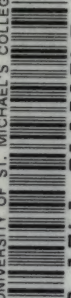


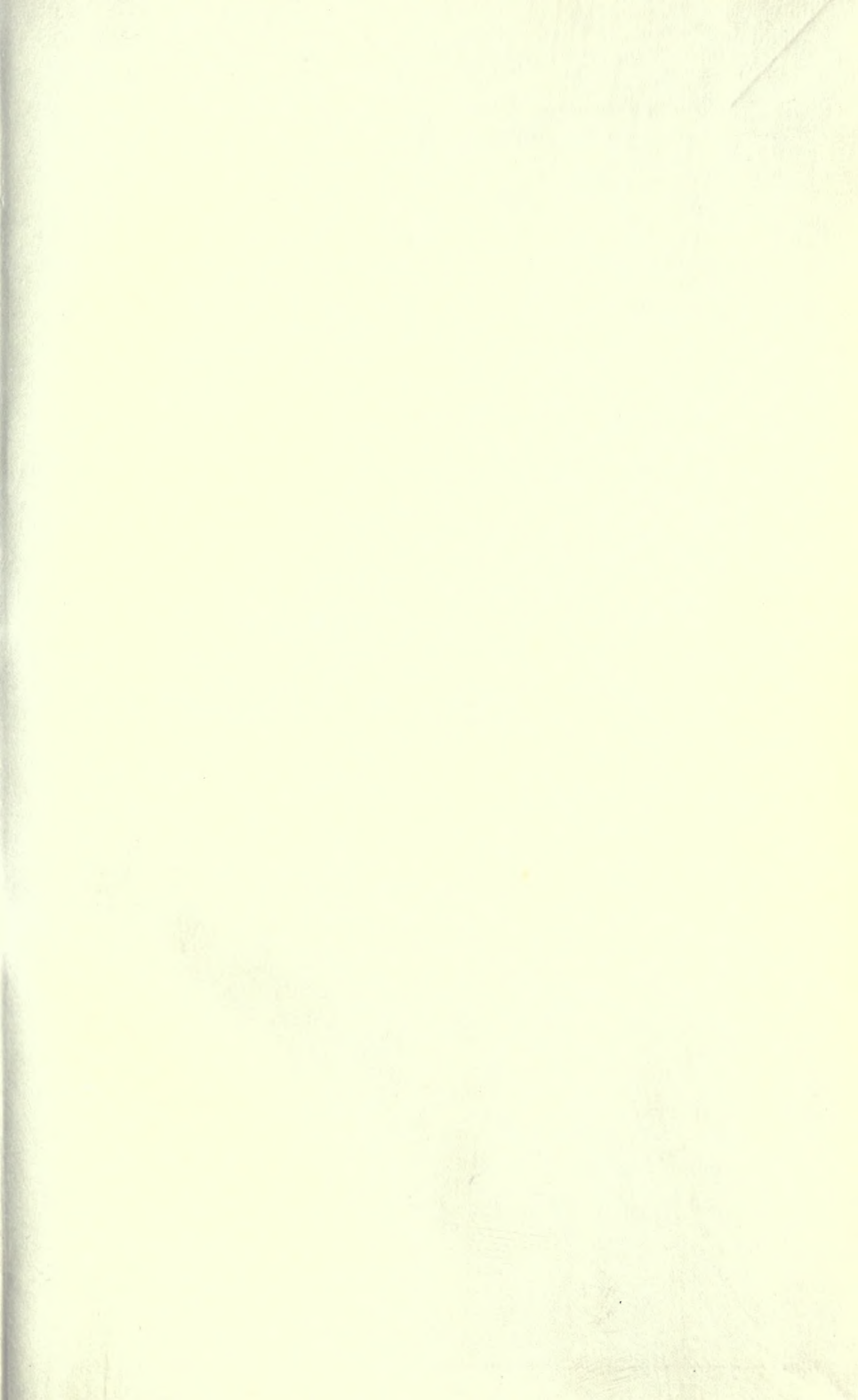
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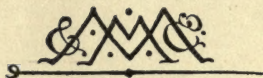
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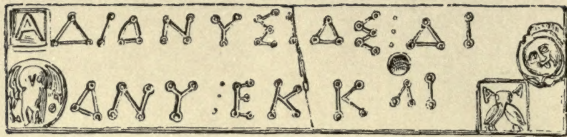
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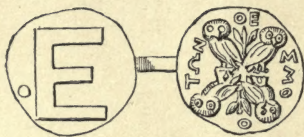
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(1) ΠΙΝΑΚΙΟΝ ΔΙΚΑΣΤΙΚΟΝ (c. 63 § 4)



(2)



(3)

(2) and (3) ΚΛΗΡΟΙ ΘΕΣΜΟΘΕΤΩΝ (c. 63 § 5)

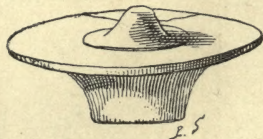
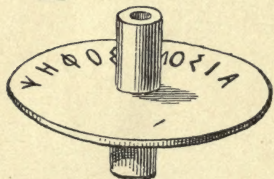
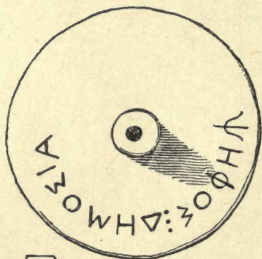


(4)



(5)

(4) and (5) ΣΥΜΒΟΛΑ ΔΙΚΑΣΤΙΚΑ (c. 65 § 2)



(6) ΨΗΦΟΣ ΤΕΤΡΥΠΗΜΕΝΗ

(7) ΨΗΦΟΣ ΠΛΗΡΗΣ (c. 68 § 2)

### ΣΚΕΥΗ ΔΙΚΑΣΤΙΚΑ

(See description on p. xci)



ΑΡΙΣΤΟΤΕΛΟΥΣ ΑΘΗΝΑΙΩΝ ΠΟΛΙΤΕΙΑ

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ARISTOTLE'S  
CONSTITUTION OF ATHENS

*A REVISED TEXT WITH AN INTRODUCTION  
CRITICAL AND EXPLANATORY NOTES  
TESTIMÓNIA AND INDICES*

BY

SIR JOHN EDWIN SANDYS, LITT.D., F.B.A.,

FELLOW OF ST JOHN'S COLLEGE, AND PUBLIC ORATOR  
IN THE UNIVERSITY OF CAMBRIDGE;  
HON. LITT.D. DUBLIN; HON. LL.D. EDINBURGH.



*Tetradrachm of Athens, c. 590—525 B.C.  
(See note on page 41.)*

SECOND EDITION, REVISED AND ENLARGED

MACMILLAN AND CO., LIMITED  
ST. MARTIN'S STREET, LONDON

1912



JAN 16 1954

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*First Edition* 1893

*Second Edition* 1912



## PREFACE TO FIRST EDITION

(1893).

THE preparation of the present volume was planned not long after the memorable publication of Mr Kenyon's *editio princeps* on Friday, the thirtieth of January, 1891. In that important work much was happily done by its able editor to facilitate the study of the newly discovered treatise by a skilful decipherment of the *papyrus*, by a careful comparison of the text with that of the existing fragments, by a judicious restoration of a large number of passages imperfectly preserved in the manuscript, and by an eminently readable commentary on many interesting points of constitutional history. The *editio princeps* was also the *editoris primitiæ*; and, considering the brief limits of time within which it was prepared, and notwithstanding certain superficial blemishes which have since been removed, it was undoubtedly a remarkable achievement.

In the opinion, however, of competent critics there appeared to be room, by the side of Mr Kenyon's work, for an edition in which closer attention might fitly be paid to matters of scholarship and verbal criticism, together with a more minute comparison of the fresh evidence with that already familiar to us in two closely allied departments of Classical learning, (1) the Constitutional History, and (2) the Legal Antiquities of Athens. There was also at that time an acknowledged need of an *Index Graecitatis*; and lastly there was a call for a fuller and clearer statement of the evidence on the text so far as it could be derived from quotations in later Greek literature. It has been the aim of the present writer to endeavour to supply such an edition.

The *Introduction* begins with a slight sketch of the political literature of Greece before the time of Aristotle, so far as it was directly concerned with theories of government. This is followed by a brief notice of the *Politics* of Aristotle and of the lost political works ascribed to the same author. The external evidence as to the authorship of the *Πολιτεῖαι* is next reviewed in chronological order, showing that, according to testimony extending over fifteen centuries from the age immediately succeeding that of Aristotle, the work, as a whole, was ascribed to Aristotle and to none beside. A brief account of the later literature of the subject is succeeded by a description of the Berlin Fragments, and the British Museum papyrus, of the *Ἀθηναίων πολιτεία*. The date of the treatise is placed between 328 and 325 B.C., which corresponds to the latter part of Aristotle's life; and, after a discussion of its relation to the *Politics*, and an examination of its style and language, it is accepted as being substantially the work of Aristotle himself; due regard is, however, paid to the considerations that have been urged on the other side by several eminent scholars. The discussion of the authorship is followed by an indication of the authorities either certainly or probably used by the writer. This is succeeded by an abstract of the contents, which (excepting a few dates added for the sake of clearness, with one or two items supplementary to the lost beginning of the treatise), is strictly confined to the author's own statements, any extraneous matter being carefully distinguished as such. The rest of the *Introduction* is mainly devoted to a conspectus of the Bibliography of the treatise, showing that, apart from editions and translations and separate works, the number of writers of signed contributions to the literature of the subject, in the department of periodical publications alone, already exceeds one hundred and thirty. Many of these papers were not published until after the present edition was already in type, the Commentary on the first forty-one chapters and the first draft of the Critical Notes and Testimonia having been written during the Long Vacation of 1891, while the greater part of the *Introduction* was prepared for delivery in the form of College Lectures in the autumn of the same year.... Professor Bruno Keil's important volume of nearly 250 pages on the *Solonian Constitution* as described in the *Ἀθηναίων πολιτεία*, with many interesting criticisms on the treatise in general, did not appear until the present edition was nearly ready for publication; but it has been found possible to include a few references to it in the *Addenda* and in the *English Index*.

In settling the *Text* I have constantly used the *facsimile* published by the Trustees of the British Museum; and, on nearly all points of special difficulty, I have also endeavoured to form an opinion of my own by consulting the *papyrus* itself. In the case of passages imperfectly preserved in the MS, I have considered it safer to accept Mr Kenyon's testimony as to the exact number of letters still visible, than that of other editors who, without having had the advantage of inspecting the MS, much less of having constant access to it, have not unfrequently indicated letters as actually visible which (at the best) are represented only by the faintest traces in the facsimile on which their texts are confessedly founded. Where the reading is uncertain, or the MS defective, I have freely admitted conjectures that commended themselves to my judgment as sound restorations of the text. My own conjectures, so far as they are here put forward for the first time, are always distinguished by an asterisk whenever they are included in the text; but even of these, several must be regarded as merely provisional and tentative restorations. Others are only suggested in the notes. References to all of them may be readily found in the English Index, under the heading 'Conjectures'.

In the *Critical Notes* the readings of the MS are for convenience recorded in a distinctive type. No one, however, who is familiar with the facsimile as a whole, or with the specimen published in Mr Kenyon's Translation, will regard these 'small uncials' as intended to represent the actual characters used by any one of the four copyists employed on the work. I have also indicated the readings or conjectures adopted in the principal critical editions that have already appeared; the Dutch edition, by van Herwerden and van Leeuwen; the two German editions, by Kaibel and von Wilamowitz-Moellendorff, and by Blass respectively; and the third (and carefully revised) edition by Mr Kenyon. Where Mr Kenyon has himself withdrawn the reading proposed in his first edition, I have not thought it desirable to record the reading so withdrawn, unless it helped to explain some of the earlier conjectures which in themselves appeared deserving of mention. I have therefore said nothing about such purely provisional readings as *καρδία καὶ κοινῆ* in c. 40 l. 17. It was clear that *καρδία* could not be right, and more than one scholar (for example, Professor Blass, Professor Mayor, and Mr Bywater) saw at once that *καὶ ἰδίᾳ καὶ κοινῆ* was a necessary correction; but, now that it is admitted that this is virtually the reading of the *papyrus*, in which *ΚΑΙΔΙΑ* is corrected into *ΚΑΙΙΔΙΑ*, it is no longer



necessary to record the text of the first edition. At the time, however, when the above suggestion was made, it had every right to be described as an 'emendation'; and it may be interesting to add that, as such, it attracted the notice of the late Mr Freeman, who observes in the preface to the third volume of his *History of Sicily*:—'such an emendation as this is not conjecture at all; it is the keen instinct of the true expert seeing his way straight to the right thing.' Again, it has not been deemed desirable to record *all* the conjectures that have been proposed since the publication of the *editio princeps*, many of them, however attractive at first sight, being excluded by our present knowledge of the actual readings of the papyrus, or by other considerations.

The *Testimonia*, printed immediately below the critical notes, contain further evidence on the text, in the form of quotations in Greek Lexicographers, Scholiasts, and others. Many, but by no means all, of these, had already been recorded in the various editions of the Fragments. In the present volume, a good deal of pains has been spent on the endeavour to trace in the Scholiasts, and in authors such as Aristides, tacit quotations or paraphrases of our text, which had hitherto escaped detection owing to their source having been unacknowledged. In the case of these quotations, it has been thought best not to remain content with giving references alone, but (as a general rule) to print the passages in full. It is only thus that their exact value in relation to the text can be readily seen.

In the *Explanatory Notes* considerable space has naturally been assigned to the quotation of parallel passages, especially from the *Politics*; and on every point an endeavour has been made to compare the new evidence with the old. In the historical notes to the first part (c. 1—41) much had already been accomplished by Mr Kenyon; but the second part (c. 42 to the end) was comparatively new ground. Throughout the work special attention has been given to the evidence of Greek Inscriptions.

The *Greek Index* gives a complete list of the vocabulary, with full citations of the phraseology of the treatise, including that of the passages quoted from the poems of Solon and the decrees of Athens, which are duly distinguished from citations from the body of the work. Words not recorded in the *Index Aristotelicus*, and words hitherto unknown, are indicated by distinctive marks. In checking the items in this Index, much help has been derived from the two Greek Indices, the *Index Dictionis* and the *Index Nominum et Rerum*, of the Dutch edition; but



in the present work it has been thought best to have only one Greek Index, and to adopt a more convenient mode of reference. The preparation of this Index has been a laborious task and has considerably delayed the publication of the volume.

The *Archaeological Illustrations* in the frontispiece are borrowed from Daremberg and Saglio's *Dictionnaire des Antiquités* (Hachette, Paris): the Aeginetan and Attic coins on p. 41, from Baumeister's *Denkmäler des Klassischen Alterthums* (Oldenbourg, Munich). To the publishers of both of these important works, the best thanks are due for the readiness with which they have accorded the use of these illustrations.

Among those who in other ways have aided me in preparing the present work, I gladly mention in the first place Mr Kenyon, who, with his able colleagues in the department of MSS at the British Museum, has afforded me every facility for studying the *papyrus*; and, at times when my daily duties in Cambridge made it impossible for me to visit the Museum, has readily given me the fullest information on any point on which I had occasion to consult him. It is a pleasure to add that for a large number of valuable notes and references I am indebted to the kindness of two whose names have long been eminent in the world of scholars:—Mr W. L. Newman, Fellow of Balliol College, Oxford, and editor of Aristotle's *Politics*; and the Rev. John Eyton Bickersteth Mayor, Senior Fellow of St John's, and Professor of Latin in the University of Cambridge. I am similarly indebted in no less degree to a scholar of more recent reputation, Mr W. Wyse, late Fellow of Trinity, and now Professor of Greek in University College, London, whose felicitous emendations of the text, founded mainly on a minute acquaintance with the Attic Orators, and proposed at a time when he was resident in his College rooms in Cambridge, are one more proof that the spirit of Dobree still happily dwells in its ancient home. Lastly, in response to a request conveyed by Mr George Macmillan, Secretary of the Hellenic Society and a member of the firm by which this volume is published, his Excellency the Minister for Greece, whose recent departure from England is regretted by all lovers of Hellenic learning, was good enough to lend me his own copy of the admirable emendations proposed by his brother, Anastasios Gennadios, in the columns of an Athenian newspaper taking its name from the Acropolis. He also kindly allowed me the use of a number of a Greek philological magazine, *Ἀθηναῖα*, containing valuable articles on the textual criticism

of the treatise by G. A. Papabasileios, and K. S. Kontos. This magazine was not to be found in the Library of the British Museum, and is practically inaccessible in England except to its annual subscribers. While engaged in exploring the scattered literature of such a subject as the present, one feels in such a case, no less than in that of the *Sitzungsberichte* of the Berlin Academy, the full force of the complaint made not long ago by the late Mr Freeman. 'No man can undertake to find out every pamphlet and every article. And, when one has found what is wanted, it is sometimes forbidden to buy the number that one wants, unless one chooses to buy a whole volume that one does not want.' I can only add that I shall be grateful to writers of similar articles for any separate copies of their papers that happen to be available; and, if in this way I become possessed of any duplicates, I propose to present the duplicate to a Library where it will be readily accessible to many who are interested in the subject.

I owe much besides to the principal editions of the treatise, especially to Mr Kenyon's third edition, more particularly for details connected with the readings in the *papyrus*. The study of the MS and of the facsimile alike has been considerably facilitated by the convenient plan adopted in the Dutch edition of Professors Van Herwerden and Van Leeuwen, in which the contents of the MS are indicated, not merely column by column, but also line by line. The edition of the text by Professors Kaibel and von Wilamowitz-Moellendorff has been of much use in revising the text and the *testimonia*, and in dealing with the fragments. In this last particular, as in some others, a still further advance has been made in the very useful Teubner text recently edited by Professor Blass, the results of whose subsequent examination of the *papyrus* have, by his own kindness, reached me in time to be included in the *Addenda* [ed. 1893].

My obligations to other published works are acknowledged as they arise, and are also expressed in general terms at the close of the bibliographical part of the Introduction. It may here be noticed that several of the most important of the books of reference to which I am thus indebted, are already attesting in their new editions the value of the evidence on the Constitutional History and the Public Antiquities of Athens which is contained in the treatise that, little more than two years ago, was so unexpectedly restored to us from the tombs of Egypt.

Up to the time of that fortunate event, the student was compelled

to satisfy his curiosity with the scattered fragments that, in successive generations, first in Italy and France, and afterwards in Holland and Germany, had been diligently sought by the industry of scholars, and collected into one by those 'friends of Truth', who (in Milton's phrase) 'imitating the carefull search that Isis made for the mangl'd body of Osiris, went up and down gathering limb by limb still as they could find them'. Even now, when in place of these *disiecta membra*, the actual body of the work has been happily recovered in an approximately complete condition, the 'friends of Truth' have made much ado over many minor details of the great discovery. After all that has been found, the quest continues still; but it is no longer limited, as it was two years ago, to the enterprise of a single scholar, enjoying all the privileges, and, at the same time, encountering not a few of the perils of a solitary pioneer. On the contrary, it is shared by a goodly number of eager investigators in many lands; and the very number of those who are joining in the quest is almost a source of embarrassment to any one of them who attempts to gather up the main results of their research and to combine them with his own. The last two years have led to many points connected with the new treatise being viewed in a more sober light and with a more fitting sense of proportion: the exaggerated expectations that were at first aroused have been followed by a natural reaction, which is now succeeded in its turn by the prevalence of an intermediate state of settled contentment. Meanwhile, the excitement of that earlier time is over; and those who are still engaged on the quest must be content to continue their patient toil unstimulated and unrewarded by any such general and public interest as that which justly awaited the first announcement of an event which has enabled men of letters to realise in the present day some of the joyous surprises of the age of the Renaissance. In the feeling language lately used in Cambridge by a learned prelate belonging to both of the two oldest Universities of the United Kingdom, 'the dignity and nobility of a scholar's life lie in this, that it claims no recognition, and asks for no reward. It seldom admits of excitement; it has no prospect of great encouragement: it looks forward to no definite achievement.' There are times, however, when a student, while attempting to restore and explain some imperfectly recorded remnant of the past, may take a quiet pleasure in obeying the precept of George Herbert:—'If studious, copie fair what Time hath blurr'd'. And at last there is a moment when, in the spirit of thankfulness that comes with the completion of an arduous undertaking, he may, as at present,



offer to the kindly criticism and to the use of others a work which, however long delayed by lack of leisure, and however inadequate in itself, has at least been the result of the most unsparing labour and the most strenuous endeavour.

December 27, 1892.

## PREFACE TO SECOND EDITION.

THIS work, which was first published in the early part of 1893, has been out of print for several years; but it was not until a little more than a year ago that it was possible to begin preparing the present revised and enlarged edition.

Among editors of the 'Constitution of Athens' there is now a greater consensus as to the text. An exact and authoritative statement as to the letters visible in the British Museum papyrus may be found in Mr Kenyon's Berlin edition of 1903. Hence, in the present revision, whenever the letters needed for the completion of any given word are perfectly certain, as in βασιλεὺς καὶ πολέμαρχος καὶ [ᾠ]ρ[χω]ν (c. 3 § 2), it is no longer necessary to retain the square brackets denoting the missing letters. They have therefore been, in general, discarded, and the result is a more easily readable text. The brackets have, however, been usually retained whenever a whole word has been supplied, as in ἐναντίον τῆς [βουλῆς] (c. 47 § 2).

Two new conjectures, proposed by the editor, have been printed in the present text. (1) In c. 67 § 2, in the description of the *clepsydra*, due recognition is now given to both of its essential parts, the supply-pipe, regularly called the αὐλός, and the outlet, or ἔκρους. This result is obtained by substituting κλειψύδ[ραι] αὐλ[ούς τε] ἔχουσαι καὶ ἔ[κρους] for the current texts κλειψύδ[ραι] αὐλ[ίσκους] ἔχουσαι ἔ[κρους] (or μι[κρούς]), which mention the outlet but omit the supply. (2) In c. 47, 13, where the numeral in the *lacuna* resembles either γ' or ι' (3 or 10), τὰ μέταλλα — τὰ εἰς <δέκα> ἔ[τη] πεπραμένα is now proposed, the alternative term of three years being practically excluded by the context.

The *Critical Notes*, the *Testimonia*, and the *Commentary* have been carefully revised, needless repetitions removed, and supplementary notes inserted. About fifteen pages have thus been added to the *Commentary*, and about the same number to the *Greek Index*. The *Introduction* has also been revised and supplemented. It ends with an enlarged *Bibliography*, showing that, since the publication of the previous edition, the number of the writers of scattered articles on the text or subject-matter has risen from 135 to 240. The present edition thus includes a probably complete conspectus of the numerous contributions to the criticism of this treatise which have been made by scholars of many lands during the last twenty-one years. Exactly that time has elapsed between the memorable publication of Mr Kenyon's *editio princeps* on January 30, 1891, and the date of the writing of the present preface. Under the fostering care of successive editors at home and abroad, the printed text of the 'Constitution of Athens' has now come of age, and is ready to submit to a friendly *δοκιμασία* on the part of the Council of critics.

January 30, 1912.

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## INTRODUCTION.

### § I. *The political literature of Greece before the time of Aristotle.*

IN a brief preliminary survey of the extant political literature of Greece<sup>1</sup>, it is unnecessary to dwell on the names of representatives of the pre-Socratic schools of philosophy, such as Pythagoras of Samos and Protagoras of Abdera, although the former is said to have written a *πολιτικὸν σύγγραμμα* (Diog. Laert. viii 6), and the latter a treatise *περὶ πολιτείας* (*ib.* ix 55). The work ascribed to Pythagoras was undoubtedly spurious; like that of Protagoras, it has been lost to posterity.

The earliest extant specimen of this branch of literature is the treatise preserved among the works of Xenophon under the title of *Ἀθηναίων πολιτεία*. Among modern scholars Cobet stands almost alone in being content to accept it as Xenophon's (*Nov. Lect.* p. 706). Its authorship is in fact uncertain: it has been attributed to Alcibiades<sup>2</sup>, and also to Critias<sup>3</sup>, who is known to have written on the *πολιτεῖαι* of Sparta, Thessaly and Athens. It may fairly be regarded as emanating from the oligarchical party at Athens, and as primarily intended for the perusal of readers at Sparta who sympathised with their aims. It was probably written between B.C. 426 and 413. It is in any case the earliest Greek political treatise that has come down to us. More than this, it is the 'oldest extant specimen of literary Attic prose'<sup>4</sup>; it is also 'the oldest extant specimen of a political pasquinade'. The real or imputed abuses of the Athenian Democracy are attacked in a tone of bitter sarcasm or insidious irony, relieved by acute remarks on interesting points of national economy, such as the relations of Athens to her subjects and rivals, and the comparative strength and weakness of her naval and military establishments<sup>5</sup>.

<sup>1</sup> Cf. Henkel, *Studien zur Geschichte der Griechischen Lehre vom Staat*, esp. pp. 1—17, *die politischen Schriften der Philosophen*, 1872; also R. Schöll, *Anfänge einer politischen Litteratur bei den Griechen*, Munich, 1890; and, on the lost literature of this subject, Wilamowitz, *Aristoteles und Athen*, 1893, i 169—185.

<sup>2</sup> W. Helbig, *Rhein. Mus.*, xvi 511 ff.  
<sup>3</sup> e.g. by Boeckh, *Public Economy of Athens*, III v, vol. i p. 390 Fränkel;

also by Conrad Müller (Zittau, 1891), and Drerup, *Neue Jahrb.* suppl. xxvii 313 f.

<sup>4</sup> Jebb, *Primer of Gk. Lit.*, p. 114.

<sup>5</sup> Col. Mure's *Literature of Greece*, v 422—5. See also A. Kirchhoff, in the *Abhandlungen* of the Berlin Academy for 1878, 1—25; Schöll, *l.c.* 14 f; and W. L. Newman's ed. of Aristotle's *Politics*, i 538 f.

The *Λακεδαιμονίων πολιτεία*, though regarded as spurious by Demetrius of Magnesia (Diog. Laert. ii 57), is accepted as the work of Xenophon by Plutarch (*Lyc.* 1) and others in ancient times, and among the moderns by Cobet (*Nov. Lect.* p. 705—724) and many others<sup>1</sup>. Its composition belongs to the years 387—378. It is a work inspired throughout by admiration of Spartan institutions. The *Κύρον παιδεία* is later than the death of Socrates (*Cyrop.* III i 38—40), and was probably written after Xenophon's return from exile, or about 369. While professing to describe the education of the founder of the Persian empire, it is really a historical and political romance, an idealised biography with a didactic purpose, being practically an encomium on Socratic principles and Spartan practice. It is prompted by the author's experience of Hellenic political and social life, especially the instability and vicissitudes of various forms of government<sup>2</sup>.

The pamphlet entitled *πόροι* [*ἢ περὶ προσόδων*] is assigned by Cobet (*Nov. Lect.* 756 f) to the year 355. According to others, it was written about 346 B.C. as a manifesto of the party who held that the commercial prosperity of Athens depended on peace with Philip. In the latter case, it falls after the death of Xenophon in 355. It suggests several expedients for enlarging the revenue, especially by means of taxes levied on resident aliens, as well as profits derived from the labour of 10,000 public slaves who were to be employed in the mines of Laurium.

Passing from 'Xenophon' to Plato, we have in the *Republic* the most memorable of all delineations of an Ideal State. In the first four books the description of the State is in harmony with Hellenic notions of religion and morality; in the remainder, the Hellenic State is transformed into an ideal kingdom of philosophy, of which all other governments are perversions<sup>3</sup>. In the eighth book<sup>4</sup> all conceivable forms of constitutions are reduced to five classes, represented by aristocracy, timocracy, oligarchy, democracy and despotism or tyranny, corresponding to five leading types of individual character. In the portraits of the typical 'timocrat,' tyrant, and democrat, and in the account of the successive changes which they represent, we have a sequence of transformations that is not entirely in accordance with historical facts, but nevertheless supplies us with something of the nature of a philosophy of history. The author is clearly no lover of democracy, or indeed of any of the existing varieties of government. His gaze is fixed on something above and beyond the horizon of his time. In his view, as

<sup>1</sup> Modern objections have been answered by Erler, Leipzig, 1874, and Naumann, Berlin, 1876.

<sup>2</sup> Introduction to Holden's ed.

<sup>3</sup> Jowett, *Introd.* to the *Republic*, p. 3.

<sup>4</sup> p. 544, compared with IV *ult.*

expressed in the closing words of the ninth book, the man of understanding is little likely to be a politician in the land of his birth, though he will certainly be a politician in an ideal city which is all his own; a city whose pattern is laid up in heaven, and he who desires may look on that pattern and in the vision find indeed his home. But whether there really is, or ever will be, such a city, is of no concern to him; for he will do all things in obedience to the laws of that city and of no other.

The *Republic* is almost always called the Πολιτεία, but sometimes bears the plural name, Πολιτεῖαι. Thus Themistius (ii 32 c) associates with the name of Plato Πολιτεῖαί τε αἱ κλειναὶ καὶ οἱ θεσπέσιοι Νόμοι. In the *Politicus*, which falls between the *Republic* and the *Laws*, 'the characteristic of a true government is not that it is of few or many, voluntary or involuntary, but that it is scientific'; and 'the science of government can only be attained by a very few,' pp. 292-3 (Jowett, iv 494 f). In this inquiry into the definition of a Ruler, there is much affinity with the *Laws* of Plato and the *Politics* of Aristotle. In contrast to the doubtless earlier scheme in the *Republic*, with its five types of constitution, we here find a series of seven, in which, apart from the ideal and only perfect type, we have six existing forms of government. These six are obtained by dividing the rule of the One (μοναρχία), of the Few (ἡ ὑπὸ τῶν ὀλίγων δυναστεία), and of the Many (δημοκρατία) into two varieties each, (1) into kingship and tyranny, and (2) into aristocracy and oligarchy, while the two varieties of democracy ('constitutional government' and 'simple democracy') are undistinguished by any differences of name. The distinction in each of these three pairs turns upon the question whether Law is observed or not<sup>1</sup>. In its political views, and probably in its date, this dialogue occupies an intermediate position between the *Republic* and the *Laws*; and its classification of typical forms of government reappears, with slight differences of terminology, in the *Ethics* and *Politics* of Aristotle<sup>2</sup>.

The dialogue on the *Laws* was composed after the *Republic* (Ar. *Pol.* ii 3, 1), and was published after the author's death (Diog. Laert. iii 37). It sets forth in minutest fulness the details of an Ideal Code; and, in the absence of any actual code of the institutions of Athens, the indications of the existing laws therein contained are often of special value<sup>3</sup>. The lofty conception of the 'rule of Philosophers' is here

<sup>1</sup> *Politicus*, pp. 291, 302.

<sup>2</sup> *Eth.* viii 10; *Pol.* iii 7 and vi (iv) 2. Cf. Newman's *Politics*, i 430-433, and Prof. Sidgwick in *Class. Rev.* vi 141-4; also Lutoslavski, 'Erhaltung und Untergang der Staatsverfassungen nach Plato,

Aristoteles und Macchiavelli', Breslau, 1888.

<sup>3</sup> See esp. K. F. Hermann, *De vestigiis institutorum veterum, imprimis Atticorum, per Platonis de Legibus libros indagandis*, 1836.



abandoned, and the State described is the best which is practically possible under the existing limitations of Greek life<sup>1</sup>. In the third book the author reviews the constitutions of Sparta, Persia and Athens, noting the causes of the success and failure of each; and then proceeds to develop his own constitution.

Of the other political dialogues bearing Plato's name, the *Epinomis* is an appendix to the *Laws*, and is mainly concerned with Education; the *Minos* discusses the definition of Law; but neither of these can be reckoned among the genuine works of Plato.

The *de Pace* of Isocrates advises Athens to abandon the Empire of the Sea; while the *Areopagiticus* commends the earlier mode of appointing the officers of State by election (*αἵρεσις*) rather than by lot (*κλήρωσις*), and pleads for the restoration of the censorial power once wielded by the Council of the Areopagus. Both of these works may be ascribed to the year 355 B.C., and both have important points of contact with the *Ἀθηναίων πολιτεία*, which was written nearly thirty years later<sup>2</sup>.

The above summary has been purposely confined to writings strictly concerned with politics, to the exclusion of historical works in which political discussion only plays a subordinate part. Otherwise, we might have recalled the debate on the relative merits of monarchy, oligarchy and democracy, which is ascribed to the Persian grandees in the pages of Herodotus (iii 80—82); and the reflexions on the effects of party spirit in Grecian politics, to which Thucydides is prompted by the narrative of the vengeance of the victorious *demos* on the oligarchs of Corcyra (iii 82 f). As it is, in the limited field of purely political literature, we have noted the rise of the polemical pamphlet, and the historical romance, while in Plato's delineation of an Ideal State and an Ideal Code, we have seen the prototype of writings such as Sir Thomas More's *Utopia* and Bacon's *New Atlantis*. The setting forth of such ideals became a favourite medium for the expression of political criticism; but it is characteristic of Aristotle that, while following this fashion, he succeeded in bringing the political speculations of philosophy into closer relation with the facts of history. In the language of one of the foremost authorities on the political writings of Aristotle, "political science 'begins' for Aristotle 'in History', no less than in Ethics"<sup>3</sup>. 'The vision of an ideal State did not make Aristotle indifferent to the problems and difficulties of the actual State. The age which dreams of

<sup>1</sup> Plato saw "that his earlier ideal of the Republic had been pitched too high for men, and was only suitable for 'gods or the sons of gods'", *Laws*, 739 D, 853 C (Newman's *Politics*, i 86).

<sup>2</sup> Some of these points are noticed in Bruno Keil's *Solomische Verfassung* (1892) 78 ff, 215.

<sup>3</sup> Mr W. L. Newman's *Politics*, vol. i p. 15.

ideal States is often on the point of losing its interest in politics; but this was far from being the case with Aristotle<sup>1</sup>.

§ 2. *Political works ascribed to Aristotle.*

Among the political writings ascribed to Aristotle by far the most important is, of course, the *Politics*. The imperfect form in which it has come down to us has been variously explained. The earlier view, supported by Spengel<sup>2</sup>, was that the work of Aristotle was originally completed by himself, and that important portions of it were afterwards lost. The later view, which is more probable in itself, and is accepted by almost all Aristotelian scholars in modern times, regards the *Politics* as a work that was left unfinished. This view is corroborated by the fact that in later writers we have no reference to the *Politics* which cannot be traced to the existing work. The latest event mentioned in it is the death of Philip, B.C. 336 (viii (v) 8, 10, p. 1311 b 2). As to the order of the books, it can hardly be doubted that, owing to the nature of their contents, books vii and viii should come immediately after iii, while it is not quite certain that books v and vi should be transposed. The order adopted by Susemihl is as follows: i, ii, iii, vii, viii, iv, vi, v. Thus books iv—viii of the new order correspond to vii, viii, iv, vi, v, of the old<sup>3</sup>. In the *Politics* Aristotle discusses the origin of the household, the village and the state, and examines the nature of property, and in particular of property in slaves (Bk I). The citizen is defined as one who shares in the judicial or deliberative administration of a state. In the next book, Aristotle criticises the *Republic* and the *Laws* of Plato, the constitutions framed by Phaleas and Hippodamus, and the actual forms of government prevailing in Sparta, Crete and Carthage, closing with some (possibly interpolated) criticisms on Solon and Pericles (II). The various types of government are thereupon described in turn, Monarchy, Aristocracy and a mixed constitutional system called *πολιτεία*, together with the three forms into which they respectively degenerate, Tyranny, Oligarchy and Democracy (III). The

<sup>1</sup> *ib.* p. 89. For a sketch of the earlier 'history of Greek political philosophy' see esp. *ib.* 374—457.

<sup>2</sup> *Ueber die Pol. des Ar.*, pp. 44 ff.

<sup>3</sup> In the present work, whenever the books of the *Politics* are specified, the number in the new order is given first, followed (in parenthesis) by that of the old order. As a general rule, however, the references are solely to the pages and lines of the Berlin ed.—Among the most

recent discussions of the order of the books may be mentioned Shute's *History of the Aristotelian Writings*, pp. 164—176; and Newman's *Politics*, vol. i 292, vol. ii pp. xxi—xxiv. See also Wilamowitz, *Ar. u. Athen*, i 355, 'Beide Untersuchungen (ΔΕΖ, ΗΘ) sind nicht im entferntesten bis zum Abschlusse geführt. Ihre Reihenfolge ist nicht von grosser Bedeutung, da sie eben in Wahrheit neben einander stehen'.



author next delineates his Ideal State, and deals with the subject of Marriage and of Education, Bk iv (H, vii). The latter should be national and also liberal; its two main branches are 'music' and 'gymnastic', Bk v (Θ, viii). The types of government are then discussed in detail. Of the three perversions, Tyranny, the perversion of Monarchy, which is itself the best and most divine, is necessarily the worst. Oligarchy, the perversion of Aristocracy, is not so bad as Tyranny; the last, and the least bad, is Democracy. The different kinds of government are then further discriminated, with the forms assumed by the deliberative and the executive power in each, Bk vi (Δ, iv). The basis of democracy is defined to be liberty, which includes the principle that 'all should rule and be ruled in turn'. The characteristics of democracy are then described:—all officers of state are appointed 'by all, and out of all'; all rule over each, and each in turn rules over all; the appointment is by lot, except in cases where special knowledge is required; there is little or no qualification; office is held for a short time only, and rarely (if ever) twice, except in the case of military offices; all men, or at least persons selected out of all, sit in judgment in all causes, or at any rate on the most important; the public Assembly is supreme, not the officers of state; when the citizens are paid, even the Council loses its power, as the Assembly and the Lawcourts take all the business to themselves. Then follow the various kinds of oligarchies; and the consideration of the due coordination of offices in the state, Bk vii (Ζ, vi). The author's design is now nearly completed. He has still to speak of the motives, objects and occasions of revolutions in states, Bk viii (Ε, v). Revolutions begin in trifling matters but involve important issues. They are brought about either by force or by fraud. The author next considers how revolutions may be avoided, and tyrannies and monarchies preserved; he describes a despot of a virtuous and beneficent type; and adds some reflexions on the short duration of tyrannies and oligarchies. Lastly, he attacks the views put forward in the *Republic* as to the cycle through which states are described as passing in the course of their decline. Thus the work ends (as it began) with a criticism on Plato.

Among the lost writings of Aristotle was one entitled Πολιτικός, a dialogue in two books, expressly mentioned by Diogenes Laertius (v 22), and vaguely noticed by Cicero<sup>1</sup>. The anonymous list of his works, now ascribed to Hesychius, includes the *περὶ ῥήτορος ἢ πολιτικοῦ*.

<sup>1</sup> *De Fin.* v 4, 11, 'cumque uterque eorum (Aristoteles et Theophrastus) docuisset, qualem in republica principem esse conveniret'—; *ad Quintum fratrem*,

iii 5, 1, 'Aristotelem, quae de republica et praestante viro scribat, ipsum loqui.' Cf. Bernays, *die Dialoge des Ar.* pp. 53, 153.



In that of Diogenes Laertius, the titles of the dialogues end with 'Ἀλέξανδρος ἢ περὶ ἀποικιῶν α' (on colonisation)<sup>1</sup>, and περὶ βασιλείας<sup>2</sup>. In closer connexion with contemporary history, the δικαιώματα πόλεων ascribed to Aristotle are said to have contained the formal pleas on the points of difference submitted by the Greek states to the arbitration of Philip<sup>3</sup>. A work of far wider scope was that known as the νόμιμα, or νόμιμα βαρβαρικά, of Aristotle. This was a comprehensive account of the institutions of various non-hellenic peoples, including the Etruscans, under the head of νόμιμα Τυρρηνῶν. An abstract of this existed at one time under the name of νομίμων βαρβαρικῶν συναγωγῆ<sup>4</sup>.

Lastly, there was the work entitled the Πολιτεῖαι, or sketches of the constitutional history of a large number of Hellenic states. Constitutional history, however, was far from forming the sole subject of this extensive work. The numerous fragments that have survived give abundant proof that local legends, national proverbs, and even anecdotes of social life found a place in its pages<sup>5</sup>. It is generally supposed that the great collection of facts comprised in the Πολιτεῖαι formed the materials for the composition of the *Politics*. It will be shewn at a later point that the 'Ἀθηναίων πολιτεία in particular was not completed until about nine years after the latest date recorded in the *Politics*; but this fact is not inconsistent with the materials collected for the Πολιτεῖαι being used in the *Politics* even before they had themselves been reduced into their present form<sup>6</sup>. As regards the comparative value of the two works, the general character of the fragments of the Πολιτεῖαι shews that it would be going too far to say that we could wish that the Πολιτεῖαι were 'preserved, even at the expense of the extant book on the theory of politics', especially when we reflect that, in the words of the writer just quoted, 'the *Politics* are confessed on all hands to be the ripest and fullest outcome of Greek political experience'<sup>7</sup>.

The treatise known as the 'Ἀθηναίων πολιτεία formed part of the vast collection of Πολιτεῖαι which the unanimous voice of antiquity ascribed to the pen of Aristotle. In tracing the literary history of the Πολιτεῖαι

<sup>1</sup> Bernays, *l. c.*, pp. 56, 156.

<sup>2</sup> Cf. Bernays, *l. c.*, pp. 53, 154. An Arabic work in the form of a letter addressed to Alexander (published by Lippert, 1891) claims to be a translation of the above; but this claim is rejected by Keil, *Solon. Verfassung*, 136, and Wilamowitz, i 339 n.

<sup>3</sup> Rose, *Aristotelis qui ferebantur librorum fragmenta*, (Teubner) 1886, frag. 612—614.

<sup>4</sup> *ib.* frag. 604—610. Diels (Berlin Academy, 30 July, 1891) suggests that

pap. ix p. 29 of the Flinders Petrie *papyri* is an excerpt from the νόμιμα βαρβαρικά.

<sup>5</sup> Rose, *Aristoteles Pseudepigraphus*, p. 395; *Fragmenta*, 381—603, ed. 1886. Cf. Wilamowitz, ii 18 n.

<sup>6</sup> The finished style of the 'Ἀθηναίων πολιτεία shews that the Πολιτεῖαι were far from being merely a collection of raw materials for a more elaborate work. Cf. Wilamowitz, i 309 f.

<sup>7</sup> Mahaffy's *Hist. of Classical Gk Literature*, ii 414.

we must necessarily begin with the well-known story of the fate of Aristotle's library, which is told in full by Strabo (p. 608-9), and more briefly touched upon by Plutarch (*Sulla*, 26). On the death of Aristotle, in 322 B.C., his library passed into the possession of his pupil, Theophrastus, who presided over the Peripatetic school at Athens until his death in 287. The library of Theophrastus, including that of Aristotle, was bequeathed to a pupil of both, named Neleus, who removed it to Scêpsis, an inland town of Asia Minor, in the S.E. of the Troad. From Neleus it passed to his descendants, who were men of neither literary accomplishments nor philosophic tastes. They are described by Strabo as *ιδιώται*. They were, however, sufficiently conscious of the value of the manuscripts to prevent their being appropriated by the kings of Pergamos, who began to form their famous library about thirty or forty years after the death of Theophrastus. The manuscripts were accordingly concealed in a cellar, where they were exposed to injury from the effects of damp and the depredations of worms. It was probably after the death of the last of the Pergamene Kings in B.C. 133, that they were sold to Apellicon of Teôs, a wealthy adherent of the Peripatetic school at Athens. On examination they were found to contain many compositions which were unknown to the successors of Theophrastus at the head of the Lyceum. Their owner caused them to be copied; but, as he was 'more of a *bibliophile* than a philosopher', the transcripts published under his care proved to be far from accurate. In 86 B.C. Athens was captured by Sulla, and the library of Apellicon was taken to Rome. It was there placed under the charge of a librarian, by whose permission it was properly arranged by a learned Greek, a friend of Cicero and a preceptor of Strabo (p. 548), named Tyrannion. Copies were obtained from Tyrannion by Andronicus of Rhodes, who classified the works according to subjects<sup>1</sup>, published them, and drew up the lists which were current in the time of Plutarch<sup>2</sup>.

On the strength of this last statement it has been supposed that all the extant lists of Aristotelian writings are to be ultimately traced to Andronicus<sup>3</sup>. But, even before his time, the successors of Theophrastus possessed copies of a few at least of the works of Aristotle, chiefly of the exoteric or popular class<sup>4</sup>. As examples of these, the list suggested by Grote<sup>5</sup> includes the dialogues; the legendary and historical collections; and the constitutional histories of various Hellenic cities.

