

**ASPECTS REGARDING THE ACTIVITY OF NOTARIES (*TABOYMAPIOI*) IN  
CONSTANTINOPE AT THE TURN OF THE 9<sup>th</sup> -10<sup>th</sup> CENTURIES**

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**ABSTRACT.** *THE BOOK OF THE EPARCH (PREFECT), ATTRIBUTED TO EMPEROR LEO IV, REPRESENTS AN IMPORTANT SOURCE AS FAR AS KNOWLEDGE OF THE ECONOMIC AND SOCIAL LIFE OF CONSTANTINOPE IS CONCERNED, AT THE TURN OF THE 9<sup>TH</sup>-10<sup>TH</sup> CENTURIES. THE WORK RECORDS THE OFFICES, COLLEGES AND GUILDS IN WHICH THE DIFFERENT CATEGORIES OF OFFICIALS, ARTISANS, MERCHANTS OR WORKERS IN THE CAPITAL OF THE EMPIRE WERE ORGANIZED, WHICH OPERATED UNDER THE DIRECT COORDINATION AND CONTROL OF THE CAPITAL'S EPARCH. IN BYZANTINE SOCIETY, NOTARIES OCCUPIED AN IMPORTANT PLACE IN THEIR CAPACITY AS CIVIL SERVANTS. AT THE TURN OF THE 9<sup>TH</sup>-10<sup>TH</sup> CENTURIES, NOTARIES IN CONSTANTINOPE WERE ORGANIZED IN A COLLEGE, LED BY A PRIMIKERIOS APPOINTED FROM AMONG THEM BY THE PREFECT OF THE CITY. THE ORGANIZATION, OPERATION, RIGHTS AND DUTIES, AS WELL AS ALL ASPECTS REGARDING THE ACTIVITY OF NOTARIES WERE STRICTLY REGULATED BY STANDING ORDERS OR STATUTE THAT INCLUDED A NUMBER OF 26 ARTICLES.*

**KEY WORDS:** *BOOK OF THE EPARCH, NOTARIES, PREFECT, COLLEGE, PRIMIKERIOS*

Attributed to the scholar-emperor Leo VI the Wise (886-912), *the Book of the Eparch* (*Ἐπαρχικὸν Βιβλίον*) or of *the Prefect*, continues to remain an important source for the knowledge of the organization of the economic and social life of Constantinople, at the turn of the 9th and 10th centuries, and, by extension, of the Byzantine Empire itself. The work records the colleges and guilds in which the officials, craftsmen and merchants of the capital of the empire were organized, who functioned under the direct coordination and control of *the eparch (prefect)* of the capital.

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### Offikia, colleges, and guilds of Constantinople, mentioned in the Book of the Eparch.

According to the information contained in the *Book of the Eparch*, at the turn of the 9th-10th centuries, a number of 22 offikia, colleges and guilds functioned in Constantinople. Of these, 20 guilds belonged to different categories of craftsmen and merchants. Among the 20 guilds, that of contractors, entrepreneurs or suppliers included, in turn, craftsmen with different professions, probably organized in branches by trades<sup>4</sup>.

All offikia, colleges and guilds in the capital of the Byzantine Empire functioned under the direct authority of the eparch (prefect) of Constantinople, a high imperial official who, according to contemporary sources such as *Philotheos' Kletorologion* (*Φιλοθεου Κλητορολογιον*), written in 899, ranked 18th in the Byzantine aulic hierarchy<sup>5</sup>. From this point of view, *the Book of the Eparch* confirmed and perpetuated a juridical reality recorded since the old Roman-Byzantine and Byzantine legislation<sup>6</sup>. The composition of its office, its role and attributions, as well as the ceremonial of the appointment are reflected in several Byzantine sources<sup>7</sup>. We do not insist, however, on these aspects, because they are not of particular importance in the economy of our approach.

According to the information provided by the Eparch Book, along with the guilds, a number of civil servants also functioned under the authority of the prefect of the capital. We have here in mind a *legatee* (*λεγατάριος*) of the prefect and *notaries* (*ταβουλλάριοι*).

