of Boleron, Strymon and Thessalonike</i>	<i>Actes de Dionysiou</i> , no. 1.15-16  <i>Actes d'Iviron</i> , no. 31.47, 61 (1056), 37.6 (1063)	(August 1056)  (September 1056)

	same or different person from <u>Leon dishypatos</u> ↓	<i>dishypatos, krites of the velum and judge of Boleron, Strymon and Thessalonike</i>  <i>dishypatos, krites and anagrapheus of Boleron, Strymon and Thessalonike</i>	<i>Actes d'Esphigménou</i> , no. 4.4 (1078)  <i>Actes de Lavra</i> , no. 39.3 (1079)	(probably 1064-1065)
	<u>Leon patrikios</u> is rather a different person	<i>patrikios, anthypatos, krites of the velon, notarios of the emperor and anagrapheus of the West</i>	<i>Actes d'Iviron</i> , no. 32.41	(1059)
8.	<u>Niketas</u> ↓	<i>patrikios, krites of Boleron, Strymon and Thessalonike</i>	<i>Actes de Lavra</i> , no. 41.32-33 (1081)	(before February of 1062)
	(probably) = <u>Νικητάς</u>	<i>patrikios, krites of the velum, of Boleron, Strymon and Thessalonike and man of the emperor</i>	NESBITT – OIKONOMIDES, <i>Catalogue</i> 1, no. 18.26	
9.	<u>Nikolaos Serblias</u>	<i>krites of the hippodrome and of velum</i>	LAURENT, <i>Corpus</i> , no. 842	(middle of the 11th c.)
		<i>hypatos, krites of the hippodrome, of the velum, of Boleron, Strymon, and Thessalonike</i>	<i>Actes d'Iviron</i> , no. 34.33 and no. 35.1-2, 39-40, 51	(August 1062)

10.	<u>Christophoros</u> <u>L...</u>	<i>Protovestarches, krites of the velum, of Boleron, Strymon and Thessalonike</i>	<i>Actes d'Esphigménou, no. 4.1-2</i>	(1078)
11.	<u>Michael</u> <u>Rhodios</u>	<i>protoanthypatos, krites of the hip- podrome  proedros and kri- tes of Boleron, Strymon and Thessalonike</i>	<i>Actes de Lavra, no. 46.37  Actes de Lavra, no. 56.35, 46 (1104)</i>	(1084)  (before July 1104)
12.	<u>Euthymios</u>	<i>kouropalates, kri- tes of the velum, praitor and apogra- pheus of Boleron, Strymon and Thessalonike  protokouropalates, krites of the velum, praitor and anagrapheus of Boleron, Strymon and Thessalonike</i>	<i>Actes de Zographou, no. 35.98-100 (1342?)  Actes d'Esphigménou, no. 5.1-4, 34</i>	(1095)

*JUDGES OF THE VELUM AND JUDGES OF THE HIPPODROME  
IN THESSALONIKE (11TH C.)*

The present study focuses on judicial officers coming from Constantinople to Thessalonike in the 11th century. The *judge of the theme of Thessalonike* was in charge of trying cases in the region. From the second fifth of the 11th century, however, his jurisdiction was extended to the greater financial and judicial unit of *Boleron, Strymon and Thessalonike* as well. Lead seals and documents from the archives of the monasteries of Athos prove that many of the *krites of Boleron, Strymon and Thessalonike* had been previously *krites of the velum* and *judges of the hippodrome* who performed their duties in the capital and belonged to the ranks of the “small judges”. These judicial officers tried cases that were referred to them, while they could also function as assessors of the “great” or superior judges of Constantinople, i.e. the *droungarios of the vigla*, the *dikaiodotes*, the *protoasecretis*, the *eparchos of the city*, the *koiaistor* and the *epi ton kriseon*. The latter could delegate the authority to try cases to the “small” or inferior judges. Consequently, the *judges of the velum* and the *judges of the hippodrome* could also be sent from Constantinople to the *themes* by the emperor or other officials, in order to examine some cases and then return to the capital. This is confirmed by the primary sources, which mention for example the case of *judge of the hippodrome* Michael Rhodios, who was sent by Alexios I Komnenos in 1084 from Constantinople to the region of Thessalonike, in order to examine a dispute between the Lavra monastery and the brother of the emperor, Adrianos. Some years later Michael Rhodios was sent again to try cases in Thessalonike, but this time as *krites of Boleron, Strymon and Thessalonike*. Consequently, apart from the *judge of Boleron, Strymon and Thessalonike*, other judges delegated by the emperor or by high officers could also examine cases there, as happened in other *themes*.