<sup>1</sup> Porphyry, *Life of Plotinus*, c. 24, p. 117 Didot.

<sup>2</sup> Plut. *Sulla*, 26; cf. Grote's *Aristotle*, i pp. 50-54, and Shute's *History of the Aristotelian Writings*, p. 29-39.

<sup>3</sup> Rose, *Ar. Pseud.*, p. 8; *Frag.* (1886)

p. 1.

<sup>4</sup> Strabo, p. 609, *συνέβη δὲ τοῖς ἐκ τῶν περιπάτων τοῖς μὲν πάλαι τοῖς μετὰ Θεόφραστον οὐκ ἔχουσιν ὅλως τὰ βιβλία πλὴν ὀλίγων, καὶ μάλιστα τῶν ἐξωτερικῶν.*

<sup>5</sup> *Aristotle*, p. 55.



Thus, the Πολιτεῖαι may have been known to the successors of Theophrastus even before the library of Aristotle was for a time restored to Athens more than two centuries after the owner's death. But, to shew that the fate of Aristotle's writings did not entirely depend on the fortunes of the library buried in the vault at Scêpsis, we have abundant proof of some of them being familiar to the philosophic world during the interval in which his library itself was lost to view<sup>1</sup>; and it is probable that many of them, including those of more general interest, were at an early date transcribed at Athens and thence transmitted to the great library at Alexandria.

In the case of Theophrastus, we know for certain that lists of his works were drawn up, not only by Andronicus of Rhodes, but also by Hermippus of Smyrna, who lived till about the end of the third century B.C.<sup>2</sup> and was a pupil of the Alexandrian poet and bibliographer, Callimachus<sup>3</sup>. Such a list is preserved by Diogenes Laertius<sup>4</sup>, with the titles arranged in alphabetical order. The corresponding list of the writings of Aristotle is not in the order of the alphabet, but is arranged with a certain degree of method under 146 titles as follows. "First we have the dialogues and other exoteric works, then two or three early abstracts of Platonic lectures or writings, then we come to a part of the list in which logical works seem to predominate; ethical, political and rhetorical works predominate towards the middle; then come physical and zoological works; last in order we have works designed in all probability for Aristotle's own use ('hypomnematic works'), letters and poems"<sup>5</sup>. The arrangement seems hardly sufficiently precise to be that of Andronicus, who is said to have introduced the plan of grouping the writings according to their subject-matter<sup>6</sup>; and this is not the only reason for regarding it as independent of Andronicus<sup>7</sup>. It has in fact been conjecturally ascribed to Hermippus, and has been generally supposed to be founded on the catalogue of Aristotle's works in some great library like that of Alexandria. In a subsequent passage (v 34) Diogenes observes that the books enumerated were nearly 400 in number. He even adds that their genuineness was not contested by any one<sup>8</sup>.

<sup>1</sup> Zeller, *Phil. d. Griechen*, II ii p. 145—153<sup>3</sup>.

<sup>2</sup> Schol. in Theophr. *Met.* τοῦτο τὸ βιβλίον Ἀνδρόνικος μὲν καὶ Ἑρμιππος ἀγροοῦσιν. οὐδὲ γὰρ μνησάντων αὐτοῦ ὄλως πεποιήνται ἐν τῇ ἀναγραφῇ τῶν Θεοφράστου. Heitz, *die Verlorenen Schriften des Ar.*, p. 47. Susemihl, *Ar. über die Dichtkunst*, 1865, p. 17; and *Gr. Litt. in der Alexandrinerzeit*, i 492, 494 note

11.

<sup>3</sup> *History of Classical Scholarship*, i 123<sup>2</sup>.

<sup>4</sup> v 21—27.

<sup>5</sup> Mr W. L. Newman's ed. of *Ar. Pol.* vol. i p. vi.

<sup>6</sup> Porphyry, ref. on p. xvi, note 1.

<sup>7</sup> Zeller, II ii, 51 f.

<sup>8</sup> Grote's *Ar.* i 40.



There is a second list, ascribed to Hesychius and containing only 127 titles, 27 of those in Diogenes being here omitted and 8 added in their place<sup>1</sup>.

A third list, ascribed to 'Ptolemy the philosopher', is found in an Arabic translation only. This includes 92 titles. It is certainly later than the time of Andronicus, as one of the titles relates to certain treatises found in the library of *Almikun* (*Ablikun* or *Atlikun*), the Arabic form of Apellicon.

In all three lists the Πολιτεῖαι are included. In I they appear as the 143rd item:—πολιτεῖαι πόλεων δυοῖν δεούσαιν ρξ̄ (*sc.* 158), <κοιναι> καὶ ἴδιαι, δημοκρατικάί, ὀλιγαρχικάί, ἀριστοκρατικάί, τυραννικάί.

In II 135 the title is πολιτείας πόλεων ἰδιωτικῶν καὶ δημοκρατικῶν καὶ ὀλιγαρχικῶν <καὶ> ἀριστοκρατικῶν καὶ τυραννικῶν ρνη̄ (158).

In III 81 the Arabic description is translated as follows: 'liber quem inscripsit de regimine civitatum et nominatur *bulitija*, et est liber in quo commemoravit regimen populorum et civitatum plurium e civitatibus Graecorum et aliorum earumque relationem (originem? cognationem?); numerus vero populorum et civitatum quarum meminit [in eo] CLXXI [civitates magnae]<sup>2</sup>.

In III the number of the πολιτεῖαι is given as 171; whereas I and II agree in making it 158. The ancient Latin Version of the life of Aristotle states the number as 250; while, among the early expositors of Aristotle, Elias twice gives the same number, and Ammonius has 250. The higher estimate is either a mere mistake, or has arisen from including among the πολιτεῖαι certain of the νόμιμα βαρβαρικά. The latter view is confirmed by the fact that one of our authorities for the larger number<sup>3</sup> mentions it in immediate connexion with the statement that Aristotle accompanied Alexander on his expedition to the East, even as far as 'the land of the Brahmins', where (according to this imaginative commentator) he actually compiled 'the 255 πολιτεῖαι'; while the estimates of Elias are in both cases given in a similar connexion. We may therefore discard the larger number, and accept 158 as resting on better authority<sup>4</sup>.

The total number of πολιτεῖαι included in modern collections of

<sup>1</sup> First published by Ménage on Diog. vol. ii 201. The same list was found by Rose in two MSS in the Ambrosian library at Milan (*A. P.* p. 709). All the lists are given by Rose in the Berlin *Ar.*, vol. v 1463—1473, and in the Teubner text of the *Fragmenta*, pp. 3—22.

<sup>2</sup> Rose, *Frag.* pp. 8, 16, 21<sup>3</sup>.

<sup>3</sup> *Vita Ar. vulg.*, Rose, *Frag.* p. 258<sup>3</sup>.

<sup>4</sup> A division of the πολιτεῖαι into genuine and spurious seems to be implied by Simplicius, in *Ar. Categ.* p. 27 a 43 Brandis, ἐν ταῖς γνησίαις αὐτοῦ πολιτεῖαις. But it has been proposed either to alter πολιτεῖαις into ἐπιστολαῖς (Ideler, in *Ar. Meteor.* i xii n. 40), or (with greater probability) to regard γνησίαις as a corruption of the number ρνη̄ (158); Heitz, *Frag. Ar.* p. 223 a.

their fragments is 99. In 51 of these the name of Aristotle and the title of the *πολιτεία* are expressly mentioned, generally thus: Ἄριστοτέλης ἐν τῇ —ων πολιτεία. In 16 others, Aristotle is cited, but the name of the state is not given, though it can be inferred from the contents of the passage. Lastly, out of the total number of 80 states mentioned in the *Politics*, there are 32 that are not named in the fragments already enumerated, but which may fairly be assumed to have been included in the original work. Thus we have a list of 51 + 16 + 32, or 99 states, more than half of which (51) are represented by fragments in which the title of the work, as well as the name of Aristotle, is mentioned, while in more than two-thirds (67 out of 99) the name of Aristotle occurs. The three classes are as follows:

I (51)			II (16)		III (32)	
Ἀθηναίων	Ἱμεραίων	Μηλιέων	Ἀντανδρίων	Ἀμφιπολιτῶν	Καρχηδονίων	
Αἰγυνητῶν	Κεῖων	Ναξίων	Ἀτραμυτηνῶν	Ἀντισσαίων	Καταναίων	
Αἰτωλῶν	Κερκυραίων	Νεοπολιτῶν	Ἐπιδαυρίων	Ἀπολλωνιατῶν	Κλαζομενίων	
Ἀκαρνανῶν	Κιανῶν	Ὀπουντίων	Θηβαίων	Ἀπολλωνιατῶν	Κνιδίων	
Ἀκραγανθίων	Κολοφωνίων	Ὀρχομενίων	Ἰασέων	ἐν Πόντῳ	Κῶων	
Ἀμβρακιωτῶν	Κορινθίων	Παρίων	Κρητῶν	Ἀρυδηνῶν	Λαρισσαίων	
Ἀργείων	Κυθνίων	Πελληνέων	Κροτωνιατῶν	Ἀφυταίων	Λεοντινῶν	
Ἀρκάδων	Κυμαίων	Σαμίων	Κυθηρίων	Βυζαντινῶν	Μαγνητῶν	
Ἀχαιῶν	Κυπρίων	Σαμοθράκων	Μηλίων	Ἐπιδαμνίων	Μαντινείων	
Βοττιαίων	Κυρηναίων	Σικωνίων	Μιλησίων	Ἐρετριέων	Μολοσσῶν	
Γελφῶν	Λακεδαιμονίων	Σινωπέων	Ῥηγίνων	Ἐρυθραίων	Μυτιληναίων	
Δελφῶν	Λευκαδίων	Συρακοσίων	Ῥοδίων	Ἔσθιαίων	Ῥοδίων	
Δηλίων	Λοκρῶν	Ταραντινῶν	Σολέων	Ζαγκαλαίων	Φαρσαλίων	
Ἡλείων	Λυκίων	Τεγεατῶν	Συβαριτῶν	Ἡραίων	Χαλκιδέων	
Ἡπειρωτῶν	Μασσαλιωτῶν	Τενεδίων	Τηνίων	Ἡρακλεωτῶν	Χίων	
Θετταλῶν	Μεγαρέων	Τροιζηνίων	Χαλκηδονίων.	Θηραίων	Ὠρειτῶν.	
Ἰθακησίων	Μεθωναίων	Φωκαίων.		Ἰστριέων		

The *πολιτεῖαι* are said to have been arranged in the order of the alphabet<sup>1</sup>. Some have seen indications of this in the reading preserved in a single MS of Harpocration, *s.v.* θεσμοθέται:—Ἄριστοτέλης ἐν τῇ α Ἀθηναίων πολιτεία, and also in the phrase in Photius, *s.v.* σκυντάλη:—ὡς Ἄριστοτέλης ἐν τῇ Ἰθακησίων πολιτεία  $\mu\beta$ . Here the *πολιτεία* of Ithaca appears to be described as 42nd in the series. If we test this by taking the 99 extant titles of *πολιτεῖαι* as the basis of our calculation, Ithaca, which is 37th in the list of 99, would have been 58th in the complete list of 158; if, again, we take the 67 titles in which Aristotle is named, Ithaca, which is 21st of the 67, would have been 50th in the

<sup>1</sup> κατὰ στοιχεῖα, Elias, ap. Rose, *Frag.* p. 258<sup>3</sup>, l. 29. Nissen, in *Rhein. Mus.* xlvii (1892) 189 f, gives an alphabetical list of 98, excluding from the 99, above named, Ἀρυδηνῶν, Ἐπιδαμνίων, Καρχη-

δονίων, Μολοσσῶν, Ῥοδίων, Συβαριτῶν, but including Ἀβυδηνῶν, Αἰνίων (?), Θουρίων, Κυζικηνῶν, Φωκέων, and printing Βοιωτῶν for Θηβαίων.



complete list; if the 51 in which the name of the particular πολιτεία is specified, Ithaca, which is 17th of the 51, would have been 52nd, not 42nd. This calculation, of course, assumes that in the longer list, the names in alphabetical order are distributed in the same proportion as in the shorter lists. But it is highly probable that  $\overline{\mu\beta}$  is a corruption of either μέμνηται or (as proposed by Bergk) μαρτυρεῖ. If so, we cannot rely on this phrase as proof of an alphabetical order. Besides, if the order was alphabetical, it was unnecessary to specify the number of any particular treatise. Such an arrangement, however, although not attested with any certainty, is natural in itself, and the constitution of Athens would in any case have occupied the first place.

§ 3. *On the evidence of ancient authorities as to the authorship of the Πολιτεῖαι.*

We may now proceed to review in chronological order the successive quotations from the Πολιτεῖαι which are preserved in ancient authorities.

Firstly, there is reason to believe that the latest and the most learned of the Atthidographers<sup>1</sup>, the historian PHILOCHORUS, writing before 306 B.C., or less than 20 years after the composition of the Ἀθηναίων πολιτεία, quoted that work as Aristotle's. The grounds which have been suggested for this belief are as follows:—

(1) The Scholium on Arist. *Vesp.* 1223 includes a quotation from Ἀθ. πολ. 13, ll. 16—20; the latter part of that Scholium coincides with one on *Lys.* 58 which is proved by Strabo, p. 392 c, to come from Philochorus. Hence it is possible that the whole of the Schol. on *Vesp.* 1223 really comes from Philochorus, and that Philochorus is our real authority for the citation from the Ἀθ. πολ. (2) In the term ἀποψηφισθῆναι τὸ ἄχθος (*frag.* 57), Philochorus appears to be correcting or explaining the phrase τὸ ἄχθος ἀποσεισάσθαι,—probably a reminiscence of ἀποσεισάμενοι τὸ βᾶρος in Ἀθ. πολ. 6 § 1. (3) In Plutarch's *Life of Themistocles*, 10, Aristotle is cited as authority for a statement respecting the action of the Areopagus immediately before the battle of Salamis (Ἀθ. πολ. 23 § 1). Cleidemus, the author of an Ἀθῆναι, is next quoted as asserting that this action was due to the wiles of Themistocles. Then follows the story of the dog of Xanthippus which, in Aelian, *de Natura Animalium*, xii 35, is attributed to 'Aristotle and Philochorus.' It has been plausibly suggested that Aelian had read an extract, ultimately derived from Philochorus, on the events immediately preceding the battle of Salamis, in which the name of Aristotle may have occurred in connexion with the account of the action of the Areopagus, and in which the story of the dog of Xanthippus was also related. This may have lead Aelian to make the mistake of quoting Aristotle, as well as Philochorus, as authorities for the story about the dog. If, as is not improbable, the whole of the narrative in Plutarch comes from Philochorus, then Philochorus, and not Plutarch, is our authority for attributing to Aristotle the quotations from the Ἀθ. πολ. respecting the action of the Areopagus. This implies that 'a careful historical student and critic, who lived and

<sup>1</sup> Cf. Wilamowitz, i 288.



wrote at Athens in the generation immediately following Aristotle's,' accepted the *Ἀθηναίων πολιτεία* as the work of Aristotle himself<sup>1</sup>.

The fact that Philochorus, who died in 261 B.C., knew of a second pair of state-tremes, the *Demetrias* and the *Antigonis*, as well as the *Paralos* and *Ammonias* mentioned in 61 § 7, shews that that work was published before the time of Philochorus<sup>2</sup>.

An early notice of the *Πολιτεῖαι* may also be traced in the attack made by TIMAEUS on Aristotle's account of the origin of the Greek colony of Locri Epizephyrii. Timaeus was born about 352 B.C. (or 30 years before the death of Aristotle), was banished from Tauromenium in 310, and from about that time resided in Athens for more than 50 years, dying about 256 B.C. The evidence for this attack on the part of Timaeus is to be found in Polybius (205—120 B.C.), who rejects the view of Timaeus, and emphatically supports the account given by Aristotle<sup>3</sup>. From a subsequent passage it appears that the attack of Timaeus was directed against Theophrastus as well. We are not told in which of Aristotle's works the description of the origin of Locri is to be found, but it is reasonable to suppose that it was the *Πολιτεῖαι*. The only other possible work would have been the *Ἀλέξανδρος περὶ ἀποικιῶν*, which is now represented by its title only. Now Timaeus was in Athens for 23 out of the 35 years during which Theophrastus presided over the Lyceum as the successor of Aristotle. He had thus exceptional opportunities for becoming acquainted with Aristotle's writings, and with the traditional knowledge of them preserved by the Peripatetic School; and he may fairly be quoted to prove that within 66 years of the death of Aristotle, one of the *Πολιτεῖαι* was attributed to that author.

The *Πολιτεῖαι* appear to have been also quoted by PHILOSTEPHANUS of Cyrene, the author of works entitled *περὶ εὐρημάτων* and *περὶ νήσων*, who lived under Ptolemy Philopator (B.C. 222—206). 'Aristotle' and Philostephanus are quoted by Varro (apud Servium ad Verg. *Georg.* i 19) and by Pliny (*N. H.* vii 57); and it has been conjectured that Varro and Pliny took their quotations of Aristotle at second-hand from Philostephanus<sup>4</sup>.

PHILODEMUS of Gadara (fl. 58 B.C.), the Epicurean whose learning is noticed by Cicero (*De Fin.* ii 35), describes Aristotle as the author of a large number of *Πολιτεῖαι*<sup>5</sup>.

<sup>1</sup> Abridged from Prof. J. H. Wright's article in the *American Journ. of Philology*, xii 3, 310—318.

<sup>2</sup> *Lex. rhet. Cantab.* Πάραλος καὶ Σαλαμῖνα; Rose, *Frag.* 443<sup>3</sup>.

<sup>3</sup> Polyb. *Excerpta libri* xii 5—8 (Theophrastus is coupled with Aristotle, *ib.* 11 § 5, 23 § 8); Rose, *Frag.* 547<sup>3</sup>; cf. Heitz, *Verl. Schr.* p. 243, and Shute, *l. c.*, p. 39.

<sup>4</sup> Rose, *A. P.*, pp. 410, 534; Susemihl, *Gr. Litt. in der Alexandrinerzeit*, i 476.

<sup>5</sup> *Rhet.* vol. Hercul. v fol. 147 (ii (1896), 57, 12 f, ed. Sudhaus), *τοὺς τε νόμους συνάγων ἅμα τῷ μαθητῇ* (Theophr.) *καὶ τὰς τοσαύτας πολιτείας καὶ τὰ περὶ τῶν τόπων δικαίωματα καὶ τὰ πρὸς τοὺς καιροὺς κτλ.*

CICERO refers as follows to the Πολιτεῖαι and νόμιμα βαρβαρικὰ of Aristotle, as well as to the work of Theophrastus περὶ νόμων:—*omnium fere civitatum non Graeciae solum sed etiam barbariae ab Aristotele mores instituta disciplinas; a Theophrasto leges etiam cognovimus* (*de Fin.* v 4 § 11); but there is no proof of any direct acquaintance with the text of the Πολιτεῖαι<sup>1</sup>. In the *de Officiis*, ii 18, he quotes, as from Theophrastus, the account of the liberality of Cimon which we find in c. 27 of the Ἀθηναίων πολιτεία. In the *de Senectute* § 72 he tells an anecdote about Solon and Peisistratus without shewing any knowledge of c. 14 of that treatise. Similarly, in *de Officiis*, i 75, he writes of Solon and Themistocles with reference to the Areopagus without betraying any close acquaintance with chapters 23 and 25. Whatever knowledge he possessed as to the contents of those chapters was probably obtained second-hand from his authority, Panaetius, who, as we know from Cicero himself (*de Fin.* iv 28 § 79), constantly quoted from Plato, Aristotle, Xenocrates, Theophrastus and Dicaearchus. About Dicaearchus in particular Cicero writes to Atticus in glowing terms:—in his Tusculan villa he has been reading with admiration that author's account of the constitution of Pellene, while he fancies that his library at Rome contains a copy of the Constitutions of Corinth and of Athens<sup>2</sup>. These Constitutions may well have been written in imitation of the earlier work ascribed to Aristotle; and the imitation may have been sufficiently close to lead to the contents of the Πολιτεῖαι of Aristotle becoming known to later writers through the medium of Dicaearchus<sup>3</sup>.

It has been conjectured that many of the quotations from the Πολιτεῖαι in later authors were taken second-hand from the works of Alexandrian scholars such as Didymus Chalcenterus (c. 63 B.C.—10 A.D.), and his successor, Pamphilus (fl. 20 B.C.)<sup>4</sup>. The scholiast on Aristophanes, *Aves* 471, quotes Aristotle ἐν τῇ Σαμίων πολιτεία, as well as the comic poet, Plato; and such a scholium may readily have been derived from Didymus<sup>5</sup>; but the indebtedness of later writers to this able and industrious compiler has been greatly overrated; and, now that we know of the actual existence of copies of the Ἀθηναίων

<sup>1</sup> See also Shute, *l. c.*, p. 72.

<sup>2</sup> *Ad Att.* ii 2, 'Πελληνῶν in manibus tenebam et hercule magnum acervum Dicaearchi mihi ante pedes extruxeram. O magnum hominem! et unde multo plura didiceris quam de Proclio. Κορινθίων et Ἀθηναίων puto me Romae habere. Mihi crede, leges;...mirabilis vir est.' Heitz, *Verl. Schr.*, p. 244, considers that these may have formed part of the βίος Ἐλλάδος of Dicaearchus. Bergk, *Rhein.*

*Mus.* 1881, p. 113 n. 2, suggests that the reference is to the Πολιτεῖαι of Aristotle. He would alter *Dicaearchi* into *Dicaearchiae* (i.e. 'at Puteoli'); but his suggestion (with the textual alteration which it involves) seems very improbable.

<sup>3</sup> Heitz, *Verl. Schr.*, p. 244.

<sup>4</sup> Rose, *A. P.*, p. 400; Heitz, *Verl. Schr.* p. 244, and *Ar. Frag.* p. 219.

<sup>5</sup> Rose, *A. P.*, p. 521.



πολιτεία at a time when it was supposed to have been hopelessly lost, there is less reason for attributing to the interposition of Didymus a knowledge of the Πολιτεῖαι which may easily have been derived from the work itself. It has further been supposed that some of the accounts of remarkable phenomena found in later collections, such as the Θανμάσια Ἀκούσματα of various writers, may have been originally borrowed from the Πολιτεῖαι. Thus, Antigonus of Carystus, who died after 226 B.C., in his Ἱστοριῶν Παραδόξων Συναγωγῇ (§ 144), quotes from Callimachus a description by Aristotle of the two fountains of the Sun in the temple of Zeus Ammon. This description may have been derived from the Πολιτεία of Cyrene<sup>1</sup>.

In the age of Augustus, the Πολιτεῖαι are not quoted by DIONYSIUS of Halicarnassus, who, however, refers to the Τυρρηγῶν Νόμιμα, which formed part of the Νόμιμα Βαρβαρικά ascribed to Aristotle<sup>2</sup>.

STRABO (who belongs to the same age) refers in general terms to Aristotle in connexion with Elis (Rose, *Frag.* 493<sup>3</sup>), Argos (482), Epidaurus (491), Tenedos (594), and Chalcis (601, 603). In a single passage (on p. 321-2), after stating that the migrations of the Leleges are attested by αἱ Ἀριστοτέλους πολιτεῖαι, he appeals to no less than four of them as his authorities, viz. those of the Acarnanians, Opuntians, Megarians and Leucadians. When we remember that the story of the recovery of the lost library of Aristotle is told by Strabo (doubtless on the authority of his preceptor Tyrannion), we are not surprised at finding in his pages not a few traces of a first-hand acquaintance with the Πολιτεῖαι. Nevertheless, the fact that only a comparatively small number of the πολιτεῖαι are noticed in Strabo has led to the supposition that he had no direct knowledge of that work<sup>3</sup>.

PLINY the elder (23-79 A.D.) names Aristotle as his authority, mainly on the geography of several of the Greek islands (Tenos, Delos, Melos and Samos), and also in connexion with Argos, Thebes and Chalcis. One of his references may be traced to the Νόμιμα Βαρβαρικά. He also states that, according to Aristotle, the art of painting was introduced into Greece by *Euchir, Daedali cognatus* (Rose, *Frag.* 382<sup>3</sup>); but there is no sufficient warrant for referring this to a lost passage of the Ἀθηναίων πολιτεία. Pliny's references to Aristotle may safely be regarded as taken at second hand<sup>4</sup>. This has also been assumed, but with perhaps less justice, in the case of Plutarch (c. 46-120 A.D.).

PLUTARCH repeatedly mentions Aristotle as his authority:—five

<sup>1</sup> Rose, *Frag.* 531<sup>3</sup>; *A. P.* p. 487;

Heitz, *Verl. Schr.* p. 245.

<sup>3</sup> Heitz, *Verl. Schr.* p. 244.

<sup>4</sup> e.g. through Philostephanus of Cyrene.



times in the life of *Lycurgus*<sup>1</sup>; once in that of *Cleomenes*<sup>2</sup>; and twice in that of *Pericles*<sup>3</sup>, in passages that may perhaps be traced to the *Σαμίων πολιτεία*. In five instances Aristotle is named in connexion with Naxos, Tegea (twice), Troezen and Ithaca<sup>4</sup>; and in two others we may trace the reference to the *Νόμιμα Βαρβαρικά*<sup>5</sup>. In the first edition of the present work, the *Ἀθηναίων πολιτεία* was regarded as the source of Plutarch's references to Aristotle in the lives of *Theseus*<sup>6</sup>, *Solon*<sup>7</sup>, *Themistocles*<sup>8</sup>, *Cimon*<sup>9</sup>, *Pericles*<sup>10</sup> and *Nicias*<sup>11</sup>; as also of certain passages in which Aristotle is not actually named<sup>12</sup>. Attention was also drawn to two examples of (apparently) tacit quotation from the *Ἀθηναίων πολιτεία* in the pages of Plutarch. In c. 14 § 4 of the *πολιτεία*, Megacles, with the aid of Φύη, restores the exiled Peisistratus ἀρχαϊκῶς (or ἀρχαίως) καὶ λίαν ἀπλῶς: Plutarch, in his life of *Solon* (3 § 5), uses the phrase ἀπλοῦς...λίαν καὶ ἀρχαίως. Again, in c. 5 § 2 of the *πολιτεία*, the choice of Solon by the Athenians is expressed in the terms:—εἶλοντο κοινῇ διαλλακτὴν καὶ ἄρχοντα Σόλωνα: in the *Amatorius* of Plutarch (18 § 14), a passage that had not previously been noticed in this connexion, we find five consecutive words applied to Solon, which are identical with those just quoted,—τοῦτον εἶλοντο κοινῇ διαλλακτὴν καὶ ἄρχοντα καὶ νομοθέτην.

On the other hand, the silence of Plutarch elsewhere is at least as remarkable. In his life of *Themistocles* he makes no use of the striking passages describing the device adopted by Themistocles for bringing about the building of a fleet (c. 22), or the part played by him in the attack on the privileges of the Areopagus (c. 25 § 2). His account of the liberality of Cimon may have been derived mainly from Theopompus (cf. Athen. 533 a); his life of *Solon* may have had a common source with the *Ἀθηναίων πολιτεία* in the *Ἀτθίς* of Androtion, or may have owed its knowledge of the former to the biographical works of Hermippus<sup>13</sup>. A distinction may be drawn between those passages in which the *Ἀθηναίων πολιτεία* and the life of Solon have a common source, and those in which Aristotle is clearly expressing his own opinion. The latter do not appear in the life, and the quotations from the former may be ascribed to the common source, probably Androtion<sup>14</sup>. Possibly a

<sup>1</sup> cc. 1, 5, 6, 28, 31; Rose, *Frag.* 533—538<sup>3</sup>.

<sup>2</sup> c. 9; *Frag.* 539<sup>3</sup>.

<sup>3</sup> cc. 26, 28; *Frag.* 577—8<sup>3</sup>.

<sup>4</sup> *Frag.* 559, 592, 507, 597<sup>3</sup>.

<sup>5</sup> *Camill.* 22, and *De Cohibenda Ira* 11; *Frag.* 610, 608<sup>3</sup>.

<sup>6</sup> c. 25 (*Frag.* 384).

<sup>7</sup> c. 25 (*Frag.* 390) = *Ἀθ. πολ.* c. 7 § 1, κῦρβεις.

<sup>8</sup> c. 10 (*Frag.* 398) = *Ἀθ. πολ.* c. 23

§ 1.

<sup>9</sup> c. 10 (*Frag.* 402) = *Ἀθ. πολ.* c. 27

§ 3.

<sup>10</sup> c. 9, 10 (*Frag.* 403, 405) = *Ἀθ. πολ.*

c. 27 § 4; 25 § 4.

<sup>11</sup> c. 2 (*Frag.* 407) = *Ἀθ. πολ.* c. 28 § 5.

<sup>12</sup> *Solon*, c. 20 (*Frag.* 391), c. 25 (*Frag.* 416) = *Ἀθ. πολ.* 8 § 5; 7 § 1.

<sup>13</sup> Cf. Wilamowitz, i 299—303.

<sup>14</sup> F. E. Adcock, in *Klio*, XII (1) 1—16.

common source may similarly account for the two pairs of verbal parallels above noticed.

There is an increasing preponderance of opinion in favour of the view that Plutarch had only a second-hand knowledge of the 'Αθηναίων πολιτεία<sup>1</sup>. He has even been charged with the incredible carelessness of keeping words such as *νῦν* unchanged in copying from the intermediate authorities which he is supposed to have followed. Thus, in *Solon*, c. 25, his statement that fragments of the wooden tablets on which the laws of Solon were inscribed were still to be seen in his own day (*ἔτι καθ' ἡμᾶς*) in the Athenian *πρυτανεῖον*, was regarded by Rose as a careless transcript from some such phrase in Polemon as *διασώζονται δ' ἐν τῷ Πρυτανεῖῳ*<sup>2</sup>. Similarly, in *Lycurgus*, c. 28, *ἔτι καὶ νῦν* was held to refer to the age of Plutarch's authority Ephorus<sup>3</sup>. In the former case, at any rate, the statement of Plutarch is corroborated by the evidence of Pausanias (i 18 § 3), who, even at a later date, observes that in the *πρυτανεῖον* the laws of Solon *εἰσὶ γεγραμμένοι*. Other quotations in Plutarch are ascribed by Rose to the *Eclogae* and *Collectanea* of previous writers, such as Didymus; but this ascription is not supported by the context of the quotations themselves. Plutarch places the *Πολιτεῖαι* of Aristotle in the same category as the works of Herodotus, Xenophon, Eudoxus and Aristoxenus, implying that all these writers dealt with important and interesting events in a style that was at once vigorous

<sup>1</sup> Prof. J. H. Wright, *The Date of Cylon*, p. 25, observes: 'Most of Plutarch's statements on the affair of Cylon are traceable to Aristotle's *Respub. Ath.* A comparison of Plutarch's account of pre-Solonian affairs with that of Aristotle shows, however, first, that this dependance is not immediate, and, secondly, that there is much admixture of foreign matter'...In the note he refers to 38 passages in Plutarch's *Solon* which bear resemblance to passages in *Aristot. Respub. Ath.*, and are evidently traceable to the latter work. Only once, however, is Aristotle here named (*Sol. 25 ad init.*). 'A minute comparison of the wording of these parallel passages, and a consideration of the order in which they occur in the two writers, as also of extraneous matter inserted and of important and illuminating facts omitted, show that Plutarch was certainly not intimately acquainted with the *Respub. Ath.* The resemblances, the dissimilarities, and the discrepancies alike are intelligible only on the supposition that Plutarch was transcribing from some work in which

an abridgment of these parts of the *Respub. Ath.* was embodied. In transcribing from this abridgment he interpolates foreign matter, which is inconsistent with the unabridged Aristotle. The abridgment omitted the main part of cc. 2—4, also c. 13 [§§ 2, 3], as well as many minor statements. The poetical quotations of Plutarch are from a different collection; such as coincide are in a different order...Plutarch's otherwise unaccountable omission in his *Them.* of the characteristic anecdote of Themistocles, Ephialtes, and the Areopagus (*Respub. Ath.* c. 25) may be explained on the hypothesis that the copy of Aristotle's work used by Plutarch did not contain this story. In *Pericles*, Aristotle is cited, but immediately there follow statements as to Pericles which directly contradict Aristotle (cf. Ad. Bauer, *Forschungen*, p. 77, who believes, however, in a first-hand use of *Respub. Ath.* by Plutarch). Cf. *American Journal of Philology*, xiv 230.

<sup>2</sup> Preller on Polemon, p. 87.

<sup>3</sup> Rose, *A. P.*, pp. 413, 491.



and graceful<sup>1</sup>. We are surprised to find such language used by one whose knowledge of the Ἀθηναίων πολιτεία in particular appears to have been solely derived from second-hand sources.

ZENOBIUS, who flourished in the time of Hadrian (117—138 A.D.), refers to c. 28 of the Ἀθηναίων πολιτεία, and mentions the πολιτεῖαι of Corcyra, Samos, Delphi and Methone (*Frag.*<sup>3</sup> 513, 576, 487, 552). He also names Aristotle as his authority for facts relating to Cythnus and Thebes (*Frag.*<sup>3</sup> 523, 502).

AULUS GELLIUS (115—180 A.D.) names Aristotle in connexion with Solon's law against neutrality, of which he gives a prolix paraphrase. The law is found in Ἀθ. πολ. c. 8 § 5; but Gellius probably had only a second-hand knowledge of the original authority.

ARISTIDES, one of the most celebrated rhetoricians of the 2nd century (117 or 129—180 A.D.), never mentions the Ἀθηναίων πολιτεία, but the only poems of Solon which he quotes are extracted from those preserved in that treatise; he also paraphrases other passages from those poems and from the text of Aristotle<sup>2</sup>.

DIOGENES LAERTIUS (towards the close of the 2nd century A.D.) twice appeals to Aristotle for facts connected with Corinth (*Frag.*<sup>3</sup> 516, 517). In the first of these passages he couples him with Ephorus. In a third passage he refers to Aristotle ἐν τῇ Δηλίων πολιτεία (*Frag.*<sup>3</sup> 489); but, as the vague plural φασὶν occurs in the previous context, there is no certain proof of first-hand acquaintance with the work in question. In this author, however, we have several parallels to the account of Solon given in the Ἀθηναίων πολιτεία<sup>3</sup>.

POLLUX of Naucratis (*fl.* 180 A.D.), who dedicated his Ὀνομαστικόν to Commodus (Emp. 180—192), quotes largely from the Πολιτεῖαι, especially from that of Athens. The latter is his main authority on all points of Athenian law and antiquities<sup>4</sup>. Many consecutive lines are

<sup>1</sup> *Non posse suaviter vivi sec. Epicurum*, c. 10, ὅταν δὲ μηδὲν ἔχουσα λυπηρὸν ἢ βλαβερὸν ἱστορία καὶ διήγησις, ἐπὶ πράξεσι καλάϊς καὶ μεγάλαις προσλάβῃ λόγον ἔχοντα δύναμιν καὶ χάριν, ὡς τῶν Ἡροδότου τὰ Ἑλληνικά, καὶ τὰ Περσικά τοῦ Ξενοφώντος, ὅσα θ' Ὀμηρος ἐθέσπισε θέσκελα εἰδῶς, ἢ τὰς περιόδους Εὐδοξοῦ, ἢ κτίσεις καὶ πολιτείας Ἀριστοτέλους, ἢ βίους ἀνδρῶν Ἀριστοξενος ἔγραψεν, οὐ μόνον μέγα καὶ πολὺ τὸ εὐφραῖνον, ἀλλὰ καὶ καθαρὸν καὶ ἀμεταμέλητόν ἐστιν.

<sup>2</sup> Cf. Aristides ii 360, 361 Dind., with Ἀθ. πολ. 5 § 2, 11 § 2, 12 § 5; also p. 535—538 with Ἀθ. πολ. c. 12; and lastly i p. 765, (Σόλων) φασι τῆς πολιτείας καταλυθείσης λαβόντα ἀσπίδα καὶ δόρυ καθῆσθαι πρὸ τῆς οἰκίας, βοηθεῖν μὲν οὐκ ἔχοντα,

οἶμαι, ἐνδεικνύμενον δὲ ὡς ἔχει γνώμης, with Ἀθ. πολ. c. 14 § 2. Cf. A. Platt in *Journal of Philology*, xxiv 248 f.

<sup>3</sup> Diog. Laert. i §§ 45, 50, 58.

<sup>4</sup> Even before the discovery of the Ἀθ. πολ. this fact had been partially ascertained by comparing the language of Pollux with that quoted from the Ἀθ. πολ. in the lexicographers. Cf. Stojentin, *De Iulii Pollucis in publicis Atheniensium antiquitatibus enarrandis auctoritate*, (Breslau) 1875; and Stoewer, *in quibus nitantur auctoribus Iulii Pollucis rerum iudicialium enarrationes*, (Münster) 1888. Since the discovery it has been observed that, after transcribing c. 54 §§ 3, 4 in viii 98, Pollux mentions the ἀντιγραφεὺς τῆς διοικήσεως, an official



either transcribed or paraphrased from its pages, e.g. the epigram about Diphilus and a large part of its context in c. 7 § 4. But his debt to the Ἰθηναίων πολιτεία, though vast, is invariably unacknowledged, while the only passage in which he mentions the name of Aristotle in connexion with a term of Attic law, is not found in that treatise, so far as it has been preserved<sup>1</sup>. Several of the other πολιτεῖαι are, however, expressly mentioned, viz. that of Acragas (twice in *Frag.*<sup>3</sup> 476), Himera (twice in 510), Tarentum (590), Orchomenus (566), and Sicyon (580). In other passages, where Aristotle is named, the information may have been ultimately derived from the Constitutions of Cyprus (527), Rhegium (568), Syracuse (585, 589), Cyrene (529) and Argos (481), or from the *Τυρρῆνων νόμιμα* (608).

ATHENAEUS, who, like Pollux, was a native of Naucratis (*fl.* c. 200 A.D.), expressly mentions the πολιτεῖαι of Aegina (*Frag.*<sup>3</sup> 472), Delos (490), Naxos (558), Troezen (596), Thessaly (499), Methone (551), Colophon (515), Massalia (549), Croton (583), Sybaris (584) and Syracuse (588). The name of Aristotle is also mentioned in connexion with Miletus (557); and that of Timaeus with reference to Aristotle's account of Locri (547), which has already been noticed<sup>2</sup>. Aristotle ἐν *Τυρρῆνων νομίμοις* is also quoted (607). It has been conjectured that these quotations may have been taken second-hand from lexicographical works, such as the lexicon to the Comic poets compiled by Pamphilus from that of his predecessor Didymus. This is supported by the fact that on p. 499 Athenaeus twice quotes the comic poet Diphilus; and, between the two quotations, inserts a reference to Aristotle ἐν τῇ *Θετταλῶν πολιτεία* to prove that the Thessalians used a feminine form ἡ λάγννος<sup>3</sup>. But a native of a country, in which, as we now know, copies of the Ἰθηναίων πολιτεία were actually in existence at the time, may well have derived much of his information from the original work. Apart from the British Museum papyrus and the fragments of the Berlin papyrus, both of which came from Egypt, we know of a third copy, which is mentioned in the catalogue of an Egyptian library of the third century A.D.<sup>4</sup>

HARPOCRATION of Alexandria, the lexicographer of the Attic

dating from 306 B.C.; in viii 91 he gives a confused abstract of the duties of the polemarch in c. 58; and, in viii 87, by a misunderstanding of the subject of the verb in c. 60 § 1 and c. 61 §§ 1, 2, he transfers from the people to 'the archons' (c. 59 § 7) the appointment of the *athlothetae* and the military officials (Wilamowitz, i 295 f). He adds many details from other sources (*ib.* 296 f).

Cf. R. Michaelis, *quae ratio intercedat inter Jul. Pollucis onomasticon et Ar. de rep. Ath. partem alteram*, Progr. Berlin, 1902; and W. Hahn, *Pollux i Arystoteles*, in *Eos*, 1896, 114—127.

<sup>1</sup> Pollux viii 62, *παράβολον* (*Frag.*<sup>3</sup> 456); cf. iii. 17, *τριτοπάτωρ* (*Frag.*<sup>3</sup> 415).

<sup>2</sup> p. xxix.

<sup>3</sup> Rose, *A. P.*, p. 471, *Frag.* 499<sup>3</sup>.

<sup>4</sup> Zündel in *Rhein. Mus.* 1866, p. 432.

Orators, who is doubtfully ascribed either to the second, or (less probably) to the fourth century of our era, expressly quotes Ἀριστοτέλης ἐν Ἀθηναίων πολιτείᾳ in no less than 50 places. A lost passage in the same treatise is less precisely cited with the phrase ὡς Ἀριστοτέλης φησί (381). There are nine other πολιτεῖαι which he mentions by name, those of Arcadia, Elis, Thessaly, Cythnus, Cyprus, Sparta, Massalia, Opus and Pellene. The quotations from the Ἀθηναίων πολιτεία are so numerous and so precise, that it may fairly be assumed that they were taken at first-hand from the treatise itself.

CLEMENT of Alexandria (ob. 220 A.D.) quotes the πολιτεῖαι of Phocaea and Locri, and refers in more general terms to that of Sparta (*Frag.* 599, 548, 535); while AELIAN (*fl.* 250 A.D.) tells the story of the usurpation of Peisistratus in language almost identical with that of c. 14 of the Ἀθηναίων πολιτεία.

HERACLEIDES is the name of the otherwise unknown author of certain excerpts from the Πολιτεῖαι, fragments of which are preserved, in the same MS as certain excerpts from Aelian, under the title ἐκ τῶν Ἡρακλείδου περὶ πολιτειῶν<sup>1</sup>. Judging from the excerpts from the extant portions of the Ἀθ. πολ., he followed his original very closely. He has been assigned to about 300 or 500 A.D.<sup>2</sup> He can no longer be identified with Heracleides Lembos (*fl.* 181—146 B.C.)<sup>3</sup>.

HESYCHIUS of Alexandria, who belongs to the end of the fourth century, or (more probably) to the fifth, is a compiler from earlier authorities, the best of whom is Diogenianus of Heraclea (of the time of Hadrian). The lexicon of Hesychius expressly quotes the Constitution of the Opuntians (*Frag.*<sup>3</sup> 563), and names Aristotle as the authority for statements respecting Cyrene (528), Corcyra (513) and Sparta (541). The second of these items may, however, be traced back to Zenobius. Not a few articles are ultimately founded on the Ἀθηναίων πολιτεία, though neither the work is named, nor its author. Such are the articles on ἀδύνατοι (Ἀθ. πολ. 49 § 4), ἀπὸ συμβόλων δικάζειν (59 § 6), Βουζύγης (*Frag.* 386), βουλευσεως ἐγκλημα (Ἀθ. πολ. 57 § 3), δήμαρχοι (21 § 5), διαμετρημένην ἡμέραν (67 § 3), εἰσαγωγῆς (52 § 2), ἐμπήκτης (64 § 2), ἱππᾶς (7 § 4), and ἵππου τροχός (49 § 1). To the same source may be traced the articles on Διονύσου γάμος and Ἐπιλύκειον (3 § 5), and also on ἔδραι βουλῆς (30 § 4), and χαλκοῦν πινάκιον (63 § 4).

SOPATER, the Sophist of Apamea or Alexandria, includes excerpts from the πολιτεῖαι of Aristotle, viz. from those of Thessaly, Achaia, Paros, Lycia and Ceos, in the twelfth book of his historical selections<sup>4</sup>.

<sup>1</sup> Rose, *Frag.* 611<sup>3</sup>; cf. p. 265 *infra*.

<sup>2</sup> Wilamowitz, i 292 f.

<sup>3</sup> Cf. J. H. Wright, *Harvard Studies*,

iii 15, and Holzinger, in *Philologus*, 1891, p. 436 f.

<sup>4</sup> Phot. *Bibl. Cod.* 161, p. 104 b 38,



Sopater is probably identical with the rhetorician who, *c.* 500 A.D., wrote the extant commentary on Hermogenes.

PROCOPIUS of Gaza paraphrases the story of the ἀτελὲς χωρίον (16 § 6) in his eulogy of the emperor Anastatius (491—518 A.D.)<sup>1</sup>.