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<sup>4</sup> Leontos tou Sophou, *To Eparchikon Biblion / Le Livre du Préfet ou l'édit de l'empereur Léon le Sage sur les corporations de Constantinople*. Texte grec du Genevensis 23. Publié par J. Nicole. Avec une traduction latine; des notices exégétiques et critique et les variantes du Genevensis 23 au texte de Julien d'Ascalon, Genève, 1893, I.1-XXII.4; or éditions: *Le Livre du Préfet ou l'édit de l'empereur Léon le Sage sur les corporations de Constantinople*. Traduction française du texte grec de Genève par J. Nicole. Avec une introduction et des notes explicatives (Genève et Bale, 1894, I.1-XXII.4; *Roman Law in The Later Roman Empire. Byzantine Guilds professional and commercial. Ordinaces of Leo VI, c. 895 from the Book of the Eparch*. Rendered into English by E.H. Freshfield, Cambridge, MCMXXXVIII, I.1-XXII.4; *Das Eparchenbuch Leons des Weisen*. Einführung, Edition, Übersetzung und Indices von J. Koder, Wien, 1991, 1.1-22.4.

<sup>5</sup> *Les listes de préséance byzantines des IXe et Xe siècles*. Introduction, texte, traduction et commentaire par N. Oikonomidès, Paris, 1972, p. 100/101; J.B. Bury, *The Imperial Administrative System in the Ninth Century. With a Revised Text of The Kletorologion of Philotheos*, New York, 1958, p. 136.

<sup>6</sup> *The Theodosian Code and Novels and the Sirmondian Constitutions*. A Translation with Commentary, Glossary, and Bibliography by. C. Pharr. In Collaboration with Theresa Sherrer Davidson and Mary Brown Pharr. With an Introduction by C. Dickerman Williams, New Jersey, 1952, 1.6.11.1; Cf. J. Koder, *The Authority of the Eparchos in the Markets of Constantinople (according to the Book of the Eparch)*, in *Authority in Byzantium*, edited by Pamela Armstrong, London and New York, 2013, p. 84, 98 § 1.

<sup>7</sup> *Listes*, p. 112/113; J.B. Bury, *op. cit.*, p. 139; Theophanes Continuatus, *Book 6, years 944-961*, in *The Rise and Fall of Nikephoros II Phokas. Five Contemporary Texts in Annotated Translations*, by D. Sullivan, Leiden-Boston, 2019, § 10, 43; Constantine VII Porphyrogénète, *Le livre des cérémonies*, t. II: *Livre I – Chapitres 47(38)-92(83)*. Texte établi et traduit par A. Vogt, Paris, 1939, II.61(52-53); or edition: Constantine VII Porphyrogénète, *Le livre des cérémonies*, t. II: *Livre I, Chapitres 47-92 et 105-106*. Édition par B. Flusin. Traduction et notes par G. Dagron. *Livre I, Chapitres 93-104*. Édition, traduction et notes par D. Feissel. Avec la collaboration de M. Stavrou, Paris 2020, I.61.

The prefect's legatee was a lower-ranking official, to whom control and supply tasks were delegated<sup>8</sup>. We do not know who this dignitary was, because no source refers to him. We believe that this was probably one of those *exarchs* (ἑξάρχαι) mentioned by other contemporary sources, such as *Philotheos' Kletorologion*, who functioned within the office of the eparch of Constantinople<sup>9</sup>. He most likely had his own office. In their turn, the notaries of Constantinople, another category of officials, had, according to the findings that the news in the Book of the Eparch allows us to make, their own organization, in a college<sup>10</sup>.

Going through the text, which represents true regulations or statutes of the Constantinopolitan offikia, colleges and guilds of the late 9th and early 10th centuries, allows us to capture and identify interesting aspects regarding their organization and functioning. These norms take into account the conditions of entry into the guild, the relations with the authorities of the imperial administration, the number of members, their rights and obligations, the relations between them, remuneration, fiscal and social obligations, etc<sup>11</sup>.

However, the *Book of the Eparch*, historians Béatrice Caseau and Michel Kaplan noted, "is far from regulating all the crafts in Constantinople"<sup>12</sup>. As a result, they concluded, "it is content with those that engage the sovereignty of the state (notaries, bankers or money changers, goldsmiths)", with "luxury crafts, such as those made of silk or perfumes", but also with "essential crafts, especially those that are responsible for supply"<sup>13</sup>. Finally, the aforementioned authors claim, "the last title, obviously added, deals with several construction trades"<sup>14</sup>. At the same time, they note the absence from the work of "numerous well-known crafts", such as, for example, that of "the producers of the cauldrons, which gave their name to a neighborhood near Saint Sophia"<sup>15</sup>.

