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

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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, for

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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, 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, such as the

2007), 78-79, n. 273 (hereafter Gregoriou-Ioannidou, Παρακμή; Chr. Kyriazopoulos, Η Θράκη κατά τοὺς 10ο-12ο αιώνες. Συμβολή στη μελέτη της πολιτικής, διοικητικής και εκκλησιαστικής της εξέλιξης, Thessalonike 2000, 207ff. (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. Kavari – 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).


3. Ecloga Basilicorum B.2.2.207 (68b-11): καὶ γὰρ οἱ ἄρχοντες ἐξουσιάν ἔχουσι κατὰ τῶν ἐπὶ τὴν ἐξουσίαν τούτων. Οίων ἄρχον λέγεται ὁ δοὐξ ἢ ὁ πραίτωρ ἢ ἄλλος ἄρχον ἐκάστης ἐπαρχίας ἐκάστης γοῦν τούτων ἐξουσιαν ἔχει κατὰ τῶν ὄντων ἐπὶ τὴν ἐπαρχίαν αὐτῶν. Καὶ πᾶς δικαστὴς, ἀν ἐν Κωνσταντινουπόλει ἐστίν, ἄρχον λέγεται καὶ ἐξουσιαν ἔχει κατὰ τῶν ἐπὶ τὴν δικαιοδοσίαν καὶ τὴν κρίσιν αὐτοῦ. Ὁ οὖν ἔπαρχος ἐξουσίαν ἔχει ἐπὶ πάσα τοῖς οὐσιοσκεπασμασίοις καὶ ἰδιώταις καὶ τέχνην οἰκοδομήν μετερχομένοις, καὶ ἀπλῶς πᾶς δικαστὴς ἐξουσίαν ἔχει ἐπὶ τοῖς ὑποκειμένοις καὶ δικαιοδοσίαις παρ’ αὐτοῦ. Λέγεται οὖν ἡ τῶν ἄρχοντων ἐξουσία ἰδιοκό ὄνομα κράτος—καὶ εἰκότως, ὅτι κρατεῖ τῶν ὑπὸ χείρα καὶ, ὅποι καὶ ὅποις βούλεται, ἄγει αὐτοῦ; B.2.3.70 (11220-24): Τῶν δικαστῶν οἱ μὲν ἔχουσι δικαιοδοσίαν καὶ δύνανται καὶ προστιμάν καὶ τιμωρεῖσθαι
megas droungarios, the eparchos of the city, the dikaiodotes, the koiaistor, the protoasecretis, the epi ton kreon, and the katholikos4 or prokaθήμενος τῶν δημοσιωχών δικαστηρίων5, but were lower-ranking judges: «Ἀλλ’ οὐδὲ δικαστήν, ἐν δῷς κρίνει καὶ τῇ ἴδιᾳ πνεύματι διάγνωσιν, χρὴ καλεῖν εἰς δικαστήριον — ὑπόθου δὲ τὸν τοιοῦτον δικαστήν μὴ κατὰ τοὺς προφητεύοντος ἐπάρχον ἢ πραίτωρα ἢ τοὺς ἄλλους τοὺς τοιούτους, ἀλλ’ ὑποδεέστερον, οἷός ἐστιν ὁ κριτής τοῦ βήλου ἢ τοῦ ἱπποδρόμου»6. The judges of the hippodrome and the judges of the velum were, then, “small” or inferior judges7 who sat as commissioned judges or assessors, since they had

4 See Macrides, Court, 119-120; cf. A. Gkoutzioukostas, Η απονομή δικαιοσύνης στο Βυζάντιο. Τα κοσμικά δικαιοδοτικά όργανα και δικαστήρια της πρωτεύουσας [Βυζαντινά Κείμενα και Μελέται, 37], Thessalonike 2004, 152-154 (hereafter Gkoutzioukostas, Απονομή δικαιοσύνης).