PHOTIUS, the patriarch of Constantinople (815—891 A.D.), refers to the excerpts made by Sopater (see *supra*). In Photius' *Lexicon*, the Ἀθηναίων πολιτεία is mentioned in the articles on ναυκραρία (Ἀθ. πολ. 8 § 3), and ὑπὲρ τὰ Καλλικράτους (28 § 3): the latter may, however, be traced back to Zenobius. The πολιτεῖαι of Sparta, Samos and Ithaca are expressly cited (*Frag.*<sup>3</sup> 586, 575, 509); and Aristotle is named in several articles<sup>2</sup>, including one on πελάται (Ἀθ. πολ. 2 § 2). During the embassy 'to the Assyrians' the patriarch perused and epitomised no less than 280 volumes, many of which are now lost; but there is nothing to prove that the Ἀθηναίων πολιτεία was included among them.

PSELLUS of Constantinople (1018—1078) includes, in his list of forensic phrases, a passage on the distribution of the demes among the new tribes of Cleisthenes, which is ultimately derived from *c.* 21 § 4.

TZETZES of Constantinople (born *c.* 1120 A.D.) refers to the πολιτεῖαι of Orchomenus (*Frag.*<sup>3</sup> 505) and Ithaca (504 and 508). Of the last two references the former is also found in the *Etymologicum Magnum*; so that possibly all three may have been borrowed from earlier sources. The lexicon last named, *s.v.* ἱεροποιοί, expressly quotes Aristotle ἐν τῇ Ἀθηναίων πολιτεία (*c.* 54 § 6), and has a short article on δατηγῆς (*Frag.* 422), which may be traced to Harpocration (*c.* 56 § 6). It also names Aristotle in connexion with Cumae (*Frag.* 525), and we know that this article comes ultimately from the Πολιτεῖαι.

EUSTATHIUS of Constantinople, archbishop of Thessalonica (who died *c.* 1198), refers to the πολιτεῖαι of Sparta (545) and Ithaca (506), and names Aristotle in a passage which comes from the πολιτεία of Thessaly (437). But there is no proof of direct acquaintance with any of the πολιτεῖαι. His only notice of the Ἀθηναίων πολιτεία (*c.* 44 § 1) is borrowed from Telephus of Pergamos who lived under Hadrian and (among other works) wrote on the Laws and Customs, and on the Lawcourts of Athens.

Thus far we have surveyed in chronological order the writers who, either at first or second hand, quote from the Πολιτεῖαι of Aristotle. We have still to notice a few anonymous citations.

(1) The unknown author of the ὑπόθεσις to the *Areopagiticus* of Isocrates, a Christian writer of perhaps the sixth century, is the only

quoted by Rose, *A. P.* p. 401, *Frag.*<sup>3</sup> p. n. 6.

<sup>2</sup> *Frag.*<sup>3</sup> 496, 541, 593, 554.

<sup>1</sup> W. A. Paton, *cp.* Wilamowitz, i 292



person who quotes the anecdote in c. 25 respecting the part ascribed to Themistocles in the overthrow of the Areopagus<sup>1</sup>.

(2) The *Scholia* to Aristophanes refer to the 'Αθ. πολ. in no less than thirteen places<sup>2</sup>. They also expressly quote the πολιτεῖαι of Sparta and Samos, and name Aristotle in connexion with Orchomenos, Corcyra and Cyrene. Many of the *Scholia* on Aristophanes are derived from Aristophanes of Byzantium and his pupils Callistratus, Aristarchus and Didymus; as well as from the Pergamene scholars, Herodicus and Asclepiades. The earlier *Scholia* were drawn up in the 3rd century A.D.; while the later *Scholia* go down as far as the age of Thomas Magister and Triclinius (end of 13th cent.).

The *Scholia* on Sophocles cite Aristotle for a fact mentioned in 'Αθ. πολ. 60 § 2; those on Euripides quote from the πολιτεῖαι of Sparta (*Frag.* 544) and Thessaly (498), and name Aristotle in connexion with terms relating to the πολιτεία of Cumae (524-5). Those on Homer give us evidence as to the πολιτεῖαι of Iasos and Samos (503 and 571); those on Pindar cite the πολιτεῖαι of Sparta, Syracuse and Gela (*Frag.* 532, 587, 486), and name Aristotle in connexion with Aegina, Rhodes, Crete, Acarnania, Opus and Locri. Those on Plato quote Aristotle for facts which may be traced to the πολιτεῖαι of Athens (385) and Thessaly (498). Those on Apollonius Rhodius refer to the πολιτεῖαι of Samos and Samothrace, Sinope and Tegea, Corcyra and Kios in Mysia; those of Theocritus refer to Croton, Ceos and Crete<sup>3</sup>. The *Scholia* on Aeschines contain no express mention of Aristotle, but they include several items of information ultimately derived from the 'Αθηναίων πολιτεία<sup>4</sup>.

It will be observed that the references to the Πολιτεῖαι, which have now been enumerated, extend over a period of no less than fifteen centuries, and attest different degrees of acquaintance with the work in many parts of the ancient world, chiefly in great centres of learning, such as Alexandria and Constantinople. In the case of the 'Αθηναίων πολιτεία, the exact degree to which the text of the treatise was known to those who refer to it, may in general be traced in the *Testimonia* which

<sup>1</sup> Rose, *A. P.*, p. 423, no. 359; *Frag.* 404<sup>3</sup>.

<sup>2</sup> 'Αθ. πολ. 7 § 1 (\**Av.* 1354); 15 § 3 (\**Ach.* 234); 19 § 3 (\**Lys.* 665), § 4 (*Lys.* 1153), § 6 (*Vesp.* 502); 21 § 5 (*Nub.* 37); c. 28 § 3? (*Vesp.* 684); 34 § 1 (*Ran.* 1532), § 3 (*Vesp.* 157); 34 ult. (*Vesp.* 157); 54 § 2 (*Vesp.* 691); 65 § 2 (\**Plut.* 278); 68 § 2 (*Eq.* 1150). In four of these places (marked with an asterisk) the title is given in full: 'Αρ. ἐν 'Αθ. πολ.;

in two (*Vesp.* 157, 684) the form is 'Αρ. ἐν πολιτεῖαις.

<sup>3</sup> In the Schol. on Theocr. iv 7 we are told that the Olympic crown ἐκ τῆς καλλιστοῦς ἢ καλλιστεφάνου ἐλαίας γενόμενος δίδεται, ἥτις ἀπέχει σταδίων ὀκτώ ὡς φαῖν (sic) 'Αριστότελης. This is less likely to have been derived from the θαυμάσια ἀκούσματα than from the πολιτεία of Elis.

<sup>4</sup> 'Αθ. πολ. 28 § 3, 57 § 3, 59 §§ 1, 2.

are printed below the critical notes in the present edition. All the external evidence is in favour of ascribing the Πολιτεῖαι to Aristotle.

§ 4. *The later literature of the Πολιτεῖαι.*

After the revival of learning in Italy it was Francesco Patrizzi who, in the course of a calumnious attack on the personal character and philosophical authority of Aristotle, unconsciously did some little service to the cause which he impugned by investigating the earlier sources of information as to the lost works of Aristotle. In his *Discussiones Peripateticæ*, published in 1571 at Venice, and reprinted ten years later at Basel, he made the first attempt to collect their fragmentary remains<sup>1</sup>. Patrizzi's collection was included in Casaubon's Aristotle (1590), and in 1593 a more comprehensive edition was promised by Casaubon himself<sup>2</sup>. The lost πολιτεῖαι are also mentioned by the learned Selden<sup>3</sup>, but meanwhile Casaubon's promise remained unfulfilled. The importance of the fragments was noticed by Niebuhr<sup>4</sup> and others.

It was not until 1827 that C. F. Neumann, then living at Munich, published his *Aristotelis Rerumpublicarum Reliquiæ*, including fragments from 50 of the πολιτεῖαι, the number traced to the Ἀθηναίων πολιτεία being 59 in all. In 1843 a similar collection was published by H. A. Van Dyck at Utrecht. These were superseded by Carl Müller's edition in the *Fragmenta Historicorum Graecorum*, Paris (Didot), 1848, in which the editor says of Neumann's work: *qui quidem libellus nullius nobis usus esse potuit: tam supina est auctoris negligentia*. The total number of πολιτεῖαι in this new collection is 95, and the fragments of the Ἀθηναίων πολιτεία have now risen in number to 74.

This collection served as the foundation for a still more extensive work by Valentine Rose. In his *Aristoteles Pseudepigraphus* (1863), we have 213 fragments, 89 of which are assigned to the Ἀθ. πολ. Rose's second edition of these fragments was included in Vol. v of the Berlin edition of Aristotle (1870), with three new fragments (445, 470, 511) from the πολιτεῖαι of Delphi, Corcyra and Methone published by a French scholar from a ms of Zenobius discovered on Mount Athos<sup>5</sup>. Lastly, in 1886 Rose's third edition was published by Teubner; the number of fragments is now 223, and of these 91 are traced to the Ἀθ. πολ., the two new fragments being no. 413 and 429 (corresponding to c. 3 § 5 and 52 § 1).

<sup>1</sup> Hallam, *Lit. of Europe*, ii 6, ed. 1854; Heitz, *Verl. Schr.*, p. 1.

<sup>2</sup> Note on Diog. Laert. p. 76, ed. 1615.

<sup>3</sup> *De jure naturali &c.*, Opera i i 74-5.

<sup>4</sup> *Hist. Rom.* i 20, p. 12 of 3rd Eng. ed.

<sup>5</sup> E. Miller, *Mélanges de littérature grecque*, Paris, 1868; p. 369.



Meanwhile, in 1869, the fragments had been edited by Emil Heitz, the able author of *Die Verlorenen Schriften des Aristoteles* (1865). This edition was practically simultaneous with the second edition by Rose which, although printed in 1867, was not published until 1870.

In the case of the more important *πολιτεῖαι* and especially in that of Athens, the substance of these fragments has been not unfrequently set forth by modern scholars in various degrees of fulness. Thus Carl Müller (FHG ii 104) supplies an epitome of the Fragments on Athens; and Rose, a brief digest in the form of a table of contents<sup>1</sup>. But the most successful endeavour to give life to these fragmentary remains is to be found in the Appendix to the important work of Oncken on the political teaching of Aristotle<sup>2</sup>. The fragments are there discussed in their historical bearing, and the scattered facts contained in them presented in a consecutive order and in an interesting form. The introduction to the analysis of the fragments closes with some valuable criticisms to the following effect:—

The method of dealing with the history of Athens which was pursued by Aristotle and his pupils must be regarded as marking the beginning of a new epoch. Without in any way undervaluing the influence of the contemporary school of Isocrates, as represented by Ephorus, Theopompus and Androtion, we may say without exaggeration that the picture, not only of the political life of Athens down to the overthrow of her freedom, but also of most of her statesmen, which became permanent in the literary tradition of later ages, was in its leading traits first delineated by the school of Aristotle and his followers<sup>3</sup>.

The analysis concludes with the following remarks on the second part of the *Ἀθηναίων πολιτεία*:—

Even a hasty glance at all these details gives one an impression of the extraordinarily valuable store of authentic facts here gathered by the industry of Aristotle. He has presented us with a description of the very subjects which the Athenians themselves did not deem worth the trouble of describing, since the knowledge of these details of every-day life was for themselves the merest matter of course. In Aristotle the scientific instinct of the genuine investigator was blended with the natural curiosity of the foreigner; and this double interest served to add a fresh keenness to his perception of what posterity would deem to be best worth knowing. For later generations his *πολιτεία* became a veritable treasure-house of accumulated learning. Things that are only incidentally noticed by the orators and poets of the time, as being perfectly familiar to every one, are here narrated, described and elucidated by Aristotle for the benefit of all of those to whom this information was unknown. It was an important and an imperishable service. It was also one which was the natural result of his peculiar method as an investigator. To display the various members of

<sup>1</sup> *A. P.*, p. 402.

<sup>2</sup> *Die Staatslehre des Aristoteles in Historisch-Politischen Umrissen*, vol. ii (1875), pp. 410—528.

<sup>3</sup> See, however, Wilamowitz, i 370, 'Die Politie der Athener tatsächlich in der Beurteilung der Personen das Urteil der Nachwelt nicht bestimmt.'



the living body of definite fact, to separate all the complex framework into its component parts, to trace the sequence of a series of results as they came into being, to describe for after ages what was regarded by contemporaries as no less obvious than their daily meat and drink,—to do all this was thoroughly characteristic of Aristotle. It is more than enough to prove the truth of the opinion that Aristotle is above all others the scientific investigator of the Hellenic idea of political life.

Thus far we have dealt with laborious collections of the merest fragments of the *Πολιτεῖαι*, and with one vivid commentary upon the most important of the series. Meanwhile, the original work was deemed to have vanished as completely as the lost decads of Livy. Neumann, in the *Prolegomena* to his edition of the fragments, laments the loss in the following terms: *heu amissum est in sempiternum praeclarum opus, nisi e palimpsestis quibusdam fortasse eruatur*. In the *Bibliothèque Orientale* of Herbelot (p. 971), mention is made of an Arabic translation of the work, but the hope inspired by this statement remained unfulfilled<sup>1</sup>. To cherish such a hope, even for a moment, was in 1865 denounced as folly<sup>2</sup>.

#### § 5. *The Berlin Fragments of the Ἀθηναίων πολιτεία.*

In the year 1880 the interest of scholars was aroused by the announcement that, among the fragments of *papyrus* found in the Fayoom near the ancient Arsinoe, and acquired for the Egyptian Museum at Berlin, there were two small pages with writing on both sides. They were skilfully deciphered by Blass, and a comparison with other *papyri* led to their being provisionally assigned to the second century A.D. The first fragment contained on one side (I *a*) the long passage in Iambic verse quoted by Aristides from the poems of Solon; on the other (I *b*), a passage in prose on the archonship of Damasias. The second fragment had on one side (II *a*) an account of the reforms of Cleisthenes; and on the other (II *b*), a passage on the ostracism of Megacles and Xanthippus, with some mention of the mines at Maroneia. So imperfect were the indications given by the context that Blass identified Damasias as the archon of 639–8, instead of the archon of 582–1 and

<sup>1</sup> The title of the alleged translation is *Ketab Siassat Almoden* (the book of the government of States). Herbelot's authority is Haji Khalfa, who died in 1658. In Fluegel's ed., vol. v p. 97, no. 10, 203, Haji Khalfa says that, in the book on 'the Government of States,' Aristotle mentions 171 great States. He distinguishes this book from the *Politics*, and says that the latter was translated into Arabic, which perhaps implies that the 'Government of States' was not. Part of this statement is doubtless derived from the list of Aristotle's writings

in Ibn Abi Useibia, which includes 'a book about the Government of States and the number of the nations, in which he mentions 151 great States' (ed. Müller, 1884, p. 68). As this list is confessedly taken from a Greek catalogue by Ptolemy (see *supra* p. xxvi), we have no right to assume that the Arabs possessed the book. It is not at all the kind of book that was likely to interest them. For the substance of this note I am indebted to Prof. W. Robertson Smith.

<sup>2</sup> Heitz, *Verl. Schr.*, p. 230.

581-0. The institution of the ten archons seemed to be mentioned *after* the extract from Solon. It thus appeared impossible to attribute the fragments to a historical work written in chronological order, such as that of Ephorus or one of the writers of Ἀρθίδες. But Theopompus was known to have closed the tenth book of his *Philippica* with an excursus on the demagogues of Athens. This (as Blass thought) might well have begun with some account of Dracon and Solon, followed by a digression on the early history of the archonship and by notices of various statesmen such as Megacles, together with some observations on the institution of Ostracism and the reforms of Cleisthenes. It was accordingly conjectured that the newly discovered fragments belonged to Theopompus.

Here the matter rested for a very short time. The article by Blass was published in *Hermes* in October, 1880. The very next number of the *Rheinisches Museum*<sup>1</sup> contained a brilliant contribution by the veteran scholar Bergk, who was then in his 69th year and had just completed the fourth edition of his *Poetae Lyrici Graeci*, and whose attention was perhaps mainly drawn to the fragments because they included fresh evidence on the poems of Solon. Bergk pointed out that the passage on Cleisthenes corresponded with a scholium on Aristophanes, *Nubes*, 37. The papyrus as deciphered by Blass had the following letters:

— — — ΔΘΗΝΑΙΟΙΣ  
 — — ΧΘ ··· ΕΔΕΚ · ΔΗΜΟΙ  
 — — ΕΠΟΜΕΝΤΑΝΤ · Σ · [ΝΑ  
 — ΤΟ · Σ ΔΗΜΟΥΣΑΝΑ ··· ΩΝ

With the help of the *Scholium* Bergk restored the second and following lines thus:

κατ]έσ[τησ]ε δὲ κ[αί] δημαρ-  
 χούς τὴν αὐτὴν ἔχοντας] ἐπίμελειαν τ[οῖ]ς πρ[ό]-  
 τερον ναυκράροις καὶ τοῖ]ς δήμους ἀντ]ι τῶν  
 ναυκραριῶν ἐποίησε]

This *Scholium*, although introduced by the words Ἀριστοτέλης δὲ περὶ Κλεισθένους φησί, had not found its way into either of Rose's previous editions of the fragments, its place having been taken by a less accurate transcript in the lexicon of Harpocration (Rose, 359<sup>2</sup>); but it is duly cited in the edition by Heitz (no. 19 = 388).

In addition to the proof supplied by this citation, the internal evidence of the style of these scanty fragments was enough to convince Bergk that the prose portions could not have come from any

<sup>1</sup> xxxvi (1881) = *Opuscula*, ii 505—533.

other work than the lost *πολιτεῖαι* of Aristotle<sup>1</sup>. But Bergk could not believe that so long a passage of poetry as the fragment of Solon could have been cited in the *Ἀθηναίων πολιτεία*<sup>2</sup>. He accordingly suggested two alternative solutions: either the poem was an interpolation inserted in a complete copy of the *Ἀθηναίων πολιτεία* by a copyist who desired to illustrate the reforms of Solon by transcribing the poem, or the work consisted of selections from various writers on the constitution of Athens.

The Berlin fragments were further discussed by Landwehr, who published a transcript and a restoration of the text in 1883; which he afterwards revised and corrected in the *Philologus* (Suppl. Bd v 195). They were also the subject of an able paper by Diels in 1885<sup>3</sup>. According to his view the fragments are simply two loose pages of papyrus filled with transcripts from the *Ἀθηναίων πολιτεία* by some schoolboy of Arsinoe. Damasia is rightly identified as Damasia II, and many other points are discussed in a masterly manner. It is also maintained for the first time that all the four pages belong to the same work, and that the *Ἀθ. πολ.* of Aristotle. The paper includes a convenient reprint of the various restorations of the fragments, and also a lithographed facsimile.

### § 6. *The British Museum papyrus.*

Thus far the student of Aristotle's *Πολιτεῖαι* had to found his conclusions as to the character of the work solely on meagre fragments laboriously collected from many sources, and on two barely legible and most imperfect scraps of *papyrus* in the Museum at Berlin, when suddenly, on the morning of Monday, Jan. 19, 1891, the readers of *The Times* were startled by the announcement that a MS containing the greater portion of Aristotle's *Constitution of Athens* had been acquired by the British Museum as part of a collection of papyrus rolls from a place in Egypt which, for adequate reasons, it was not expedient to specify more particularly. It was not until the rolls had been examined at the British Museum that it was found that three of them contained what was identified as the text of the *Ἀθηναίων πολιτεία*.

<sup>1</sup> p. 90, 'Wohl aber erinnert die Behandlungsweise an Aristoteles: selbst ein blödes Auge wird erkennen, dass der Verfasser vollkommen mit seinem Gegenstande vertraut ist, dass er zwischen Wesentlichem und Unwichtigem sehr wohl zu scheiden weiss, dass hier nicht ein buchgelehrter Grammatiker zu uns spricht, sondern ein erfahrener Mann, der mit scharfem Blicke das politische Leben zu betrachten gewohnt war, den sein historischer Sinn vor jeder Befangenheit des

Urtheils bewahrte. Nicht minder erinnert die schlichte und schmucklose, nur auf die Sache gerichtete Darstellung an die Weise des Begründers der Staatswissenschaft. Auf mich wenigstens machten diese Bruchstücke sofort den Eindruck, als hätte ich Reste der Aristotelischen Politie der Athener vor mir.'

<sup>2</sup> Cf. Wilamowitz, i 40.

<sup>3</sup> *Philos. u. Hist. Abhandlungen*, Berlin Acad., 1886, ii pp. 1—57. Cf. Wilamowitz, i 291 f.



The secret of the discovery had been well kept: and by its first public announcement the interest of scholars at home and abroad was roused to a high pitch of expectation. Only eleven days later, on Friday, Jan. 30th, the printed text appeared under the editorship of Mr F. G. Kenyon, Fellow of Magdalen College, Oxford, Assistant in the Department of MSS, now Director of the British Museum. It was soon discovered that, although the text was described in the preface to the *editio princeps* as 'in good condition' and requiring 'little emendation', there was a still deeper truth in the editor's fuller statement on a later page:—'There remain not a few passages which still require emendation by conjecture, in some of which the reading of the MS is completely lost, while in others a few faint traces of letters remain, which will serve as tests of the accuracy of any proposed emendation.' A vast number of conjectures of very various degrees of merit were accordingly proposed by English scholars in the pages of the *Athenaeum*, and the *Academy*, and all these conjectures, together with the criticisms of continental scholars, were reprinted, with many other suggestions, in successive numbers of the *Classical Review* (March to July, 1891). Many further contributions to the criticism and elucidation of the treatise have since appeared. A conspectus of the literature of the subject is reserved for a later section (§ 10).

Early in March the Trustees of the British Museum published a Facsimile of the *papyrus*. The immediate, and indeed the permanent, result of this publication was a widely expressed recognition of the remarkable skill with which Mr Kenyon had accomplished the task of deciphering the MS. In those portions of the MS which are most easily read in the original, the facsimile is an adequate substitute for the *papyrus*. It is mainly, though by no means exclusively, in the places where the papyrus is rubbed, and the remains of the letters only faintly visible, that it is absolutely necessary to resort to the original.

The MS consists of four separate rolls with the letters A, B, Γ, written at the beginning of the first three:

I	7 feet, 2½ inches, in length, by about 11 inches in height, including Columns	1—11
II	5 " 5½ " " " " " "	12—24
III	3 " " " " " " "	25—30
IV	about 3 feet (originally) in length, by about 10 inches in height, including remains of Columns	31—37

Total length about 18 feet, 8 inches<sup>1</sup>.

<sup>1</sup> According to Pliny (*N. H.* xiii § 78) the two best kinds of papyrus were thirteen digits in height (13 × 72821 =

10·4653 inches), rather less tall than rolls I—III, but rather taller than IV.

The MS is written in four hands: (1) extends over Columns 1—12, and is described as ‘a small semi-cursive hand, employing a large number of abbreviations of common syllables.’

(2) begins with Col. 13 and ends in the middle of Col. 20. This is described as an ‘uncial of fair size,’ plain but not ornamental, employing no contractions, and making a large number of blunders in matters of spelling.

(3) is a ‘straggling’ and often ill-formed semi-cursive hand, of larger size than the first. This extends from the middle of Col. 20 to the end of Col. 24; and also includes the mutilated remains of Cols. 31—37.

(4) closely resembles (1), and ‘employs many of the same abbreviations,’ but is generally finer and more upright, and possesses some distinctive forms of letters. This extends over Cols. 25—30<sup>1</sup>.

Abbreviations are not used uniformly by all the four hands. They are chiefly confined to hands (1) and (4), while they are very sparingly used by (3), and not at all by (2). Hence it is obvious that, in restoring the text, it is solely in Cols. 1—12, and 25—30, that we can assume the existence of abbreviations. They can only be admitted within very narrow limits in Cols. 20—24, and 31—37; while they cannot be admitted at all in Cols. 13—20.

(1) and (4) have many abbreviations in common; but at the same time each of the two has some that are characteristic of itself alone. This will be made clear by the following classified list<sup>2</sup>.

hands (1) and (4)		band (1) only
† = γάρ	Λ = παρά and παρα-	Ϛ = αὐτήν (c. 21, 19)
Δ' = δέ and -δε-	Ρ' = περί	ο = -αι, -ου, -ον, -ους, -ους
Δ = διά and δια-	Ε' = σύν and συν-	Ρ' = περ
\ = εἶναι	ΤϚ = -ται	Ϙθ = -σθαι
/ = ἐστί	‡ = τήν and -την	ϙ = χρόνος, -ου, -ον, -ων, -ους
κ' = καί and -και-	Τρ = τῆς and -της	ω = -εως
κ' = κατά	Τ' = τῶν and -των	
μ' = μέν and -μεν-	ω = -ων	
μ' = μετά and (in 1) μετα-		
ο = -ος		
ό = οὖν and -ουν-		
		hand (4) only
		δ = ἀνα-
		ϛ = εἰσί
		Ϙθ = -σθαι
		Υ' = ὑπό and ὑπο-
hand (3) only	hands (3) and (4) only	
Υ' = ὑπέρ	κϚ = -και- and in (3) και	

<sup>1</sup> Mr Kenyon's *Introduction*, p. xi. The proposal to identify hands (1) and (4), and hands (2) and (3), made by Kaibel and Wilamowitz on pp. v—vi of

their preface, is refuted by Mr Kenyon (ed. 3 p. xii) whose opinion is justly confirmed by Blass (*Praef.* iv—vii).

<sup>2</sup> Mr Kenyon has already given a

Hands (1) and (4) have not only certain distinctive abbreviations, but they also use with different degrees of frequency the abbreviations that are common to both. Thus the symbol for εἶναι is found fourteen times in (1), and only five times in (4); that for ἐστί four times in (1), and twenty-eight times in (4); that for συν- seventy times in (1), and six times in (4); that for -ουν- three times in (1), and sixteen times in (4); that for -ται twenty-four times in (1), and fifty-seven times in (4); and that for -ος is far more frequent in (1) than in (4)<sup>1</sup>. These considerations prevent us from identifying the two hands. There are also certain distinctive differences in the shapes of the letters used by each; and the same remark applies to hands (2) and (3)<sup>2</sup>.

Final syllables are often omitted in (1) and (4). Thus φυ<sup>λ</sup> is found in both hands for φυλῆς and φυλήν, and βου<sup>λ</sup> is used for all the cases of βουλή in the singular. Hand (3) has χωρ for χώραν (col. 22, 2); τρῶ for τρόπον (*ib.* 11) and απογραφ for ἀπογραφάς (*ib.* 35). An abbreviation for αυ is exceptionally used for αὐτήν (in col. 9, 8); and a symbol for δραχμή, found in cols. 21, 35 and 26, 54, is common to hands (2) and (4). Numerals are denoted by the ordinary symbols in all hands alike<sup>3</sup>.

*Iota adscriptum* is hardly ever omitted in (1); hardly ever inserted in (2); (3) and (4) do not follow any fixed rule<sup>4</sup>.

ει and ι are frequently interchanged, especially in (2); some of these mistakes are however corrected by hand (1). But even in (1) we some-

general list on the last page of his *Introd.* See also p. ix of his Berlin ed. I have endeavoured to classify this list, and to represent approximately the shapes of the letters used in the *papyrus*.

<sup>1</sup> For the details of these statistics, see van Leeuwen's *Observationes Palaeographicae* in the Dutch edition, pp. 170-7.

<sup>2</sup> See the alphabets reproduced in *Class. Rev.* v 183.

<sup>3</sup> The use of the above abbreviations, and their distribution over the several hands, may be illustrated by the following examples. For convenience, ordinary type is here used, and the words are separated from one another.

Abbreviations in (1), also found in (4): —βεβη (col. 1, 3); π χωρησαντ (1, 20); τα μ ὀ π τασ αρχασ (1, 35); τ τ χρεων αποκοπησ (2, 31); ατιμον \ κ τ πολεω (3, 32); δ κα ετ ου γ οισθαι δικον \ (4, 6); μεμνητ π αυτ (4, 15); π τ δνεμοσ τ γην (4, 21); μ τ τ νομων θεσιν (5, 23); ου γ ενδεχετ (7, 2); μ πεμπομοσ (7, 14); αρμοδι (7, 25); σ παντα σ οισ (8, 21); δ κα μ τ π το αστυ (9, 4); κ τ σ μαχω (10, 12); \ κ δικος (11, 1), \ τωι π κλει (11, 27); επει δ μ τ εν σικελ γενομην δ φοραν (11, 46);

σ γραφειν αναηγωντ, i.e. συγγράφειν ἂν ἠγῶνται (12, 3).

In (4), also found in (1): —κβαλλετ (25, 25); δραχμω (27, 1); αρχοντο (27, 23); π αιρειται (29, 18); δ τιθησι (29, 23); μ τ βουλ (29, 50); π τιθενται (30, 41).

In (1) alone: —ο = ου in 15 places, e.g. αρειο παγο, (2, 9); =ον in 44 places, e.g. θητικο, (3, 3); =οι in 8 places, e.g. δισχυλιο (10, 17); =οις once, αλλο (2, 33); =ους in 16 places, e.g. κλεισθενο, (12, 8); κ π (8, 9).

In (4) alone: —|| = εισί (in 20 places, e.g. twice in 27, 11 and 28, 41); υ = ὑπό (26, 19, 30; 27, 20; 28, 24); σθ' = -σθαι in 16 places, e.g. δυνασθ' (26, 9); υ = ὑπό in 26, 19 and 30; 27, 20; 28, 24; also = ὑπο- in ὑζυγιων (26, 52); ἄ = ἀνα- in 13 places, e.g. ἀβηναι 30, 3.

In (3) alone: υ<sup>1</sup> = ὑπερ twice 21, 24 and 23, 22 (cf. 22, 44). (3) κ<sup>2</sup> = και (22, 13 bis; 23, 22); = -και- in αναγκησιν (23, 14). χωρ = χωραν (22, 2); τρω = τρόπον (22, 11); απογραφ = ἀπογραφάς 22, 35. Final υ above last letter of word, seven times, cf.

p. 151, *n.c.* κ<sup>3</sup> also = -και- in (4), 27, 17.

<sup>4</sup> Van Leeuwen, *l. c.* p. 165.



times have  $\iota$  for  $\epsilon$ , e.g.  $\pi\iota\sigma\iota\sigma\tau\rho\alpha\tau\omicron\varsigma$  in three places (Col. 5, 28, 33, 37), besides four other instances. In (2) there are as many as 41, e.g.  $\alpha\phi\iota\lambda\omicron\nu$  for  $\acute{\alpha}\phi\epsilon\iota\lambda\omicron\nu$  (Col. 16, 4); in (3) and (4) there are only four and five respectively. Conversely we have  $\epsilon$  for  $\iota$  in all the four hands, the number of instances being 14, 11, 15 and 2 respectively. Both of these mistakes are combined in  $\pi\omicron\lambda\epsilon\iota\tau\iota\alpha\nu$  (Col. 13, 3) and  $\pi\omicron\lambda\epsilon\iota\tau\iota\alpha\varsigma$  (14, 1; 16, 26)<sup>1</sup>.

There is nothing resembling a mark of punctuation, except the short horizontal line in the margin (Cols. 1, 40; 2, 4; 7, 15, 30; 11, 5, 31; 13, 15). In some cases this may be a true *παραγραφή*, as in Col. 1, 40 and 8, 21 f, where it coincides with the natural end of a chapter; in others (as suggested by Blass<sup>2</sup>) it may denote a corruption; at any rate this appears more probable than van Leeuwen's<sup>3</sup> opinion that it draws attention to an important or striking statement.

There are no breathings or accents, except in  $\epsilon\kappa\mu\alpha\rho\tau\upsilon\rho\omega\acute{\nu}$  (Col. 3, 9),  $\nu\omicron\mu\omicron\phi\upsilon\lambda\alpha\kappa\epsilon\acute{\iota}\nu$  (3, 26),  $\delta\acute{\eta}\mu\omicron\nu$ ? (4, 29),  $\acute{\alpha}$  (12, 3),  $\eta\gamma\omega\acute{\nu}\tau\alpha\iota$  (13, 11) and  $\alpha\acute{\upsilon}\tau\omicron\nu$  (29, 46). In some of these cases they are apparently added to prevent ambiguity of meaning<sup>4</sup>.

Blunders made by hand (2) are occasionally corrected, apparently by hand (1), or possibly (4). It has been suggested that the transcript was begun by some one who desired a copy for his own use, and, after writing out the first twelve columns, entrusted to others the task of copying the remainder, being content to revise their work and to correct their misspellings and their other mistakes<sup>5</sup>. The editors of the first German edition, Kaibel and von Wilamowitz<sup>6</sup>, hold that all the corrections are due to hand (1) which they identify with (4). To account for the fact that many blunders are left uncorrected, they assume that the text depends on two earlier MSS, one of them much more accurate than the other<sup>7</sup>. Blass however holds, with apparently greater probability, that there are several correctors: all the four hands correct some of their own mistakes; and one or more of them correct the work of the rest, not to mention the possibility of a revision independent of all the four. The same critic divides the 'corrections' into five groups, the most important of which he prefers to regard as *variae lectiones* which were recorded as such in the MS from which our *papyrus* was copied<sup>8</sup>.

The process by which the *papyrus* plant was made into material for writing was as follows: the tall stem had its rind stripped off and the pith cut with a sharp instrument into broad slices of extreme thinness

<sup>1</sup> Van Leeuwen, *l. c.* p. 166.

<sup>2</sup> *Praef.* p. xi.

<sup>3</sup> *l. c.* p. 166.

<sup>4</sup> Mr Kenyon's *Introd.* last page; and van Leeuwen, *l. c.* p. 167.

<sup>5</sup> Mr Kenyon's *Introduction*, p. xi.

<sup>6</sup> *Praef.* p. vii.

<sup>7</sup> *Praef.* p. ix.

<sup>8</sup> Blass, *Praef.* pp. viii—xi. See also Thalheim's ed., p. vi f.

and considerable length. These were laid in long strips on a flat board; across these were placed in the opposite direction and touching one another, a number of short strips corresponding in length to the proposed height of the roll. The upper and lower surfaces were made to adhere to one another by means of the slightly glutinous sap of the pith or (failing that) by means of paste. The long scroll thus formed was thereupon smoothed down with an ivory instrument or a shell<sup>1</sup>. The proper side for writing is that on which the horizontal strips allow of the pen running freely without traversing the frequent joinings of the successive parallel strips of papyrus. Thus, the British Museum papyrus of the first three speeches of Hyperides is written entirely on what may be called the 'horizontal' side, *i.e.* that on which the strips of papyrus run in a horizontal direction. If any writing is added on the back, it may be described as written on the 'vertical' side, that on which the strips run vertically and overlap one another at their edges. After the front of a scroll has been filled, the back is not unfrequently used for some other writing on a totally different subject. For example, the British Museum papyrus of the Funeral Oration of Hyperides has a Greek horoscope on one side, and that the 'horizontal', or right side; while the speech of Hyperides is written on the 'vertical', or wrong side. Similarly the 'Αθηναίων πολιτεία is written on the vertical, or wrong side, technically called *verso* (or 'reverse') as opposed to *recto*. It may be inferred that the text of any author so inscribed on the back of the scroll is not only later in date than that on the other side; but also that it has been copied solely for the private use of the owner (probably a student<sup>2</sup>), and not for publication or for preservation in a public library<sup>3</sup>.

On the horizontal side of the papyrus of the 'Αθηναίων πολιτεία are the accounts of receipt and expenditure drawn up by a bailiff on a private estate in the eleventh year of Vespasian (from Aug. 78 to June 79 A.D.)<sup>4</sup>. After (but probably not very long after) the time when the accounts had ceased to be valuable, the other side was used to the extent of a column and a half for the transcription of an argument to the *Midias* of Demosthenes<sup>5</sup>; the latter was then struck out, the roll turned upside down and the 'Αθηναίων πολιτεία written on it, beginning

<sup>1</sup> Martial xv 209, 'Levis ab aequorea cortex Marcotica concha Fiat: inoffensa currit harundo via.' Cf. Pliny, *N. H.* xiii §§ 68—83; Blümner's *Technologie*, i 308—325, and Kenyon's *Palaeography of Greek Papyri* (1899), 15—22.

<sup>2</sup> Wilamowitz, i 291.

<sup>3</sup> U. Wilcken, *Hermes* 1887, p. 487—492, *Recto oder Verso*.

<sup>4</sup> ἔτους ἑνδεκάτου αὐτοκράτορος Καίσαρος Οὐεσπασιάνου Σεβαστοῦ ἀργυρικὸς λόγος Ἐπιμάχου Πολυδεύκου λημμάτων καὶ ἀναλωμάτων τῶν δι' ἐμοῦ Διδύμου Ἀσπασίου χειριζομένων (in the original there are no accents).

<sup>5</sup> Printed in the Dutch ed. of the 'Αθ. πολ., pp. 180—185; and in Mr Kenyon's 3rd ed., pp. 215—219.



at the other end of the roll. The ms has been assigned to 'the end of the first century of our era or, at latest, the beginning of the second', and this opinion is confirmed by several dated documents of the first and second centuries which have come to light since the first publication of the *papyrus*<sup>1</sup>.

§ 7. *Date and Authorship of the 'Αθηναίων πολιτεία.*

The date of the original composition of the treatise is determined by internal evidence. The system of electing *Strategi* for special departments of military duty, which is recognised in c. 61 § 1, was in force as early as 352 B.C.<sup>2</sup> If that was the date of the introduction of the new system, the work was written later than that date. The latest date expressly quoted in it is the archonship of Cephisophon, B.C. 329-8 (c. 54 § 7). Again, since in c. 46 § 1 mention is made of triremes and quadriremes, and not of quinqueremes, it has been inferred that it was written before B.C. 325-4, the earliest date at which quinqueremes are named in connexion with the navy of Athens<sup>3</sup>. Further, it is clear that the treatise could not have been composed after 322 B.C.; because, in that case, we should certainly have had some account of the change in the constitution of Athens which was brought about by Antipater in that year<sup>4</sup>. Lastly, the treatise describes the Athenians as still sending officials to Samos (c. 62, 16); in the autumn of B.C. 322 that island ceased to be under the control of Athens. B.C. 322 is also the year of the death of Aristotle: hence, the evidence derived from the treatise itself shews that it was written while Aristotle was still alive; and the reasons above assigned enable us to place its date between B.C. 328 and 325<sup>5</sup>.

We have already traced in chronological order the evidence of all the ancient authorities who quote the *Πολιτεία*. We have seen that the work as a whole is assigned to Aristotle by the unanimous voice of antiquity; and it has just been shewn that the 'Αθηναίων πολιτεία was certainly completed while Aristotle was still alive<sup>6</sup>. In such a case we

<sup>1</sup> Mr Kenyon's *Introd.* to ed. 3, p. xvi.

<sup>2</sup> See note on c. 61, 5, ἐπὶ τὴν χῶρον.

<sup>3</sup> Mr Cecil Torr in *Athenaeum*, Feb. 7, 1891; Bruno Keil, *Berl. Phil. Woch.* 1891, p. 614; J. H. Lipsius, *Verhandlungen der Sächs. Gesellschaft der Wissenschaften*, 28 Feb. 1891, p. 45. See note on 46 § 1.

<sup>4</sup> Bruno Keil, *u. s.* p. 613.

<sup>5</sup> The treatise makes no mention of the financial officer known as ὁ ἐπὶ τῇ διοικήσει, who existed as early as 334, possibly as early as 338. Hence it has been inferred by V. von Schöffer that the main bulk of

the treatise was composed c. 350 B.C., the chapter on the Draconic constitution (c. 4) and the mention of the archonship of Cephisophon being later additions on the part of the author (*Bursian's Jahresh.* 75, 32 f).

<sup>6</sup> Wilamowitz, i 305, holds that all the *Πολιτεία* were produced towards the end of Aristotle's life:—'Die Politie der Athener, von der nur Willkür ihre Schwestern trennen kann, ebenso wie die politischen Vorträge und die *Δικαιώματα*, der letzten Lebenszeit des Aristoteles angehören.'



must necessarily accept the work as Aristotle's, unless internal evidence is conclusive on the other side. The consideration of that evidence turns partly on questions of style, partly on the relations subsisting between the Ἀθηναίων πολιτεία and the *Politics*. Let us consider the latter point first.

The latest event mentioned in the *Politics* is the death of Philip in B.C. 336<sup>1</sup>. Had the *Politics* been finished even as early as seven years after that date, it would have been completed before the Ἀθηναίων πολιτεία. But, according to the opinion now prevalent among Aristotelian scholars, it was left incomplete by its author and was not given to the world in his lifetime. Books vii (iv) and viii (v) are more carefully composed than the rest, being specially marked by the avoidance of *hiatus*. It is possible that these two books represent the author's finished style; it is also possible that they owe their polish to the skill of a pupil of the Peripatetic school<sup>2</sup>. But in either case they are not of the nature of a popular work, and there is nothing to prove that they were in general circulation during the author's lifetime.

It has sometimes been supposed that the vast collection of facts relating to the πολιτεῖαι of various Greek states was formed to serve as materials for the theoretical treatment of the subject in the *Politics*. The *Politics*, however, were never completed, whereas the Ἀθηναίων πολιτεία assumed a finished form more than three years before the death of Aristotle. But it is quite possible that the *materials* for the Ἀθηναίων πολιτεία, and for the rest of the series, were collected before the larger part of the *Politics* was reduced to writing. The same materials would serve for both; but, in the case of the Πολιτεῖαι, they were embodied in a finished work for popular perusal; in the case of the *Politics*, they formed part of the preliminary studies for courses of lectures probably confined to the philosopher's immediate circle. Now, as the *Politics* may have continued to supply the theme for such lectures in and after 334, while the Ἀθηναίων πολιτεία was not ready for public perusal until 6 or 8 years later, we need not be surprised to find in the *Politics* no reference whatsoever to the Πολιτεῖαι. At a time when only fragments of the latter were known to scholars, this fact used to be quoted in proof of the spuriousness of the work. But now that nearly the whole of one of the Πολιτεῖαι has been recovered, and its date determined to be later than the latest event noticed in the *Politics*, no argument against its genuineness can be founded on the fact that the author

<sup>1</sup> viii (v) 10, 1311 b 2. There may, however, be references to the events of 333 and 330, see Newman on 1270 b 11, 1299 a 14, and 1312 b 6. On the possible dates of different parts of the *Politics*, see

Hicks, p. 662. Wilamowitz, i 363, regards the *Politics* and the Πολιτεῖαι as 'im ganzen gleichzeitig verfasst'.

<sup>2</sup> Shute's *History of the Aristotelian Writings*, pp. 164—170.

of the unfinished work says nothing of a popular treatise that had not yet been published while the theoretical work was still in course of preparation.

The question arises whether the Πολιτεῖαι are ever mentioned in the undisputed works of Aristotle. At the close of the *Ethics*, when about to state the theme of the ensuing discussion in the *Politics*, Aristotle speaks of τῶν πολιτειῶν αἱ συναγωγαὶ and also of τῶν συνηγμένων πολιτειῶν (x 9 §§ 21, 23). The sense of the context of the latter phrase may be expressed as follows: 'First then let us endeavour to review whatever is to some extent valuable in the statements of our predecessors, and then to learn from the constitutions which have been collected (or put into juxtaposition with one another), the causes which are apt to preserve or to destroy states, and the causes which have this effect on the several constitutions.' This promise is sufficiently fulfilled by the review of the various constitutions in Book II, their classification in Books III-VI<sup>1</sup>, and the discussion of the ways in which revolutions may be caused or prevented in Book VIII (v).

Rose, however, in his *Aristoteles Pseudepigraphus*, while regarding the πολιτειῶν συναγωγὰς as existing collections of facts forming materials for the *Politics*, insists at the same time that Aristotle had not himself written any such work or expressed any intention of writing it<sup>2</sup>. The *Politics* of Aristotle, he adds, were supplemented in due time by the works on νομοθεσία written by his pupil Theophrastus; but neither Aristotle nor Theophrastus, he contends, ever wrote any work on πολιτεῖαι. The Πολιτεῖαι, attributed to Aristotle, are ascribed by Rose to some anonymous Peripatetic who was less of a philosopher than a historian and philologist. Such was Demetrius Phalereus who wrote works περὶ τῆς Ἀθήνησι νομοθεσίας and περὶ τῶν Ἀθήνησι πολιτειῶν. Such, again, was

<sup>1</sup> Cf. Newman, *Ar. Pol.* vol. i pp. 2, 214-220.