Despite these shortcomings, the *Book of the Eparch* remains an essential working tool. This allows us to study and analyze, as Béatrice Caseau and Michel Kaplan also pointed out, both the "regulatory and economic logic, which determines the intervention of the eparch", and "the organization of crafts and the functioning of workshops or shops, ergasteria"<sup>16</sup>.

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<sup>8</sup> Leontos tou Sophou, *op. cit.*, XX.1-3; or editions: *Livre du Préfet*, XX.1-3; *Ordinaces of Leo VI*, § XX.1-3; *Eparchikon Biblion*, XX.1-3; *Eparchenbuch*, 20.1-3.

<sup>9</sup> *Listes*, p. 112/113; J.B. Bury, *op. cit.*, p. 139; D.G. Mavridis, K.I. Vatalis, *Best and bad practices – The imperial guilds of Constantinople*, in *Procedia Economics and Finance*, 14, 2014, p. 426.

<sup>10</sup> Leontos tou Sophou, *op. cit.*, I.1-26; or editions: *Livre du Préfet*, I.1-26; *Ordinaces of Leo VI*, I.1-26; *Eparchikon Biblion*, I.1-26; *Eparchenbuch*, 1.1-26; Béatrice Caseau, M. Kaplan, *Les métiers à Constantinople: Livre de l'éparque*, in *Économie et société à Byzance (VIIIe-XIIe siècles)*. Textes et documents, sous la direction de Sophie Métivier, e-Book, Paris, 2007, pe <http://www.openedition.org/6545> (accesat: 07.10.2024), 1.1.1-29.1.26.

<sup>11</sup> *Ibidem*, I.1-XXII.4; or editions: *Livre du Préfet*, I.1-XXII.4; *Ordinaces of Leo VI*, I.1-XXII.4; *Eparchikon Biblion*, I.1-XXII.4; *Eparchenbuch*, 1.1-22.4.

<sup>12</sup> Béatrice Caseau, M. Kaplan, *op. cit.*, p. 1.

<sup>13</sup> *Ibidem*.

<sup>14</sup> *Ibidem*.

<sup>15</sup> *Ibidem*.

<sup>16</sup> *Ibidem*.

**Notaries (ταβουλλάριοι) of Constantinople: organizational aspects.** In the Byzantine world, notaries (ταβουλλάριοι) occupied a special place in their capacity as civil servants. These, Hélène Saradi pointed out, are found in sources with names such as *taboullarios*, *tabellion*, *nomikos* or *symbolaiographos*, while the term *notarios* was reserved for scribes or secretaries<sup>17</sup>.

Depending on their field of activity, the specialists who studied these aspects identified two groups of notaries: lay and ecclesiastical<sup>18</sup>. There is, however, no strict demarcation between the two categories. For example, we have documents drafted for various places of worship by lay notaries<sup>19</sup>.

Based on the information provided by the *Book of the Eparch*, we are able to conclude that at the turn of the 9th-10th centuries, the capital of the Byzantine Empire was organized into its own college. It was led by a primikerios, appointed from their ranks by the prefect of the city<sup>20</sup>.

Against the background of the Byzantine society in a dynamic evolution, in the mentioned era, the role of notaries became even more important. The fact is reflected by the *Book of the Eparch* itself, which records them and their status at the head of the other guilds, the space occupied by their rules of operation, grouped in 26 articles, is the most extensive within the work<sup>21</sup>.

Notaries drafted property deeds, contracts and agreements relating to commercial transactions, recorded and confirmed transfers of goods, drew up deeds and wills. It seems that their name derived from a type of abbreviated writing, known in Latin as *notae Tironinae*, whose inventions have been attributed to the secretary of the Roman orator Cicero, Tullius Tiro. The user of this writing system was called *notarius*<sup>22</sup>.

These notaries of Constantinople, subordinated to the eparch, consider Béatrice Caseau and Michel Kaplan not to be confused "with the very numerous notaries who work in the offices of the imperial administration and other major bodies (cathedral churches, pious foundations)"<sup>23</sup>. In fact, their statute is the only one in which they are recorded, "at the same time, details about the control of the eparch, about sociability and about training"<sup>24</sup>.