5 See Gkoutzioukostas, Απονομή δικαιοσύνης, 238-245.


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: Όρα ἐκ τούτου, ὅτι τοὺς ἄρχοντας τοῖς ὑπεράνω τῶν θείων δικαστήρων δῆτας, ἤτοι τῶν τοῦ ἱπποδρόμου κριτῶν... Cf. N. Oikonomides, 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\(^8\).

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\(^9\). 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\(^10\), krites of the hippodrome, Boleron, Strymon and Thessalonike\(^11\), 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\(^12\). While it is clear from the evidence of seals

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

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


and the Ecloga Basilicorum¹³ 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 Leontiades 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 century¹⁴. This patrikios Michael, who is probably not the same person as the protospatharios (or protospatharios) 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 century¹⁵, and the protospatharios, hypatos and krites of the hippodrome Basileios, attested by a seal that has been dated to the middle of that century¹⁶.

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 Iviron¹⁷.

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¹⁴. I. Leontiades, Μολυβδόβουλλα του Μουσείου Βυζαντινού Πολιτισμού Θεσσαλονίκης [Βυζαντινά Κέμενα και Μελέτες, 40], Thessalonike 2006, no. 17.


¹⁷. Actes d’Iviron, no. 34.15, 27 and p. 94, no. 35.12, 35 (1062), no. 48.12 (1098-1103); cf. A.-K. Wassiljou, 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 Thylakas18. The litigants in this case, however, opted to have the matter settled by arbitration before the judicial decision was published19. 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 dispute20.

Documents preserved in the archives of Athonite monasteries mention another two persons who are thought to be the same Leon Thylakas21. The monastery of Iviron has a document issued by the patrikios, anthypatos, krites of the velum, notarios of the emperor and anagrapheus of the

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).


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, Boleqon, 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. Guillou – 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 (Leon 119) and (Leon 120).
West that has been dated by its editors to 1059. 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 circa 1060. A document, this one in the Great Lavra Monastery (1079), 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. As scholars have noted, 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’Espaghiménou, ed. J. Lefort [Archives de l’Athos, VI], Paris 1973, no. 4.2-4: Ἀναθεωρηθὲν ἄναι διὰ τοπι(:)κῆς ἐρεύνης τὰ ἐν τ(ῶ) ἰσοκωδ(ίκῳ) ἐμφερόμ(ενα) ὥρια καὶ γνωρίσματα, τὸ καὶ ἐμφανιζομένῳ παρὰ τοῦ (μονας) Κλήμ(ήν) (ος) καὶ καθηγομένῳ Λέοντος (ος) μον(ῆς) τοῦ Ἐσφιγμένου καὶ φαινομένῳ ἐκτεθεῖναι παρὰ τοῦ δισυπάτου(ος) Λέοντος(ος) πρ(ατοῦ) π(οιέων) βῆλ(ῶν) καὶ διακαστοῦ χρηματίσαντος(ος) τοῦ καθ’ ἡμᾶς τούτου δικαιοῦ (hereafter Actes d’Espaghiménou).
24. Actes d’Espaghiménou, 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.
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) παρέλθον(αν) γ(ῶ) (ινδικτίονα)», and not 1049/1050.
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.

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. This Niketas may, as N. Oikonomides thinks, 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.

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 γεγονό(ς) ἔγγραφον τῶ τοῖς μοναχοῖς ἀντιδικήσαντι Θεοδόρω τότε παρὰ τοῦ π(ατ)ρικίου Νικήτ(α) (καὶ) γεγονότο(ς) κριτοῦ Βολεροῦ Στρυμόνο(ς) (καὶ) Θεσσαλονίκ(ης) ἐπὶ τῇ πρὸς αὐτὸν παραδόσει ἐπὶ νομῇ τῶν ἐπεγνωκότων δεσπότας τοὺς μοναχοὺς τοπίων παρὰ τὸ Θεοδώρου ποτὲ ἢ τοῦ μέρους αὐτοῦ ἐμφανίζεται, εἰς οὖν δὲν παρὰ πάσαν χρονίαν κρατηθεὶς τῷ παρόντι χρυσοβουλίῳ ΛΟΓΩ τ(ῆς) εὐσεβείας ἡμῶν βασιλείας τὰ νῶτα κλίνον (καὶ) πάσαν σχολὴν κατακρίνομεν καὶ ἀσθένειαν.