<sup>2</sup> Rose, *A. P.* p. 396.

Camerarius and Victorius understood πολιτεῖαι συνηγμέναι as a reference to Aristotle's historical work, a view supported by Grant and Stahr, *Ar. Pol.* (1860) p. 66, and by Wilamowitz, i 360 n. We may compare Aristotle's συναγωγὴ τεχνῶν. Heitz, *Verl. Schr.* p. 232, quotes the paraphrase of Andronicus: εἶτα συναγαγόντες τὰς πολιτείας θεωρῶμεν ἐν αὐταῖς ἃ τε φθείρει καὶ ἃ σώζει τὰς πόλεις. From the use of συναγωγὰς in *Pol.* vii (vi) *init.*, p. 1316 b 40, ἐτι δὲ τὰς συναγωγὰς αὐτῶν τῶν εἰρημένων ἐπισκεπτέον πάντων τῶν τρόπων, and συνακτέον εἰς ὀλίγα in 1319 b 23, he infers that they are die unter eine gewisse Anzahl von Rubriken vertheilt, verschiedenen Verfassungs-

formen. But the meaning of συναγωγὰς in the former of these two passages is determined by Aristotle himself by the use of the word συνδναζόμενα in the very next line, and συνδνασμοὶ in the subsequent context. It refers to constitutions which exceptionally combine oligarchic and democratic elements; and this sense has nothing to do with the interpretation of the passage in the *Ethics* proposed by Heitz. Susemihl (followed by Mr J. A. Stewart) brackets *Eth.* x 9 §§ 22, 23, the passage including τῶν συνηγμένων πολιτειῶν, while he retains § 21, with its mention of τῶν πολιτειῶν αἱ συναγωγὰς. The former phrase is rendered by Susemihl-Hicks (*Politics* p. 69), and by Newman (i p. 2), 'a comparison of constitutions'.



Dicaearchus, whose πολιτεῖαι were known to Cicero. The author of the Πολιτεῖαι was (according to Rose) inspired, like Dicaearchus, by the example of Aristotle who, in his *Politics*, touches on the constitutions of a large number of states. Now that we know that the Ἀθηναίων πολιτεία was completed several years before the death of Aristotle, while the *Politics* was still unfinished, the suggestion that the unknown author of the Πολιτεῖαι was inspired by the *Politics* falls to the ground, unless indeed we are to assume that the author was one of the pupils of Aristotle who attended his course on the *Politics* at some date after his return to Athens (334). If so, it is singular that the name of this remarkably prolific writer should not have been preserved. On the contrary, the name has completely vanished, and in its place we find everywhere the name of Aristotle and of none beside.

It has been supposed (by Rühl) that the editor of the treatise in its present form was Heracleides Lembos, the author of an extensive compilation called Ἱστορίαι, who flourished under Ptolemy Philometor (181—146). Demetrius Phalereus and Dicaearchus have also been mentioned as possible authors. The former is suggested by Rose in his *Aristoteles Pseudepigraphus*, p. 398. Two of the fragments seemed to imply a more aristocratic type of constitution than any that prevailed at Athens before about 317 B.C.; and, on the other hand, the work must have been composed before the number of the Attic tribes was increased from ten to twelve (B.C. 307). The fragments in question are those on θεσμοθετῶν ἀνάκρισις (414<sup>3</sup>) and στρατεία ἐν τοῖς ἐπωνύμοις (469<sup>3</sup>). The inference drawn by Rose is not supported by the context in which we find those fragments in the present work (c. 55 § 1 and c. 53 § 7); and we now know that the treatise was written not between 317 and 307, but between 328 and 325. Rose's suggestion has been recently revived by Schvarcz<sup>1</sup>. If any detailed refutation of this view is necessary, it may be noticed that, of all the passages attributed to the work of Demetrius περὶ τῆς Ἀθήνησι νομοθεσίας (either by Harpocration, s.v. σκαφηφόροι, Ζεὺς ἔρκειος and παράστασις, or by Plutarch, *Sol.* 23, or by the Scholiast on Arist. *Nubes* 37, or by other authorities mentioned in Müller's FHG), not one is to be found in the πολιτεία. Indeed, in the very first fragment of the work of Demetrius, the account of κυρία ἐκκλησία is described by Harpocration as less satisfactory than that of 'Aristotle' which is found in c. 43 § 4. Similarly Harpocration, s.v. παράστασις, prefixes to a quotation from Demetrius περὶ νομοθεσίας, a quotation from 'Aristotle' ἐν τῇ Ἀθηναίων πολιτεία which is found in c. 59 § 3; and the Scholiast on Arist. *Nubes* 37 quotes from both

<sup>1</sup> *Ar. und die Ἀθ. πολ.*, pp. c, d.



treatises, his quotation from 'Aristotle' being found in c. 21 § 5. (From the other work, *περὶ τῶν Ἀθήνησι πολιτειῶν* or *πολιτῶν*, named in Diog. Laert. v 80, not a single fragment has survived.) To meet these difficulties Schvarcz suggests that, at the time of writing the *περὶ τῶν Ἀθήνησι πολιτειῶν*, which he practically identifies with the *Ἀθηναίων πολιτεία*, Demetrius was unacquainted with the facts which he afterwards ascertained by further study in the archives of Athens and embodied in his later work *περὶ τῆς Ἀθήνησι νομοθεσίας*. And yet, strange to say, the account of *κυρία ἐκκλησία* in this 'later work' is in the judgment of Harpocration inferior to that in the treatise which Schvarcz identifies with the 'earlier work' of Demetrius.

It is equally impossible to assign it to Aristotle's pupil, Dicaearchus, for not a single fragment attributed to him by ancient authorities is to be found in the *Ἀθηναίων πολιτεία*. Nothing is quoted from his *πολιτεῖαι* of Pellene and Corinth, or Sparta and Athens; and the few remains of his antiquarian works *περὶ μουσικῶν ἀγῶνων*, *περὶ Διονυσιακῶν ἀγῶνων* and *Παναθηναϊκός*, have nothing in common with the treatment of those topics in the treatise ascribed to Aristotle.

While in the *Politics* there is no allusion to the *Πολιτεῖαι*, there are many passages in the *Ἀθ. πολ.* which, either in thought or expression, are so closely parallel to the *Politics*, as to suggest a common authorship. Such coincidences might of course be due to the retentive memory of a pupil attending the master's lectures on his unfinished and unpublished work; but it seems more natural to ascribe them to a common author. Let us first consider the more general coincidences of thought.

(1) The *Ἀθηναίων πολιτεία* is the work of one who displays a certain predilection for an aristocratic form of government.

In the *Politics* there is no question as to the author's general sympathies being on the side of an aristocratic government. *Aristocracy* is to Aristotle an *ἀρίστη πολιτεία*. It is marked by election for merit; it is distinguished from the perfect state (which alone really deserves the name of aristocracy<sup>1</sup>) by being a government of men who are only good relatively to the constitution; it is so called because the best rule, or because the best interests of the state are consulted; it is analogous to royalty as a government of the best: it is even preferable to royalty, because under it the good are more than one. *Oligarchy*, the perverted form of Aristocracy, is inferior to constitutional government (*πολιτεία*), and to its perverted form, Democracy.

*Democracy* is described in the *Politics* as the government of the

<sup>1</sup> *Pol.* 1293 b 1 f.

many in their own interests; it is the perversion of constitutional government; it is akin to tyranny; in its extreme form it is peculiarly apt to pass into tyranny; it is, however, the only possible form of government in large states; and it is more stable than oligarchy. 'Liberty and equality', as well as the 'use of the lot', are dispassionately described as characteristic of democracy; and suggestions are propounded for the improvement of this form of government<sup>1</sup>.

The author of the *Ἀθηναίων πολιτεία* dwells on the importance of the services rendered by the Areopagus in the times of Dracon (c. 4) and Solon (c. 9), and in the sixteen years immediately succeeding the formation of the confederacy of Delos (c. 23). Cleon is regarded as a demagogue who corrupted the people (c. 28). Nicias, Thucydides (son of Melesias), and Theramenes, are counted among the best statesmen of Athens (c. 28). The writer shows the greatest interest in the constitutional measures proposed by the Four Hundred (c. 29—32); at the same time he does not disguise the atrocities committed by the Thirty (c. 35 end). The restoration of the democracy is described in dispassionate and unenthusiastic terms (c. 38). The defeat of a proposal to reward all who had aided in its restoration is mentioned in language implying that the author did not disapprove of the result.

On the other hand, the transfer of judicial functions from the *βουλή* to the *ἐκκλησία* is commended on the ground that 'small bodies are more open to corruption than large ones' (c. 41, l. 28); but this approval is expressed in the mildest terms and does not imply sympathy with democracy as such. It has been quoted<sup>2</sup> as inconsistent with the *Politics*; but the reason given for the writer's approval of the transfer is in perfect accord with a passage in the *Politics* (1286 a 30, quoted in note on c. 41 l. 28). There are two periods in which Athens enjoyed a good government:—(1) the 16 years during which the Areopagus was supreme; and (2) the time immediately after the Four Hundred. The only phrase that does not remind one of the writer of the *Politics* is the reference to the 'forgiving spirit' of democracy in c. 22 § 4:—*χρῶμενοι τῇ εἰωθίᾳ τοῦ δήμου πραότητι*. I am not aware of anything like it in the *Politics*, but I may observe that it recalls a notable passage in the *Republic*, and may possibly be a reminiscence of it<sup>3</sup>.

<sup>1</sup> For the ref. as to all these points, see Index to Jowett's *Politics* s. v. Aristocracy and Democracy.

<sup>2</sup> Cauer, *Hat Ar. die Schrift vom Staate der Athener geschrieben?* p. 49.

<sup>3</sup> p. 558 B (of the 'forgiving spirit' of democracy), *ἢ συγγνώμη καὶ οὐδ' ὅπως*

*τιῶν συμκρολογία αὐτῆς*. The term *πραότης* happens to be used just before, but it is there applied to the 'calmness' with which condemned criminals go about the world like heroes under a democratical government:—*ἡ πραότης ἐνίων τῶν δικασθέντων οὐ κομψή*;

The attitude of the author of the *πολιτεία* towards Peisistratus and Theramenes is in harmony with what we should expect from the author of the *Politics*. Both agree that Peisistratus rose to power by attacking the men of the Plain<sup>1</sup>; unless a certain passage in the *Politics* is interpolated, both observe that he was summoned before the Areopagus, and that he was twice exiled from Athens<sup>2</sup>. When recommending 'the constitution that gives predominance to the moderately wealthy class' (1296 a 38), Aristotle adds that 'only one of those who had played a leading part in the affairs of Greece had encouraged the introduction of this form'. As to the person meant there is much diversity of opinion; but whether (with Mr Newman) we identify him with Theramenes, or (as Dr Jowett prefers) with Solon, we have in either case a complete agreement with the 'Αθηναίων πολιτεία, though this does not exhaust the question. Again, the description of Ostracism and its object is 'to a considerable extent in harmony with that given in the *Politics*'<sup>3</sup>. The account of the policy of Aristides is less favourable than we should expect (see c. 24), 'inasmuch as he is said to have converted a citizen-body largely consisting of peasants into an urban citizen-body subsisting on pay and exercising a despotic authority over the subject states, and thus to have contributed to the establishment of an extreme democracy'. We are taught, however, in the *Politics* (1292 b 41—1293 a 6) to 'connect the establishment of a τελευταία δημοκρατία with a great increase in the size of the city and with the provision of pay'; and we also know that the opinion of Aristotle's pupil, Theophrastus, on the policy of Aristides, 'was not an altogether favourable one' (Plut. *Aristid.* c. 25)<sup>4</sup>.

While the two works are in general agreement on the points above mentioned, there are certain apparent discrepancies that must now be noticed. (1) The 'Dracontic Constitution' of the *πολιτεία* (c. 4) is in conflict with the passage in the *Politics* (1274 b 15) which states that Dracon 'adapted his laws to a constitution that already existed'; but the 'Dracontic Constitution' has been vigorously attacked on its own merits, while the passage in the *Politics* is of doubtful genuineness. Again, the *πολιτεία* (c. 17 § 1) states that Peisistratus reigned for 19 years; the *Politics* (1315 b 31) makes his reign last for 17, but the whole of the context of the latter passage is bracketed by Susemihl in his 2nd and 3rd editions. In a disputed passage of the *πολιτεία*, Themistocles co-operates with Ephialtes for the curtailment of the power of the Areopagus: in a possibly interpolated chapter of the *Politics* (ii 12), the place of Themistocles is taken by Pericles, but not without protest on the part of critics, even before the discovery of the *πολιτεία*. In the

<sup>1</sup> *Pol.* 1305 a 23.

<sup>2</sup> *Pol.* 1315 b 21, 31.

<sup>3</sup> Mr Newman in *Class. Rev.* v 162 b.

<sup>4</sup> *Ibid.*



πολιτεία (c. 21 § 6) we are told that Cleisthenes 'allowed every one to retain his γένος and φρατρία and his (hereditary) priesthood according to his ancestral rights'; in a perfectly genuine passage of the *Politics* (1319 b 23) it is implied that Cleisthenes 'increased the number of the phratries' and 'converted a number of private worships into a few public ones'. But these passages may be readily reconciled with one another if we consider that the passage in the πολιτεία refers to those who were already citizens; that in the *Politics* to the νεοπολίται.

It has been pointed out by Mr Macan that 'the ideas underlying the second part of the work are conspicuously Aristotelian. The distinction between ἄρχειν and ἄρχεσθαι and its relation to the franchise; the definition and essence of citizenship (1275 a 22, and b 22)...; the theory of citizenship in the *Politics*, especially in Bk III *ad init.*, might seem to be presupposed in the treatment of the ἀρχαὶ in the work under consideration'<sup>1</sup>.

The comparison we have endeavoured to draw between the Ἀθηναίων πολιτεία and the *Politics* cannot perhaps be better concluded than by a striking example of identity of thought and language in the two works. In Ἀθ. πολ. c. 16 we read of Peisistratus: τοῖς ἀπόροις προεδάνειζε χρήματα πρὸς τὰς ἐργασίας, ὥστε διατρέφεσθαι γεωργοῦντας. τοῦτο δ' ἐποίει δυοῖν χάριν, ἵνα μήτε ἐν τῷ ἄστει διατρίβωσιν ἀλλὰ διεσπαρμένοι κατὰ τὴν χώραν, καὶ ὅπως εὐποροῦντες τῶν μετρίων καὶ πρὸς τοῖς ἰδίοις ὄντες μήτ' ἐπιθυμῶσι μήτε σχολάζωσιν ἐπιμελεῖσθαι τῶν κοινῶν. In the *Politics* we are told that (even under a democracy) it is advisable to provide the poor (τοὺς ἀπόρους) with capital, and encourage them to work (τρέπειν ἐπ' ἐργασίας 1320 b 8); and that it is characteristic of an oligarchy and a tyranny to drive the people out of the city and disperse them (1311 a 14). We learn elsewhere that the best material for a democracy is an agricultural population; for being poor they have no leisure (ἄσχυλος), and therefore seldom attend the assembly; and, not having the necessaries of life, they are always at their work (πρὸς τοῖς ἔργοις διατρίβουσι καὶ τῶν ἀλλοτρίων οὐκ ἐπιθυμοῦσι, 1318 b 14); lastly, that while mechanics or traders or labourers are apt to frequent the city and find it easy to attend the assembly, the agricultural class (οἱ γεωργοῦντες) do not attend meetings, or equally feel the need of assembling together, because they are scattered over the country (διὰ τὸ διεσπάρθαι κατὰ τὴν χώραν, 1319 a 30). It would be difficult to imagine a more complete series of parallelisms in expression as well as thought. Again, in c. 41, 25 f, we find the final form of the democratic constitution of Athens described in the terms:—ἀπάντων αὐτὸς αὐτὸν

<sup>1</sup> *J. H. S.* 1891, p. 21.

πεποίηκεν ὁ δῆμος κύριον, καὶ πάντα διοικεῖται ψηφίσμασιν κτλ. In the *Politics*, 1292 a 26, we find the phrases—διὰ τὸ τὸν δῆμον πάντων εἶναι κύριον, and *ib.* 35, ἣ τοιαύτη κατάστασις, ἐν ἣ ψηφίσμασι πάντα διοικεῖται.

Apart from these undoubted resemblances, which are more striking than the apparent discrepancies, the general spirit of both works is the same<sup>1</sup>.

Next, as to the *language and style* of the treatise. The vocabulary includes nine words that are not found elsewhere: these fall into two groups, (1) technical expressions, viz. ἐπιζημίωσις (45, 9, quoted from a law), ἐπτετηρίς (54, 29), ἐπτάχους (67, 8), προδρομεύω (49, 6), and προεδρικός (59, 6); (2) words compounded with two prepositions, viz. ἐπεισκαλῶ and ἐπέισκλητος (30, 22—23); προσαναζητῶ (29, 16); προδιασπείρω (14, 23). The technical terms need no defence; ἐπτετηρίς is exactly analogous to τριετηρίς and πεντετηρίς, and ἐπτάχους to δίχους and ἑξάχους which occur elsewhere. Of the compound words the first three occur in quotations from public documents, and the last is supported by the analogy of προδιαβάλλειν, προδιασύρειν and προδιαχωρεῖν in the undisputed works. Double compounds are in fact characteristic of Aristotle; in the *Index Aristotelicus*, out of nine words compounded with ἐπεισ- one is found in Aristotle alone, and two others are first found in his pages; while, among the compounds with προσανα- and προσαπο-, two are found in Aristotle alone, and five are used by no earlier writer<sup>2</sup>.

Among words that are not found in the *Index Aristotelicus* may be mentioned: κναμεύειν, ἀνακράζειν, βῆμα, ἀντιστασιώτης, ὁμοφρονήσαντες (14, 8), ἀγηλατεῖν (20, 8). Of these ἀγηλατεῖν is obviously quoted from Herodotus; and ὁμοφρονήσαντες, which occurs four times in Herodotus (though not in the same historical connexion), comes immediately after a word borrowed from that historian. The rest are part of the necessary vocabulary of the subject, and their non-appearance in the undisputed works is merely accidental. Exception has been taken to συμβουλευεῖν (c. 30, 14) as non-Aristotelian, and τούτων χάριν (29, 25) and ἐντὸς τριῶν μῶν (49, 26) have been described as apparently un-Aristotelian<sup>3</sup>; but the last of these is cited from a law, and the other two are also in quotations; so that here at any rate we have no right to demand adherence to Aristotelian usage.

Among the compound verbs that are not found in any contemporary writer are ἀντιδημαγωγεῖν, ἐπιδιανέμειν, ἑξαπορεῖν, προδιασπείρειν, προσκοσμῆν, καταφατίζειν, συναρέσκεσθαι and παραστρατηγηθῆναι; and, among technical terms, ζευγίσιον, ὄστρακοφορία, ἀφέσιμος (ἡμέρα), εὐσημία,

<sup>1</sup> Wilamowitz, i 372.

<sup>3</sup> *Class. Rev.* v 273.

<sup>2</sup> Gomperz, *Anzeiger der phil.-hist. Classe*, Wien, 1891, no. xi.



βάλανος, ἐμπήκτης, ἐπιστόλιον, ἐκθύματα (?), and ἐναγίσματα<sup>1</sup>. The word προδανείζειν, which has been quoted as only used by later writers, is actually found in contemporary decrees<sup>2</sup>; and τριακοντόριον, which has been described as an 'entirely new word', is to be seen in contemporary inscriptions<sup>3</sup>. μεμψιμοιρία is not found in Aristotle, but he uses μεμψίμοιρος.

Lists of 'un-Aristotelian words and phrases' have been collected by various scholars in the *Classical Review*<sup>4</sup>; and many of the items in such a list will call for notice in the course of the commentary. Attention has also been drawn to the absence of certain turns of expression characteristic of the undisputed writings of Aristotle: thus in the πολιτεία 'there is a good deal about democracy, but we miss the technical terms ἐσχάτη, ὑστάτη, τελευταία, ἄκρατος δημοκρατία. Nothing is ἄτοπον, and no person or thing is either σπονδαῖος or φαῦλος'<sup>5</sup>. But, however acute such criticism may be, and undoubtedly is, much of its point is removed, and its edge appreciably blunted, by a frank recognition of the necessary distinction that separates the style of a popular manual like the πολιτεία from that of a philosophical investigation like the *Politics*.

To a similar cause we may ascribe the differences which may be noticed in the degree to which certain particles and conjunctions are used in the πολιτεία as compared with the undisputed works already known to us. Of the *particles*, γε is not used at all, and consequently γοῦν does not occur, τοι occurs only once in μέντοι (28, 35) where its existence is solely due to a probable, but not perfectly certain, emendation. περ is found only in καθάπερ, καίπερ, ὅσπερ, ὅσοσπερ and ὅσπερ. μὴν is only used in οὐ μὴν followed by ἀλλά. δὴ is rather rare, but is sometimes found after a demonstrative pronoun, once after a superlative (κάλλιστα δὴ 40, 17); and in several instances where τε is followed by καὶ δὴ καί; ἐπειδὴ is rare, while ἐπεὶ and ἐπειδὴν are common. Of the *conjunctions*, οὖν is only used by itself twice (19, 19 and 60, 15), but μὲν οὖν is frequent. ἄρα, τοίνυν, τοίγαρ, and τε γάρ, are not found. ἀλλὰ occurs some thirty-seven times, but (except in 40, 16) always after a negative. καὶ always follows διό, and nearly always follows ὅθεν, when used in the sense of διό; ἵνα is found about nineteen times; ὅπως twenty-two times; and ὅπως ἂν twice<sup>6</sup>.

<sup>1</sup> See also Kaibel's *Stil und Text*, p. 38 f.

<sup>2</sup> The decree of Stratocles preserved in [Plut.] 852 B; and another inscr. relating to Lycurgus in CIA ii 162 c 7 and 9 (cf. *Class. Rev.* vi 255 a).

<sup>3</sup> Besides the inscr. of B.C. 325/4 quoted on 56, 20, we have one of 330/29 in which the word occurs twice:—cf. Boeckh's *See-*

*urkunden*, p. 393.

<sup>4</sup> v 123 (J. B. Mayor), 184 and 272 (H. Richards); 'rare words', *ib.*, 229 (E. J. Chinnock). See also *Greek Index*.

<sup>5</sup> *Class. Rev.* v 273 b (H. Richards).

<sup>6</sup> Cf. van Herwerden's *Index Dictionis*, s.v. 'Particulae'; also Kaibel's *Stil und Text*, 73—80.



In the undisputed works, γε and οὖν and τε γάρ are common; ἄρα is rare in the *Politics*; τοίνυν, μέντοι and καίτοι frequent in the *Metaphysics*, *Physics* and *Politics*; yet, in the *Rhetoric*, μέντοι is found only four times; καίτοι only five. μὴν is used not only after οὐ (as in the *πολιτεία*), but also after ἀλλά; οὐ μὴν ἀλλά, though only found once (except in quotations) in the *Rhetoric* (1361 a 29), is not infrequent in the *Politics* (e.g. 1284 b 4, 1262 a, 1264 a, 1290 b) as in the *πολιτεία*. The argumentative sense of δὴ is common, but δὴ is never found after a superlative (as once in the *πολιτεία*); as a variation on καὶ δὴ καὶ (which also occurs in the *πολιτεία*) we have καὶ followed (but never immediately followed) by δὴ; ὅθεν is followed by καὶ in *Pol.* 1384 a 11, ὅθεν δὴλον ὅτι καὶ; and διὸ by καὶ in 1301 b 39. After final conjunctions, such as ἵνα and ὅπως, whether the tense of the principal verb be present or not, the optative is hardly ever used, but almost invariably the subjunctive<sup>1</sup>. The only exception to this rule in the *πολιτεία* is in c. 18, 30, ἵνα ἀσεβήσαιεν ἅμα καὶ γένοιτο ἀσθενεῖς, which may possibly be a quotation, as suggested by the introductory phrase, ὡς οἱ δημοσικαὶ φασι. In the undisputed works ὅπως ἂν generally has a relative sense, which it does not entirely lose even when the sense appears to be final<sup>2</sup>; in the *πολιτεία*, the only instances of ὅπως ἂν are in quotations from decrees of the fifth century, in which ὅπως with the subjunctive is never found without ἂν<sup>3</sup>; all the other instances of ὅπως in the *πολιτεία* are in strict accordance with Aristotle's usage.

In the above statement such divergences as have been noticed may be fairly attributed to the different character of the works compared. There is clearly less scope for a multiplicity of particles, or of conjunctions (such as καὶ εἰ and τοίνυν and ἄρα), in a consecutive exposition of constitutional history and antiquities, than in the course of a philosophical discussion<sup>4</sup>.

In a review of the *πολιτεία* it has been well observed by the latest editor of the *Politics*, that 'the style differs much from the style of the recognised works of Aristotle. It is a clear and precise, though a

<sup>1</sup> The exceptions are *Pol.* 1320 a 35, and *Eth.* 1117 b 9—12. See Eucken, *De Particularum usu*, p. 53. This work has also been used for other details in this paragraph.

<sup>2</sup> Eucken, p. 55.

<sup>3</sup> Meisterhans, *Gr. d. Att. Inschriften*, p. 212<sup>2</sup>.

<sup>4</sup> See also Hagfors, *De praepositionum in Ar. Pol. et in Ath. Politia usu*, 1892, p. 131, 'quantum ex praepositionum usu concludere licet, ille liber ab Aristotele potest esse conscriptus'; and F. Kaissling, *Ueber den Gebrauch der Tempora*

*und Modi in des Aristoteles Politica und in der Atheniensium Politia* (1893), p. 89 f, 'Die *Politica*, als eine theoretische Staatslehre mit nur leichtem historischen Hintergrund, vielfach ganz andere Wendungen etc erheischen als die *Ath. Politia*, die als historisch-antiquarische Schrift auf wirklichen Verhältnissen und Zuständen basiert. Auf der anderen Seite fanden sich so vielfache Ähnlichkeiten...dass die Annahme, Aristoteles sei der Verfasser der *A. P.*, soweit man nach dem Vergleich der Tempora und Modi urteilen kann, nicht unrechtfertigt erscheint'.

rather bald style, a style which has not the pregnancy which we associate with the style of Aristotle, and is also comparatively free from the ambiguities and irregularities which beset it'. But 'the work before us is a narrative and descriptive work addressed apparently...to the world at large, not to the pupils for whom the recognised works of Aristotle were probably designed, and it is not likely that it would be written in the same style'<sup>1</sup>. Simplicius draws attention to the lucidity of his style in the genuine Πολιτεῖαι, as well as in the *Topica* and the *Meteorologica*, as compared with his less popular works<sup>2</sup>. The treatise is in fact the sole representative of the more popular class of writings attributed to Aristotle, and it enables us for the first time to appreciate the justice of some of the ancient encomiums on Aristotle's style, which have hitherto been hard to reconcile with that of his abstruser works. Thus Cicero speaks of his *flumen orationis aureum*<sup>3</sup>, and his *dicendi incredibilis copia* and *suavitas*<sup>4</sup>; and similar phrases are found in Dionysius of Halicarnassus and Quintilian<sup>5</sup>. The encomium in Cicero's *Academica* in particular may indeed owe its exaggerated form to a desire to point the contrast between the style of Aristotle and the style of the Stoics; but the general purport of these eulogies is enough to prove that, at a time when the abstruser writings of Aristotle were imperfectly known, his style enjoyed the reputation of being marked by a singular charm and richness and variety. This language has been generally explained as applicable to the lost dialogues of Aristotle; but there seems no sufficient reason for refusing to recognise it as holding good in the case of other popular works, ascribed to the same author. Such a work was the 'Αθηναίων πολιτεία, and the style of that work may be fairly described as on the whole smooth and flowing, and severely graceful<sup>6</sup>.

It is perhaps even more than this. It is observed by Blass that its composition is marked by a high degree of attention to laws of rhythm similar to those adopted by Isocrates, and generally approved in the third book of the *Rhetoric*. Within the compass of a single sentence we repeatedly find a series of five to twelve or more syllables immediately followed by another of identical, or nearly identical, rhythm. Many examples of this have been noticed<sup>7</sup>, but a single instance of an exceptionally striking character may perhaps suffice for the present purpose (c. 55 § 4):—

<sup>1</sup> Mr Newman in *Class. Rev.* v 159.

<sup>2</sup> *In Cat.* f. 4, ἐν οἷς ἐβουλήθη σαφέστατα ἐδίδαξεν, ὡς ἐν τοῖς μετεώροις καὶ τοῖς τοπικοῖς καὶ ταῖς γνησίοις πολιτεῖαις, ἅπερ διὰ τὸ κοινότερον τῶν θεωρημάτων σαφέστερον ἀπαγγεῖλαι σύννοιδε.

<sup>3</sup> *Acad. Prior.* ii 119.

<sup>4</sup> *Topica* i 3.

<sup>5</sup> Grote's *Ar.* i 43—47, 58; the passages are quoted at length in my note on the *Orator* of Cic., § 62. See also Kaibel, 114 f.

<sup>6</sup> See also Kaibel, 8 f, 64 f, 102 f; Wilamowitz, i 309 f; and Diels in *SB. Berlin Akad.* 21 Dec. 1893.

<sup>7</sup> Blass, *Praef.* xvi—xxv.



(ἐπειδὴν) δὲ παράσχηται τοὺς μάρτυρας  
 ἐπ-ερωτᾷ, 'τούτου βούλεται τις κατηγορεῖν;<sup>1</sup>  
 κἂν μὲν ἢ τις κατήγορος κτλ.

Here the first word is followed by a double series of nine syllables, passing off into a double series of eight; and, within each pair of sequences, the quantities of all the syllables correspond.

The observations of Blass on the *rhythm* of the 'Αθηναίων πολιτεία are perhaps unduly fanciful. In the extreme case quoted in the text the metrical correspondence is possibly due to accident alone. The central clause of the sentence is a quotation, τούτου βούλεται τις κατηγορεῖν; and it is difficult to believe that, in the language used immediately before and after this clause, the writer was consciously guided by the metrical value of the successive syllables of the quotation itself. One may also fairly mistrust a theory which leads its exponent to print the trisyllabic Πειραιῶς in c. 35 § 1, while everywhere else he prefers the quadrisyllabic Πειραιέως. A more cautious and sober view is that of Bruno Keil, *l.c.*, p. 36, who observes:—'die Unfertigkeit des Aristotelischen Buches lässt eine Rhythmik in dem Umfange, wie Blass sie annimmt, m. E. überhaupt gar nicht suchen'. Elsewhere, p. 33, he makes the interesting remark: 'das *Tempo* der Sprache unseres Buches ist im ganzen ein schnelles'.

The general avoidance of *hiatus* in this treatise implies that it is a finished work prepared for popular perusal and not a mere series of memoranda (or ὑπομνήματα) for personal use. This point was observed by Blass even in the scanty remains preserved in the Berlin fragments, and also by Mr Newman in the case of the work as a whole. It has since been investigated more minutely by Mr J. W. Headlam in the *Classical Review*.

He shows (1) that a definite principle is observed throughout the greater part of the work. (a) as a general rule *hiatus* occurs only after the article, after numerals, after *καί*, *διά* and *περί*<sup>1</sup>, and after words in which the last vowel is readily elided *e.g.* *δέ*, *τε*, *τινα*, *ἐπειτα*, *εἶτα*, *ἀλλά*, *μηδέ*, *μήτε*, *πάντα*, *σφόδρα*, *μάλιστα*. *Hiatus* is avoided at a pause, as well as in the middle of a sentence. (β) In quoted documents the rule does not hold (contrast c. 28 with latter part of c. 29). Nor (γ) in certain technical expressions, such as indications of dates, *e.g.* *εὐθὺς δὲ τῷ ὑστέρῳ ἔτει ἐπὶ Τελσίνου ἄρχοντος* (22, 21); constitutional terms, *e.g.* *ἡ βουλή ἢ ἐξ Ἀρείου πάγου* (4, 20); and legal phrases, *e.g.* *περὶ τοῦ δοῦναι τὰ ἑαυτοῦ ᾧ ἂν ἐθέλῃ* (35, 14) and *μὴ εἶναι ἐλεύθερον* (42, 8). To these may be added ἦ (or ᾧ) ὄνομα (14, 27; 17, 13).

(2) The exceptions are very unevenly distributed. A list of all that occur in the first part (cc. 1—41) shows that, at the beginning, clear and undoubted exceptions are very rare: in cc. 1—14 § 3 (omitting c. 7, 21—30), there are only five. In the second part, the first few pages are as free as any in the first part; then cases become more frequent, and at the end the rule is almost completely neglected. The author had to insert so many technical expressions that he gave up troubling about the matter. In the first part the more striking exceptions often occur directly after a quotation (c. 32 § 1). In the first part at least, no conjectural emendation should be accepted which violates *hiatus*.

The rule is much laxer than that of the school of Isocrates. Hence the work was

<sup>1</sup> Also after *ἦ*, *εἰ* and *μή*.



not written by any member of that school. On the other hand there is considerable evidence that it is from the hand of Aristotle himself, for the usage in this matter is very nearly the same as that of some of his best authenticated works<sup>1</sup>.

While it cannot have been written by any of the Isocratean school it exhibits the same familiarity with the works of Isocrates as that displayed by Aristotle himself<sup>2</sup>. A passage that reminds us of the *Gorgias* is introduced by the characteristic *τῶς*, which is Aristotle's favourite way of referring to Plato in the *Politics*<sup>3</sup>.

Thus far I have endeavoured to state the internal evidence in favour of accepting the treatise as being substantially the work of Aristotle. It is impossible, however, to ignore the fact that not a few highly competent scholars at home and abroad hesitate to accept it as such<sup>4</sup>. Doubtless, in its manner of dealing with matters of history and particularly of chronology, side by side with much minuteness of detail on the subject of dates, there is evidence of occasional carelessness. There is sometimes a certain lack of intellectual force and vigour. And, further, there is an absence of those long and tangled sentences in which Aristotle, as we have hitherto known him, reviews and discusses a rapid succession of difficulties, doubts, and contradictions amid frequent irregularities of construction and amid repeated violations of his own rule against the use of parenthesis (*Rhet.* iii 5 § 7).

Much, perhaps too much, has been made of such points, and in consequence some have been disposed to regard the treatise as simply a product of the Peripatetic School, the work of some pupil writing with or without the general guidance and direction of Aristotle<sup>5</sup>. It must, however, be remembered that, even in the case of works which are without question accepted as Aristotle's, it is extremely difficult to determine how far they were actually composed by him in the form in which they have reached us; how far they are merely notes of his oral teaching, not given to the world in his lifetime, but revised and edited after his death by the industry and devotion of his pupils and successors. Of the usually accepted works of Aristotle it is doubtful whether any one, as a whole, passed beyond the limits of the lecture-room during the life of its author. 'Portions of the *Metaphysics* and *de Caelo*, some

<sup>1</sup> *Classical Rev.* v 270-2. See also Kaibel, 9-16.

<sup>2</sup> See notes on 26 § 2 ult., and 35 § 4 ult., and Newman in *Class. Rev.* v 160-1.

<sup>3</sup> See note on 26, 23 *χέλπος γενέσθαι*.

<sup>4</sup> *e. g.* the Dutch editors; also F. Cauer and F. Rühl; and in England Mr H. Richards and several other contributors to the *Classical Review*.

<sup>5</sup> Even Wilamowitz, who accepts the work as genuine, admits that the author may have entrusted to a pupil the preparation of the concluding account of the law-courts, i 205:—'es ganz gleichgiltig ist, ob er irgend einen Studenten des Peripatos auf dem Markt und in die Heliaia geschickt hat, um diese Beschreibung für ihn anfertigen'.

at least of the *Parva Naturalis*, the two books *περὶ φιλίας*, now included in the Nicomachean *Ethics*, and the two books on the ideal state, *Politics* vii (iv) and viii (v), may have first seen the light in some other form during the lifetime of Aristotle.<sup>1</sup> On the other hand, the *Πολιτεῖαι* (like the *Dialogues*) 'would have been very likely to see the light early, for they were on a subject of far greater general interest than most of Aristotle's works...It could only be through his *Dialogues* and *Πολιτεῖαι* that he could hope to be immediately known to a wide circle of non-philosophic readers<sup>2</sup>. If he were during his lifetime something more than the revered teacher of a limited circle of pupils, we may safely assume that the publication took place.'<sup>3</sup>

The above remarks are quoted from the work of an Aristotelian scholar of the highest promise, whose *History of the Aristotelian Writings* was published in 1888, after his own death, and several years before the discovery of the *Ἀθηναίων πολιτεία*. The inference there drawn on grounds of *a priori* probability, as regards the *Πολιτεῖαι* in general, is conclusively confirmed by the internal evidence of the date of the *Ἀθηναίων πολιτεία* in particular. It was certainly written, and probably published, before the death of Aristotle<sup>4</sup>.

I may also appeal to the same unimpeachable testimony as to the exact degree of value to be attached to the evidence afforded by the avoidance of *hiatus*:—

'Wherever it occurs, we have a work, or a portion of a work, in exactly the state which was given to it by the author who threw it into its present form. As to whether this author was or was not Aristotle himself, a good deal may be said on either side.'

On the one hand, 'the Aristotle whom we know shows the most absolute contempt for all matters of style', and seems little likely to have adopted the Isocratean rule of avoiding *hiatus*. On the other, there is 'nothing wonderful or difficult in keeping one style for oral lectures and another for published books. Still less wonderful would it be if there was a wide difference to be found between mere notes for such lectures and deliberately finished publications'.<sup>5</sup>

Assuming, as we fairly may, that the *Ἀθηναίων πολιτεία* was a work of Aristotelian origin, it may still remain uncertain whether it was prepared for publication by the great teacher himself, or by some unknown and unnamed pupil who was skilled in certain graces of style that were apt to win the popular ear<sup>6</sup>. The latter hypothesis might help to account

<sup>1</sup> Shute, *History of the Aristotelian Writings*, p. 23.

<sup>2</sup> Kaibel, p. 2, describes the treatise as 'Eine für das Publikum berechnete litterarische Leistung, das heisst ein Kunstwerk'; *ib.* p. 6, 'Sie ist nicht für den Hörsaal bestimmt, sondern für die gebildete Gesellschaft'.

<sup>3</sup> Shute, p. 23.

<sup>4</sup> Some indications of its unfinished character have, however, been noticed by Kaibel, 21 f, 27, 229, 247 f.

<sup>5</sup> Shute, p. 165 f.

<sup>6</sup> Cf. Beloch, *Gr. Gesch.* i 26, 'mag sie nun von Aristoteles herrühren, oder auf seine Anregung hin und hinter seiner Leitung von einem seiner Schüler gearbeitet sein'.



for certain divergences from the diction of the generally accepted works of Aristotle. To the interposition of such an editor we might perhaps attribute the general smoothness of style that marks its composition. To the same source we might possibly trace certain inaccuracies of historical statement that tend to impair the authority of the work. But even Aristotle himself may have been quite capable of making a mistake in matters of history. The 'master of those who know' was not necessarily omniscient<sup>1</sup>.

It must also be admitted that works like the *Πολιτεῖαι*, owing to the miscellaneous character of their contents, were, in their transmission from age to age, peculiarly liable to interpolation. It has even been suggested that, like the *History of Animals* and the *ιστορίαι* generally, 'they represent not any fixed work of Aristotle or of anyone else, but merely a continuously open note-book'<sup>2</sup>. The 'Αθηναίων πολιτεία may have suffered to some extent from this cause of corruption.

The difficulties as to the authorship of the treatise appear to be fairly met by an eminent Transatlantic scholar who expresses his opinion as follows:

'We are compelled to believe, from many indications, that it was written mainly by Aristotle, with perhaps the help of a pupil who prepared certain of the less important passages, the padding as it were; the work was then revised, but not rewritten, by him. If we are ready to maintain—a proposition by no means self-evident—that the main body of the writings current as Aristotle's are the genuine works of the master in their original form, and that, accordingly, they are the only norm by which everything else is to be tested, we may still account for the "non-Aristotelian" peculiarities of the language of the 'Αθηναίων πολιτεία as due, in part, to the fact that the historical sources (epigraphic and literary) are often given in verbal quotations, or at least in paraphrases that retain original forms of expression; due in part, perhaps, to the stylistic idiosyncrasies of an assistant whose work was incorporated with the master's, and finally to the most significant fact that the work was intended not for the scientific inner circle, but for the general reader'...

'The evidence, internal and external, of essentially Aristotelian authorship, as well as authority, seems so overwhelming, that, as between the two alternatives, one should prefer to modify his conceptions of Aristotle than reject this treatise. As Diels<sup>3</sup> has pointedly phrased it:—*Diese 'Αθηναίων πολιτεία [ist] nicht nur echt aristotelisch sondern aristotelischer als die meisten der uns erhaltenen Lehrbücher an welche sich jene Skeptiker halten.*'<sup>4</sup>

If we now revert to the evidence of ancient writers who, either directly or indirectly, quote the 'Αθηναίων πολιτεία as the work of Aristotle, we find that, out of 56 fragments in which the 'Αθηναίων πολιτεία is expressly mentioned, 53 are found in our MS; of the remaining

<sup>1</sup> See also Wilamowitz, i 366, 373. 'Er kein Historiker war'; 'er fortan nicht mehr als Historiker gelten darf'.

<sup>2</sup> Shute, p. 72.

<sup>3</sup> *Archiv f. Gesch. d. Philos.*, iv (1891), p. 479-86.

<sup>4</sup> Prof. J. H. Wright, *The Date of Cylon*, p. 22 f.



three, one (*Frag.*<sup>3</sup> 385) belongs to the lost beginning, one (463) to the mutilated end; the third (447) is an inaccurate transcript of c. 54 § 2. Of the 35 fragments in which Aristotle is named without any express mention of the work, 25 are found in the MS; of the remainder, three belong to the lost beginning (381, 384, and the new fragment on p. 268, l. 57); seven probably do not come from this work at all (382, 386, 392, 399, 401, 415, and part of 394); one (456) may possibly have come from the mutilated end of the work; and one (396) is a misquotation of the text, which can readily be brought into harmony with it. Thus, of the total number of 93 fragments (of which 86 are probably genuine references to this work), 78 are found in the MS, and all the rest are satisfactorily accounted for<sup>1</sup>. More than 50 of the fragments of the *πολιτεία* are preserved by Harpocration alone, and all of these are found in the MS.

Lastly, the Berlin fragments are all here. These fragments correspond to the following passages in the text:

I *a* begins before *δουλευόντων* and ends with *ἀνδρῶν*, c. 12, 26—52.

I *b* begins before *ἄρχοντα* and ends with *χρέα*, c. 13, 4—22.

II *a* begins before *Ἀθηναῖοι* and ends after *φυλῆς ἐκάστης*, c. 21, 18—c. 22, 10.

II *b* begins before *Ἰππαρχος* and ends after *τριήρεις*, c. 22, 19—37.

In I *a* the long Iambic passage is written as consecutive prose, and I *b* is less complete than II *a* and *b*. Hence it is difficult to found any calculation on leaf I. But the contents of leaf II are equivalent to 44 lines of print in the present edition. Hence one page is equivalent to about 22 (say 24) lines of print. The number of lines of print now lost between the bottom of leaf I and the top of leaf II is 240 (4 + 30 + 26 + 44 + 18 + 38 + 39 + 23 + 18). Thus it is not improbable that the lost portion is equivalent to 10 pages. The number of lines in our printed text preceding I *a* is 245, which would take up only 10 pages. If the two connected leaves, which contain the Berlin fragments, were the first and last leaves of one gathering, then, as the intermediate portion is equivalent to five leaves, the whole gathering must have consisted of seven leaves, or fourteen pages. The preceding gathering of fourteen pages would have been the first; the equivalent of ten of these pages is extant in the London MS; therefore the lost portion at the beginning of that MS must have been equivalent to four pages or two leaves of the Berlin MS. A simpler result might have been obtained, if the gap between the two leaves of the Berlin MS had been equivalent to six leaves, or twelve pages, in which case the gathering would have consisted of sixteen pages, and the lost beginning would have been equivalent to six pages.

§ 8. *Authorities followed in the Ἀθηναίων πολιτεία*<sup>2</sup>.