Going through the provisions of the statute of the college of notaries allows us to see that they clearly highlight the place and significant role of these officials in the Byzantine society of

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<sup>17</sup> Helen Saradi-Mendelovici, *Notes on a Prosopography of the Byzantine Notaries*, in *Medieval Prosopography*, 9 (2), 1988, p. 26; Hélène Saradi, *Le notariat byzantin du IXe au XVe siècles*, Athènes, 1992, p. 65-70.

<sup>18</sup> *Ibidem*, p. 21-49.

<sup>19</sup> Fr. Miklosich, Ios. Müller, *Acta et Diplomata Monasteriorum et Ecclesiarum Orientis*, t. I, in *Idem, Acta et Diplomata Graeca Medii Aevi Sacra et Profana*, Vindobonae, MDCCCLXXI, p. 308-315, nr. IX.

<sup>20</sup> Leontos tou Sophou, *op. cit.*, I.1-4, 13, 17, 22, 24; or edititons: *Livre du Préfet*, I.1-4, 13, 17, 22, 24; *Ordinaces of Leo VI*, I.1-4, 13, 17, 22, 24; *Eparchikon Biblion*, I.1-4, 13, 17, 22, 24; *Eparchenbuch*, 1.1-4, 13, 17, 22, 24; Béatrice Caseau, M. Kaplan, *op. cit.*, 1.1.1-5.1.4, 14.1.13, 18.1.17, 23.1.22, 25.1.24.

<sup>21</sup> *Ibidem*, I.1-26; or edititons: *Livre du Préfet*, I.1-26; *Ordinaces of Leo VI*, I.1-26; *Eparchikon Biblion*, I.1-26; *Eparchenbuch*, 1.1-26; Béatrice Caseau, M. Kaplan, *op. cit.*, 1.1.1-29.1.26.

<sup>22</sup> L. Bergreen, *Marco Polo. From Venice to Xanadu*, New York, 2007, p. 417.

<sup>23</sup> Béatrice Caseau, M. Kaplan, *op. cit.*, p. 2.

<sup>24</sup> *Ibidem*.

the late 9th and early 10th centuries. The statute precisely establishes the rights and obligations, both social and pecuniary, of the Constantinopolitan notaries. Failure to comply with the obligations entailed not only financial sanctions or exclusion from the college, but also the application of severe and humiliating corporal punishments, such as whipping, trimming and shaving the hair and beard completely<sup>25</sup>.

Another interesting finding is that the notaries also included *magisters in law* (*παιδοδιδάσκαλοι νομικοί*) and *magisters* (*διδάσκαλοι*). The first were probably the professors who prepared the aspirants to the position of notary for the exam held in front of the primiker and the college, and the others may have been the professors who teach the humanities, also included in the exam for the position of notary<sup>26</sup>. As in the case of notaries, the statute also provided for the rights and obligations, the conditions for occupying and losing the chairs, the remuneration and fines, the corporal punishments incurred in the event of non-fulfillment of the duties or the knowingly violation of them<sup>27</sup>.

Probably, only chance makes a document from the year 987 have been preserved, even from the time of the writing of the *Book of the Eparch*, on which the name of the lay notary who drafted it is mentioned. The deed, which records an exchange of property between the monasteries of Lamponios and St. Paul at Mount Latros, confirmed by Patriarch Nikolaos II Chrysoberges, was drafted in February-April 987, by the notary Michael Engonos, who was also the "*exarchos of notaries*"<sup>28</sup>.

**Regulation or Statute of operation of notaries.** The regulation or statute of operation of the notaries of Constantinople includes, as mentioned above, a number of 26 articles. They occupy, according to the calculations made by the Greek historians Dimitrios G. Mavridis and Konstantinos I. Vatalis, 15.2% of the total space granted to all guilds<sup>29</sup>.

Information contained in the *Book of the Eparch* leads to the conclusion that the entry of a candidate among the notaries was dependent on the fulfillment of very strict conditions. These are set forth in Articles 1 and 2 of the statute contained in the Book of the Eparch. It specified the level

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<sup>25</sup> Leontos tou Sophou, *op. cit.*, I.12; or editions: *Livre du Préfet*, I.12; *Ordinaces of Leo VI*, I.12; *Eparchikon Biblion*, I.12; *Eparchenbuch*, I.12; Béatrice Caseau, M. Kaplan, *op. cit.*, 13.1.12.