30. See Nesbitt – Oikonomides, Catalogue, vol. 1, no. 18.26. See also Cheynet – Morrison – Seibt, Seyrig, no. 197; cf.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.32

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. 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. 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).35

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).
35. Actes d'Esphigménon, no. 4.1-2: Κατὰ τὸν Μάρτι(ον) μήνα τ(ῆς) Νικολάου τοῦ λαμπροτάτου Χριστοφόρου τοῦ Λ... μενεχθησθησαν οὕτως λέξεσιν οὕτως. 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.

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. 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.


37. *Actes de Lavra*, no. 56.34 ff. (1104): ...(Καὶ) εἴδη(σι) μὲν τοῦ(ν) ἔδ(ό)θ(η) τῇ βασιλ(εία) μον(ῆς) ἐν τῷ γεγονότω(ν) πρακτ(ικῷ) π(αρὰ) τοῦ ἀναγραφ(έως), ὡς εἰρήνη(α) καὶ προ(δέδηρο(ν)) καὶ τῆς(ῆς) προ(το)στα(ξίας) Βολερ(οῦ) Στρυμ(όνος) καὶ Θεσσαλονίκης καὶ Θεοσαλαλονί(ίς) π(α)τερίμφη (π(α)ρὰ τοῦ) Ῥόδ(ίουν), ἀνὰ χεῖρ(α) λαβ(εῖ)ν.... Cf. Lemerle, Philippes, 164-165, who notes that Michael Rhodios was a krites of the above themes prior to 1104; Dolger – 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 logothes 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 sebastophoros38, judge of the hippodrome and logariastes of the estates of the despoina (probably of Anna Dalassene)39 Basileios and the megalepiphanestatos kouropalates, krites of the velum, praitor and apographeus of Boleron, Strymon and Thessalonike Euthymios40. There can be no doubt, however, that the excerpts of the documents contained in the imperial horismos date


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?): προστατέσει δε δεσποινικής έτηρήθη ή τοιαύτη ύπόθεσις τοπικός παρὰ Βασιλείου Σεβαστοφόρου κριτοῦ ἐπὶ τοῦ ἱπποδρόμου καὶ λογαριαστὸ τῶν κτιμῶν τῆς δεσποινῆς ἐκείνης πρότερον, 35.94-100. περὶ ἣς καὶ αὐτῆς ἄμφισσαί ω νά ὄλγησαι καὶ ἄγωγα προσβῆσαν μέσον αὐτῶν, εἰ δ’ ὄντως καὶ δ’ ἄραν ἀποκατάστασις ἔχει δὲ ἡ ἀποκατάστασις τῆς τοιαύτης ὑποθέσεως, τῆς παρὰ Μιχαήλ βέστου τοῦ Σπανοπούλου γεγονυίας, ἐξ ἐπιφορῆς πεποιημένης ταυτήν τοῦ μεγαλεπιφανεστάτου κουροπαλάτου καὶ τῆς [κριτοῦ, according to F. DÖLGER] τοῦ βήλου πραίτορος καὶ ἀπογραφέας Βολεροῦ, Στρύμνου καὶ Θεσσαλονίκης κυροῦ Εὐθυμίου. Cf. F. DÖLGER, Regesten der Kaiserurkunden des oströmischen Reiches von 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, Βολέρου, 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.41

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.42 The case of Euthymios shows that the titles of praitor and krites do not indicate a difference in the legal training of their bearers,43 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)44, the praitor of Armeniakon Baseleios (11th c.)45, the praitor