The only authors actually named by the writer are Solon and Herodotus. From SOLON he quotes a large number of verses, most

<sup>1</sup> The same facts have been duly stated by Mr Kenyon in his *Introduction*, p. xv; revised in ed. 3, p. xvi.

<sup>2</sup> Cf. V. von Schoeffer in Bursian's *Jahresh.*, 83, 213-7.

of them already familiar to us through Aristides, who shews no proof of any acquaintance with the poems of Solon, beyond that which he derived from the present work<sup>1</sup>. The writer's debt to HERODOTUS is far larger than appears at first sight. He only mentions the historian once (c. 14 § 4), but he closely follows him in the account of Peisistratus and Cleisthenes (cc. 14, 15, 20), though not without interesting variations<sup>2</sup>. He also borrows from THUCYDIDES, while deliberately differing from him on several important points in the story of Harmodius and Aristogeiton (c. 18). He coincides with the historian in many parts of his narrative of the revolution of the Four Hundred (cc. 29, 33); but the coincidence is not complete, and the writer quotes original documents which are not quoted by the historian<sup>3</sup>. These documents are inconsistent with the historian's narrative, but the eighth book of Thucydides was apparently left incomplete. It must have been written soon after the revolution of 411, for it mentions no event later than 410<sup>4</sup>. Had the historian lived long enough to examine the documents, he would have revised and corrected his account<sup>5</sup>. As regards XENOPHON, we find a close resemblance in the account of the speech of Theramenes (c. 36)<sup>6</sup> and elsewhere; at the same time, the divergences are sufficiently numerous to suggest that the authority followed here was the same as that followed at a later date by Diodorus Siculus. This authority has sometimes been supposed to have been the *Hellenica* of Theopompus<sup>7</sup>; it has also been suggested that the writer owes to another work of Theopompus, the tenth book of his *Philippica*, his list of the Athenian demagogues, and his portrait of Cleon. It is just possible that the exaggerated account of the generosity of Cimon, which appeared in that work, is tacitly corrected in c. 27 § 3. But there is reason to believe that Theopompus did not publish his work until 324, after Alexander's departure from India; if so, it was later than the *πολιτεία*. The common source, followed by Diodorus as well as the writer, was more probably EPHORUS, who is expressly mentioned by Diodorus<sup>8</sup>. Busolt holds that the agreement between Aristotle and

<sup>1</sup> Cf. Wilamowitz, i 39—75.

<sup>2</sup> Cf. Wilamowitz, i 29—38; M. Heller, *Quibus auctoribus Ar...usus sit* (1893), 1—10.

<sup>3</sup> Cf. Wilamowitz, i 99—120; Heller, 42—44.

<sup>4</sup> Wilamowitz, *Hermes*, 1908, 596 f.

<sup>5</sup> Lehmann-Haupt, in Gercke and Norden's *Einleitung in die Altertumswissenschaft*, iii (1912) 88, who dissents from Ed. Meyer's opinion (*Forschungen*, ii 406 f) that the narrative in Book viii is complete and is essentially truer than

the documentary account in the 'Αθ. πολ.

<sup>6</sup> Heller, 44 f. Wilamowitz (i 166) explains this resemblance by suggesting that Xenophon and Aristotle alike were copying from a lost work of Theramenes.

<sup>7</sup> Th. Reinach's *Transl.* of 'Αθ. πολ. p. xxiv.

<sup>8</sup> xiv 11 and 22; Bauer, *Forschungen*, p. 155. Theopompus, in Pollux, v 43. Wilamowitz, however (i 305), denies that, in the present work, Aristotle made any use of Ephorus (cf. i 266 n. 13).

Diodorus (Ephorus) is due to the fact that both Aristotle and Ephorus borrowed from the 'Αρθίς of Androtion<sup>1</sup>.

There are important traces of references to oligarchical authorities. The writings of two of the 'thirty tyrants' have been suggested. Thus CRITIAS, who was the writer of certain πολιτεΐαι, has been regarded as the authority for the attacks made on Solon for his motives in respect to the σεισάχθεια (c. 6 § 2) and to his increasing the power of the law-courts by the obscurity of his laws (9 § 2)<sup>2</sup>. Indebtedness to Critias has, however, been denied by others, and THERAMENES has been suggested instead. An opinion of Theramenes is expressly quoted in c. 36 § 2. Theramenes has been supposed to be the author of an oligarchical pamphlet attacking the Athenian demagogues of the 5th century<sup>3</sup>. It has even been suggested that the main authority followed by Aristotle was an oligarchical work on the Athenian constitution composed shortly after 390 B.C. by an adherent of Theramenes, and that this authority was to a large extent simply transcribed by Aristotle<sup>4</sup>.

As regards the writer's relation to the various writers of 'Αθηίδες, there is no trace of any indebtedness to Hellanicus, whose carelessness on points of chronology<sup>5</sup> would have been enough to prevent his being trusted by a writer who usually aims at being precise in matters of chronological detail. To CLEIDEMUS, the next in order of time, and the first writer of a true 'Αρθίς, we may probably attribute the Ionism in c. 14 § 4, where the form παραβατούσης appears to be an echo of παραβατήσασαν in Cleidemus' description of the stately woman who assumed the garb of Athene and rode in the chariot of Peisistratus on the occasion of his first restoration to Athens<sup>6</sup>. The account of the disciplinary powers entrusted to the Areopagus (c. 3 § 6) bears some resemblance to a passage attributed to PHANODEMUS; but a statement to the same effect is attributed to a writer of the next generation to that of Aristotle, namely Philochorus, who may, however, have borrowed his phraseology from Phanodemus. In any case, the resemblance between the passage in the πολιτεΐα and that attributed to 'Phanodemus and Philochorus' is not sufficiently close to make it quite certain that the writer was following Phanodemus<sup>7</sup>.

<sup>1</sup> Busolt, *Aristoteles oder Xenophon?* *Hermes*, 1898, 71—86, esp. 76.

<sup>2</sup> Dümmler, in *Hermes*, xxvii 260—286, who, however, denies that Critias is the authority for the Draconic Constitution, or for the part played by Themistocles in the attack on the Areopagus.

<sup>3</sup> Wilamowitz, i 165—178; cf. V. von Schoeffer in Bursian's *Jahresb.* lxiii 197 f.

<sup>4</sup> A. v. Mess, *Ar.* <sup>3</sup>Αθ. πολ. und die

*politische Schriftstellerei Athens*, in *Rhein. Mus.* lxvi 356—392.

<sup>5</sup> Thuc. i 97, βραχέως τε καὶ τοῖς χρόνοις οὐκ ἀκριβῶς.

<sup>6</sup> Cleidemus, in Athenaeus 609 D. The authority for stating that she was a στεφανόπωλις (as alleged by Aristotle's ἐνιοί) is not named by Athenaeus.

<sup>7</sup> See note on p. 12 a.



ANDROTION may be identified with the person attacked in the 22nd speech of Demosthenes; he may therefore be placed earlier than the age of Aristotle. If so, he is closely followed in the account of the ostracism of Hipparchus son of Charmus (22 § 3); and the statement as to the number of the *συγγραφεῖς* in c. 29 § 2 is in accordance with that of Androtion. But the writer differs from Androtion as to the nature of Solon's *σεισάχθεια*, without going out of his way to controvert it. Here, as sometimes elsewhere, he is only tacitly polemical. Plutarch's agreement with the author of the *Ἀθηναίων πολιτεία* is probably due to both writers having a common source in Androtion<sup>1</sup>.

The most famous of the writers of *Ἀτθίδες*, Philochorus, belongs to the age after that of Aristotle, and has several points in common with the writer of the *πολιτεία*. As has been shewn by Professor Wright, it is not improbable that he actually quoted the latter and accepted it as the work of Aristotle<sup>2</sup>.

On the relations subsisting between the *Ἀθηναίων πολιτεία* and the *Atthidographi*, I may be allowed to quote some criticisms for which I am indebted to the kindness of Mr W. L. Newman.

It is remarkable that while, in the *Politics*, there is little to remind us of the writings of the *Atthidographi*, in the *πολιτεία* there is much. This indeed holds good of the *Πολιτεῖαι* generally. No doubt it is not unnatural that the 'Constitutions' ascribed to Aristotle, containing as they do sketches of local history, should follow the model furnished by local histories like the *Atthides*; still it is strange that, if Aristotle was the author of these 'Constitutions', he should be so little influenced by the *Atthides* in the *Politics*, if indeed he is so at all. Readers of the *πολιτεία*, on the contrary, find it hard to avoid the suspicion that some *Atthis* has been largely used by the writer, very possibly the *Atthis* of Androtion. We may note the following resemblances between the *Ἀθ. πολ.* and the other *Πολιτεῖαι* ascribed to Aristotle on the one hand, and the writings of the *Atthidographi* on the other:—

(1) The *Ἀθ. πολ.* is up to the mark of the last new historical fashion in respect of chronological exactitude. No doubt the effort to be chronologically exact is traceable early in the development of Greek historical literature. Thucydides knows the date of the fall of Troy (i 12), and the approximate date of the founding of Melos (v 112). Still the passion for chronological exactitude increased during the fourth century B.C. and later; for instance, Ephorus (*Frag.* 9 a) and Callisthenes knew that Troy was taken on the 23rd of Thargelion. As to Timaeus see Diod. v 1 and Polyb. xii 10. Nothing of this care for exactness in dates appears in the *Politics* or in other recognised writings of Aristotle. The writer of the *Ἀθ. πολ.*, again, often dates by archons, but Aristotle never does so in the *Politics*. This dating by archons was perhaps no new thing in historical writing; some think that Hellenic reckoned by archons, but here again we have an Atthidographic feature. Androtion and Philochorus reckoned by archons (Busolt, *Gr. Gesch.* i 363<sup>1</sup>, note 4); see also

<sup>1</sup> On Ar. and Androtion cf. Wilamowitz, i 123, 277, 287 f, 305; also 42, 52; also F. E. Adcock in *Klio*, XII (i).

<sup>2</sup> *American Journal of Philology*, xii 310 f; *supra*, p. xxviii f.

Philoch. *Frag.* 52 (where Philochorus knows in whose archonship at Athens Homer flourished) and Androt. *Frag.* 46.

(2) The 'Αθ. πολ. and other Constitutions ascribed to Aristotle resemble the *Atthides* in the interest they shew in the origin of words and familiar phrases. See 'Αθ. πολ. c. 2, 5; 6, 11 f; 13, 25; 21, 6 and 21; 43, 6 f &c.; and Aristotle's Constitutions (*Frag.*<sup>3</sup> 477, 484, 488, 491, 495, 512, 514, 519, 536, 562, 580, 582, 595, 596); and compare Androtion, *Frag.* 28—29, 33; Phanodem. *Frag.* 1, 13, 14; Ister, *Frag.* 28, 32, 35, 39, 43, 52, 57; Philoch. *Frag.* 4, 5, 6, 7, 10, 12, 16, 42, 48 and many others. The interest which the 'Αθ. πολ. and the other Constitutions shew in these matters is a good deal more marked than that which we trace in Aristotle's recognised works, and the same may be said of

(3) the interest which the 'Αθ. πολ. and other Constitutions share with the *Atthides* in (A) the origin of institutions and the like, and (B) the explanation of proverbs.

As to (A), compare 'Αθ. πολ. c. 8, 3 and *passim*, and Aristotle's Constitutions, *Frag.*<sup>3</sup> 475, 479, 501, 511, 519, with Philoch. *Frag.* 51, 56, 66, 189.

As to (B), see 'Αθ. πολ. c. 16, 18; 21, 6 &c., and Aristotle's Constitutions, *Frag.*<sup>3</sup> 487, 505, 513, 523, 528, 545, 558, 559, 571, 584, 591, 592. Demon, one of the *Atthidographi*, wrote a book about Proverbs (Müller, FHG i 379).

In choosing his authorities and in deciding between them when they differ, the author is guided by the consideration of the comparative probability of the accounts before him. He repels the calumnies against Solon (6) and Theramenes (28); and, in the story of Harmodius and Aristogeiton, gives an adequate reason for not accepting an opinion sanctioned by Thucydides (18 § 4)<sup>1</sup>. On the other hand, he is himself far from infallible as a historian. There is much confusion in the chronology of the years between the archonship of Solon and that of Damasias II (p. 51); and in that of the times of Peisistratus (p. 58). The presence of Themistocles in Athens in 462 seems impossible to reconcile with the chronology of his later years suggested by the *data* in Thucydides (p. 107); and there are several grave inaccuracies in the brief allusion to the trial of the generals after the battle of Arginussae (p. 138).

Besides relying on the testimony of Solon's poems, the writer draws inferences from popular poetry such as the *scolium* in honour of Cedon and that on the baffled heroes of Leipsydrium (cc. 19, 20). He quotes archaeological evidence derived from the *κύρβεις* of Solon (7 § 1), from the prae-Solonian coinage (c. 10), and from a relief and inscription on the Acropolis (7 § 4). He alludes to proverbial phrases, *χωρίον ἀτελές* (16 § 6) and *μὴ φυλοκρινεῖν* (21 § 2). He also takes special pains in quoting official documents<sup>2</sup>.

<sup>1</sup> ὁ λεγόμενος λόγος. Thucydides is not named. Cf. the anonymous references to *τινες* (6, 5; 9, 10), *ἔνιοι* (3, 10; 7, 17; 14, 26; 18, 32), *οἱ δημοσικοὶ* (6, 7; 18, 30), *οἱ βουλόμενοι βλασφημεῖν* (6,

8); Kaibel, 31; Wilamowitz, i 276.

<sup>2</sup> In these quotations we find a minute but not uninteresting proof of his fidelity: in the whole work, out of 21 instances of *ὅπως* with subjunctive or with future



The decrees proposed by Aristion (14 § 1) and Themistocles (22 § 7) are noticed in general terms; that proposed by Pericles in 451-0 (26 ult.) is expressly quoted. The official documents cited *in extenso* are those connected with the revolution of the Four Hundred in 413; viz. the motion of Pythodorus for the appointment of 30 συγγραφεῖς, with the amendment by Cleitophon; the formal record of the preliminary proposals and of the constitution drawn up by the συγγραφεῖς (c. 29); with the ultimate and the provisional constitutions drawn up by the hundred Commissioners (cc. 30, 31). We have also the terms of the reconciliation effected between the oligarchical and democratic parties in 403 (c. 39). These documents were presumably preserved among the archives of the State in the *Metreon*; but they probably owed their publication not only to their historical importance, but also to their including typical forms of oligarchical constitutions which afforded suitable themes for discussion among students of the theory of politics<sup>1</sup>. The writer's evident interest in the detailed history of the period between B.C. 413 and 403 is one of the considerations in favour of identifying him with the author of the *Politics*. In the latter Aristotle selects the Revolution of the Four Hundred as a typical instance of a revolution effected by fraud on the part of those who, when the deception is over, still endeavour to retain the government by force (1304 b 12, quoted on c. 29, 8). Elsewhere, while discussing revolutions in oligarchies arising within the governing class, he mentions, as first of the two types of the oligarchical demagogue, 'one who practises on the oligarchs themselves; for, although the oligarchy are quite a small number, there may be a demagogue among them, as at Athens the party of Charicles predominated among the Thirty, that of Phrynichus in the Four Hundred' (1305 b 24-27). It is, however, only fair to add that neither Phrynichus nor Charicles is mentioned in the *πολιτεία*.

In the absence of direct historical evidence, the writer's favourite form of argument is that indicated by Mr Macan in an interesting contribution to the *Journal of Hellenic Studies*. 'The author has a source of knowledge, or rather a method of reconstruction, to take the place

indicative, we have only two of ὅπως ἄν with the subjunctive (29, 24, and 30, 20); both of these occur in decrees of the fifth century, and the inscriptions of that century give us 16 instances of ὅπως ἄν, and none of ὅπως with the subjunctive. In view of this fact it is suggested that in 29, 18, ὅπως ἀκούσαντες βουλευσονται is only a copyist's mistake for ὅπως ἄν. This is noticed by Prof. Wright in *The Nation*, 1 May, 1891, p. 383. It must not, however, be inferred that

ὅπως c. fut. is not found in inscriptions; on the contrary it is very common (Meisterhans, note 1705<sup>2</sup>).

<sup>1</sup> Wilamowitz (i 108) supposes that these documents were quoted, not direct from the archives, but from some oligarchical work. The documents relating to the restoration must, in that case, have come from another source. It seems more natural to suppose that all the documents had a common origin which is unknown to us.



of direct testimony, tradition or evidence. This method consists in a process of inference from the present to the past, from existing circumstances to their presumable antecedents, from a given state of institutions to a former condition of the same'.<sup>1</sup> As instances in which the author mentions the employment of this method by others, we have (1) the oaths of the nine Archons (3 § 3); and (2) the property qualification of the *ἱππεῖς* (7 § 4). He uses it himself in cases such as the following: (1) the sacral marriage of the *βασίλινα* (3 § 5); (2) the Solonian method of appointing officials (8 § 1); (3) the institution of the *οἱ κατὰ δήμους δικασταί* by Peisistratus (16 § 5); and (4) the motive for the institution of ostracism by Cleisthenes (22 § 3)<sup>2</sup>.

§ 9. *Abstract of the Ἀθηναίων πολιτεία.*

The work is divided into two parts, (1) a Sketch of the Constitutional History of Athens down to the Restoration of the Democracy in 403 B.C. (cc. 1—41), subdivided into (a) an outline extending to about 411 B.C. (cc. 1—28), and (b) a documentary account of the oligarchical revolutions and of the restoration (411—403 B.C.) (cc. 29—40), with c. 41, résumé of the previous historical survey; and (II) a detailed analysis of the machinery of the Constitution between 328 and 325 B.C. (c. 42 to the end). The first has been well described as a 'Primer of Constitutional History'; the second, as a 'Citizen's Handbook'<sup>3</sup>.

Part I, in its complete form, comprised an account of the 'original constitution' of Athens, and of the eleven changes through which it successively passed (c. 41). Accordingly, in the following abstract, we have to deal with a series of twelve constitutions.

(1) *The constitution in the time of Ion.* The original constitution of Athens was an absolute monarchy. In process of time, owing to some of the hereditary line of kings being feeble in war, ION, the son of Apollo by the daughter of an Attic king, was summoned to their aid, and invested with military command. Such was the origin of the office of *Polemarch*, which was second to that of *Basileus* in order of date (3 § 2). In the days of Ion, the people were divided into four tribes, with four *φυλοβασιλείς* or 'tribal kings' (41, 6—9). To Apollo's son, the first Polemarch, the Athenians owed the name of Ionians and the worship of Apollo *πατρῶος* (frag. 381<sup>3</sup>).

(2) *The constitution in the time of Theseus.* Under THESEUS, we are simply told that the constitution exhibited a slight divergence from absolute monarchy (41, 10; and frag. 384<sup>3</sup>).

[About 1088 B.C., on the death of Codrus, and the accession of his son Medon, the kingly power ceased to be hereditary. Henceforth the kings were elected for

<sup>1</sup> *J. H. S.* 1891, p. 37.

<sup>2</sup> *ib.* p. 38. For some of the 'signals of this method', cf. note on 8 § 1, p. 31,

*ὅθεν ἔτι διαμένει.*

<sup>3</sup> *Cambridge Review*, 20 Feb. 1891, p. 212 a.

life from members of the royal house.]<sup>1</sup> By the side of the King, the *Polemarch* was already in existence as commander in the time of war; and in the reign either of Medon, or his son Acastus, a third office, that of *Archon*, came into being, and was endowed with some of the royal prerogatives by the descendants of Codrus (3 § 3). In process of time the name of Archon was transferred from the third officer of State to the first [c. 753/2 B.C.]. The chief Archon was elected [from the royal house], but his term of office was limited to ten years (3 § 1 end), while the title of King, with the privilege of attending to certain religious duties, was assigned to another archon, called the *Basileus*. It was not until the three primary offices of State, those of Archon, Polemarch and Basileus, had become annual [c. 683/2 B.C.], that their number was increased by the institution of the six *Thesmothetae*, whose duty it was to record and preserve all legal decisions with a view to their being enforced against transgressors of the law (3 § 4). In the course of time the Archons were elected by the Council of the Areopagus (8 § 2) under qualifications of birth and wealth (3 § 1), while the Areopagus itself was composed of those who had filled the office of Archon. It was the duty of the Areopagus to maintain the supremacy of law, to inflict personal punishments and fines, and to administer the State in general (3 § 6).

[In an Olympic year between 636 and 624 B.C.] an attempt to seize despotic power was made by a young nobleman named Cylon [who had been a victor in the Olympic games of 640]. The attempt was unsuccessful: the adherents of Cylon were put to death under the authority of the Archon Megacles, of the house of the Alcmeonidae, who violated their right of sanctuary and thus brought a curse on Athens and his descendants (*Heracl. Epit.* § 4).

The constitution at this time was thoroughly oligarchical. There was a conflict between the various orders in the State: the land was in the hands of a few; discontent prevailed among the poor, who, if they failed to pay their rent, became the slaves of the rich (c. 2).

(3) *The Constitution of Dracon.* It was with a view to providing a remedy for these evils that (in 621 B.C.) the first code of law was drawn up by DRACON (41, 11). The franchise was at this time possessed by all who could provide their own equipment for war. It was these who elected the Archons and other principal officers of State; and out of their own body a Council of 401 members was appointed by lot from among those who had attained the age of 30. Members of the Council were liable to fines varying with their social status. The Council of the Areopagus continued to maintain the supremacy of law and the efficient discharge of the duties assigned to the officers of State; it also received formal complaints from persons aggrieved by the infringement of any statute (c. 4).

In due time the friends of the exiled members of Cylon's party acquired sufficient power to compel the Alcmeonidae to submit to a trial before a special court of 300 citizens selected from the noblest families of Athens. They were found guilty; the dead bodies of the offenders were cast out, and their surviving relatives condemned to perpetual exile. Athens was further purified from the curse of sacrifice by Epimenides (c. 1).<sup>2</sup>

<sup>1</sup> Throughout this abstract, dates and other items derived from sources extraneous to the treatise itself are distinguished by being placed within brackets. Such items generally represent the traditional accounts of Attic history accepted (whether rightly or wrongly) by the Athenians themselves.—The dates in this

paragraph depend mainly on the *Marmor Parium* (Busolt, *Gr. Gesch.*, i 404<sup>1</sup>).

<sup>2</sup> On the date of Epimenides, see p. 3, and cf. Prof. Wright's *Date of Cylon*, pp. 70 and 74, where the visit of Epimenides, as well as the trial of the Alcmeonidae, is conjecturally assigned to 615 B.C.



(4) *The Constitution of Solon.* Dracon's legislation having failed to remedy the wrongs of the poor, the conflict of the orders broke out afresh and was not allayed until [c. 594 B.C.] both parties agreed on choosing SOLON as mediator and as Archon (5 § 2). Solon cancelled all existing debts, whether public or private; and for the future he made it illegal to lend money on the security of the person of the debtor (6 § 1). With the exception of the laws on homicide, the code of Dracon was repealed, and a new code published. The people were divided into four classes, *Pentacosimedimni*, *Hippeis*, *Zeugitae*, and *Thetes*; the various offices of State being now assigned to the first three classes in proportion to the amount at which they were severally rated, while the fourth class had only the right of taking part in the public Assembly and in the Law-courts (c. 7). The nine Archons were now appointed by lot, out of forty selected candidates, nominated to the number of ten by each of the four tribes. A Council of 400 was also constituted, 100 from each tribe. The Areopagus, which still retained the duty of supervising the laws and maintaining the constitution in general, was now empowered to try cases of treason (c. 8). In Solon's constitution the specially democratical elements were:—(1) the prohibition of loans on the security of the person; (2) the privilege of every citizen to claim legal satisfaction on behalf of any one who was wronged; and (3) the right of appeal to the law-courts. The power of voting in the law-courts made the commons master of the constitution (c. 9). Solon also introduced a new standard of coinage, and of weights and measures (c. 10). His legislation, however, did not prove acceptable to either of the two great parties in the State. Finding himself beset and harassed by both, and declining to make himself despot at the expense of either, he withdrew for ten years to Egypt (c. 11).

When he had gone abroad, although the State was still disturbed by divisions, they lived in peace for four years; but, in the next year, and again four years later, their divisions prevented the election of an Archon. After another term of four years (?), the choice fell on Damasias [582], who succeeded in remaining in office for two years and two months. The interval of civil strife was closed by an agreement to elect ten Archons from the several orders in the State, five from the *Eupatridae*, three from the *Agroeci*, and two from the *Demiurgi*. But the general discontent was not allayed. Some of the rich had lost their wealth; others had lost their political power; a few besides were inspired by personal ambition. At this time the three parties of the Shore, the Plain and the Highlands, representing the moderate, the oligarchical and the democratic spirit respectively, were under the leadership of Megacles, Lycurgus, and Peisistratus. The party of Peisistratus was reinforced by those whom Solon's legislation had deprived of the debts due to them, and also by persons whose dubious birth gave them an uncertain claim to the rights of citizenship (c. 13). These struggles found their issue in the tyranny of Peisistratus and his sons.

(5) *The tyranny of Peisistratus and his sons.* PEISISTRATUS, who had won distinction in the war against Megara, persuaded the people to grant him the protection of a body-guard, and with the aid of the latter seized the Acropolis (560 B.C.). He ruled in a constitutional spirit; but, five years later, he was expelled by a coalition between the parties of Megacles and Lycurgus. Eleven (?) years afterwards he was restored by the aid of Megacles on condition of marrying his daughter (14). This condition was only nominally fulfilled; and, about six years later, he was once more expelled. He withdrew to Macedonia, where he acquired money and mercenary troops. Ten years subsequently, with the help of Thebes, of Lygdamis of Naxos, and the Knights of Eretria, he recovered his power and dis-



armed his subjects (15). His rule, however, was mild and humane. To encourage agriculture he advanced money to the poorer classes, with a view to their staying in the country and looking after their own affairs, instead of coming into the town and taking part in public business. With the same object he instituted 'local justices', and himself visited various parts of the country, thus making it unnecessary for the tenants to neglect their farms by bringing their grievances to Athens. Besides this, the cultivation of the soil promoted an increase in his revenues (16).

Peisistratus died in 527/6 B.C., having held actual possession of his power for nineteen out of the thirty-three years that had elapsed since he had originally established himself as 'tyrant' (c. 17). He was succeeded by his sons Hippias and Hipparchus, who at first ruled in their father's spirit; but, when Hipparchus had been slain in the conspiracy of Harmodius and Aristogeiton (c. 18), the rule of Hippias became more severe. Three years afterwards (c. 19 § 2) he was expelled by Cleomenes, king of Sparta (in the spring of 510 B.C.).

(6) *The Reforms of Cleisthenes.* After the overthrow of the tyranny the rival leaders in the State were Isagoras, an adherent of the tyrants, and CLEISTHENES, of the house of the Alcmeonidae. Isagoras invited the aid of Cleomenes. Thereupon Cleisthenes withdrew, while Cleomenes vainly endeavoured to supersede the Council and to set up a body of 300 partisans of Isagoras in its place. Cleisthenes soon returned, and became leader of the people (c. 20). In 508 B.C. he distributed the population into ten tribes instead of the existing four; and instituted a Council of 500 (fifty out of each of the ten new tribes), in place of that of 400 (100 out of each of the four tribes). He also made the deme the unit of his social organisation, combined the demes into groups (*τριτῦες*), and assigned these groups to the several tribes in such a manner that each tribe had three groups allotted to it, one from the urban or suburban district, one from the coast, and one from the interior (c. 21). The reforms of Cleisthenes made the constitution more democratic than that of Solon. Among the laws now passed was that concerning Ostracism, which was at first intended to serve as a safeguard against the reestablishment of a tyranny. In 504 B.C. [or, more probably, in 501], the oath, which was still in use in the writer's time, was first imposed on the Council. The Generals were elected according to tribes, one from each tribe (22 § 2). The law of Ostracism was enforced for the first time in 488/7, two years after Marathon, the person ostracised being Hipparchus son of Charmus (§ 4); he was followed in 487/6 by Megacles [a nephew of Cleisthenes], by Xanthippus [the father of Pericles] in 485/4, and about 484/3 by Aristides. Meanwhile, in 487/6, for the first time since the establishment of the tyranny, the nine Archons were appointed by lot out of 500 [or more probably, 100] candidates selected by the demes. In 483/2, on the discovery of certain silver mines in Attica, Themistocles persuaded the people to lend the proceeds to the hundred wealthiest men in Attica, and thus brought about the building of the hundred triremes, with which the battle of Salamis was won [480].

(7) *The supremacy of the Areopagus.* Thus far the growth of the democracy had been advancing with the gradual growth of Athens; but, after the Persian wars, the Council of the Areopagus once more assumed the control of the State. It owed this high position, however, not to any formal decree, but to the spirited action it had taken in connexion with the battle of Salamis. When the Generals were unable to cope with the crisis, it was the Areopagus that provided pay for the crews, and thus ensured the manning of the fleet and the gaining of the victory (23 § 1). The leaders of the people at this time were ARISTIDES and THEMISTOCLES. On the

establishment of the Confederacy of Delos, Aristides assessed the amount to be paid to the common fund by the allies of Athens, beginning with the year 478/7 (§ 5). By his advice the inhabitants of Attica left the rural districts and settled in the city, on the assurance that all of them would be able to maintain themselves by the discharge of military duties or by taking part in public affairs, and would thus secure the control of the league. Thus it was that Athens came to adopt the policy of oppressing her allies, from which Chios, Lesbos and Samos alone were exempt.

(8) *The restored and developed democracy.* The supremacy of the Areopagus lasted for about seventeen years (478 to 462 inclusive). The power of the people was meanwhile increasing, and EPHALTES, on becoming their leader, attacked the Areopagus, by depriving it of all the more recent privileges by which it had attained the control of the constitution, transferring some of them to the Council of Five Hundred, and others to the Assembly and the Law-courts (462 B.C.). In this revolution he was aided by Themistocles (25).

Thereupon the administration of the State became more and more lax owing to the rivalries that arose between successive aspirants for popular favour. At this time the aristocratical party had no real chief, although their leader was Cimon, who was comparatively young for that position, and had been rather late in entering on public life. In 457/6 the office of Archon was thrown open to the *Zeugitae*. In 453/2 the thirty 'local justices' were restored; and in 451/0, on the proposal of PERICLES, it was enacted that the franchise should be limited to those who were of citizen blood by both parents (26). Under Pericles, the constitution became still more democratic. He deprived the Areopagus of some of its ancient privileges, and also prompted Athens to aim at the empire of the sea (27 § 1). The Peloponnesian war (B.C. 431—) inured the people to military service, and led to their assuming the administration of the State (§ 2). Pericles was also the first to provide pay for serving in the Law-courts (§ 3).

So long as he was leader of the people, public affairs were managed comparatively well; at his death there was a great change for the worse (28 § 1). It was then that, for the first time, in the person of Cleon, the people had for their leader one who was of no reputation among the upper classes (§ 2); on the other side, the leader of the aristocracy was Nicias. These two were succeeded by Cleophon and Theramenes respectively. It was Cleophon who was the first to provide each citizen with the grant of two obols for a seat in the theatre (§ 3); and the series of demagogues, who succeeded him, owed their position to their recklessness of language, and to their readiness to gratify the immediate desires of the populace (§ 4). Of the leaders of the aristocratical party, Nicias and Thucydides (son of Melesias) are justly esteemed as statesmen. Concerning Theramenes there is a conflict of opinion; but, on calm reflection, it is clear that, so far from subverting every kind of constitution, he really supported each in turn, so long as it was faithful to the laws; thus proving that, like a good citizen, he was capable of living in contentment under any form of government, while he could never be a party to unconstitutional conduct, but on the contrary was always its resolute foe (§ 5).

(9) *The revolution of the Four Hundred.* After the failure of the Sicilian expedition [Sept. 413], when the power of Sparta had been increased by her alliance with Persia, Athens was compelled to abolish her democracy and to accept the oligarchical revolution of the Four Hundred. At this crisis it was proposed by Pythodorus that the popular Assembly should elect a Committee of thirty in all, to draw up proposals for the public safety; and that any other person might make such proposals



as he pleased, so that the people might decide on whatever course it thought fit (29 §§ 1, 2). An amendment moved [and probably carried] by Cleitophon made it an instruction to the Committee to take into consideration the constitution of Cleisthenes in drawing up their report (§ 3). The Committee reported in favour of the Prytanes being compelled to put to the vote any motion for the public safety (instead of exercising their own discretion in the matter). They also proposed the abolition of all indictments for illegal motions, all impeachments before the Council or the Assembly, and all citations before the Law-courts, so that nothing should hinder any citizen from offering such counsel as he thought fit. If any person attempted, either by fine or citation or prosecution, to prevent such counsel being given, he was to be summarily brought before the Generals and delivered up to execution (§ 4). They further drew up the following form of constitution:—The revenues were to be spent solely on the conduct of the war. So long as the war lasted, no officers of State were to receive any pay except the nine Archons and the Prytanes. The franchise (including the right of making treaties) was to be entrusted to not less than Five Thousand of the citizens who were best able to serve the State. The list of the Five Thousand was to be drawn up by a Commission of one hundred formed by electing ten out of each of the tribes (§ 5).

When these proposals had been ratified, the [provisionally acting body of] 'Five Thousand' elected from among their own members the hundred Commissioners for drawing up the constitution. The Commissioners proposed for the future a Council, which was to be in power for a year at a time, and to include certain officers of State (about 100 in all) as members *ex officio*. The Council was to appoint these out of a larger number of selected candidates chosen out of the members of the Council for the time being. All other offices were to be filled by lot (30 § 2). There were to be four Councils of four hundred each, such four Councils serving in turn, for a year each, in an order to be determined by lot (§ 3). Members of the Council absent without leave were to be fined (§ 6).

For the immediate present, there was to be a Council of Four Hundred (as in the constitution of Solon), forty from each tribe, appointed out of a larger number selected by the members of the several tribes. This Council was to appoint the officers of State, and to have complete discretion in questions of legislation, official audits, &c.; but was to have no power to alter the new constitution (31 § 1). Military officers were to be elected from the 'Five Thousand', provisionally by the Four Hundred, but ultimately by the Council (§ 2). No office, except that of a General or a member of the Council, was to be held more than once (§ 3).

About the end of May, 411, the existing Council was dissolved; and on June 7 the Four Hundred entered on office. An oligarchical constitution was thus established nearly a century after the expulsion of the tyrants (510). The leaders of the Revolution were Peisander, Antiphon and Theramenes. The Four Hundred sent envoys to Sparta, proposing the termination of the war on the basis of *uti possidetis*; but, as the envoys declined to surrender the maritime supremacy of Athens, Sparta refused to come to terms (c. 32).

(10) *The restored Democracy.* The defeat of Athens in the naval battle of Eretria, and the subsequent loss of Euboea, led the people to depose the Four Hundred, after they had been in power for four months (May to August, 411); and to entrust the management of affairs to the Five Thousand, a body consisting of all citizens capable of providing a military equipment. No pay was to be given for any public office. This revolution was led by Aristocrates and Theramenes, both of whom disapproved of the Four Hundred for keeping all the power in their



own hands, and not referring anything to the Five Thousand. The constitution at this time appears to have worked excellently, inasmuch as it was a time of war and the franchise was entrusted to those who provided a military equipment (c. 33).

[After the victories in the Hellespont in 410] the people soon deprived the Five Thousand of their exclusive right to the franchise. In 406 the victory of Arginussae was won, but that victory was attended with the following results: (1) Under the misleading influence of passionate appeals to the feelings of the people, all the Generals who had won that victory had their fate sealed by a single verdict (see note on pp. 138—139); and (2), when Sparta proposed to evacuate Decelea, Cleophon protested that she should be required to surrender all the cities of the Athenian empire that had become subject to Sparta (34 § 1). Athens soon had good reason to regret the mistake of not accepting the proposal to evacuate Decelea. In 405 she was vanquished at Aegospotami; and Lysander became master of Athens and established the rule of the Thirty (§ 2).

(11) *The despotic government of the Thirty and of the Ten.* The THIRTY, instead of framing a constitution, appointed a Council of five hundred, out of a large number of selected candidates; associated with themselves ten officials in the Peiraeus, eleven superintendents of the prison, and three hundred attendants; and, with the help of these, kept the city completely under their own control. At first they acted with moderation: they professed to restore the ancient constitution; repealed the laws of Ephialtes curtailing the privileges of the Areopagus; and abolished the limitations to the right of bequest granted by Solon. But, as soon as they had established themselves in power, they proceeded to put to death those who were eminent for wealth or birth or reputation; and, within a short time, the number of their victims rose to 1,500 (c. 35). Alarmed, however, by the indignant protests and the ever increasing popularity of Theramenes, they offered to draw up a list of 3,000 who were to receive the franchise. Theramenes was still dissatisfied; the list was withheld, and, when published, was constantly liable to arbitrary alterations (c. 36).

Meanwhile, winter set in, and the Thirty were repulsed in their attack on Thrasylulus, who, with the exiles of the democratic party, had taken possession of the fort of Phyle. The Thirty now resolved on disarming the people and getting rid of Theramenes. For the latter purpose they compelled the Council to pass two proposals, (1) giving the Thirty power to put to death any person not included in the list of the 3,000; (2) preventing any one from enjoying the franchise if he had taken part in demolishing the fort of Eetioneia or had in any way opposed the Four Hundred. Theramenes had done both. After putting him to death, they disarmed all the people except the 3,000; and proceeded to further extremities of cruelty and crime (37).

After this, Thrasylulus and his soldiers occupied Munichia and defeated the partisans of the Thirty. The party of the city retreated to Athens; and, on the next day, held a meeting in the market-place, deposed the Thirty and elected Ten of the citizens as commissioners with full powers to bring the war to a conclusion. The TEN did nothing of the kind; they sent to Sparta to ask for aid and to borrow funds. Finding that this was resented by those who possessed the franchise, and fearing they might be deposed in consequence, they arrested a citizen of the highest repute and put him to death. They thus strengthened their position, and they were further supported by the Spartan harmost Callibius and his Peloponnesians, and by certain of the Knights. The party of the Peiraeus, however, were soon joined by all the people, and began to get the upper hand in the struggle. Thereupon, the party of the

city deposed the Ten, and elected in their place another body of the same number, consisting of men of the highest character, among whom was Rhinon (who was afterwards elected one of the Generals). Under the management of this new body of Ten, and with the aid of Pausanias and ten Commissioners from Sparta, terms of reconciliation were drawn up and the democratic party returned to Athens (c. 38).

The terms were as follows: All the oligarchs who had remained in Athens might reside at Eleusis, while retaining their property and their full rights as citizens (39 § 1). The temple at Eleusis was to be common ground for both parties; but, except at the season of the Mysteries, the settlers at Eleusis were not to enter Athens, or the residents in Athens to visit Eleusis. The settlers at Eleusis were to contribute their share to the federal fund (§ 2). If any one had killed or wounded another, trials for homicide were to be held, as of old (§ 5). Lastly, there was to be a general amnesty towards all persons, except the Thirty, the Ten (who immediately succeeded them), the Eleven, and the Ten who had ruled in the Peiraeus; and even these were not to be excluded, if they rendered an account of their office (§ 6).

A prominent part was played at this time by Archînus:— (1) He accelerated the date for the closing of the list of settlers at Eleusis (40 § 1); (2) he successfully resisted the proposal of Thrasybulus to confer the franchise on all who had aided in the restoration of the democracy; and (3) he insisted on the penalty of death being inflicted on one who attempted to violate the amnesty (§ 2). The funds which the Thirty had borrowed from Sparta for their own purposes, were repaid out of the public treasury (§ 3). A further reconciliation was effected with the settlers at Eleusis in B.C. 401/0 (§ 4).

(12) *The restored and extreme Democracy.* The constitution established in B.C. 403 remained in force until the time when the work was written (B.C. 328—325) with ever-increasing accessions to the power of the people. The people had made itself master of everything, and administered all the affairs of State by means of the decrees of the Assembly and the decisions of the Law-courts. In the latter, no less than in the former, the people ruled supreme. Even the judicial decisions formerly in the hands of the Council were transferred to the people, a course which the writer approves on the ground that small bodies are more liable to corruption than large ones (41 § 2). At first it was decided not to provide pay for attendance at the Assembly; but, as its members were habitually absent, an allowance of one obol a day was introduced by Agyrrhius, to be increased to two obols by Heraclides, and to three by Agyrrhius himself (§ 3).

Part II, which describes the machinery of the 'existing Constitution', under the general heads of (i) the Franchise (c. 42), (ii) the Council and the Public Assembly (43—45), (iii) Administration (46—62), and (iv) Judicature (63 to end), may from one point of view be regarded as entirely concerned with a single subject, being an account of *αἱ ἀρχαί*, the 'posts of power or service, honour or emolument, for which the Athenian citizen becomes eligible or qualified sooner or later', when once the franchise is conferred on him. It may be divided into four sections: (i) the conditions of the franchise (c. 42); (ii) the exercise of the full franchise in the *ἐγκύκλιοι ἀρχαί* (cc. 43—62), first the *κληρωταί*, the Council with sundry other authorities (43—54), and the Archons (55—59). From these may be detached (iii) the *χειροτονηταί*



ἀρχαί, or ἀρχαί πρὸς πόλεμον (61), and (iv) the Dikasteria (63 to end), placed here because they are permanent and not concerned with administration (ἡ διοίκησις), although recruited by the Lot (Mr Macan, *J. H. S.*, xii 21). Or, again, we may for convenience use ἀρχαί in the narrower sense, and divide the second part into three main portions under the head of (i) πολιτεία (c. 42); (ii) ἀρχαί (cc. 42—62); (iii) δικαστήρια (cc. 63 to end).

In (i) we have first an account of the method of enrolling citizens, with interesting details as to the military training of youthful citizens between the ages of 18 and 20 (c. 42). In (ii) the foremost place is occupied by the administrative functions of the Council and of the officials who act in concert with it (43—49); while the ἐκκλησία is only briefly dealt with in connexion with the *πρυτάνεις* and *πρόεδροι* in c. 43 and c. 44. Then follow certain other officials appointed by lot, with some account of the public Arbitrators (50—54), and the nine Archons (55—59), with a detailed statement of the duties of the Archon (56), the Basileus (57), the Polemarch (58) and the Thesmothetae (59) respectively. Next come the ἀθλοθέται, with some notice of the Sacred Olives (60). Thus far for officials appointed by lot. Next in order we have the military officers (61), who have already been briefly mentioned with other officials elected by show of hands (43 § 1). This portion of the work closes with a chapter on Salaries (62). The remainder is entirely concerned with the Law-courts, and, in particular, with the way by which the dicasts were allotted to the several courts, the method of voting, the measurement of time during the proceedings, and lastly the arrangements for paying the dicasts when their duties were over.

A large amount of the contents of the Second Part was already known to us in a fragmentary way, through the quotations preserved by grammarians and lexicographers; but it is a signal advantage to have before us the source of all these quotations with the opportunity of testing every statement by the light of its immediate context<sup>1</sup>. We are thus at last able to deal with a first-hand authority for the Constitutional Antiquities of Athens. Whatever hesitation there may necessarily be as to the historic value of certain details in the First Part of the treatise, especially in cases where the writer is describing the institutions of a distant past, which had left behind it no contemporary records except the laws and poems of Solon; or where his account refuses to be reconciled with that of writers such as Thucydides and Xenophon; there can be no question as to the great importance and the completely trustworthy character of the Second Part, with its terse and clear description of the machinery of the State towards the close of the third quarter of the fourth century B.C. And the value of all this is unimpaired by any doubts that have been entertained as to the authorship of the work.

<sup>1</sup> Cp. Wilamowitz, i 373 f.



§ 10. *Bibliography of the Ἀθηναίων πολιτεία.*

(The order in each division is mainly chronological except in **B IV**, where it is alphabetical.)

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(B) *Published after the discovery of the Papyrus.*

## (I) EDITIONS.

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(ems. = emendations)

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(b) the *Index Aristotelicus* of Bonitz; and the editions (or translations) of the *Politics* by Susemihl, Jowett, Newman and others; and the various editions of the *Fragments*.