<sup>26</sup> J. Nicole, *Le Livre du Préfet. Édit de l'empereur Léon le Sage sur les corps de métiers de Constantinople*, in *Revue Générale du Droit, de la Législation et de Jurisprudence en France et à l'Étranger*, XVII, 1893, p. 76-77; Idem, *Notes explicatives la Le Livre du Préfet ou l'édit de l'empereur Léon le Sage sur les corporations de Constantinople*. Traduction française du texte grec de Genève par J. Nicole. Avec une introduction et des notes explicatives, Genève et Bale, 1894, p. 19, n. 1.

<sup>27</sup> Leontos tou Sophou 1893, I.13; or editions: *Livre du Préfet*, I.13; *Ordinaces of Leo VI*, I.13; *Eparchikon Biblion*, I.13; *Eparchenbuch*, I.13; Béatrice Caseau, M. Kaplan, *op. cit.*, 14.1.13.

<sup>28</sup> Fr. Miklosich, Ios. Müller, *op. cit.*, p. 312, nr. IX; Cf. Helen Saradi-Mendelvici, *op. cit.*, p. 27; Cf. Hélène Saradi, *op. cit.*, p. 223.

<sup>29</sup> D.G. Mavridis, K.I. Vatalis, *op. cit.*, p. 428.

of specialization, the skills necessary for the position and the superior legal training that a notary was obliged to have, as well as a series of character traits that he had to possess<sup>30</sup>.

Article 3 of the Statute laid down the procedures for the election of the notary and his installation. The role of the primiker (head of the college of notaries) and the eparch (prefect of the capital) in receiving a new notation in the college, the ceremonies and the ceremonial of installing the new notary in office were clearly specified<sup>31</sup>.

The next two articles, respectively 4 and 5, set out the protocol obligations of notaries. They also set out the penalties imposed on them for repeated non-fulfilment, non-compliance or breach, intentionally or unwillingly, of those obligations<sup>32</sup>.

Possible situations of competition, sometimes unfair, arising voluntarily or involuntarily between notaries, in concrete situations, were governed by the provisions of Articles 6, 7 and 8. They established the manner of granting remuneration, in case of carrying out specific joint activities by two notaries, but also the sanctions, in case one of them resorted to unfair competition. They specified the procedure for resolving the situation in which a notary requested to draft certain documents was forced to decline the request, for objective reasons and regulated the manner of granting the fees in the situations in which the beneficiaries of the services requested two notaries for the drafting of the requested document or documents<sup>33</sup>.

The situations generated by the disregard of one notary by another, as well as the disagreements that arose between some of them, were governed by the provisions of Articles 9, 10 and 11 of the Statute. They established the attitudes sanctioned, as well as the type and amount of the sanctions applied<sup>34</sup>.

Article 12 of the Staff Regulations specified the professional and legal obligations of the notary towards the beneficiaries of his services. At the same time, the article also established the sanctions and punishments received by him in case of non-compliance<sup>35</sup>.

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<sup>30</sup> Leontos tou Sophou, *op. cit.*, I.1-2; or editions: *Livre du Préfet*, I.1-2; *Ordinaces of Leo VI*, I.1-2; *Eparchikon Biblion*, I.1-2; *Eparchenbuch*, 1.1-2; Béatrice Caseau, M. Kaplan, *op. cit.*, 1.1.1, 2.12; Cf. Hélène Saradi, *op. cit.*, 85-87.

<sup>31</sup> *Ibidem*, I.3; or editions: *Livre du Préfet*, I.3; *Ordinaces of Leo VI*, I.3; *Eparchikon Biblion*, I.3; *Eparchenbuch*, 1.3; Béatrice Caseau, M. Kaplan, *op. cit.*, 3.1.3, 4.1.3; Cf. Hélène Saradi, *op. cit.*, 87-88.

<sup>32</sup> *Ibidem*, I.4-5; or editions: *Livre du Préfet*, I.4-5; *Ordinaces of Leo VI*, I.4-5; *Eparchikon Biblion*, I.4-5; *Eparchenbuch*, 1.4-5; Béatrice Caseau, M. Kaplan, *op. cit.*, 5.1.4, 6.1.5; Cf. Hélène Saradi, *op. cit.*, p. 92.