41. Actes d’Esphigménou, no. 5.1-4, no. 34 (1095): Εὐθύμιος (πρωτο)κουροπ(α)λ(ή)(ά) π(η)(ς) πραίτ(ω)ρ καὶ ἀναγρα(φεὺς) Βο(λε)ρ(οῦ) Στρυμ(ό)ν(ος) καὶ Θεσσαλονί(κης), κ(α)τὰ θείαν καὶ βασιλικὴν πρόστα(ξιν) διερευνώμενο(ς) τὰς πράξεις τῶν πρὸ ἡμῶν γεγονότ(ων) ἤγουν τοῦ τε μαγιστροῦ Νικήτα τοῦ Ξιφιλίνου καὶ τοῦ μοναχοῦ κυροῦ Γρηγορίου καὶ ὑπερτ(ί)μ(ου) τοῦ Ξηροῦ, καὶ ἐφ’ οἷς δέον ταύτας ἐπανορθούμενο(ς)...ἘΥΘΥΜ(ΙΟΣ) ΠΡΩΤΟΚΟΥΡΟΠΑΛΗΣ ΚΡΙΤ(ΗΣ) ΤΟΥ ΒΗΛ(ΟΥ) ΠΡΑΙΤ(Ω)Ρ ΑΝΑΓΡΑ(ΦΕΥΣ). Cf. Kyriazopoulos, Θράκη, 213; Gkoutzioukostas, Απονομή δικαιοσύνης 179-180; cf. www.pbw.kcl.ac.uk (Euthymios 113).


44. Cheynet – Morrisson – Seibit, Seyrig, no. 163.

45. Zacos, Seals, no. 967.
of Boukellarion Constantine Promoundenos (11th c.)⁴⁶, and the praitor of Macedonia and Adrianople Niketas (950-1050)⁴⁷.

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 administration⁴⁸. It should also be noted that the decisions handed down by the judge of the theme could be appealed in the courts of Constantinople⁴⁹.

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⁴⁷. Nesbitt – Oikonomides, Catalogue, v.1, no. 44.8; cf. Wlassiou – Seib, 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 sekretion of the Oikoproastetion, 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 (Ioannes 182) and (Ioannes 229).

⁴⁹. Gkoutzoukostas, Απονομή δικαιοσύνης, 292.
Table of judges of the velum and judges of the hippodrome in Thessalonike (11th c.)