(c) the Greek lexicographers, esp. Bekker's *Anecdota*, vol. i; Etymologicum Magnum (Gaisford); Harpocration (Dindorf); Hesychius (Schmidt); Photius (ed. Porson, revised by Dobree, 1822, who printed as Appendix the *Lexicon Rhetoricum Cantabrigiense*; Dobree's transcript of the latter was also published posthumously in 1834); also id. (ed. Naber, 1864—5); Pollux (Bekker); and Suidas (Bernhardy).

(d) in Gk. History;—Herodotus, Thucydides, Xenophon, also C. Müller's *Fragmenta Historicorum Graecorum*, quoted as FHG:—among modern writers, Thirlwall, Grote (ed. 1862 in 8 vols), Curtius (ed. Ward), Duncker, Busolt, Holm, Abbott; also Gilbert's *Beiträge*. In Chronology, Eusebius (ed. Schoene, 1866—75); and the *Marmor Parium* in Müller's FHG; also Clinton's *Fasti*, and Peter's *Zeittafeln*. On Ed. Meyer's *Forschungen &c.*, see IV (126).

(e) in Antiquities and Law: (1) **Boeckh**, *Die Staatshaushaltung der Athener*, ed. 2, 1851, ed. 3 (by Fränkel) 1886; also the translations of ed. 1 by Sir Geo. Cornewall Lewis 1828, 1842; of ed. 2 by Lamb, Boston, U.S., 1857. (2) the new edition of **K. F. Hermann's** *Lehrbuch der Griechischen Antiquitäten*, Vol. I, Part II, *Der Athenische Staat und seine Geschichte*, ed. **Thumser**, 1892; Vol. II, Part I, ed. 4, *Rechtsalt.* ed. **Thalheim**, 1894. (3) **Meier u. Schoemann**, *der Attische Process*, 1824, ed. Lipsius 1881—6; **Lipsius**, *Das Attische Recht und Rechtsverfahren*, 2 vols. pp. 785, 1905—12 (vol. 3 not yet published), and in *Verhandlungen d. k. Sächs. Gesellschaft d. Wissenschaften*, '91, p. 41—69. (4) **G. F. Schoemann**, *Antiquities of Greece*, vol. i translated by Hardy and Mann, 1880, ed. 2 of the original work, ed. **Lipsius**, 1897—1902. (5) **G. Gilbert**, *Griechische Staatsalterthümer*, 2 vols. 1881—5; ed. 2 of vol. i, 1893 (E. T. by E. J. Brooks and T. Nicklin, 1895), with Introduction on 'Αθ. πολ. (6) **Busolt**, *Die Griechischen Alterthümer*, 1887 (ed. 2, '92), and **Stengel**, *Sakralalterthümer*, 1890, both in Iwan Müller's *Handbuch*. (7) **A. Mommsen**, *Heortologie*, 1864. (8) **Smith**, *Dict. of Gk. and Roman Antiquities*, ed. Wayte and Marindin (with Appendix on 'Αθ. πολ.). (9) **Daremberg et Saglio**, *Dict. des Antiquités*. (10) **Haussoullier**, *la Vie Municipale en Attique*, 1884; **Hauvette-Besnault**, *les Stratèges Athéniens*, 1885; **A. Martin**, *les Cavaliers Ath.*, 1887; **Dürnbach**, *L'Orateur Lycurgue*, 1890; **Brillant**, *Les Secrétaires Athéniens*, 1911. (11) **Philippi**, *Beiträge zu einer Geschichte des Attischen Bürgerrechtes* (1870), and *Der Areopag und die Epheten*, 1874. (12) **Fränkel**, *die attischen Geschworenengerichte*, 1877. (13) **Schulthess**, *Vormundschaft*, 1886. (14) **U. von Wilamowitz-Moellendorff**, *Aus Kydathen*, in 'Philol.

Untersuchungen', 1880. (15) Dissertations by **Thumser**, *de Civium Atheniensium muneribus*, 1880; **Kornitzer**, *De Scribis Publicis*, 1883; **Haederli**, *Astynomen u. Agoranomen*, 1886; **Panske**, *de Magistratibus Atticis, qui saeculo A. C. quarto pecunias publicas curabant*, i, 1890; and others. (16) Articles in *Philological Journals*, &c.

§ 11. *Abbreviations used in the critical notes, &c.*

SIGLARIUM.

Papyri Londinensis lectiones litterae 'unciales' indicant;

[ ] quae in papyro prius, ut videtur, fuerunt, nunc autem evanuerunt;

< > quae in papyro per errorem omisa, propter sensum addenda sunt;

[[ ]] quae in papyro scripta, ut aliena omittenda sunt;

† obelus lectionem corruptam designat;

\* asteriscus coniecturas non antea ab editore prolatas.

Editiones.

κ<sup>1</sup>=Kenyonis ed. prima; κ<sup>2</sup> secunda; κ<sup>3</sup> tertia; κ<sup>4</sup> quarta (ed. Berolinensis);

κ-w<sup>1</sup>=Kaibel et von Wilamowitz-Moellendorff, ed. prima; κ-w<sup>2</sup> secunda; κ-w<sup>3</sup> tertia;

H-L=van Herwerden et van Leeuwen;

B<sup>1</sup>=Blass, ed. prima; B<sup>2</sup> secunda; B<sup>3</sup> tertia; B<sup>4</sup> quarta;

Th=Thalheim.

§ 12. *List of Illustrations.*

*In Frontispiece.* Fig. 1; Heliastic *πινάκιον*, from Daremberg and Saglio's *Dict. des Antiquités*, iii 190, fig. 2410; first published by M. Rayet, *Annuaire de l'Association des Études Grecques*, 1878, p. 206. See note on c. 63 § 4.

Fig. 2 and 3; two bronze counters, probably used in the allotment of citizens to the several heliastic divisions. On the obverse, four owls and two sprays of olive, encircled with the word *ΘΕΣΜΟΘΕΤΩΝ*. On the reverse, fig. 2 (from the British Museum) bears the letter **E**; fig. 3 (published in *Parnassos*, Athens, 1883), the letter **A**. From Daremberg and Saglio, *l.c.*, fig. 2411, 2412. See note on c. 63 § 5.

Fig. 4 and 5; heliastic *σύμβολα*. On the obverse, a copy of the design on a *τριώβολον*,—an owl surrounded with two sprays of olive, and *ΑΘΗ* in fig. 4, *Θ* only in fig. 5. On the other side, a letter, probably denoting one of the heliastic sections. See note on c. 65 § 2. From Daremberg and Saglio, *l.c.*, fig. 2413, 2414.

Fig. 6 and 7; bronze *ψηφοί* used for voting, found at Athens (*Bull. de Corr. Hellén.* 1887, xi 210). From Daremberg and Saglio, *l.c.*, fig. 2415—6. See note on c. 68 § 2.

On p. 41; Aeginetan Didrachmon; Berlin Cabinet, Friedländer u. Sallet, *Beschreibung*, no. 2. From Baumeister's *Denkmäler*, fig. 1010.

*Ibid.* and *Title-page*. Early Attic Tetrachmon; Berlin Cabinet, *u.s.*, no. 54. From Baumeister's *Denkmäler*, fig. 1013.



## CORRIGENDA.

p. 53, in critical note on 13, 8, for [τετταρ]as Berol., read [πεν]τε Berol.; cf. Kenyon in *Cl. Rev.* xiv 413.

p. 84 *b*, 5—6, read 'and the number current in Strabo's time (*fl.* 24 B.C.) was 174 (Strabo, p. 396).' Cf. *Cl. Rev.* x 383 f.

p. 145, c. 36, 5 *dele* comma after *Θηραμένην*.

p. 258, in note on *δεκάχους*, for 2·16 gallons, read 7·2 gallons.

## ADDENDA.

*Commentary*, p. 9 (c. 3, 25): *Βουκολεῖον κτλ*] Cf. Bruno Keil, in *Berl. Phil. Woch.* 21 May, 1892, p. 652 f.

p. 15 (c. 4, 6): *ταμίαις*] The earliest inscription in which the *ταμίαι* are mentioned belongs to the first half of the sixth century, CIA iv 373<sup>288</sup>, p. 199, *οἱ ταμίαι τάδε χαλκία κτλ.* Cf. *J. H. S.* ix 125.

p. 143 *a* (c. 35, 9): *Ἐφιάλτου καὶ Ἀρχεστράτου*] Bruno Keil, *Solon. Verf.*, p. 54, proposes to identify Archestratus with the mover of the last amendment in the decree concerning Chalcis, CIA iv 1, p. 12 n. 27 *a*, 70, *Ἀρχέστρατο[s] εἶπε τὰ μὲν ἄλλα καθάπερ [Ἄ]ντικλῆς τὰς [δ]ε εὐθύνας Χαλκιδεῦ[σ]ι κατὰ σφῶν αὐτῶν εἶναι ἐν Χαλκίδι καθάπερ Ἀθήνησιν Ἀθηναίσι, πλὴν φυγῆς καὶ θανάτου καὶ ἀτιμίας. περὶ δὲ τούτων ἔφεσιν εἶναι Ἀνήραζε ἐς τὴν ἡλιαίαν τῶν θεσμοθετῶν κατὰ τὸ ψήφισμα τοῦ δήμου.* The spirit of this proposal harmonises with the policy of Ephialtes. On *Ἀρχεστράτου Λυκομήδους Φλυεύς* cf. Wilamowitz i 68 n. 40.

p. 145 (c. 35, 24) *ὑπεξαιρούμενοί τε <διὰ> τὸν φόβον*] The insertion of *διὰ* is proposed by Mr W. L. Newman in a letter to the editor dated 27 Oct. 1911. He aptly compares Xen. *Hiero.* c. 5 § 2, *ὅταν δὲ τοὺς τοιοῦτους διὰ τὸν φόβον ὑπεξαιρῶνται.* Cf. *διὰ τὸν φόβον* in c. 13, 23.

p. 258 (c. 67, 7) *δεκάχους*] Bruno Keil's opinion implies that there was a change in the capacity of a *chous* between the time of Lysias and the time of Demosthenes. We cannot allow that there was any such change. But, at the later of the two periods, the *chous* corresponded to a shorter day. The same amount of water had to be made to flow faster in the time of Demosthenes than it did in the time of Lysias. During the lapse of one *chous*, 80 lines could be spoken in the time of Lysias, but only 70 in that of Demosthenes. Therefore the water must have travelled faster by  $\frac{1}{8}$  of the former standard. Hence, with the change of the standard day, the *clepsydra* itself must have been changed. Thus, if the *clepsydra* had eight perforations in the time of Lysias, we have only to make them nine, and the water will pass  $\frac{1}{8}$  faster than before (J. E. Sandys, in *Cambridge Univ. Reporter*, 5 March, 1912, p. 691).

# ΑΡΙΣΤΟΤΕΛΟΥΣ

## ΑΘΗΝΑΙΩΝ ΠΟΛΙΤΕΙΑ.

1. — — Μύρωνος καθ' ἱερῶν ὁμόσαντες ἀριστίνδην. καταγνωσθέντος δὲ τοῦ ἄγους αὐτοὶ μὲν ἐκ τῶν τάφων ἐξεβλήθησαν,

I 1 Ex Plutarchi *Sol.* 12 initium supplevit Wilamowitz, *Aristoteles und Athen*, i 291 n, [ἐδίκασον δὲ κατηγοροῦντος] Μύρωνος || [τριακόσιοι] καθ' ἱερῶν ὁμόσαντες || [τελείων θάρθεν

αἰρεθέντες] ἀριστίνδην. || <αἰρεθέντες> addiderat Papageorgios. ΚΑΤΑΓΝΩΣΘΕΝΤΟΣ. Sensui repugnat καθαρθέντος, etenim tunc temporis erat τὸ ἄγος καταγνωσθέν tantum, nondum autem καθαρθέν.

2 αὐτοὶ scripsi; quod cum verbis in altero membro (τὸ γένος αὐτῶν) satis apte quadrat; cf. Paus. i 25, 3 αὐτοὶ τε οἱ ἀποκτείναντες ἐνομισθησαν καὶ οἱ ἐξ ἐκείνων ἐναγεῖς τῆς θεοῦ. Idem scripserunt κ-w et κ<sup>3</sup> Kirchhoffium et Kontum secuti. νεκροὶ quondam κ, οἱ νεκροὶ H-L, sed articulo quem desideramus spatium non sufficit, et in ipsa papyro litterae τ potius quam ρ apparet vestigium.

TESTIMONIA. 1 Capitis primi partem deperditam in compendium redactam conservat Heraclidis epitoma (Rose, *Frag.* 611, 2<sup>3</sup>): τοὺς μετὰ Κύλωνος (Κύκλωπος codices meliores) διὰ τὴν τυραννίδα ἐπὶ τὸν βωμὸν τῆς θεοῦ πεφευγῶτας οἱ περὶ Μεγακλέα ἀπέκτειναν, καὶ τοὺς δράσαντας ὡς ἐναγεῖς ἤλαυνον.

I. *Cylon's attempt to establish a tyranny, and its consequences.*

Μύρωνος] Myron of Phlya is mentioned by Plutarch alone, *Sol.* 12, as the accuser of the Alcmaeonidae who were involved in the curse of Cylon. At a later time one of the Alcmaeonidae, named Λεωβώτης, had his revenge for this act of a member of the deme of Phlya by bringing a charge of high treason against a distinguished member of that deme, Themistocles (Plut. *Them.* 23; cf. *ib.* i § 3). Busolt, *Griechische Geschichte*, i 508 (ed. 1885), ii 209 (ed. 1895).

καθ' ἱερῶν ὁμόσαντες] Cf. decree quoted in c. 29 (at end), ὁμόσαντες καθ' ἱερῶν τελείων.

ἀριστίνδην] cannot be taken with καθ' ἱερῶν ὁμόσαντες, but must go with some such verb as ἐδίκασον in the earlier part of the sentence. We may perhaps infer from Plutarch *Sol.* 12 that the sentence ran as follows: (ἐδίκασον δὲ τριακόσιοι κατηγο-

ροῦντος) Μύρωνος καθ' ἱερῶν ὁμόσαντες ἀριστίνδην. According to Plutarch the Alcmaeonidae were tried by a court consisting of 300 persons selected from the noblest families (δικαζόντων ἀριστίνδην). The number is confirmed by its being identical with that of the *Boule* of the partisans of Isagoras which Cleomenes king of Sparta endeavoured to establish at Athens in a subsequent attack on the Alcmaeonidae (*Hdt.* v 72). For ἀριστίνδην cf. c. 3, l. 2.

καταγνωσθέντος—τοῦ ἄγους] 'The charge of sacrilege having been made good' by the sentence of condemnation passed by the court.

ἐκ τῶν τάφων ἐξεβλήθησαν] The same incident is mentioned in Plutarch *L. c.*, and Thuc. *l. c.* In the latter it seems to be more closely connected with the second expulsion of the ἐναγεῖς (in 508 B.C.), than with the first. See also Plutarch's *Moralia* 549 A, τὰς Ἀθήνησι τῶν ἐναγῶν σωματῶν ῥίψεις...οὐδὲ παίδων

3 τὸ δὲ γένος αὐτῶν ἔφυγεν ἀειφυγίαν. Ἐπιμενίδης δ' ὁ Κρής ἐπὶ τούτοις ἐκάθηρε τὴν πόλιν.

παισὶν ἐπίδειν ὑπήρξε τῶν ἀποσφαγέτων ἐκείνων.

The principal ancient authorities on the affair of Cylon are as follows. Hdt. v 71, ἦν Κύλων τῶν Ἀθηναίων ἀνὴρ Ὀλυμπιονίκης. οὗτος ἐπὶ τυραννίδι ἐκόμησε, προσποιησάμενος δὲ ἔταιρηίην τῶν ἠλικιωτέων καταλαβεῖν τὴν ἀκρόπολιν ἐπειρήθη, οὐ δυνάμενος δὲ ἐπικρατῆσαι ἰκέτης ἕζετο πρὸς τὸ ἄγαλμα. τούτους ἀνίστασι μὲν οἱ πρυτάνεις τῶν ναυκράρων (αἰ. ναυκραριέων), ὡς περ ἐνεμον τότε τὰς Ἀθήνας, ὑπεγγύους πλὴν θανάτου· φονεῦσαι δὲ αὐτοὺς αἰτία ἔχει Ἀλκμεωνίδας. ταῦτα πρὸ τῆς Πεισιστράτου ἠλικίης ἐγένετο. The above account is unduly favourable to the Alcmaeonidae. It is materially corrected by Thucydides, i 126 § 2, Κύλων ἦν Ὀλυμπιονίκης, ἀνὴρ Ἀθηναῖος τῶν πάλαι εὐγενῆς τε καὶ δυνατῶς... ὁ δὲ... κατέλαβε τὴν ἀκρόπολιν ὡς ἐπὶ τυραννίδι... § 6 οἱ δὲ μετὰ τοῦ Κύλωνος πολλορκοῦμενοι φλαύρους εἶχον σίτου τε καὶ ὕδατος ἀπορία. ὁ μὲν οὖν Κύλων καὶ ὁ ἀδελφὸς αὐτοῦ ἐκδιδράσκουσιν· οἱ δ' ἄλλοι ὡς ἐπίεζοντο καὶ τινες καὶ ἀπέθνησκον ὑπὸ τοῦ λιμοῦ, καθίζουσιν ἐπὶ τὸν βωμὸν ἰκέται τὸν ἐν τῇ ἀκροπόλει. ἀναστῆσαντες δὲ αὐτοὺς οἱ τῶν Ἀθηναίων ἐπιτετραμμένοι τὴν φυλακὴν, ὡς ἐώρων ἀποθνήσκοντας ἐν τῷ ἱερῷ ἐφ' ᾧ μηδὲν κακὸν ποιήσουσιν ἀπαγαγόντες ἀπέκτειναν. § 7 καθεζόμενοι δὲ τινες καὶ ἐπὶ τῶν σεμνῶν θεῶν [ἐν τοῖς βωμοῖς] ἐν τῇ παρόδῳ διεχρήσαντο. καὶ ἀπὸ τούτου ἐναγείεις καὶ ἀλιτήριοι τῆς θεοῦ ἐκείνοι τε ἐκαλοῦντο καὶ τὸ γένος τὸ ἀπ' ἐκείνων. ἤλασεν μὲν οὖν καὶ οἱ Ἀθηναῖοι τοὺς ἐναγείεις τούτους, ἤλασε δὲ καὶ Κλεομένης ὁ Λακεδαιμόνιος ὕστερον μετὰ Ἀθηναίων στασιαζόντων (B.C. 508), τοὺς τε ζῶντας ἐλαύνοντες καὶ τῶν τεθνεώτων τὰ ὄσα ἀνελόντες ἐξέβαλον. Thucydides is supported by Plutarch, *Solon* 12, whose narrative has several points of contact with the account in the text. τὸ δὲ Κυλώνειον ἄγος ἦδη μὲν ἐκ πολλοῦ διετάραττε τὴν πόλιν, ἐξ οὗ τοὺς συνωμῶτας τοῦ Κύλωνος ἰκετεύοντας τὴν θεὸν Μεγακλῆς ὁ ἄρχων ἐπὶ δίκῃ κατελθεῖν ἔπεισεν· ἐξάψαντας δὲ τοῦ ἔδους κρόκην κλωστήν καὶ ταύτης ἐχομένους, ὡς ἐγένοντο περὶ τὰς σεμνὰς θεὰς καταβαίνοντες, αὐτομάτως τῆς κρόκης ῥαγείσης, ὥρμησε συλλαμβάνειν ὁ Μεγακλῆς καὶ οἱ συναρχόντες, ὡς τῆς θεοῦ τὴν ἰκεσίαν ἀπολογούμενης· καὶ τοὺς μὲν ἕξω κατέλευσαν, οἱ δὲ τοῖς βωμοῖς προσφυγόντες ἀπεσφάγησαν· μόνου δ' ἀφέλιθησαν οἱ τὰς γυναῖκας αὐτῶν ἰκετεύσαντες. ἐκ τούτου δὲ κληθέντες ἐνα-

γείεις ἐμισοῦντο· καὶ τῶν Κυλώνειων οἱ περιγενόμενοι πάλιν ἦσαν ἰσχυροὶ καὶ στασιαζόντες αἰεὶ διετέλουν πρὸς τοὺς ἀπὸ τοῦ Μεγακλέους. ἐν δὲ τῷ τότε χρόνῳ τῆς στάσεως ἀκμὴν λαβούσης μάλιστα καὶ τοῦ δήμου διαστάντος, ἦδη δόξαν ἔχων ὁ Σόλων παρήλθεν εἰς μέσον ἅμα τοῖς ἀρίστοις τῶν Ἀθηναίων, καὶ δεόμενος καὶ διδόντων ἔπεισε τοὺς ἐναγείεις λεγομένους δίκην ὑποσχεῖν καὶ κριθῆναι τριακοσίων ἀριστίνδων δικαζόντων. Μύρωνος δὲ τοῦ Φλυνέως κατηγοροῦντος ἐάλωσαν οἱ ἄνδρες, καὶ μετέστησαν οἱ ζῶντες· τῶν δ' ἀποθανόντων τοὺς νεκροὺς ἀνορύξαντες ἐξέβρισαν ὑπὲρ τοὺς ὄρους. ταῦταις δὲ ταῖς ταραχαῖς καὶ Μεγαρέων συνεπιθεμένων ἀπέβαλον τε Νίσαιαν οἱ Ἀθηναῖοι καὶ Σαλαμῖνος ἐξέπεσον αὐτοῖς. καὶ φόβοι τινεὶ ἐκ δεσποδαιμονίας ἅμα καὶ φάσματα κατέχευε τὴν πόλιν, οἱ τε μάντις ἀγγὴ καὶ μiasμοὺς δεομένους καθαρῶν προφαίνεσθαι διὰ τῶν ἱερῶν ἠγγόρευον. οὕτω δὴ μετὰ πεινῶν αὐτοῖς ἦκεν ἐκ Κρήτης Ἐπιμενίδης... ἐλθὼν δὲ καὶ τῷ Σόλωνι χρησάμενος φίλῳ πολλὰ προσυπερίγατο καὶ προωδοποίησεν αὐτῷ τῆς νομοθεσίας... τὸ δὲ μέγιστον, ἰλασμοῖς τισὶ καὶ καθαρμοῖς καὶ ἰδρύσεσι κατοργιάσας καὶ καθοσιώσας τὴν πόλιν ὑπήκουον τοῦ δικαίου καὶ μάλλον εὐπειθῆ πρὸς ὁμόνοιαν κατέστησε.

The date of the Olympic victory of Cylon is 640 B.C. Sex. Julius Africanus (early in 3rd century A.D.), as quoted in the *Chronicon* of Eusebius, i p. 145=198, has, under *Ol.* 35, 1=B.C. 640, *Recursum Cylon Atheniensis, is qui tyrannidem affectavit.* Plutarch *l. c.* implies that Epimenides visited Athens, in connexion with the expiation of the curse of Cylon, shortly before the legislation of Solon (archon 594 B.C.). Hence the attempt of Cylon has generally been placed after the date of Dracon (621 B.C.). Thucydides, i 126, 3, places Cylon's attempt to seize the tyranny in an Olympic year. It has therefore been assigned to the Olympic years 620 (Clinton and Peter), 616 (Duncker), 612 (Corsini). But Herodotus *l. c.* describes the partisans of Cylon as an *ἐταιρηίη* τῶν ἠλικιωτέων, which points to a company of young men. Hence it has been suggested that the attempt was made at an earlier date, before the time of Dracon. It has accordingly been assigned to various Olympic years between 640 and 624 B.C., either as early as 636 or as late as 624 (Busolt, *Griechische Geschichte*, i 498, 505, ed. 1885; perhaps 632, ii



204-9, ed. 1895). The same opinion was maintained by Prof. John H. Wright as reported in the *Proceedings of the American Philological Association*, 1888, p. xxvi. His arguments were drawn from the language of Herodotus, Thucydides and the other authorities on this incident; from considerations of the probable age of Megacles and the date of Cylon's father-in-law, Theagenes of Megara. He also urged that 'the adoption of the earlier date lent unexpected coherence and significance to certain phenomena in early Attic history, the episode thus being one of the important steps in the social and political development of Athens, and not an unrelated event.' This opinion is confirmed by the text which clearly implies that the affair of Cylon preceded the date of Dracon. Cp. Macan on Hdt. v 71, and Busolt, ii 204 f<sup>2</sup>.

ἐφύγεν ἀειφυγίαν] Plat. *Leg.* 871 D, 877 C, 881 BD, φευγέτω ἀειφυγίαν, 877 E, (δταν) ἐν ἀειφυγίᾳ τις φεύγῃ. Plut. *Sol.* 24, τοῖς φεύγουσιν ἀειφυγίαν τὴν ἐναντίων, Photius, s. v. μαστήρες: τῶν ἀειφυγίαν φυγαδευθέντων.

Ἐπιμενίδης] The purification of Athens by Epimenides is generally assigned to B.C. 596-5, shortly before the archonship of Solon in 594-3 (Clinton, *Fasti*, and Busolt, i 509<sup>1</sup>, ii 211<sup>2</sup>). These dates are consistent with the account in Plutarch and were possibly suggested by it, or derived from some common source, such as Hermippus of Alexandria, quoted in Plut. *Sol.* 11. The chronology of the life of Epimenides is however extremely uncertain. Diogenes Laertius, i 111, quotes Phlegon as stating that Epimenides returned to Crete and died not long after at the age of 157. He adds that Xenophanes made him die at the age of 154, and the Cretans at 299. (But the Cretans, as we know on the authority of Epimenides himself, 'are always liars.') Suidas puts his birth in Ol. 30 (about 659 B.C.), and describes him as an old man at the time of the purification, which he places in Ol. 44 (B.C. 604—), corrected by Bernhardt into Ol. 46 (B.C. 596—). At the latter date he would have been 63.

On the other hand, Plato, *Leg.* 642 D, 698 C, describes him as coming to Athens and offering expiatory sacrifices in 500 B.C. This account is rejected by Bentley and Grote. The former says of Plato: 'that great Man did not tie himself in his Discourses to Exactness of Time' (*Phalaris*, p. 58); the latter regards the statement in the *Laws* as 'a remarkable example of carelessness in chronology'

(*H. G.*, c. 10, ii 294). The sacrifices ascribed to Epimenides by Plato may, indeed, be connected with the outbreak of a plague attested by an inscription of about 500 B.C. (CIA i 475, Busolt i 509<sup>1</sup>, ii 212<sup>2</sup>), but this is not enough to warrant our placing the prophet a century later than the age of Solon.

Thus we have two accounts of the date of Epimenides, (1) that represented by Plato, placing him about 500 B.C.; (2) that represented hitherto by no earlier authority than Hermippus, placing him about 600 B.C. (2) is supported by the text, which mentions his visit immediately after an account of a trial assigned by Plutarch to the time of Solon. The discrepancy between the two accounts is explained by Diels as arising from the fact that Plato is referring to the Epimenides of literature and not to the Epimenides of history. The Theogony ascribed to Epimenides was written under Orphic influence shortly before the Persian wars; and the story of the protracted sleep of Epimenides, which lasted for a whole century, was a fiction designed at the same time to give currency to the poetical fabrications ascribed to him. The curse of Cylon was originally expiated through the banishment of the Alcmaeonidae and the purification of Athens by Epimenides about 600 B.C. In the following century the Alcmaeonidae returned and about 508 B.C., after the expulsion of the Peisistratidae, when Cleisthenes, the Alcmaeonid, was the foremost man in the state, the influence of the exiles led to a revival of the memory of the ancient crime. At such a time as this the story of Epimenides was naturally revived by the opponents of Cleisthenes, and his oracles invented as part of their machinations against the guilty race of the Alcmaeonidae (Diels, *Sitzungsberichte* of the Berlin Academy, April 16, 1891, part xxi; abstract in *Berliner Philologische Wochenschrift*, p. 766). Cp. Busolt, ii 211 f<sup>2</sup>.

ἐπὶ τούτοις] either 'thereupon,' or 'besides.' Ἐπὶ τούτοις in the former sense = μετὰ ταῦτα has hitherto been found only in the spurious works (Eucken, *Sprachgebrauch des Ar.*, p. 51). The latter sense (*praeterea*) is on the whole preferable, and is found in *Rhet.* ii 6, 1384 a 9. Cf. *Pol.* ii 9, 1271 a 39, ἐπὶ τοῖς βασιλεῦσιν ἢ ναυαρχία ἕτερα βασιλεία καθέστηκεν. ἐπὶ τούτοις may also mean 'in consequence of these events.'

ἐκάθηρε] For the details of this purification, see Plut. *Sol.* 12 ad fin. (καθαρμοῖς), and Diogenes Laertius, i 110.

2. μετὰ δὲ ταῦτα συνέβη στασιάσαι τοὺς τε γνωρίμους καὶ τὸ πλῆθος πολὺν χρόνον [[τὸν δῆμον]]. ἦν γὰρ αὐτῶν ἡ πολιτεία τοῖς 2 τε ἄλλοις ὀλιγαρχικῇ πᾶσι, καὶ δὴ καὶ ἐδούλευον οἱ πένητες τοῖς πλουσίοις καὶ αὐτοὶ καὶ τὰ τέκνα καὶ αἱ γυναῖκες. καὶ ἐκαλοῦντο 5 πελάται καὶ ἐκτῆμοροι· κατὰ ταύτην γὰρ τὴν μίσθωσιν [ῆ]ργάζοντο τῶν πλουσίων τοὺς ἀγρούς. ἡ δὲ πᾶσα γῆ δι' ὀλίγων ἦν·

II 2 τοὺς τε—πλῆθος del. Oppenraij. [[καὶ τὸ πλῆθος]] πολὺν χρόνον <καὶ> Thalheim. τὸν δῆμον secluserunt K, K-W, H-I, B: defendebat Joh. Mayor. 5 ἐκτῆμοροι B<sup>4</sup>. <τε> γὰρ B<sup>4</sup> appendix.

TESTIMONIA. 5 Plut. Sol. 13 ἅπας μὲν γὰρ ὁ δῆμος ἦν ὑπόχρεως τῶν πλουσίων. ἡ γὰρ ἐγεώργων ἐκείνοις ἕκτα τῶν γινομένων τελοῦντες, ἐκτῆμοροι (ἐκτῆμοριοι libri, corr. Koraës) προσαγορευόμενοι καὶ θῆτες, ἡ χρέα λαμβάνοντες ἐπὶ τοῖς σώμασιν ἀγώγμοι τοῖς δανείζουσιν ἦσαν, οἱ μὲν αὐτοῦ δουλεύοντες, οἱ δ' ἐπὶ τὴν ξενὴν πιπρασκόμενοι (c. 12, 37 ff.). Photius, s. v. πελάται 1, οἱ παρὰ τοῖς πλεσίον ἐργαζόμενοι. καὶ θῆτες οἱ αὐτοὶ καὶ ἐκτῆμοροι, ἐπειδὴ ἕκτω μέρει τῶν καρπῶν εἰργάζοντο τὴν γῆν (=schol. Plat. Euthyphr. 4 C); ib. 2, οἱ μισθῶ δουλεύοντες, ἐπεὶ τὸ πῆλας ἐγγύς, οἷον ἔργιστα διὰ πενίαν προσιόντες. \*Ἀριστοτέλης; Pollux iv 165 ἐκτῆμοροι δ' οἱ πελάται παρὰ τοῖς Ἀττικοῖς (cf. iii 82). Hesych. ἐκτῆμοροι: οἱ ἕκτω μέρει τὴν γῆν γεωργοῦντες; id. ἐπίμορτος: ἐκτῆμοροι οἱ τὸ ἕκτον τελοῦντες. Rose, Ar. Frag. 351<sup>2</sup>, 389<sup>3</sup>.

## II. The consist of the classes before the times of Dracon and Solon.

§ 1. μετὰ ταῦτα] i.e. after the affair of Cylon, which must have been the main subject of the previous chapter; although in the part that has been preserved, the narrative of its consequences is brought down to the time of Epimenides. (Blass, however, makes μετὰ ταῦτα mean 'after the expiation by Epimenides,' neque enim stasis, i.e. *sedditio armata, per multos annos obtinuisse potest.*)

For the general sense, cf. Plut. Sol. 13 *in it.*, οἱ δ' Ἀθηναῖοι τῆς Κυλωειοῦ πεπαιμένης παραχῆς καὶ μεθεστῶτων...τῶν ἐναγῶν, τὴν παλαιὰν αὐτῆς στάσιν ὑπὲρ τῆς πολιτείας ἐστασίαζον, ὅσας ἡ χώρα διαφορὰς εἶχεν, εἰς τὸσαῦτα μέρη τῆς πόλεως διαστάσης.

§ 2. τοῖς τε ἄλλοις...καὶ δὴ καὶ] 16 §§ 2, 8, 10. In 18 § 2 and 19 § 3 we have καὶ alone in the second clause. It is exceptional for τε to be omitted, as in Lycurg. *Leocr.* 95, ἐπὶ τὴν ἄλλην χώραν καὶ δὴ καὶ (where Baiter prefers ἐπὶ τε). Kaibel (p. 78) regards it as an archaic formula.

ὀλιγαρχικῇ...ἐδούλευον] These evils were remedied by Solon, who was eulogised as a legislator: *Pol.* 1273 b 36, ὀλιγαρχίαν τε γὰρ καταλύσαι λιαν ἄκρατον οὖσαν δουλεύοντα τὸν δῆμον παῖσαι.

πελάται] used by Plutarch in eight passages as an equivalent for the Roman *clientes* (*Romulus* 13, *Poplicola* 5, *Coriolanus* 13 and 21 § 4, *Marius* 5 § 5, *Crassus* 21 § 5, *Cato Minor* 34 § 3, *Tib. Gracchus* 13

§ 2); also in *Agis* 6 § 5, and *Quaest. Conviv.* ii 10, (ὁ κίττος) Βουτιτίου θεοῦ πελάτης καὶ παράσιτος ὢν.

ἐκτῆμοροι] (1) Plut., *Sol.* 13, states that these tenants paid their landlords a sixth part of the produce (ἕκτα τῶν γινομένων τελοῦντες). Similarly, Hesychius, s. v. ἐπίμορτος. (2) Photius, s. v. πελάται, says that they cultivated the soil in return for a sixth part of the produce (ἕκτω μέρει τῶν καρπῶν εἰργάζοντο τὴν γῆν). Similarly, Hesychius, s. v. ἐκτῆμοροι, and the Scholiast on Plato, *Euthyphron* 4 c. Thus Plutarch makes them pay 1/6 and retain 5/6 for their own maintenance; while Photius makes them pay 5/6 and retain 1/6. The former view is preferable and it is supported by Oncken (*Staatslehre*, ii 437 n) who observes that a tax of 1/6 was sufficiently severe to imply a considerable amount of distress, and by Gomperz (in Appendix III to his polemical pamphlet, *Die Schrift vom Staatswesen der Athener*, pp. 45—48; also by Botsford, *Athenian Const.* (1893) 138 f, and Henry Sidgwick, *Cl. Rev.* viii (1894) 296 f, who quotes Isocr. *Areop.* 32, γεωργίας ἐπὶ μετρίαις μισθώσεσι παραδιδόντες. The other view is held by Beloch, i 218; Busolt, ii 109<sup>2</sup>, Thumser, *Gr. Ant.* 335 f; Gilbert, i 128<sup>2</sup>; and Wilamowitz, ii 58.

μίσθωσιν] 'rent' (not 'wages'). *Inf.* μισθώσεις ἀποδιδόειν. Dem. 28 § 12, ἀποδέδωκε τὴν μίσθωσιν, and 43 § 58 (*lex*) τοὺς μὴ ἀποδιδόντας τὰς μισθώσεις τῶν τεμενῶν.

δι' ὀλίγων ἦν] c. 4 *ad fin.*, c. 29 § 1. The sense is not materially different in



καὶ εἰ μὴ τὰς μισθώσεις ἀποδιδούειν, ἀγώγιμοι καὶ αὐτοὶ καὶ οἱ παῖδες ἐγίγνοντο. καὶ οἱ δανεισμοὶ πᾶσιν ἐπὶ τοῖς σώμασιν ἦσαν μέχρι Σόλωνος· οὗτος δὲ πρῶτος ἐγένετο τοῦ δήμου προστάτης. χαλεπώτατον μὲν οὖν καὶ πικρότατον ἦν τοῖς πολλοῖς τῶν 10 κατὰ τὴν πολιτείαν τὸ δουλεύειν· οὐ μὴν ἄλλα καὶ ἐπὶ τοῖς ἄλλοις ἐδυσχέραινον· οὐδενὸς γάρ, ὡς εἰπεῖν, ἐτύγχανον μετέχοντες.

### 3. ἦν δ' ἡ τάξις τῆς ἀρχαίας πολιτείας τῆς πρὸ Δράκοντος

8 ΕΓΙΝΟΝΤΟ (K-W): ἐγίγνοντο (H-L, K<sup>3</sup>, B, Th); in titulis atticis annorum 445—292 A.C. quadraginta tribus locis inventum est γίγνομαι, nusquam γίνομαι (Meisterhans, *Grammatik der Attischen Inschriften*, p. 177<sup>3</sup>); itaque ubique praetuli γίγνομαι (K<sup>4</sup>). καὶ οἱ δανεισμοὶ πᾶσιν Blass (K<sup>3</sup>, K-W<sup>3</sup>): καὶ [δε]δ[εμένοι τοῖς δανείσ]ασιν K, καὶ γάρ κτλ. K-W<sup>1,2</sup>; ὑπόχρεω γάρ H-L repugnante papyro. 11 δουλεύειν K-W (K<sup>3</sup>, B): [τὸ τῆς γῆς μὴ κρατ]εῖν H-L Blassii coniecturam secuti.

III 1 τῆς πρὸ Δράκοντος secl. Dufour (Th).

*Pol.* viii (v) 6, 1306 a 16, τῆς πολιτείας δι' ὀλίγων ὀσσης, and *infra* c. 29 l. 9, δι' ὀλίγων ποιήσονται τὴν πολιτείαν, also *Pol.* 1318 b 34, αἶ τε γὰρ ἀρχαὶ αἰεὶ διὰ τῶν βελτίστων ἔσονται, 1301 b 12, τὴν μὲν κατάστασιν προαιροῦνται τὴν αὐτήν, δι' αὐτῶν δ' εἶναι βούλονται, 1293 a 28, δι' αὐτῶν τὰς ἀρχὰς ἔχειν (Eucken, *Sprachgebrauch des Ar.*, p. 38), 1283 b 6; Isaeus, vi 35, ὅπως ἐκέλευον τελευτήσαντος δι' αὐτῶν ἔσοιτο ἡ οὐσία.

ἀγώγιμοι] *Plut. Sol.* 13, χρέα λαμβάνοντες ἐπὶ τοῖς σώμασιν ἀγώγιμοι τοῖς δανείζουσιν ἦσαν, 15 § 8, τῶν ἀγωγιμῶν πρὸς ἀργυρίου γεγονότων πολιτῶν.

*Diod. Sic.* i 79, 16 (of an Egyptian law-giver) τῶν ὀφειλόντων τὴν ἔκπρασιν τῶν δανείων ἐκ τῆς οὐσίας μόνον ἐποίησατο, τὸ δὲ σῶμα κατ' οὐδένᾳ τρόπῳ εἴσαεν ὑπάρχειν ἀγώγιμον.

δανεισμοὶ κτλ.] c. 4 *ad fin.*, c. 9 § 1 δανείζειν ἐπὶ τοῖς σώμασιν. *Dion. Halic. Ant. Rom.* iv 9, p. 658, 6 Reiske (of Servius Tullius), νόμον θήσομαι, μηδένα δανείζειν ἐπὶ σώμασιν ἐλευθέροις, and v 53, p. 970, 4 (οἱ δανείζοντες) εἰς δεσμούς τὰ τῶν ὑποχρέων ἀπῆγον σώματα. The word δανεισμός occurs in *Eth.* 1131 a 3, *Plat. Rep.* 473 E, *Leg.* 842 D, 921 C.

τοῦ δήμου προστάτης] In *Plut. Sol.* 13 *ad fin.*, the oppressed citizens resolve on choosing ἓνα προστάτην ἄνδρα, and the choice falls on Solon. The same term is applied *infra* c. 28 to Solon, Peisistratus, Cleisthenes, Xanthippus, Themistocles and Aristides, Ephialtes and Pericles, Cleon and Cleophon. According to Grote's definition, which is mainly applicable to a time later than that of Solon, the term 'denotes the leader of a popular party, as opposed to

an oligarchical party (see *Thuc.* iii 70, 82, iv 66, vi 35) in a form of government either entirely democratical, or at least in which the public assembly is frequently convoked and decides on many matters of importance' (*Hist. of Gr.* vii p. 304 n). See Dr Hager's article in *Smith's Dict. of Ant.* ii 504.

§ 3. οὐδενὸς...ὡς εἰπεῖν] An example of the normal use of ὡς εἰπεῖν, to modify a numerical exaggeration. To the passages quoted in my note on *Dem. Lept.* § 140, the following may be added, from Aristotle's *Politics*. ὡς εἰπεῖν is used with πᾶσι in 1263 b 4, 1273 b 17, 1282 a 5, 1314 a 14, 1319 a 30, 1323 a 20, 1328 b 16; also with numbers in 1285 b 34 σχεδὸν δύο ἐστὶν ὡς εἰπεῖν, 1302 a 19 σχεδὸν ὡς εἰπεῖν τρεῖς. ὡς ἐπὶ τὸ πλείστον εἰπεῖν occurs in 1297 b 33, 1335 a 8. ὡς ἀπλῶς εἰπεῖν, in 1293 b 34, 1299 a 25, 1310 a 37.

ὡς εἰπεῖν is less frequently used to modify a strong metaphor or other emphatic phrase unconnected with number: 1263 a 36 τοῖς δούλοις χρῶνται τοῖς ἀλλήλων, ὡς εἰπεῖν ἰδίους, 1268 a 23 τὰς κυριωτάτας ἀρχὰς ὡς εἰπεῖν, 1324 b 6 τῶν πλείστων νομίμων χύδην ὡς εἰπεῖν κειμένῳ, 1301 b 5 ἀρχαὶ μὲν οὖν ὡς εἰπεῖν [bracketed by Susemihl, transferred after πηγαὶ by others] αὐταὶ καὶ πηγαὶ τῶν στάσεων εἰσιν, 1304 b 5, οἱ κατ' ἀρετὴν διαφέροντες οὐ ποιοῦσι στάσιν ὡς εἰπεῖν, 1312 b 23 εὐθὺς ὡς εἰπεῖν. ὡς ἔπος εἰπεῖν is combined with πᾶσι, 1252 b 29; also *infra* c. 57 § 1, and with πλείστα in 49 § 5. It is quite unnecessary to substitute it for ὡς εἰπεῖν here.