<sup>33</sup> *Ibidem*, I.6-8; or editions: *Livre du Préfet*, I.6-8; *Ordinaces of Leo VI*, I.6-8; *Eparchikon Biblion*, I.6-8; *Eparchenbuch*, 1.6-8; Béatrice Caseau, M. Kaplan, *op. cit.*, 7.1.6, 8.1.7, 9.1.8; Cf. Hélène Saradi, *op. cit.*, 89-90.

<sup>34</sup> *Ibidem*, I.9-11; or editions: *Livre du Préfet*, I.9-11; *Ordinaces of Leo VI*, I.9-11; *Eparchikon Biblion*, I.9-11; *Eparchenbuch*, 1.9-11; Béatrice Caseau, M. Kaplan, *op. cit.*, 10.1.9, 11.1.10, 12.1.11; Cf. Hélène Saradi, *op. cit.*, 91.

<sup>35</sup> *Ibidem*, I.12; or editions: *Livre du Préfet*, I.12; *Ordinaces of Leo VI*, I.12; *Eparchikon Biblion*, I.12; *Eparchenbuch*, 1.12; Béatrice Caseau, M. Kaplan, *op. cit.*, 13.1.12; Cf. Hélène Saradi, *op. cit.*, 89.

Articles 13, 14, 15 and 16 laid down the manner in which the chairs of magisters in law (*παιδοδιδάσκαλοι νομικοί*) and magisters (*διδάσκαλοι*) are to be filled. They also set out their professional and financial rights and obligations, as well as those of notaries<sup>36</sup>.

The next three articles, 17, 18 and 19, established the framework in which the relations between notaries and their scribes (secretaries) were to take place. The content of the text of the three articles specified the obligations and rights, including money, of the scribes, as well as the sanctions applied to them in case of violation of those obligations<sup>37</sup>.

Article 20 of the Statute penalised unfair competition which a notary had made to another notary. The provisions of the article refer to the sanctions applied to the notary who was proven to have tried to steal the clientele of a colleague<sup>38</sup>.

The content of Article 21 regulates the manner in which the duties held by the primikerios will be performed, given that the holder of the position is unable to exercise them for reasons "*of illness, old age or infirmity to fulfill the duties of his position, he will retire*"<sup>39</sup>.

As regards Article 22, its provisions establish the conditions for the election of a new primikerios, from among notaries, in the conditions of vacancy of the position. Cases in which he was retired due to age, illnesses or infirmities are taken into account<sup>40</sup>.

Article 23 categorically established at 24 the total number of notaries in Constantinopol, which corresponded to the number of *offikia* in the capital. The number was so rigorously fixed that not even "*the acting prefect will have the right to appoint more than one, under the pretext that he appoints councilors*"<sup>41</sup>.

The text of Article 24 specified the conditions under which a notary could take a scribe into his service, such as the number of scribes to whom he was entitled. The article established the obligations of the notary to guarantee for the scribe taken into service. Each notary could only have one scribe<sup>42</sup>.

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<sup>36</sup> *Ibidem*, I.13-16; or editions: *Livre du Préfet*, I.13-16; *Ordinaces of Leo VI*, I.13-16; *Eparchikon Biblion*, I.13-16; *Eparchenbuch*, I.13-16; Béatrice Caseau, M. Kaplan, *op. cit.*, 14.1.13, 15.1.14, 16.1.15, 17.1.16; Cf. Hélène Saradi, *op. cit.*, p. 88, 92-93.

<sup>37</sup> *Ibidem*, I.17-19; or editions: *Livre du Préfet*, I.17-19; *Ordinaces of Leo VI*, I.17-19; *Eparchikon Biblion*, I.17-19; *Eparchenbuch*, I.17-19; Béatrice Caseau, M. Kaplan, *op. cit.*, 18.1.17, 19.1.18, 20.1.19; Cf. Hélène Saradi, *op. cit.*, 92.

<sup>38</sup> *Ibidem*, I.20; or editions: *Livre du Préfet*, I.20; *Ordinaces of Leo VI*, I.20; *Eparchikon Biblion*, I.20; *Eparchenbuch*, I.20; Béatrice Caseau, M. Kaplan, *op. cit.*, 21.1.20; Cf. Hélène Saradi, *op. cit.*, 90.

<sup>39</sup> *Ibidem*, I.21; or editions: *Livre du Préfet*, I.21; *Ordinaces of Leo VI*, I.21; *Eparchikon Biblion*, I.21; *Eparchenbuch*, I.21; Béatrice Caseau, M. Kaplan, *op. cit.*, 22.1.21; Cf. Hélène Saradi, *op. cit.*, 91.