<table>
<thead>
<tr>
<th>Name</th>
<th>Honorific Titles - Dignities</th>
<th>Primary Sources</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Ioannes</td>
<td>protospatharios, krites of the hippodrome and of Thessalonike</td>
<td>SCHLUMBERGER, Sigillographia, no. 3, p. 103</td>
<td>(before the second fifth of the 11th c.)</td>
</tr>
<tr>
<td>2. Michael</td>
<td>protospatharios, mystographos, krites of the hippodrome, of Boleron, Strymon and Thessalonike</td>
<td>ZACOS, Seals, no. 594; NESBITT - OIKONOMIDES, Catalogue 1, no. 18.25</td>
<td>(11th c.)</td>
</tr>
<tr>
<td></td>
<td>According to J. Nesbitt-N. Oikonomides = Michael Serblias</td>
<td>Actes d'Iviron, no. 34.7 (1062)</td>
<td>(circa 1029)</td>
</tr>
<tr>
<td>3. Niketas</td>
<td>protospatharios, thesmographos, krites of the hippodrome, of Boleron, Strymon and Thessalonike</td>
<td>CHEYNET - MORRISON - SEIBT, Seyrig, no. 197</td>
<td>(circa second fourth of the 11th c.)</td>
</tr>
<tr>
<td></td>
<td>Judges of the Velum</td>
<td>Judges of the Hippodrome</td>
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<tr>
<td>4.</td>
<td>Michael patrikios, krites of the velum, of the hippodrome, of Boleron, Strymon and Thessalonike</td>
<td>Leontiades, Μολυβδάβουλλα, no. 17</td>
<td>middle of the 11th c.</td>
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<tr>
<td>5.</td>
<td>Basileios protospatharios, hypatos, and krites of the hippodrome</td>
<td>Zacos, Seals, no. 4</td>
<td>middle of the 11th c.</td>
</tr>
<tr>
<td>6.</td>
<td>Georgios Hexamilites protospatharios, krites of the hippodrome and of Boleron, Strymon and Thessalonike protospatharios of the Chrysotriklinon, krites of the hippodrome, basilikos notarios of the ephoros and krites of Boleron, Strymon and Thessalonike</td>
<td>Actes d'Iviron, no. 34.15, 27 (1062) Actes d'Iviron, no. 35.12, 15, 35 (1062) Actes d'Iviron, no. 48.12 (1098-1103)</td>
<td>between 1047 and 1056</td>
</tr>
<tr>
<td>7.</td>
<td>Leon Thylakas hypatos, krites of the velum, of the hippodrome, of Boleron, Strymon and Thessalonike</td>
<td>Actes de Dionysiou, no. 1.15-16 Actes d'Iviron, no. 31.47, 61 (1056), 37.6 (1063)</td>
<td>(August 1056) (September 1056)</td>
</tr>
<tr>
<td>Same or Different Person</td>
<td>Dishypatos, Krites of the Velum and Judge of Boleron, Strymon and Thessalonike</td>
<td>Actes d’Esphigménon, no. 4.4 (1078)</td>
<td>(Probably) 1064-1065</td>
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<tr>
<td>Leon Dishypatos ↓</td>
<td>Dishypatos, Krites and Anagrapheus of Boleron, Strymon and Thessalonike</td>
<td>Actes de Lavra, no. 39.3 (1079)</td>
<td></td>
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<tr>
<td>Leon Patrikios</td>
<td>Patrikios, Anthypatos, Krites of the Velon, Notarios of the Emperor and Anagrapheus of the West</td>
<td>Actes d’Iviron, no. 32.41</td>
<td>(1059)</td>
</tr>
<tr>
<td>Niketas ↓</td>
<td>Patrikios, Krites of Boleron, Strymon and Thessalonike</td>
<td>Actes de Lavra, no. 41.32-33 (1081)</td>
<td>(Before February of 1062)</td>
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<tr>
<td>(Probably) = Νικήτας</td>
<td>Patrikios, Krites of the Velum, of Boleron, Strymon and Thessalonike and Man of the Emperor</td>
<td>Nesbitt – Oikonomides, Catalogue 1, no. 18.26</td>
<td></td>
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<tr>
<td>Nikolaos Serblis</td>
<td>Krites of the Hippodrome and of Velum</td>
<td>Laurent, Corpus, no. 842</td>
<td>(Middle of the 11th c.)</td>
</tr>
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<td></td>
<td>Hypatos, Krites of the Hippodrome, of the Velum, of Boleron, Strymon, and Thessalonike</td>
<td>Actes d’Iviron, no. 34.33 and no. 35.1-2, 39-40, 51</td>
<td>(August 1062)</td>
</tr>
<tr>
<td>No.</td>
<td>Judge</td>
<td>Title and Positions</td>
<td>Source(s)</td>
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<tr>
<td>10</td>
<td>Christophoros</td>
<td>Protovestarches, krites of the velum, of Boleron, Strymon and Thessalonike</td>
<td>Actes d’Esphigménou, no. 4.1-2</td>
</tr>
<tr>
<td>11</td>
<td>Michael Rhodios</td>
<td>protoanthypatos, krites of the hippodrome proedros and krites of Boleron, Strymon and Thessalonike</td>
<td>Actes de Lavra, no. 46.37 Actes de Lavra, no. 56.35, 46 (1104)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(before July 1104)</td>
</tr>
<tr>
<td>12</td>
<td>Euthymios</td>
<td>kouropalates, krites of the velum, praitor and anagrapheus of Boleron, Strymon and Thessalonike</td>
<td>Actes de Zographou, no. 35.98-100 (1342?) Actes d‘Esphigménou, no. 5.1-4, 34</td>
</tr>
</tbody>
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BYZANTINA ΣΥΜΜΕΙΚΤΑ 20 (2010) 67-84


*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 kriselon*. 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*.