### III. The Athenian Constitution before the time of Dracon.

According to the current account the



τοιάδε. τὰς μὲν ἀρχὰς καθίστασαν ἀριστίνδην καὶ πλουτίνδην· ἦρχον δὲ τὸ μὲν πρῶτον διὰ [βίου], μετὰ δὲ ταῦτα δεκαέτειαν. μέγιστα δὲ καὶ πρῶται τῶν ἀρχῶν ἦσαν βασιλεὺς καὶ 2 πολέμαρχος καὶ [ἄ]ρχ[ω]ν· τούτων δὲ πρώτη μὲν ἡ τοῦ βασιλέως (αὕτη γὰρ ἦν πάτριος), δευτέρα δ' ἐπικατέστη πολεμαρχία

3 διὰ βίου K-W, H-L (K<sup>3</sup>, B): ἀεὶ quondam K. 6 ἦν πάτριος K (B<sup>3</sup>, K-W<sup>3</sup>, 'ita L, ut videtur' K<sup>4</sup>; πάτριος ἐγένετο H-L; καὶ π[άτ]ριος [ἦν] B<sup>2</sup>. ἐπικατέστη ἢ hiatus admissio Jos. Mayor (H-L, K<sup>3</sup>, S<sup>1</sup>).

title of king was abolished on the death of Codrus. His son Medon, and twelve successors, beginning with Acastus and ending with Alcmaeon, were archons for life. In the second year of Alcmaeon (752 B.C.) the life archonships of the Medontidae were reduced to the duration of ten years. The names of seven decennial archons have been preserved. In 712 B.C., with this limitation in the tenure of the office, the archonship was thrown open to all the Eupatridae. Lastly, in the archonship of Creon (683 B.C.), or on the expiration of that of Eryxias (682, Duncker, *Hist. of Greece*, ii 135 E.T.), the single decennial archon was abolished, and his duties were distributed over nine officials who held office for a year only, and were elected by the Eupatridae out of their own body (Grote, *H.G.*, ii chap. 10 *init.*). The legend that it was out of gratitude for the heroism of Codrus that the title of king was abolished has no earlier authority than that of Justin (ii 7). It is not recognised by Plato or Aristotle, or by any earlier writer. Plato describes Codrus as meeting his doom in quest of glory and in the interests of the royal status of his descendants, *Symp.* 208 D, ὑπὲρ τῆς βασιλείας τῶν παίδων. Aristotle, *Pol.* viii (v) 10, p. 1310 b 37, implies that he was one of those who earned their royal power by their services to their country (κατὰ πόλεμον κωλύσαντες δουλεύειν). The life-archons were elected from the royal house, and bore the title of βασιλεὺς (Pausanias i 3 § 3). This title was never formally abolished, but survived even in later times in the name of the ἀρχῶν βασιλεὺς. The institution of the office of life-archon is described by Pausanias, iv 5 § 10, as a change ἀντὶ βασιλείας εἰς ἀρχὴν ὑπεύθυνον. In explanation of this phrase it has been suggested that the life-archon was 'responsible to the general body of the Eupatridae' (see ARCHON, p. 166 a, in Smith's *Dict. Ant.*); but it seems more probable that Pausanias used a phrase which was an obvious antithesis to an

irresponsible monarchy without having any real knowledge of the nature of the responsibility attaching to the holder of a life-archonship (Busolt, i pp. 400 f<sup>1</sup>, cf. ii 132 f<sup>2</sup>).—Cf. Lugebil, *Fahrh. f. class. Philol.* suppl. Bd v 539—564; also Botsford, p. 124 n. 6; and Wilamowitz, ii 40 f.

§ 1. ἀριστίνδην καὶ πλουτίνδην] § 6. *Pol.* 1273 a 23, οὐ γὰρ μόνον ἀριστίνδην ἀλλὰ καὶ πλουτίνδην οἶονται δεῖν αἰρεῖσθαι τοὺς ἀρχοντας, 1293 b 10, ὅπου γε μὴ μόνον πλουτίνδην ἀλλὰ καὶ ἀριστίνδην αἰροῦνται τὰς ἀρχάς, 1272 b 36, ταύτην δ' αἰροῦνται τὴν ἀρχὴν ἀριστίνδην = κατ' ἀρετὴν 1273 a 26. Isocr. *Paneg.* 146, οὐκ ἄρ. ἐπειλεγμένους. *Plat. Leg.* 855 c, ἀρ. ἀπομερισθὲν δικαστήριον. In *Andoc. de Pace* 30, πολλοὺς Ἀθηναίων ἀπολέσαντες ἀριστίνδην καὶ τῶν συμμάχων, I should prefer to read ἄρδην, which is combined with ἀπολλύειν in *Plato Rep.* 421 A. The adverb is defined by Timaeus as meaning κατ' ἀνδραγαθίαν αἰρετόν. Prof. Mayor adds to lexicons the following examples of ἀριστίνδην: 'Dem. p. 1069, 7, *Plut. Sol.* 12 § 2, *Lysand.* 13 § 7 (where also πλουτίνδην, as in *Septem Sap. Conv.* 11 pr. p. 154). Euseb. *Ecl. Proph.* iv 4 p. 177, 18. CIA i 61, *App. Bell. Civ.* i 35. Aelian in *Suid.*, Διονυσίων σκωμμάτων, has πλουτίνδην' (*Class. Rev.* v 120). Mr Wyse adds *Pollux* viii 112, 125, IGA 322, and, for ἀριστίνδην καὶ πλουτίνδην, *Rec. des Inscr. Jurid. Grecq.* i p. 348 (Sparta, 2nd cent.), and Le Bas-Foucart, *Pelop.* no. 1719.

διὰ βίου] *Pol.* 1270 b 39, 1272 a 37, 1285 a 15; *inf.* at end of § 6.

§ 2. πολεμαρχία] This account of the original relation of the πολέμαρχος to the βασιλεὺς is illustrated by the Schol. on *Plat. Phaedr.* 235 D, where the former is described as ὡς περ λοχαγὸς τοῦ βασιλέως (Wyse in *Class. Rev.* v 224). Similarly in certain semi-savage tribes the institution of a 'war-king' has grown up beside that of the regular hereditary monarch. Cf. Post, *Bausteine*, ii p. 84.

διὰ τὸ γενέσθαι τινὰς τῶν βασιλέων τὰ πολέμια μαλακοῦς·  
 3 ὅθεν καὶ τὸν Ἴωνα μετεπεμψαντο χρείας καταλαβούσης. τελευταία  
 δ' ἢ τ[οῦ ἄ]ρ[χ]οντ[ος· ο]ί μὲν γὰρ πλείους ἐπὶ Μέδοντος,  
 ἔνιοι δ' ἐπὶ Ἀκάστου φασὶ γενέσθαι ταύτην· τεκμήριον δ' 10  
 ἐπιφέρουσιν ὅτι οἱ ἐννέα ἄρχοντες ὀμνύουσι[ν ὧ]σπερ ἐπὶ Ἀκά-  
 στου τὰ ὄρκια ποιήσιν, ὡς ἐπὶ τούτου τῆς βασιλείας παραχω-  
 ρησάντων τῶν Κοδ[ρι]δ[ῶν] [[ἀντι]] τῶν δοθεισῶν τῶ ἄρχοντι δωρεῶν.  
 τοῦτο μὲν οὖν ὀποτέρως ποτ' ἔχει, μικρὸν ἂν παραλλάττοι τοῖς  
 χρόνοις· ὅτι δὲ τελευταία τούτων ἐγένετο τῶν ἀρχῶν, σημεῖον 15

7 ΓΙΝ : corr. Lipsius (edd.). πολεμικά B<sup>1</sup> (23, 14); sed cf. Kaibel, p. 119.  
 Condos Ἀθ. iii 301, iv 192. 8 ὅθεν καὶ K (H-L, K-W<sup>3</sup>, B<sup>2-4</sup>): πρῶτον δὲ K-W<sup>1-2</sup>, B<sup>1</sup>.  
 10 ταύτην K-W; idem (ταυτ') postea agnovit K; τὴν ἀρχὴν K<sup>1</sup> (H-L, S<sup>1</sup>). ΤΕΚΜΗΡΙΟΝ  
 in papyro agnovit B, confirmavit K; σημείον olim omnes. 11 ὀμνύουσιν ὡσπερ  
 K<sup>4</sup>; ὀμνυοῦσι. ητα Wn, ὀμνύουσι[v] ἢ <μῆν> τὰ Wilamowitz, *Hermes* xxxiii 119;  
 ἦ τὰ B<sup>4</sup>, Th. 12 τὰ ὄρκια ποιήσιν (litteris primis quinque incertis) K<sup>3</sup>; τὰ om. B<sup>4</sup>,  
 Th. τούτου τῆς H-L (K<sup>3</sup>, K-W<sup>3</sup>, B<sup>4</sup>, Th); τῆς τούτου von Schoeffer; τῆς ἐ[κείνου] K<sup>1</sup>  
 (K-W<sup>1-2</sup>). 13 ἀντὶ τῶν δοθεισῶν, litteris evanidis scripta, K<sup>3</sup>, B, K-W<sup>3</sup>: τῶν ὑπεξη-  
 ρημένων K-W<sup>1-2</sup>; τῶν ἀποδοθεισῶν maluit Kaibel 123, 'utique ἀντὶ delendum videtur,'  
 Th.; \*ἀνταποδοθεισῶν S<sup>1</sup>. 14 ἂν παραλλάττοι B<sup>2</sup> (K-W<sup>3</sup>, K<sup>4</sup>).

TESTIMONIA. 7 διὰ τὸ—μαλακοῦς. Heraclidis epitoma, Rose, Frag. 611, 1 ἀπό  
 δὲ Κοδριδῶν οὐκέτι βασιλεῖς ἤρουντο διὰ τὸ δοκεῖν τρυφᾶν καὶ μαλακοῦς γεγονέαι.

Ἴωνα] Ion, the son of Creusa, daughter  
 of Erechtheus, was summoned to the aid  
 of Athens against Eleusis and was en-  
 trusted with the conduct of the war.  
 Hdt. viii 44, Paus. vii 5, 1, and esp. i 31  
 § 3 Ἀθηναίων ἐπὶ τοῦ πολέμου τοῦ πρὸς  
 Ἐλευσίνους ἐπολεμάρχησε. Cf. Schol.  
 on Arist. *Avēs* 1527, πατρίων δὲ τιμῶν  
 Ἀπόλλωνα Ἀθηναῖοι, ἐπεὶ Ἴων ὁ πολέ-  
 μαρχος Ἀθηναίων ἐξ Ἀπόλλωνος καὶ  
 Κρεούσης τοῦ Ζεοῦθου (γυναῖκος) ἐγένετο  
 (Rose, Frag. 343<sup>2</sup> = 381<sup>3</sup>). This scholium  
 may have been derived either from the  
 present passage, or from another in  
 which Ion was mentioned near the be-  
 ginning of the treatise.

τελευταία—ἄρχοντος] It is uncertain  
 whether the president of the board of  
 nine magistrates bore the title of Archon  
 before the time of Solon. Probably up  
 to that time the members of the board  
 were called *πρυτάνεις* and their president  
 retained the ancient title of *βασιλεὺς*. It  
 was the *βασιλεὺς* that presided over the  
 archons when assembled as a judicial  
 body (Busolt, i 408, ed. 1885, cf. ii 154, ed.  
 1895). On the other side, see Gilbert's  
*Gr. St.*, i 117—118<sup>1</sup>, cf. 124<sup>2</sup>.

§ 3. Μέδοντος] son of Codrus. Ἀκάσ-  
 του, successor of Medon (Busolt, i 403<sup>1</sup>,  
 ii 130<sup>2</sup>).

ὀμνύουσι κτλ.] To 'swear that they

will swear' implies that a second oath  
 would be taken subsequently. The two  
 oaths of the archons are distinguished  
 in c. 55 *ad fin.*, while the first oath alone  
 is mentioned in c. 7 § 1, where the present  
 clause is not repeated.

παραχωρησάντων] For the constr. cf.  
 Dem. p. 38, 24, ἀξίῳ ὑμᾶς μὴ παραχωρεῖν  
 τῆς τάξεως, p. 655, 17, π. τῆς ἀρχῆς. For  
 the sense, *Pol.* 1285 b 14, τὰ μὲν αὐτῶν  
 παριέντων τῶν βασιλέων, τὰ δὲ τῶν  
 ὀχλων παραιρουμένων, ἐν μὲν ταῖς ἄλλαις  
 πόλεσιν, αἱ πατρίοι θυσίαι κατελείφθησαν  
 τοῖς βασιλεῦσι μόνον.

τῶν δοθεισῶν—δωρεῶν] Plato, *Leg.*  
 948 A, τῶν ἄλλων τῶν δοθεισῶν αὐτῶ  
 τιμῶν. ἀντὶ τῶν δοθεισῶν, retained by Mr  
 Kenyon, is confessedly a somewhat re-  
 markable expression, and is interpreted  
 to mean 'in consideration of the privileges  
 which were surrendered to the archon';  
 but this is hardly satisfactory in point of  
 sense. Cf. Kaibel, 123, who prefers con-  
 struing ἐπὶ with *βασιλείας*, and suggest-  
 ing, as the gen. after *παραχωρησάντων*,  
 τῶν ἀποδοθεισῶν τῶν ἀρχοντι δωρεῶν.

ὀποτέρως ποτ' ἔχει] *De Physica Aus-*  
*cult.* 252 b 35, ὀποτέρως ποτ' ἔχει. *De*  
*Sensu*, 446 a 21, ὀποτέρως ποτὲ γίνεται.  
*περὶ ζώης* 467 b 17, ὀποτέρως ποτὲ δεῖ κα-  
 λεῖν (*Index Ar.*).



καὶ [τὸ] μηδὲν τῶν πατρίων τὸν ἄρχοντα διοικεῖν, ὡσπερ ὁ βασιλεὺς καὶ ὁ πολέμαρχος, ἀλλ' ἀπλῶς τὰ ἐπιθέτα· διὸ καὶ νεωστὶ γέγονεν ἡ ἀρχὴ μεγάλη, τοῖς ἐπιθέτοις αὐξηθεῖσα. θεσμοθέται δὲ πολλοῖς ὕστερον ἔτεσιν ἠρέθησαν, ἤδη κατ' 4  
20 ἐνιαυτὸν αἰρουμένων τὰς ἀρχάς, ὅπως ἀναγράφαντες τὰ θέσμια φυλάττωσι πρὸς τὴν τῶν ἀμφισβητούντων κρίσιν· διὸ καὶ μόνη τῶν ἀρχῶν οὐκ ἐγένετο πλείων ἐνιαυσίας. τοῖς μὲν οὖν χρόνοις 5  
τοσοῦτον προέχουσι ἀλλήλων. ἦσαν δ' οὐχ ἅμα πάντες οἱ

16 πατρίων Wyse, Blass, K-W, H-L (K<sup>3</sup>), coll. 57 § 1. 17 ἀπλῶς τὰ Wilcken (K-W<sup>3</sup>, B<sup>4</sup>, K<sup>4</sup>, Th), secl. τὰ K-W<sup>3</sup>, μόνον τὰ K<sup>3</sup>, B<sup>1</sup>. 20 αἰρ[ουμένων] Wyse, Blass, Lipsius, (K-W, H-L, αἰρουμέ[ρων] K<sup>4</sup>). 21 ἀμφισβητούντων Wilcken (K-W<sup>3</sup>, B<sup>3,4</sup>, K<sup>4</sup>, Th): παρανομούντων K<sup>1</sup> (K-W<sup>1,2</sup>, B<sup>1,2</sup>, S<sup>1</sup>). 22 πλείων ἐνιαυσίας B<sup>2</sup>, collato Pl. Leg. 779 D (K-W<sup>3</sup>, K<sup>4</sup>, Th): πλείων [ἡ] ἐνιαύσιος K<sup>1</sup>, K-W<sup>1,2</sup>, B<sup>1</sup>, S<sup>1</sup>. τοῖς—χρ[όνοις] K-W<sup>3</sup>, B<sup>3,4</sup>, K<sup>4</sup>, Th; τῷ—χρόνῳ B<sup>2</sup>; [οὔτοι] μὲν οὖν χρόνον olim K (S<sup>1</sup>). 23 ἀλλήλων, ἄλλων. ᾤκησαν K<sup>1</sup>; ἀλλήλων. ᾤκησαν S<sup>1</sup>, ἀλλήλων. ἦσαν Jackson, Blass (K-W, H-L; K<sup>4</sup>, Th).

TESTIMONIA. 23—33 Bekk. *Anecd.* (lex. iv) 184, 11 ἄρχοντες θ' οὔτοι πρὸ τῶν Σόλωνος νόμων ἦσαν. ib. 449, 7 (lex. Bachm. i 149, 1 et Suídas, s. v. ἄρχων) ἄρχοντες οἱ ἐννέα τίνες θεσμοθέται ἔξ, ἀρχων, βασιλεὺς, πολέμαρχος· καὶ πρὸ μὲν τῶν Σόλωνος νόμων οὐκ ἔξην αὐτοῖς ἅμα δικάζειν, “ἀλλ' ὁ μὲν βασιλεὺς” καθῆστο παρὰ τῷ καλουμένῳ βουκολίῳ—τὸ δὲ ἦν “πλησίον τοῦ πρυτανείου—,” “ὁ πολέμαρχος” ἐν Δυκείῳ, καὶ ὁ ἀρχων παρὰ τοὺς ἐπώνυμους, οἱ θεσμοθέται παρὰ τὸ θεσμοθέσιον. κύριοί τε ἦσαν ὥστε “τὰς δίκας αὐτοτελεῖς” ποιεῖσθαι. ὕστερον δὲ Σόλωνος οὐδὲν ἕτερον αὐτοῖς τελεῖται, ἡ μόνον ὑποκρίνουσι (ἀνακρίνουσι Pearson et Matthiae) τοὺς ἀντιδίκους.

§ 4. **θεσμοθέται**, literally ‘legislators,’ from *θεσμοί*, the old term for *νόμοι*. The name was ‘probably applied to them as the judges who determined the great variety of causes which did not fall under the cognizance of their colleagues; because, in the absence of a written code, those who declare and interpret the laws may be properly said to make them’ (Thirlwall, ii 17). According to the text, the object of their appointment was to secure that the enactments of the law should be publicly recorded and duly preserved, with a view to their being enforced against transgressors. In the absence of a code of law, such as Dracon afterwards gave to Athens, the *θέσμια* published by the *Thesmothetae* were presumably ‘rudimentary laws derived from their knowledge of unwritten usage or suggested by their actual experience in the management of cases’ (Botsford, *Ath. Const.* p. 129). It is suggested by Gilbert (p. 124<sup>2</sup>) that ‘each of the three superior magistrates had two *Thesmothetai* to assist him in his judicial functions.’

κατ' ἐνιαυτὸν—τὰς ἀρχάς] B.C. 683.

ἀναγράφαντες] not exactly to ‘commit to writing’ (Poste), but to engrave on a tablet and set up in a public place (this is the force of *ἀνα*-); in brief, ‘to record publicly.’ CIA i 61, 5, quoted

on c. 7 § 1 and Dittenberger's *Sylloge*, 46<sup>1</sup>, 29, *καταθεῖναι ἐμ πόλει ἀναγράφαντας ... ἐν στήλῃ λιθίνῃ*. In c. 30 § 1 the verb means ‘to draw up.’

**διὸ**] does not appear to refer to the immediately preceding clause, but to the beginning of the previous sentence. It was because the *thesmothetae* were not instituted until the time when magistrates were appointed annually that, unlike the three senior archons in former days, they never held office for more than a year.

§ 5. **τοῖς—ἀλλήλων**] ‘Such then is the order of precedence which these magistrates have over one another in point of date,’ i.e. (1) βασιλεὺς, (2) πολέμαρχος, (3) ἀρχων, (4) θεσμοθέται. **ἀλλήλων** is somewhat loosely used.

**ἦσαν δ' οὐχ ἅμα πάντες κτλ.**] With reference to the lexicographical articles quoted above, in the *Testimonia*, it was remarked by Schömann (*Ant. Gr.* p. 412 E. T.) that ‘before the time of Solon, as we are assured by evidence which, it must be admitted, is exceedingly apocryphal in character, the nine Archons were not permitted to sit in judgment all together. They were, however, equally precluded from doing this in the times better known to us, and the statement must therefore be based on some kind of



ἐννέα ἄρχοντες, ἀλλ' ὁ μὲν βασιλεὺς εἶχε τὸ νῦν καλούμενον Βουκολεῖον πλησίον τοῦ πρυτανείου (σημείον δέ· ἔτι καὶ νῦν γὰρ 25

25 ΒΟΥΚΟΛΙΟΝ (K, H-L, B, Th): Βουκολεῖον K-W, K<sup>4</sup>.

misapprehension.' It was also noticed that, before the time of Solon, the archon could not have had his official residence *παρὰ τοὺς ἐπωνύμους*, as the statues of the *ἐπωνύμοι*, or national heroes that gave their names to the ten Attic tribes, could not have existed before the institution of those tribes by Cleisthenes (508 B.C.). Hence it was inferred by K. F. Hermann (*Gr. Staatsalt.*, p. 407, note 14) that the information referred to the post-Solonian time. But at that time the official residence of the Archon-Basileus was the *Stoa Basileios*, not the *Basileion*. Accordingly it was suggested by Wecklein (*Monatsber. der München. Akad.*, 1893, 5. 38) that the *Basileion*, which he supposed was the residence of the *φυλοβασιλεῖς*, had been confounded with that of the Archon-Basileus.

We now see that the main source of the information, so far as it is correct, was the present passage. The information really refers to the time before Solon; but the lexicographers commit an anachronism, for which they are themselves responsible, in placing the office of the archon near the *Eponymii*, instead of in the *Prytaneum*, in the neighbourhood of which the statues of the *Eponymii* were set up in 500 B.C.

**Βουκολεῖον]** We are here told that the official residence of the Archon-Basileus was the building which, in the time of the writer, was called the *Βουκολεῖον*. This explains the otherwise obscure passage quoted in Athenaeus, p. 235, from the law relating to the Archon-Basileus: *τοὺς δὲ παρασίτους ἐκ τῆς βουκολίας ἐκλέγειν ἐκ τοῦ μέρους τοῦ ἐαυτῶν ἐκτὴα κριθῶν κτλ.* In Telfy's *Corpus Iuris Attici* § 358 the words *ἐκ τῆς* (or *ἐκτὸς*) *βουκολίας* are strangely rendered *absque dolo*. It is now, however, clear that they must refer to the residence of the Archon-Basileus and are used in the same sense as *ἐκ τοῦ βουκολεῖου*, which was perhaps the original reading.

The *Βουκολεῖον* is possibly connected with the *βουζύγιον*, or field of sacred ox-ploughing, described by Plutarch (*Coniugalia Praecepta*, xlii) as below the Acropolis: 'Ἀθηναῖοι τρεῖς ἀρότους ἱεροὺς ἀγρουσι... τρίτον ὑπὸ πτόλιν τὸν καλούμενον βουζύγιον (Miss Harrison, *Mythology and Monuments of Ancient Athens*, p. 166).

It has been suggested that a black-figured vase-painting on a *hydria* in the Berlin Museum, where an ox is standing within a small Doric shrine, not bound as for sacrifice, but free and stately, is a representation of the sacred ox in his *Βουκολεῖον*, whether it be the building below the Acropolis or some other shrine of *Ζεὺς Πολιεὺς* (*ib.* p. 428). It is more probable, however, that the *Βουκολεῖον* was connected with the worship of Dionysus, who was often represented in the form of an ox (cf. Eur. *Bacchae*, 100, 920—922, 1017, 1159). There was a play of Cratinus called the *Βουκόλοι*, which began with a dithyramb, and it has been inferred from Aristoph. *Vesp.* 10, *τὸν αὐτὸν ἄρ' ἐμοὶ βουκολεῖς Σαβάξιον*, that the votaries of the Thracian Dionysus, ὁ *ταυρόμορφος*, were called *βουκόλοι* (O. Crusius, in *Philologus*, xlvii 34). It will be observed that in the text the *Βουκολεῖον* is mentioned in connexion with Dionysus. Curtius is content to regard it as having been in primitive times a royal farmhouse, including a slaughter-house for the royal sacrifices (*Stadtgeschichte von Athen*, 1891, p. 51).

**πρυτανεῖον]** The position of the *Prytaneion* is disputed, and it is sometimes supposed that there was more than one building of the name (Judeich, *Topogr. von Athen*, pp. 59, 91). Pausanias tells us (i 18 § 3) that near the *Agraulaion* is 'the *Prytaneion*, in which are inscribed the laws of Solon.' By this is probably meant the original *Prytaneion*, the centre of the ancient city and the site of the hearth of the state. This *Prytaneion* was probably a little to the east of the ground beneath the northern, or north-eastern, cliff of the Acropolis, somewhat high up the slope (Miss Harrison, *l. c.*, p. 165). Before reaching it Pausanias had seen (i 5 § 1) the statues of the *ἐπωνύμοι* 'above the *Bouleuterion*' or Council Chamber of the Five Hundred. Near the latter he sees 'what is called the *Θόλος*, where the Prytanes offer sacrifice.' It was apparently for this reason that the *Θόλος* was sometimes called the *πρυτανεῖον*, e.g. in Schol. on Aristoph. *Pax* 1183, *τόπος Ἀθήνησιν παρὰ πρυτανεῖον ἐν ᾧ ἐστήκασιν ἀνδριάντες οὗς ἐπωνύμους καλοῦσιν* (*ib.* p. 171 note 106). Curtius places the original *Prytaneion* in the Old Agora

τῆς τοῦ βασιλέως γυναικὸς ἢ σύμμειξις ἐνταῦθα γίγνεται τῷ Διονύσῳ καὶ ὁ γάμος), ὁ δὲ ἄρχων τὸ πρυτανεῖον, ὁ δὲ πολέμαρχος τὸ Ἐπιλύκειον (ὃ πρότερον μὲν ἐκαλεῖτο πολεμαρχεῖον, ἐπεὶ δὲ Ἐπίλυκος ἀνφοκοδόμησε καὶ κατεσκευάσεν αὐτὸ πολεμαρχήσας, 30 Ἐπιλύκειον ἐκλήθη). θεσμοθέται δ' εἶχον τὸ θεσμοθετεῖον. ἐπὶ δὲ

26 CΥΜΜΙΖΙΣ: σύμμειξις K-W, H-L, B, K<sup>3</sup>, Th, coll. Meisterhans, p. 181<sup>3</sup>. ΓΙΝΕΤΑΙ (K-W). 27 καὶ ὁ γάμος delet Rutherford (H-L, Hude). 28 ΕΠΙΛΥΚΙΟΝ: -εῖον K etc.

TESTIMONIA. 26 Hesych. Διονύσου γάμος: τῆς τοῦ βασιλέως γυναικὸς καὶ <τοῦ> θεοῦ γίνεται γάμος.

28 Hesych. Ἐπιλύκ(ε)ιον: ἀρχεῖον τοῦ πολεμάρχου Ἀθήνησιν.

30 Schol. Plat. Phaedr. 235 D: ...οἱ δὲ θεσμοθέται ἕξ εἰσι τὸν ἀριθμὸν, ἀφ' ὧν καὶ ὁ τόπος, ὅπου συνήσαν καὶ εἰσιτοῦντο, θεμιστίων (leg. θεσμοθετεῖον) ἐκαλεῖτο...

which, according to his view, was S. of the Acropolis; he recognises a second *Prytaneion* in the *Tholos* situated in the Agora of the Cerameicus; while he regards the *Prytaneion* of Pausanias, on the northern slope of the Acropolis, as a building belonging to Roman times (*Stadtgeschichte*, p. 302). Wachsmuth (*Stadt Athen*, i 465) accepts the *Prytaneion* of Pausanias as the original building and regards the *Tholos* in the Cerameicus as a 'dépendance' in which the *Prytanes* had their public meals in the democratic days of Athens. Round the original *Prytaneion* rose the official residences of an earlier age. First among these was the *βασιλεῖον*, or official residence of the kings, which may be identified with the building in which the four *φυλοβασιλεῖς* performed their religious rites (Pollux viii 111, ἐν τῷ βασιλείῳ τῷ παρὰ τὸ βουκολεῖον) and with the residence of the Archon-Basileus (Wachsmuth, p. 468). See also Busolt, i 407 n. 4<sup>1</sup>, ii 154 n. 6<sup>2</sup>, 158 n. 1<sup>2</sup>; Judeich, *Topogr. von Athen*, p. 59.

ἔτι καὶ—γάμος] Either on the second day of the *Anthesteria* at the beginning of March, or at the Greater *Dionysia* at the end of that month, there was a procession representing the entry of Dionysus Ἐλευθερεῖς 'from without the city into the little temple of the Cerameicus,' 'and his incorporation into the city by union with the noblest woman of the land, the wife of the king.' On this occasion the *Basilinna* was accompanied by fourteen venerable priestesses, and was solemnly and secretly betrothed to the god. In the temple in Limnae she administered a vow to the priestesses, offered a mystic sacrifice, wherein she prayed for all blessings for the state, and then remained for the night in the interior of the temple. Cf.

[Dem.] c. *Neaeram*, §§ 74—78, and Mommsen's *Heortologie*, pp. 358—360, quoted by Mr Purser on *Dionysia* in Smith, *Dict. Ant.* i 639 a. The passage in the c. *Neaeram* § 76 speaks of the law relating to the *βασιλιννα* as inscribed on a tablet in the temple of Dionysus ἐν Λίμναις opened only once a year on the second day of the *Anthesteria*. It also describes her as τὴν θεῶν γυναικα δοθησομένην, but says nothing of her spending the night in the temple.

Ἐπιλύκειον] Suidas, s. v. ἀρχων, describes the official residence of the Polemarch as ἐν Λυκείῳ, and accordingly it is generally held that 'the Polemarch had his office outside the walls, but quite close to the city, beside the Lyceum, a shrine consecrated to Apollo and frequently mentioned on account of a gymnasium existing there' (Schömann, *Antiquities*, p. 412 E. T.; see also Curtius, *Stadtgeschichte*, p. 58). The office was doubtless ἐπὶ Λυκείῳ (not ἐν Λυκείῳ), and this is what is meant by the name Ἐπιλύκειον. This is far more probable than the story about the 'polemarch Epilycus,' which is justly rejected by Mr Kenyon. See Busolt, ii 166 n. 8<sup>2</sup>; and Wilamowitz, i 56, 278, ii 43, 104.

θεσμοθετεῖον] Suidas, s. v. ἀρχων, on the authority doubtless of the present passage, says that the θεσμοθέται held their court παρὰ τὸ θεσμοθέσιον (Bekker, *Anecd.* 449, 23, παρὰ τὸ θεσμοθέσιον). Cf. Hyperides, *Εὐκ.* xxii, θεσμοθετῶν συνέδριον. It was there also that they dined at the public expense: Schol. Plato, *Phaedr.* 235 D, οἱ δὲ θεσμοθέται ἕξ εἰσι τὸν ἀριθμὸν, ἀφ' ὧν καὶ ὁ τόπος, ὅπου συνήσαν καὶ εἰσιτοῦντο, θεμιστίων (leg. θεσμοθέσιον vel θεσμοθετεῖον) ἐκαλεῖτο. Its position is unknown, but it was not improbably near the *πρυτανεῖον*, though there is nothing to prevent its being placed in the



Σόλωνος ἅπαντες εἰς τὸ θεσμοθετεῖον συνήλθον. κύριοι δ' ἦσαν καὶ τὰς δίκας αὐτοτελεῖς [κρίν]ειν καὶ οὐχ ὥσπερ νῦν προανακρίνειν. τὰ μὲν οὖν περὶ τὰς ἀρχὰς τοῦτον εἶχε τὸν τρόπον. 6 ἢ δὲ τῶν Ἀρεοπαγιτῶν βουλῇ τὴν μὲν τάξιν εἶχε τοῦ διατηρεῖν 34

32 αὐτοτελ[ῶς] Jos. Mayor (H-L).  
34, 38 ἀρεοπαγεῖτ.

<μόνον> προανακρίνειν conl. B<sup>1</sup>.

ἀγορά, as (from the very first) the θεσμοθέται had judicial duties to discharge. Köhler conjectures that it was near the βουλευτήριον, but the evidence for this is inconclusive (Wachsmuth, *l. c.* i p. 482-3, ii 353-4).

ἐπὶ δὲ Σόλωνος—συνήλθον] Diog. Laert. i 58 (of Solon), καὶ πρῶτος τὴν συναγωγὴν τῶν ἐννεὰ ἀρχόντων ἐποίησεν, εἰς τὸ συνεπιεῖν, ὡς Ἀπολλοδώροσ φησιν ἐν δευτέρῳ περὶ νομοθετῶν. The text confirms the conjecture of Schömann (*Ant.*, p. 412 E. T.) that the 'Thesmothesium' was used by the whole board of the nine archons. It also favours the view that as early as the time of Solon all the nine archons were called *Thesmothetae* (K. F. Hermann, *Staatsalt.* § 138, n. 3, and Bergk in *Rheinisches Museum* xiii 449, quoted by Wachsmuth, *l. c.*, ii 354).

αὐτοτελεῖς κρίνειν] c. 53 § 2, 'to decide on their own authority.' On various meanings of αὐτοτελής, see Kaibel, 40. The adj. is here nom., and not acc. agreeing with δίκας as in Bekk. *An.* 466, 21, αὐτοτελής δίκη: ἀφ' ἧς οὐκ ἔστιν ἐκκαλέσασθαι ἐφ' ἑτέραν, καὶ αὐτοτελεῖς τὸ κύριον ἀπλῶς.

κρίνειν...προανακρίνειν] *Pol.* 1298 a 31, τέταρτος δὲ τρόπος τὸ πάντας περὶ πάντων βουλευέσθαι συνιόντας, τὰς δ' ἀρχὰς περὶ μηδενὸς κρίνειν ἀλλὰ μόνον προανακρίνειν, ὄνπερ ἡ τελευταία δημοκρατία νῦν διοικεῖται τρόπον. This is in favour of κρίνειν, as against ποιέσθαι (suggested by Suidas s.v. ἀρχων).—'In the later and better-known times of Athenian law, we find these archons deprived in great measure of their powers of judging and deciding and restricted to the task of first hearing the parties and collecting the evidence; next, of introducing the matter for trial into the appropriate dikastery, over which they presided' (Grote, *H. G.* chap. 10, ii 283 ed. 1862).

§ 6. ἡ τῶν Ἀρεοπαγιτῶν βουλῇ] The first establishment of the Senate of Areopagus is sometimes ascribed to Solon. Thus Plutarch, *Sol.* 19 *init.*, says of Solon συστήσάμενος τὴν ἐν Ἀρείῳ πάγῳ βουλήν ἐκ τῶν κατ' ἐνιαυτὸν ἀρχόντων. But in Ar.

*Pol.* ii 12 1274 a, it is stated that the Council of the Areopagus was already in existence: εἴκοι δὲ Σόλων ἐκεῖνα μὲν ὑπάρχοντα πρότερον οὐ λῦσαι, τὴν τε βουλὴν καὶ τὴν τῶν ἀρχῶν αἵρεσιν (Busolt ii 138 f<sup>2</sup>). On the other hand, Cicero, *de Off.* i 22 § 75, speaks of it as the *senatus*, *qui a Solone erat constitutus*; and Pollux, viii 125, describes it as established by Solon as a tribunal of homicide, in addition to that of the Ephetae. 'But there can be little doubt,' says Grote, ii p. 281, 'that this is a mistake, and that the senate of Areopagus is a primordial institution, of immemorial antiquity, though its constitution as well as its functions underwent many changes. It stood at first alone as a permanent and collegiate authority, originally by the side of the Kings and afterwards by the side of the archons. It would then of course be known by the title of *The Boulê*—*The senate or council*; its distinctive title, "Senate of Areopagus" (borrowed from the place where its sittings were held), would not be bestowed until the formation by Solon of the second senate or council, from which there was need to discriminate it.' The Areopagus appears to represent the Homeric βουλῇ γερόντων (Meier and Schömann, p. 10), and is probably as early as the time of the Attic kings; but, if so, its number must have been very limited. By modern writers its number is sometimes supposed to have been either 300 (Schömann, *Jahrb. f. kl. Philol.* 1875, p. 154, Hermann, *Staatsalt.* § 102, 17, Lange, *Ephet. u. Areop.* p. 27, Duncker, *Gesch. des Alterth.* v 473 = *H. G.* ii 141 E. T.); or 360, representing the 360 γένη (Philippi, *Areop. u. Epheten*, p. 206, cf. Duncker iii 434); or 60, i.e. 15 nominated by each of the four tribes, and including the 9 archons, the remaining 51 being those known as the Ephetae (Busolt, i 418<sup>r</sup>). As soon as it became customary for the archons to be added to the Areopagus at the end of their year of office, the number would cease to be fixed; but we do not know at what time this method of recruiting the Areopagus was first adopted. Mr Kenyon suggests

35 τοὺς νόμους, διώκει δὲ τὰ πλείστα καὶ τὰ μέγιστα τῶν ἐν τῇ πόλει, καὶ κολάζουσα καὶ ζημιούσα πάντας τοὺς ἀκοσμοῦντας κυρίως. ἡ γὰρ αἴρεσις τῶν ἀρχόντων ἀριστίνδην καὶ πλουτίνδην ἦν, ἐξ ὧν οἱ Ἄρεοπαγῖται καθίσταντο· διὸ καὶ μόνη τῶν ἀρχῶν αὕτη μεμένηκε διὰ βίου καὶ νῦν.

4. ἡ μὲν οὖν πρώτη πολιτεία ταύτην εἶχε τὴν ὑπογραφὴν. μετὰ δὲ ταῦτα χρόνου τινὸς οὐ πολλοῦ διελθόντος ἐπ' Ἄρι-

36 καὶ κολάζουσα : καὶ delet Gennadios (H-I) ; sed cf. c. 8 § 4 et c. 45 § 1 (Papa-georg.). 37 Ante ἡ γὰρ aliquid excidisse putat Keil. γὰρ : δὲ mavult Gennadios (Hude). 38 <διὰ βίου> καθ. con. B. 39 διὰ βίου <ἔτι> hiatus admisso Sakorrhaphos.

that 'the automatic process of forming it from all ex-archons was probably put into operation from the date of the establishment of the annual archonship.'

τὴν μὲν τάξιν κτλ.] This confirms Grote's statement that 'the functions of the Areopagus were originally of the widest senatorial character, directive generally as well as judicial.' With the context, cf. Isocr. *Areop.* § 37, τὴν ἐξ Ἄρειου πάγου βουλήν ἐπέστησαν ἐπιμελεῖσθαι τῆς εὐκοσμίας, ἧς οὐχ οἷόν τ' ἦν μετασχεῖν πλὴν τοῖς καλῶς γεγενοῖσι καὶ πολλὴν ἀρετὴν ἐν τῷ βίῳ καὶ σωφροσύνην ἐνδεδειγμένοις, and §§ 30—55, esp. § 46, τοὺς ἀκοσμοῦντας ἀνήγον εἰς τὴν βουλήν. Athen. iv 19 p. 168 A : οὗτι δὲ τοὺς ἀσώτους καὶ τοὺς μὴ ἕκ τινος περιουσίας ζῶντας τὸ παλαιὸν ἀνεκαλοῦντο οἱ Ἄρεοπαγῖται καὶ ἐκόλαζον, ἰσθόρησαν Φανόδημος καὶ Φιλόχορος (FHG i 394, cf. 387, 17).

διατηρεῖν τοὺς νόμους] Aeschin. 3 § 6, ὅταν διατηρηθῶσι οἱ νόμοι τῇ πόλει, σφύζεται καὶ ἡ δημοκρατία.

γὰρ] The Areopagus was entrusted with all these powers, because it consisted of archons who had themselves been elected under special qualifications of birth and wealth.

The constitution of the Areopagus is the subject of a fragment of Philochorus (frag. 58 in Müller's *Frag. Hist. Gr.*, i 394) : ἐκ γὰρ τῶν ἐννέα καθισταμένων ἀρχόντων Ἀθηναῖοι τοὺς Ἄρεοπαγῖτας ἔδει συνεστάναι δικαστάς, ὡς φησὶν Ἀνδροτίων ἐν δευτέρῳ τῶν Ἀθιδίων· ὕστερον δὲ πλειόνων γέγονεν ἡ ἐξ Ἄρειου πάγου βουλή· τουτέστιν ἐξ ἀνδρῶν περιφανεστέρων πενήκοντα καὶ ἐνός (this implies an identification of the Ephetae and the Areopagus). οὐ παντὸς ἀνδρὸς ἦν εἰς τὴν ἐξ Ἄρειου πάγου βουλήν τελεῖν· ἀλλ' οἱ παρ' Ἀθηναίους πρωτεύοντες ἐν τε γένει καὶ πλούτῳ καὶ

βίῳ χρηστῶ, ὡς ἱστορεῖ Φιλόχορος διὰ τῆς τρίτης τῶν αὐτῶν Ἀθιδίων.

διὸ—καὶ νῦν] 'This is also the reason why it is the only office which has continued to be held for life down to the present day.' The Council consists of all ex-archons, and this qualification could only cease with death. For διὰ βίου, cf. 2 § 1.

#### IV. The Draconic Constitution.

§ 1. τὴν ὑπογραφὴν] 'outline, 'sketch.' Ar. *de Gen. Anim.* ii 6, 743 b 20—25 esp. οἱ γραφεῖς ὑπογράψαντες ταῖς γραμμαῖς οὕτως ἐναλείφουσι τοῖς χρώμασι τὸ ζῶον. *De Anima*, ii 1, 413 a 10, τύψω . . ταύτην διαρίσθω καὶ ὑπογεγραμῶθω περὶ ψυχῆς. *Pol.* ii 5, 1263 a 31, ἔστιν ἐν ἐνάταις πόλεσιν οὕτως ὑπογεγραμμένον. Plato, *Leg.* 734 E, νόμους πολιτείας ὑπογράφειν, *Rep.* 548 D, σχῆμα πολιτείας ὑπογράψαντα.

χρόνου—διελθόντος] A vague note of time, the event from which the writer reckons being apparently the affair of Cylon and its more immediate consequences (c. 1).

Ἀρισταίχμου ἀρχοντος] The name of this archon (Ἀρισταιχμος) is now known for the first time. It follows that Draco was not the ἀρχων ἐπώνυμος of the year, as has been sometimes supposed (e.g. Busolt, i 510<sup>2</sup>). Cf. Pausanias, ix 36 § 8, Δράκοντος Ἀθηναίους θεσμοθετήσαντος ἐκ τῶν ἐκείνου κατέστη νόμων, οὓς ἔγραφεν ἐπὶ τῆς ἀρχῆς, ἄλλων τε ὁπόσων ἄδειαν ἔλαβε χρῆ, καὶ δὴ καὶ τιμωρίας μοιχοῦ. It may fairly be assumed that he was one of the θεσμοθέται, in the narrower sense of the term. Hence Grote is right in describing him as 'the thesmothes Draco.' His legislation may be assigned to B.C. 621 (Clinton's *Fasti, sub anno*; Busolt, ii 224<sup>2</sup>).



2 σταίχμου ἀρχοντος Δράκων τοὺς θεσμοὺς ἔθηκεν· ἢ δὲ τάξις

IV 3 ἢ δὲ τάξις—23 νόμον secl. Wilcken, Th.

**θεσμοὺς ἔθηκεν]** This confirms the view that he was one of the *θεσμοθέται* at the time. *θεσμοί* was the term generally applied to the laws of Dracon: Andocides, *de Myst.* § 81, *χρησθαι τοῖς Σόλωνος νόμοις καὶ τοῖς Δράκοντος θεσμοῖς*. But even the laws of Solon were by himself called *θεσμοί*. Plutarch, *Sol.* 19, quotes from one of them the words *ὅτε θεσμοὺς ἐφάνη ὁδε*, and the word occurs in his own poems c. 12 § 4, line 18, *θεσμοὺς... ἔγραψα*. The same ancient term was preserved in the oath of the *περίπολοι* in Pollux viii 106, *καὶ τοῖς θεσμοῖς τοῖς ἰδρυμένοις πέπεισομαι*, which in later Greek would have been expressed *τοῖς νόμοις τοῖς κειμένοις* (cf. Grote, c. 10, ii p. 283, note). Dracon's law of homicide is called a *θεσμός* in the text of *C. I. A.* i 61, 21 but a *νόμος* in the modern preamble.

§ 2. **ἢ δὲ τάξις κτλ.]** To identify the *τάξις*, or constitution, with the *θεσμοί*, or legislation, is inconsistent with the distinction drawn by Aristotle in *Pol.* 1289 a 15, *πολιτεία μὲν γὰρ ἐστὶ τάξις ταῖς πόλεσιν ἢ περὶ τὰς ἀρχάς... νόμοι δὲ κεχωρισμένοι τῶν δηλούντων τὴν πολιτείαν, καθ' οὓς δεῖ τοὺς ἀρχοντας ἀρχειν κτλ.* Cf. also 1286 a 3. This distinction is maintained in cc. 7 and 9, but not in c. 34. The term *θεσμοί* has a distinctive meaning and can only refer to a code, not to a constitution (*Class. Rev.* v 167 a).

Dracon has hitherto been recognised as a legislator alone. There is a well-known passage respecting him in *Ar. Pol.* ii 12, p. 1274 b 15, *Δράκοντος δὲ νόμοι μὲν εἰσι, πολιτεία δ' ὑπαρχούση τοῖς νόμοις ἔθηκεν κτλ.* This passage, which describes Dracon as adapting his laws to a constitution already in existence, is inconsistent with the present chapter, which almost ignores the legislation of Dracon and represents him as the framer of a constitution.