<sup>40</sup> *Ibidem*, I.22; or editions: *Livre du Préfet*, I.22; *Ordinaces of Leo VI*, I.22; *Eparchikon Biblion*, I.22; *Eparchenbuch*, I.22; Béatrice Caseau, M. Kaplan, *op. cit.*, 23.1.22; Cf. Hélène Saradi, *op. cit.*, 91.

<sup>41</sup> *Ibidem*, I.23; or editions: *Livre du Préfet*, I.23; *Ordinaces of Leo VI*, I.23; *Eparchikon Biblion*, I.23; *Eparchenbuch*, I.23; Béatrice Caseau, M. Kaplan, *op. cit.*, 24.1.23; Cf. Hélène Saradi, *op. cit.*, 88.

<sup>42</sup> *Ibidem*, I.24; or editions: *Livre du Préfet*, I.24; *Ordinaces of Leo VI*, I.24; *Eparchikon Biblion*, I.24; *Eparchenbuch*, I.24; Béatrice Caseau, M. Kaplan, *op. cit.*, 25.1.24; Cf. Hélène Saradi, *op. cit.*, 92.

The provisions of Article 25 recorded the rules for the collection of fees by notaries, as well as their value. The text of the article specified how the fees were formed, their maximum level and the sanctions applied to those who violated them. The article also insisted on the consequences that could arise in the conditions in which, due to the too high fees for drafting the documents, some beneficiaries were unable to pay them immediately<sup>43</sup>.

Article 26, the last of the statute, laid down, in detail, the conduct of the funeral ceremony of a notary. The article stated the obligation of all notaries to attend the funeral, as well as the sanctions applied to those who were unjustifiably absent from it<sup>44</sup>.

**Final Considerations.** In the Byzantine world, *notaries* (*ταβουλλάριοι*) occupied a special place, having the quality of civil servants. According to the information contained in the *Book of the Eparch*, at the turn of the ninth and tenth centuries, the notaries of Constantinople were organized in their own college.

Based on the information provided by the *Book of the Eparch*, we are able to conclude that at the turn of the 9th-10th centuries, the capital of the Byzantine Empire was organized into a college, headed by a primikerios, appointed from among their ranks by the prefect of the city.

Against the background of the Byzantine society in a dynamic evolution, in the mentioned era, the role of notaries became even more important. Notaries drafted property deeds, contracts and agreements relating to commercial transactions, recorded and confirmed transfers of goods, drew up deeds and wills. The fact is reflected by the *Book of the Eparch* itself, which records them and their status at the head of the other guilds, the space occupied by their rules of operation, grouped in 26 articles, is the most extensive within the work. The statute precisely established the rights and obligations, both social and pecuniary, of the Constantinopolitan notaries. Failure to comply with the obligations entailed not only financial sanctions or exclusion from the college, but also the application of severe and humiliating corporal punishment.

The notaries also included *magisters in law* (*παιδοδιδάσκαλοι νομικοί*) and *magisters* (*διδάσκαλοι*). The first were probably the professors who prepared the aspirants to the position of notary for the exam held in front of the primiker and the college, and the others may have been the professors who teach the humanities, also included in the exam for the position of notary. In their case too, the statute provided for the rights and obligations, the conditions for occupying and losing the chairs, the remuneration and fines, the corporal punishments incurred in the event of non-fulfillment of the duties or the knowingly violation of them.

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<sup>43</sup> *Ibidem*, I.25; or editions: *Livre du Préfet*, I.25; *Ordinaces of Leo VI*, I.25; *Eparchikon Biblion*, I.25; *Eparchenbuch*, I.25; Béatrice Caseau, M. Kaplan, *op. cit.*, 26.1.25, 27.1.25, 28.1.25; Cf. Hélène Saradi, *op. cit.*, 89.

<sup>44</sup> *Ibidem*, I.26; or editions: *Livre du Préfet*, I.26; *Ordinaces of Leo VI*, I.26; *Eparchikon Biblion*, I.26; *Eparchenbuch*, I.26; Béatrice Caseau, M. Kaplan, *op. cit.*, 29.1.26; Cf. Hélène Saradi, *op. cit.*, 93.

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