The passage in question comes from a chapter which, in the opinion of Zeller, Susemihl and other Aristotelian scholars, has suffered from considerable interpolation. Thus Mr W. L. Newman conjectures 'that Aristotle may have left only the fragment about Solon and a few rough data for insertion after the notice of the Carthaginian constitution, and that some member of the school, not very long after his death, completed them as best he could' (Newman's ed. ii 373, 377). Accordingly it is possible that the passage about Dracon in the *Politics* was

not written by Aristotle himself. 'Der Widerspruch mit der Politie ist allerdings vorhanden, aber dort ist seine Verfassung eine Einlage, und nichts verbietet anzunehmen, dass Aristoteles ein Jahrzehnt oder auch fünf Jahre später etwas neues zugelehrt habe' (Wilamowitz, i 67).

In *Rhet.* ii 23 § 29, 1400 b 21, *Ar.* quotes Herodicus (the physician) as saying of Dracon (*ὁ νομοθέτης*), *ὅτι οὐκ ἀνθρώπων οἱ νόμοι ἀλλὰ δράκοντος· χαλεποὶ γάρ.* Of the actual legislation of Dracon little is known, since his laws (with the exception of those on homicide) were repealed by Solon (c. 7 § 1 *πλήν τῶν φονικῶν* and *Plut. Sol.* 17 there quoted). This is possibly a sufficient reason for the absence of any reference to it in the constitutional part of this treatise, except in the words *τοὺς θεσμοὺς ἔθηκε*. All that survived is sufficiently described in the second part of the work, in the account of the procedure in cases of homicide (c. 57).

According to the text the main points in the constitution of Dracon's time are (1) a hoplitic franchise, already in existence; (2) those who had this franchise elected the Archons, the *Tamiae*, the *Strategi*, the *Hipparchi* and the *Prytanes* (unless, indeed, these are identical with the Archons) from among those who were duly qualified by a property-qualification. (3) A Council of 401, elected by lot from among those who had the franchise, and were over 30 years of age. The same limitation held good for other offices filled by casting lots, and no one was to hold office twice till every one else had had his turn. (4) Members of the Council were fined for not attending meetings of the Council or Assembly, and the fine varied with their status.

This 'Draconic constitution' has, not unnaturally, been viewed with suspicion. It tells us of a Council of 401, of which we never hear elsewhere, and (which is more serious) of certain property-qualifications which have hitherto been regarded as part of the subsequent legislation of Solon, and which the author himself minutely describes in connexion with Solon (c. 7). A writer in the *Athenaeum*, 1891 (1), p. 435 b, denounces it as 'the amazing Draconian constitution.' It has also been attacked by Weil (*Journal des Savants*, Avril, 1891), F. Rühl, and F. Cauer; also by Mr Macan in the *Journ. of Hellenic Studies*, April, 1891, pp. 24, 27,

αὕτη τόνδε τὸν τρόπον εἶχε. ἀπεδέδοτο μὲν ἡ πολιτεία τοῖς ὄπλα

4 ΔΥΤ' (= αὐτης); αὕτη κ (B<sup>1,2</sup>, Th); αὐτης seclisit B<sup>4</sup>; αὐτοῦ Richards, Wilcken (K-W<sup>3</sup>). ἡ πολιτεία secl. B<sup>4</sup>.

and in detail by Mr J. W. Headlam in an article in the *Class. Rev.*, v 166—168; followed by valuable criticisms by Mr E. S. Thompson, *ib.* p. 336, by M. Théodore Reinach in the *Revue des études grecques*, iv (1891) 82, 143 f, and by E. Meyer, *Forschungen*, i (1892) 236 f.

Mr Headlam's main points are these: (1) No other writer knows anything of a constitution attributed to Dracon. Plutarch, when speaking of the *θεσμοὶ* of Dracon, mentions nothing but a code of law. (2) Other passages in the *Πολιτεία* itself support the view taken by Plutarch and in the *Politics*. (a) In chap. vii the writer speaks of the *θεσμοὶ* of Dracon in connexion with the new code of laws made by Solon, but makes no reference to Dracon in speaking of the constitutional innovations of Solon. (b) The recapitulation in c. 41 states that the characteristic feature of Dracon's legislation was the publication of the laws. This is inconsistent with chap. 4 and its very remarkable constitution. (3) Among the provisions of the constitution at least one could not possibly have been devised in Dracon's time, the property-qualification for the archonship being expressed in terms of money that probably belong to a later age; nearly all of them are very difficult to reconcile with what we know of the state of Athens at the time; and several of them inconsistent with other statements in this book. (4) None of the provisions, some of them very remarkable, are ever quoted by later writers. (5) The whole constitution is exactly like those afterwards described in connexion with the aristocratic revolutions in 411. The details connected with the above criticism will be noticed as they occur in the following notes.

Dr P. Meyer (*Des Aristoteles Politik und die 'Αθηναίων πολιτεία*, pp. 31—44) regards the passage in the *Politics* and the present chapter as, both of them, equally genuine, and vainly endeavours to reconcile the two. He holds that the 'Dracontic constitution' does not differ materially from the constitution which preceded it, the *ἀρχαία πολιτεία* of c. 3. If so, the writer of the present chapter has not succeeded in making the points of resemblance clear. The 'Dracontic constitution' is defended with greater success by Prof. Gomperz (*Die Schrift*

*vom Staatswesen der Athener*, p. 43). He holds that, in distributing the citizens of Attica into four classes, Solon availed himself of existing social divisions, and gave them a new definition. This may hold good in the case of the *ἱππεῖς*, the *zeugitai* and the *thetes*. But it is difficult to accept it in the case of the *πεντακοσιομέδιμοι*. The term is used without any explanation in the present chapter; but, in the description of Solon's constitution, it is defined with precision as though it were then used for the first time. One would be glad to believe with Mr Kenyon, in his note on this chapter, p. 13 ed. 3, that 'a sober historical judgment will probably in the end find its statements not so startling as they at first appear'; but at present the contents of the greater part of the chapter seem to require the most careful scrutiny before they can be finally accepted.

Considerations in favour of the account are urged by Busolt, in *Philol.* 1891, vol. 50, pp. 393—400. He points out that the Pseudoplatonic *Axiochus*, which has several points of contact with this treatise (cf. c. 18 § 1, 34 § 1, 42 § 2), uses the phrase *ἐπὶ τῆς Δράκοντος ἢ Κλεισθένους πολιτείας* (p. 365). While admitting the coincidences with the oligarchical constitutions of 411, he holds that the oligarchs professed to aim at the restoration of the *πάτριος πολιτεία*, which may fairly be identified with the pre-Solonian constitution. (1) The term *πεντακοσιομέδιμος* must originally have referred to measures of corn: Solon extended its meaning to measures of wine and oil, and gave it a different value by changing the standard. (2) Fines in money may have been exacted by the State at a time when private transactions were settled by the transfer of oxen. (3) We know little of the early history of the *στρατηγία*, but it is possible that the fears inspired by the affair of Cylon may have led the aristocracy to limit the authority of the polemarch by means of four *στρατηγοὶ* appointed from the wealthier class. In his history, however, ii 224 ed. 1895, he admits that in all probability Dracon produced no constitution. The constitution is accepted by B. Keil, *Die Solonische Verfassung*, 96 f, 115 f, 202, Gilbert, *Gr. St.* i, pp. xxx, 131 f, ed. 2, Wilamowitz, i 76 f, ii 56, and Kaibel, 126. ἀπεδέδοτο] In my former edition I



παρεχομένοις. ἤρουντο δὲ τοὺς μὲν ἐννέα ἄρχοντας καὶ τοὺς 5  
ταμίας οὐσίαν κεκτημένους οὐκ ἐλάττω δέκα μνῶν ἐλευθέραν,  
2.] τὰς δ' ἄλλας ἀρχὰς || (τὰς) ἐλάττους ἐκ τῶν ὄπλα παρεχομένων,  
στρατηγούς δὲ καὶ ἱππάρχους οὐσίαν ἀποφαίνοντας οὐκ ἐλάττων  
ἢ ἑκατὸν μνῶν ἐλευθέραν καὶ παῖδας ἐκ γαμετῆς γυναικὸς γνη-

6 Ἐλάττων ἢ K-W. ΔΕΚΑ: ἑκατὸν E S Thompson; διακοσίων Weil (*Journal des Savants*, 1891, 197) et Wil. i 80; maiorem censum nemo non expectet H-L.

7 <τὰς> ἐλάττους Richards, Blass, al. 8 Ἐλάττων Marchant coll. Dobr. Adv. in Thuc. ii 13: ἐλάττων' olim K. 9 ελεγεθρων: corr. Wyse etc.

held that the pluperfect implied that the franchise had already been given and that this was not part of the alleged constitution of Dracon. Accordingly I quoted with approval Mr Poste's translation: 'Sovereign power was already wielded by the class of persons capable of providing its own equipment for war'; and his note: 'This agrees with the statement of Aristotle, *Pol.* ii 12, that Dracon made no change in the constitution. The revolution had already taken place. Dracon's task was to adjust the laws to the changed centre of political power.' But it is rightly urged by Mr H. Richards (*Cl. Rev.* v 467 b) that 'the pluperfect is used here, not because the change had taken place before Draco, but because he had made the change before the system here described in some detail got into working order. The imperfects that follow describe its working, not its first establishment. At the time when they ἤρουντο κτλ. Draco had given power to the ὄπλα παρεχόμενοι.' See also Wilamowitz, i 77 n. 6. Mr Kenyon's rendering is therefore sufficiently exact: 'The franchise was given etc.,' i. e. 'was first given.'—The same kind of franchise is to be found in the constitution proposed by the party of Theramenes in 411, c. 33 at end, Thuc. viii 97, and Xen. *Hell.* ii 3 (*Class. Rev.* v 168 a; Busolt, ii 38 n. 12).

δέκα μνῶν] We have to notice (1) the nature, no less than (2) the amount of the property-qualification required of archons.

(1) At this time property was reckoned not in money but in corn. Now, the qualification of a *ξενίτης* was to possess land capable of producing 200 μέδιμοι: a μέδιμος of corn was worth at this time about a drachma (*Plut. Sol.* 23). Land of this extent must thus have been worth not less than 2000 drachmas. According to this, men were eligible to the archonship who were excluded by Solon from all office (*Class. Rev.* v 167 b).

(2) In the constitution described in c. 29, the archons and prytanes alone were

to receive pay, 2 obols a day, implying that no high property-qualification was required. The comparatively high qualification for the generals, 100 minae (if the text is sound), would be natural in 411 but not in 621 (*ib.* 168 a). See also Kaibel, 126, and Wilamowitz, i 79 f.

Busolt, however, points out that the two qualifications of 100 and of 10 minae respectively correspond to the relative values of gold and silver in ancient times, 10:1. He supposes that a piece of land valued at 1000 Aeginetan drachmae might produce a return of 120—130 Aeginetan or 166—180 Attic drachmae; and if we assume that in those early days, when money was scarcer than in Solon's time, a medimnus was worth only 2 to 3 Aeginetan obols, the yearly produce would be from 360 (or 390) to 250 medimni. This would correspond to the census of a *ἱππεὺς* under the Solonian constitution (*Philol.* 1891, pp. 393—400).

1. 6. ἐλευθέραν, 'unencumbered.' Isaeus 10 § 17, ὁ μὲν κληρὸς ἐλεύθερος ἦν, contrasted with ὑπόχρεως. Dem. 35 § 21, ὑποθήεασι ταύτ' ἐλεύθερα, and § 22, ἐπ' ἐλευθέροις τοῖς χρήμασι δανειζόμενοι. Dittenberger, *Sylloge*, no. 344, 38; 294, 10; 126, 20, 28. Cf. c. 12, 34.

1. 8. στρατηγούς] It is urged by Mr Headlam that (a) We have no other record of στρατηγοὶ at this time: in the list in c. vii § 3 they are not mentioned. (b) The clause about their children is entirely new. (c) If there were such officers, they held an inferior position, and the comparatively high property-qualification is unaccountable (*Class. Rev.* v 167 b). Qualifications of a similar character may, however, be noticed at a much later date, in Deinarchus, *cont. Dem.*, § 71, τοὺς νόμους προλέγειν τῷ ῥήτορι καὶ τῷ στρατηγῷ (τῷ) τὴν παρὰ τοῦ δήμου πίστιν ἀξιούντι λαμβάνειν, παιδοποιεῖσθαι κατὰ τοὺς νόμους, γῆν ἐντὸς ὄρων κεκτῆσθαι, πάσας τὰς δικαίας πίστει παρακαταθέμενον, οὕτως ἀξιούν προεστάναι τοῦ δήμου.

10 σίους ὑπὲρ δέκα ἔτη γεγονότας· τούτους δ' ἔδει διε[γγ]υῖαν τοὺς  
 πρυτάνεις καὶ τοὺς στρατηγούς καὶ τοὺς ἰππάρχους τοὺς ἔτους  
 μέχρι εὐθυνῶν, ἐγγυητὰς τέτταρας ἐκ τοῦ αὐτοῦ τέλους δεχο-  
 μένους οὐπὲρ οἱ στρατηγοὶ καὶ οἱ ἰππάρχοι. βουλευεῖν δὲ τετρακο- 3  
 σίους καὶ ἓνα τοὺς λαχόντας ἐκ τῆς πολιτείας. κληροῦσθαι δὲ καὶ  
 15 ταύτην καὶ τὰς ἄλλας ἀρχὰς τοὺς ὑπὲρ τριάκοντ' ἔτη γεγονότας, καὶ

10 Δ' Δι (supra scr. Δει) : ...δ' ἔδει διατερεῖν H-L; διεγγυῖαν F. Schultess deletis verbis  
 καὶ τοῖς στρατηγοῖς καὶ τοῖς ἰππάρχοις; διεγγυῖαν B. K-W<sup>3</sup>, K<sup>4</sup>, Th; διεγγυῖασθαι K<sup>3</sup> (S<sup>2</sup>).  
 11 τοῦ γένους K<sup>1</sup>: τοῖς ἔτους Paton et van Leeuwen (edd.), quod et in papyro scriptum  
 et unice verum est, cf. [Dem.] 15 § 20 τὰς ἑνας ἀρχὰς τὰς νέας ἑκούσας ἰτεφίνας, et  
 Ar. Pol. 1322 a 11 τὰς τῶν ἑνῶν (Scaliger) μᾶλλον τὰς νέας (ἀρχὰς), et Theophr. apud  
 Athen. 77 F, ἐκ τοῦ ἑνοῦ βλαστοῦ καὶ οὐκ ἐκ τοῦ νέου. 12 δ' (= τέτταρας) ἐκ K-W,  
 H-L, B etc.: δ' ἐκ olim K. δεχομένων K, K-W, H-L, B<sup>2-4</sup>; παρεχομένοις Ratherford;  
 παρασχομένοις B<sup>1</sup> (S<sup>1</sup>). 13 οὐπὲρ <εἰσίν> Hude. 15 ΤΡΙΑΚΟΝΘΕΤΗ.

διεγγυῖαν, in the active, 'to hold to bail,' 'to exact security from'; in the passive, 'to be bailed' by any one, e.g. Thuc. iii 70, ἀκταροσίωυ τάλαντων τοῖς πρᾶξινοῖς διεγγυημένοι.

τοὺς πρυτάνεις] These must either be included among the ἄλλας ἀρχὰς τὰς ἐλάττωις, or they are identical with the ἑνέα ἀρχῶτες. As to the latter alternative, it is probable that up to the time of Solon the archons were called πρυτάνεις. This is inferred by Busolt, i 408<sup>r</sup>, from the term for court-fees, πριτανεῖα, which cannot be explained with the help of anything in the post-Solonian constitution, and from the analogy of Greek states in Asia, where the king was succeeded by a πρίτανις. It will be remembered that the official residence of the Archon was the πριτανεῖον, c. 3 § 5. It is now, however, generally agreed that the πρυτάνεις in the text should be identified with 'the presidents of the Council' (Keil, *Solon. Verf.* 96, 117, Gilbert, i 134 n. 1<sup>2</sup>, Wilamowitz, i 87, Busolt, ii 39π, ed. 2).

μέχρι εὐθυνῶν] 'until the audit.' At Athens, according to the evidence of later times, all officials were ἰτεφίνοιο. Aeschin. *Ctes.* § 17, οὐδέτις ἔστιν ἀντιεφίθινος τῶν καὶ ὁμοίων πρὸς τὰ κοινὰ προσεληλυθότων.

δεχομένοις = λαμβάνοντας. Cf. Dem. 37 *Pant.* 40, λαβῶν δ' ἐγγυητὰς τοῖτων παρ' ἐμοῦ.

§ 3. βουλευεῖν] This is the only mention of a Draconic council of 401. In c. 8 we are told of Solon βουλήν δὲ ἐποίησε τετρακοσίους, i.e. 'he set up a council of 400.' Had the writer already mentioned a council of 401 he would probably have expressed himself differently in c. 8. The addition of the 'one' is

a common device to prevent the votes being exactly equal. Thus, we have the 51 Ephetae who are generally ascribed to the time of Dracon; and, in later times, we have the δικαστήρια consisting of 501, or 1001, δικασταί.

ἐκ τῆς πολιτείας = ἐκ τῶν πολιτῶν.

κληροῦσθαι] the first mention of appointment by lot in this treatise. Hitherto, it has been generally agreed that, even in Solon's time, the Council was not appointed by lot, and this view is accepted by Thirlwall, Grote, Schömann (*Antiq.* p. 331 E.T.), and others. The introduction of the lot for this purpose has been usually ascribed to the time of Cleisthenes (508 B.C.), as by Schömann, Curtius, Sauppe and others. But the present passage implies that the use of the lot was as early as the time of Dracon. This, if true, supports the opinion of Fustel de Coulanges (*la Cité Antique*, p. 212-4, ed. 1893), that the lot is an institution of religious origin and therefore of great antiquity. See Karl Lugebil's *Untersuchungen in Jahrb. für cl. Philol.* Suppl. v (1871) 567—585, and Mr J. W. Headlam's *Election by Lot at Athens*, esp. pp. 183—, and note on c. 8 § 1 *infra*, and Heisterbergk, *Die Bestellung der Beamten durch das Los*, 1896.

ταύτην] τὴν ἀρχήν, sc. τὸ βουλευεῖν.

τὰς ἄλλας ἀρχὰς] exclusive of the Archons, Strategi and Hipparchi, already mentioned, but probably not exclusive of the ἄλλας ἀρχὰς τὰς ἐλάττωις.

τριάκοντα ἔτη] This is the age at which an Athenian citizen could become a βουλευτής (Xen. *Mem.* i 2 § 35) or a δικαστής (cf. 63 § 3, cf. document quoted in Dem. *Timocr.* 151, and Pollux, viii 122). It has already been inferred (Meier and Schömann, *Att. Prac.*, p. 240 Lipsius)



δὲς τὸν αὐτὸν μὴ ἄρχειν πρὸ τοῦ πάντας ἐξελεθῆν· τότε δὲ πάλιν ἐξ ὑπαρχῆς κληροῦν. εἰ δὲ τις τῶν βουλευτῶν, ὅταν ἔδρα βουλῆς ἢ ἐκκλησίας ἢ, ἐκλείποι τὴν σύνοδον, ἀπέτινον ὁ μὲν πεντακοσιο-

18

16 ἐξελεθῆν H-L (K-W<sup>1</sup>, B, K<sup>3</sup>, Th); διελεθῆν Wilcken (S<sup>1</sup>, K-W<sup>3</sup>); διεξελεθῆν K-W<sup>2</sup>; [περι]ελεθῆν K<sup>1</sup>. 18 ἐκλείποι H-L.

that the same requirement of age held good for other officials, the ἄλλαι ἀρχαὶ of the text. (The Ephetae and the public Envoys were, however, required to be 50 years of age; the Diaetetae 59.)

δὲς τὸν αὐτὸν μὴ ἄρχειν κτλ.] *Pol.* 1299 a 10, μὴ τὸν αὐτὸν δὲς ἀλλ' ἅπαξ μόνον (ἄρχειν) and 1317 b 23, τὸ μὴ δὲς τὸν αὐτὸν ἄρχειν μηδεμίαν ἢ ὀλιγάκις ἢ ὀλίγας ἔξω τῶν κατὰ πόλεμον. Of officials in general we read in *Dem. Timocr.* 150 (document quoted as ὄρκος ἡλιαστῶν) οὕτε δὲς τὴν αὐτὴν ἀρχὴν τὸν αὐτὸν ἄνδρα οὕτε δύο ἄρχαὸς ἄρξει τὸν αὐτὸν ἐν τῷ αὐτῷ ἐνιαυτῷ. The same citizen could be a βουλευτῆς more than once, as is shewn by the case of Timarchus and that of Demosthenes (*adv. Mid.* 114 and *Aeschin., F. L.* 17), and is stated in c. 62 *ad fin.* It is doubted by Boeckh (*Staatsk.* ii 763) whether the same citizen could be a βουλευτῆς for two years in succession, but this is purely conjectural (Thumser's *Staatsalt.* p. 478, n. 2). The ἐπιστάτης τῶν πρυτάνεων was not allowed to hold that office more than once (c. 44 § 1).

The rotation of all in office was a well-known device of later times (cf. Headlam's *Election by Lot*, p. 88): but it may well be asked how far it was applicable to a large body of citizens, most of whom lived at a considerable distance from Athens. It was in fact the work of a developed democracy (*Class. Rev.* v 168 a). *Ar. Pol.* vi (iv) 14, 1298 a 14, ἐν ἄλλαις δὲ πολιτεταῖς βουλευόνται αἱ συναρχαὶ συνουσίαι, εἰς δὲ τὰς ἀρχὰς βαδίζουσι πάντες κατὰ μέρος ἐκ τῶν φυλῶν καὶ τῶν μορίων τῶν ἐλαχίστων παντελῶς, ἔως ἂν διεξέλθῃ διὰ πάντων. *ib.* p. 1300 a 23, ἢ γὰρ πάντες (οἱ πολῖται τὰς ἀρχὰς καθιστάσιν) αἰρέσει, ἢ πάντες ἐκ πάντων κλήρω (καὶ [ἢ] ἐξ ἀπάντων ἢ ὡς ἀνά μέρος, οἷον κατὰ φυλὰς καὶ δήμους καὶ πατρίδας, ἔως ἂν διελθῃ διὰ πάντων τῶν πολιτῶν κτλ.). *ib.* p. 1273 b 17, διὰ πάντων... διελήλυθε τὸ ἀρχειν καὶ τὸ ἀρχεσθαι. It is characteristic of the oligarchical spirit μὴ εἶναι λέγειν πάντας αἰ συναρχαὶ μηδὲ βουλευεῖν ([*Xen.*] *Rep. Ath.* i 6).

ἐξελεθῆν] τὴν ἀρχὴν. In *Pol.* ii 11, 1273 a 16, the word is applied to the 'going out of office' (of certain officials in the Carthaginian constitution), καὶ γὰρ

ἐξεληλυθότες ἀρχουσι καὶ μέλλοντες. Cf. *Psephisma* of Patrokleides, in *Andocides, De Myst.* 77, μέχρι τῆς ἐξελευθούσης βούλης.

εἰ δὲ τις... ἐκλείποι... ἀπέτινον] Goodwin's *Moods and Tenses*, § 462.

ἔδρα βουλῆς] c. 50 § 4.

ἐκκλησίας] Of the general assembly of the citizens, in or before the times of Dracon, nothing is known. 'The people must have had some power' (says Mr Abbott, *History of Greece*, i 2301), 'or the Draconian laws would not have been published, and Solon would not have been chosen to reform the constitution. We do not know that the officers were elected by, or responsible to, the assembly, and of legislative and judicial authority the people had none. Perhaps we may assume that war could not easily be proclaimed without their consent, as they formed the bulk of the soldiers. If that were the case, the safety and power of the State depended, in the last resort, upon the General Assembly.'

ἐκλείποι τὴν σύνοδον] *Xen. Hell.* v 2 § 22, εἰ δὲ τις τῶν πόλεων ἐκλείποι τὴν στρατείαν, ἐξείναι Λακεδαιμονίους ἐπισημοῦν στατήρι κατὰ τὸν ἄνδρα τῆς ἡμέρας. The phrase is not found in Aristotle, although in *Pol.* 1331 b 10 we have πρὸς ἀγορᾶ... καὶ συνόδῳ τινὶ κοινῇ. *σύνοδος* is applied to an ἐκκλησία in 1319 a 32, οἱ δὲ γεωργούντες διὰ τὸ διεσπάρθαι κατὰ τὴν χώραν οὐτ' ἀπαντῶσιν οὐθ' ὁμοίως δέονται τῆς συνόδου ταύτης, and to the *συσσίτια* in 1271 a 28, εἶδει γὰρ ἀπὸ κοινοῦ μᾶλλον εἶναι τὴν σύνοδον, καθάπερ ἐν Κρήτῃ. ἐκλείπειν is generally intrans. in *Ar.*—Fines for non-attendance are mentioned in *Pol.* 1297 a 17 (among the devices by which oligarchies deceive the people), *περὶ ἐκκλησιῶν μὲν τὸ ἐξείναι πᾶσιν ἐκκλησιάζειν, ζημίαν δὲ ἐπικείσθαι τοῖς εὐπόροις ἐὰν μὴ ἐκκλησιάζωσιν...*, and (among the counter-devices on the part of democracies), 1297 a 37, τοῖς μὲν γὰρ ἀπόροις μισθὸν πορίζουσιν ἐκκλησιάζουσι καὶ δικάζουσιν, τοῖς δ' εὐπόροις οὐδέμίαν τάττουσι ζημίαν. 1294 a 38, ἐν μὲν γὰρ ταῖς ὀλιγαρχίαις τοῖς εὐπόροις ζημίαν τάττουσιν, ἂν μὴ δικάζωσιν, τοῖς δὲ ἀπόροις οὐδένα μισθόν, ἐν δὲ ταῖς δημοκρατίαις τοῖς μὲν ἀπόροις μισθόν, τοῖς δὲ εὐπόροις οὐδέμίαν ζημίαν.

Mr Headlam observes that the only

μέδιμνος τρεῖς δραχμάς, ὁ δὲ ἵππεὺς δύο, ζευγίτης δὲ μίαν. ἡ δὲ 4  
 20 βουλή ἢ ἐξ Ἀρείου πάγου φύλαξ ἦν τῶν νόμων καὶ διετήρει τὰς  
 ἀρχὰς ὅπως κατὰ τοὺς νόμους ἄρχωσιν. ἐξῆν δὲ τῷ ἀδικουμένῳ  
 πρὸς τὴν τῶν] Ἀρεοπαγιτῶν βουλήν εἰσαγγέλλειν ἀποφαίνοντι  
 παρ' ὃν ἀδικεῖται νόμον. ἐπὶ δὲ τοῖς σώμασιν ἦσαν οἱ δανεισμοί, 5  
 καθάπερ εἴρηται, καὶ ἡ χώρα δι' ὀλίγων ἦν.

19 <ὁ> ζευγίτης Kontos coll. Dem. 43 § 54, κ-w, H-L; sed expectares ὁ δὲ ζ.  
 22 Ἀρεοπαγεῖτ. 23-4 ἐπὶ—ἦν spuria putant Richards et Keil, defendit Kaibel,  
 p. 130. οἱ δανεισμοί Blass (κ<sup>3</sup> p. LXIV, κ-w<sup>3</sup>); δεδεμένοι quondam dubitanter κ  
 (κ-w); δεδανεισμένοι Richards, H-L, κ-w<sup>2</sup>.

Athenian instance of a law inflicting a fine for non-attendance at the Council is to be found in the constitution of the 400 in c. 30 *ult.*

There is no evidence as to fines for non-attendance at official duties in the earlier part of Athenian history. The fines inflicted by Solon's legislation are of a completely different character.

In the laws of Dracon fines were levied in terms of so many head of oxen: Pollux ix 61, *κάν Δράκοντος νόμοις ἐστὶν ἀποτί-  
 νειν εἰκοσάβοιον*. This may have been the compensation paid to a man's relatives in a case of unintentional homicide. But (as observed by Busolt, *Philol.* 1891, p. 399) fines paid to the public chest in the form of oxen would be very inconvenient, and in such cases the payment was probably exacted in money.

ἀπέτινον] *Ar. Pol.* ii 12, 1274 ὁ 20, *ζημίαν ἀποτίνειν* (in a possibly interpolated chapter).

πεντακοσιομέδιμνος, ἵππεύς, ζευγίτης] see c. 7 § 4. All these have hitherto been regarded as characteristic results of Solon's legislation; but some sort of property classification, even before the time of Dracon, is implied in c. 3 § 1, where magistrates are described as chosen *πλου-  
 τίνδην*.

We here reach the end of that part of the chapter which is open to most dispute. Its possible origin is thus indicated by Mr Headlam:

'The constitution described betrays the thought of a particular party; the reformers of this school used to advocate their policy by maintaining that it really would restore Athens to the condition in which it was before the democratic changes began. Many as we know looked on Solon as the originator of the changes which they deplored (*Ar. Polit.* ii 12). They would then recommend a constitution of this kind by saying it was like that which prevailed in Athens be-

fore the time of Solon. This has misled some transcriber or editor. After the words *τοὺς θεσμοὺς ἔθηκεν*, influenced by the expression at the beginning of chap. iii he desiderated some account of the constitution in the time of Draco and inserted this passage out of some other book' (*Class. Rev.* v 168 *b*).

§ 4. *φύλαξ τῶν νόμων*] *Plut. Sol.* 19, *τὴν δ' ἄνω βουλήν ἐπίσκοπον πάντων καὶ φύλακα τῶν νόμων ἐκάθισεν, inf.* 8 § 4. *τῶν νόμων*] esp. the *θεσμοὶ* of Dracon mentioned in l. 3 immediately before the disputed passage.

*εἰσαγγέλλειν* 'to impeach,' or 'lay an information' or 'denunciation.' The first known instance of the verb belongs to an inscr. soon after 446 B.C. (*Bull. de Corresp. hellén.* 1880, p. 225). The use of the term here does not correspond precisely with any of the technical senses which it afterwards bears in a more highly developed stage of Attic law. An *εἰσαγγελία* could be brought before the Archon or the Polemarch in certain cases, or before the *Boule* or the *Ecclēsia*, but not before the Council of the Areopagus. See Dr Hager in Smith, *Dict. Ant.* s. v.

§ 5. *ἐπὶ δὲ κτλ.*] c. 2 § 1. In spite of the advantage of being able to appeal to the Areopagus against acts of injustice, the people had the standing grievance of having their persons mortgaged to their creditors &c. The statement follows naturally from the previous sentence and leads up to the account of the rebellion of the poor against the rich in the next. It is therefore unnecessary to accept the view of Dr Tyrrell in the *Edinburgh Review*, 1891, 479: "the statement is quite superfluous; the conjunction does not link it with the preceding sentence, which is concerned with a wholly different subject, and the form, 'as has been said,' shows clearly that it is a marginal comment made by some one who wished to impress the fact on his memory." So far



5. τοιαύτης δὲ τῆς τάξεως οὔσης ἐν τῇ πολιτείᾳ, καὶ τῶν πολλῶν δουλευόντων τοῖς ὀλίγοις, ἀντέστη τοῖς γνωρίμοις ὁ δὲ δῆμος. ἰσχυρᾶς δὲ τῆς στάσεως οὔσης καὶ πολὺν χρόνον ἀντικαθημένων ἀλλήλοις, εἴλοντο κοινῇ διαλλακτὴν καὶ ἄρχοντα Σόλωνα καὶ τὴν πολιτείαν ἐπέτρεψαν αὐτῷ ποιήσαντι τὴν 5 ἐλεγείαν ἧς ἐστὶν ἀρχή

V 2 an ἐπανεστῆ? Wyse.

TESTIMONIA. V 4 Plut. *Amatorius* 18 § 14, p. 763 D, ὡσπερ οὖν ἦσαν ποτε τρεῖς στάσεις Ἀθήνησι, Παράλων Ἐπακρίων Πεδιέων, χαλεπῶς ἔχουσαι καὶ διαφερόμεναι πρὸς ἀλλήλας· ἐπεὶ δὲ πάντες ἐν ταύτῳ γενόμενοι καὶ τὰς ψήφους λαβόντες ἤνεγκαν πάσας Σόλωνι καὶ τοῦτον εἴλοντο κοινῇ διαλλακτὴν καὶ ἄρχοντα καὶ νομοθέτην, ὃς ἔδοξε τῆς ἀρετῆς ἔχειν ἀδηρίτως τὸ πρωτεῖον.

from wishing to strike out this passage, we should be grateful for its preservation, as it has made it possible to restore the sense in the previous mention of the same facts in chap. 2 § 2. It has already been shewn that it is quite in harmony with the context.

#### V—XII. *The legislation of Solon.*

V § 1. τάξεως] If, in the previous chapter, the description of the τάξις is an interpolation, and the mention of the θεσμοὶ in relation to the Areopagus and the economic condition of the poorer classes is alone to be regarded as genuine, the use of τάξεως here becomes open to suspicion, unless we are content to regard the powers of the Areopagus and the right of bringing grievances before them as sufficient to constitute a τάξις, or constitutional order of things.

ἐν τῇ πολιτείᾳ] almost equivalent to τῆς πολιτείας, the gen. being avoided because of the gen. preceding. Cf. *De Gen. Anim.* 1, 1, 715 a 1, ἐπεὶ δὲ περὶ τῶν ἄλλων μορίων εἴρηται τῶν ἐν τοῖς ζῴοις.

§ 2. ἀντικαθημένων] a metaphor implying two forces watching one another. The literal sense is found in Thuc. v 6 § 3, and similarly with ἀντικαθίξεσθαι *ib.* iv 124 § 2.

διαλλακτὴν καὶ ἄρχοντα] Plut. *Sol.* 14, ὁμοῦ καὶ διαλλακτῆς καὶ νομοθέτης, *Præc. Ger. Keip.* 10 § 16 p. 805, οὐδενὶ γὰρ ἐμμίξας ἑαυτὸν ἀλλὰ κοινὸς ὢν πᾶσι καὶ πάντα λέγων καὶ πράττων πρὸς ὁμόνοιαν, ἠρέθη νομοθέτης ἐπὶ τὰς διαλύσεις, *ib.* p. 825 D, ἡμερον διαλλακτὴν, and esp. *Amatorius* 18 § 14, 763 D, τοῦτον εἴλοντο κοινῇ διαλλακτὴν καὶ ἄρχοντα καὶ νομοθέτην. The last passage supports the opinion that Plutarch had a first-hand acquaintance with this treatise.

The archonship of Solon is assigned to

B.C. 594 (Clinton *F. H.*, ii p. 298 = 3633; Busolt, 1524<sup>1</sup>, note 2). Cf. note on 13 § 1.

Σόλων] See esp. Bruno Keil's *Solonische Verfassung*, 1892, and Wilamowitz, ii 59—67.

τὴν ἐλεγείαν] here, and in l. 2 from end of chapter, 'the elegiac poem.' The fem. form is found in Theophrastus, *Hist. Plant.* ix 15, 1, and also in late authors (e.g. Plut. *Sol.* 26, *Cimon* 10). ἐλεγείον is 'an elegiac couplet,' used in pl. by Aristotle in *Poet.* i, διὰ τριμέτρων ἢ ἐλεγείων, *Rhet.* i 15, ἐλεγεία Σόλωνος, iii 2, ἐλεγεία Διονυσίου (cf. *Class. Rev.* v 334 a; also Kaibel, 40).

The lines quoted have been hitherto unknown. They may fairly be accepted as the opening couplet of the poem cited in *Dem. de Falsa Leg.*, p. 421, § 255, sometimes called *Ἐπιθῆκαι εἰς Ἀθηναίους*. The passage as there quoted begins with the words:

ἡμετέρα δὲ πόλις κατὰ μὲν Διὸς οὔποτ' ὀλεῖται  
ἀίσαν καὶ μακάρων θεῶν φρένας ἀθανάτων.

Voemel saw no difficulty in regarding the passage quoted by Dem. as the actual beginning of the poem: "Particula δὲ non obstat initio... Similia initia Tyrtæi, Mimnermi, Callini. Imo optime convenit commoto atque elato Solonis animo relictâ sententiâ 'Aliae quidem urbes interierunt et interibunt,' sic incipere: 'sed Athenae sunt perpetuae.'" But, if the couplet quoted in the text comes from the same poem at all, we now have the true beginning of that composition. The poet begins in a strain of sorrow and dejection due to the sad condition of his country mingled with fear of the consequences of the avarice and pride of the wealthy (*infra*, τὴν τε φιλαργυρίαν τὴν θ' ὑπερφηανίαν). Afterwards (in the passage preserved by Dem.) he changes his tone to one of exultant trust in the overruling power of

γιγνώσκω, καί μοι φρενὸς ἔνδοθεν ἄλγεα κείται,  
 πρεσβυτάτην ἔσορῶν γαίαν Ἴαονίας  
 καινομένην·

10 ἐν ἣ πρὸς ἑκατέρους ὑπὲρ ἑκατέρων μάχεται καὶ διαμφισβητεῖ καὶ  
 μετὰ ταῦτα κοινῇ παραινεῖ καταπαύειν τὴν ἐνεστῶσαν φιλονικίαν.  
 ἦν δ' ὁ Σόλων τῇ μὲν [φύσει καὶ τῇ δόξῃ τῶν πρώτων, τῇ δ' οὐσίᾳ  
 καὶ τοῖς πράγμασι τῶν μέσων, ὡς ἔκ τε τῶν ἄλλων ὁμολογεῖται καὶ  
 αὐτὸς ἐν τοῖσδε τοῖς ποιήμασιν μαρτυρεῖ, παραινῶν τοῖς πλουσίοις  
 15 μὴ πλεονεκτεῖν·

ὑμεῖς δ' ἡσυχάσαντες ἐνὶ φρεσὶ καρτερόν ἦτορ,  
 οἰ πολλῶν ἀγαθῶν ἐς κόρον [ἡ]λάσατε,

7 ΓΙΝΩ[ΣΚΩ] Κ, Κ-Ω, Η-Λ: γιγνώσκω (B, Κ<sup>4</sup>) certe usque ad annum 325 A. C. in  
 titulis Atticis scriptum fuisse constat (Meisterhans, p. 178<sup>3</sup>, n. 1479). 8 ἔσορῶντ'  
 αἶαν Naber, sed cf. Kaibel, p. 131. Ἴαονίην Richards (Class. Rev. v 334 a). 9 και-  
 νομένην· ἐν ἣ dubitanter Blass (Κ<sup>4</sup>); κλινομένην· ἐν ἣ Wilcken (K-W<sup>3</sup>, Th.), κλ. <ἐπὶ  
 γούνατ' >? Blass; καρφομένην Diels; Δ magis quam λ agnoscit K. 11 ΦΙΛΟΤΙΜΙΑΝ  
 superscr. ΝΙΚΙ. 12 φύσει Richards, Wyse, Blass (edd.), cf. c. 18 § 4: ῥήσει olim Κ.

the patron-goddess of Athens. He then dwells on the injustice, the insolence, and the greed of the δῆμον ἡγεμόνες; and insists on the evils caused by bad legislation and the blessings brought about by good. Thus far we have only an attack against one of the two parties in the state. The other topics may have found a place in the lost portions of the poem.

'*Ἴαονίας*' *Ἴαονίην*, or rather *Ἴαονίαν*, is proposed by Mr H. Richards on the ground that Solon is not likely to have used *Ionia* for 'all lands where Ionians dwell' (*Cl. Rev.* v 334, vii 212 ὁ). Considering, however, that it was a fixed belief of the Athenians that Ion had been their own πολέμαρχος, and was the father of the four progenitors of the Ionian tribes, Attica may well be called the oldest land in all the Ionian world.

*καινομένην*] 'being slain'; the boldness of this metaphor has led to the suggestion of alternatives such as ὀλλομένην, φθειρομένην, τρυχομένην, or μαινομένην (H. Richards, *Cl. Rev.* vii 212).

πρὸς ἑκατέρους ὑπὲρ ἑκατέρων] The purport of this part of the poem should have been the same as that of the λόγοι of Solon described in Aristides, ii 361, who probably had this passage in view: καίτοι Σόλων τὰ μὲν εἰς Μεγαρέας ἔχοντα ἄσαι λέγεται, τοὺς δὲ νόμους οὐκ ἦδε περιῶν οὐδὲ τοὺς λόγους τοὺς ὑπὲρ τῶν εὐπύρων πρὸς τὸν δῆμον, οὐδὲ τοὺς ὑπὲρ τῶν πολλῶν πρὸς τοὺς πλουσίοις οὐκ ἦδεν, οὐδ' ὅσα ἄλλα ἐπολιτεύετο, οὐκ ἄδων οὐδ' ἐν μέτραις ἐπολιτεύετο, ἀλλὰ τῷ

τῆς ῥητορικῆς τύπῳ καθαρῶς χρώμενος.

τῆν ἐνεστῶσαν φιλονικίαν] § 3 *ad fin.*, τῆς ἐχθρας ἐνεστῶσης, 17 § 4 ἐνέστη φιλία.

§ 3. τῇ μὲν φύσει κτλ.] Plut. *Sol.* I, ἀνδρὸς οὐσίᾳ μὲν, ὡς φασί, καὶ δυνάμει μέσου τῶν πολιτῶν, οἰκίας δὲ πρώτης κατὰ γένος.

φύσει] suggestive of an *Ionian* authority, a usage found in Hdt. iii 68, γένει καὶ χρήμασι, vii 134, φύσει τε γεγονότες εὐ καὶ χρήμασι ἀνήκοντες ἐς τὰ πρώτα (Wyse). We find, however, *Attic* examples in Gorg. *Helen.* 3, φύσει καὶ γένει τὰ πρώτα τῶν πρώτων ἀνδρῶν καὶ γυναικῶν ἡ γυνή, Isocr. *Evag.* 9, 12, περὶ τῆς φύσεως τῆς Εὐαγόρου καὶ τίνων ἦν ἀπόγονος, and Plato, *Leg.* 629 A, Τύρταϊον τὸν φύσει μὲν Ἀθηναῖον τῶνδε δὲ πόλιτῃν γενόμενον.

τῶν μέσων κτλ.] *Ar. Pol.* vi (iv) 11, 1296 a 19, σημείον δὲ δεῖ νομίζειν καὶ τὸ τοὺς βελτίστους νομοθέτας εἶναι τῶν μέσων πολιτῶν· Σόλων τε γὰρ ἦν τούτων (δηλοῖ δ' ἐκ τῆς ποιήσεως). This statement is proved by the verses here quoted. Cf. Phocylides, *ib.* 1295 ὁ 34, πολλὰ μέσοισιν ἄριστα· μέσος θέλω ἐν πόλει εἶναι. τῶν μέσων must not be confounded with our 'middle classes.' It refers rather to the moderately wealthy citizens (see Newman's *Politics* of Ar., i p. 300). Cf. *Pol.* 1295 b, 1296 a 7, 13, 1289 b 29 f.

ἡσυχάσαντες] The vb is transitive in this tense alone. Plat. *Rep.* 572 A, ἡσυχάσας μὲν τῷ δύο εἶδη, τὸ τρίτον δὲ κινήσας. These four lines have been hitherto unknown.

οἰ—ἐς κόρον ἡλάσατε] 'ye that plunged into surfeit of many good things.' Tyrtaeus



ἐν μετρίοισι τίθεσ[θ]ε μέγαν νόον· οὔτε γὰρ ἡμεῖς  
πεισόμεθ', οὔθ' ὑμῖν ἄρτια \*πάντ' ἔσεται.

καὶ ὅλως αἰεὶ τὴν αἰτίαν τῆς στάσεως ἀνάπτει τοῖς πλουσίοις· διὸ 20  
καὶ ἐν ἀρχῇ τῆς ἐλεγγείας δεδοικέναι φησὶ 'τὴν τε φι[λαργυρ]ίαν τὴν  
θ' ὑπερφηανίαν,' ὡς διὰ ταῦτα τῆς ἔχθρας ἐνεστώσης.

6. κύριος δὲ γενόμενος τῶν πραγμάτων Σόλων τὸν τε δῆμον  
ἠλευθέρωσε καὶ ἐν τῷ παρόντι καὶ εἰς τὸ μέλλον, κωλύσας δανείζειν  
ἐπὶ τοῖς σώμασιν, καὶ νόμους ἔθηκε καὶ χρεῶν ἀποκοπὰς ἐποίησε

17 ες corr. in εἰς (?) B, coll. c. 12 v. 35. ἀάσατε κ<sup>1</sup> sensu intransitivo usur-  
patum: correxit Postgate coll. Tyrtaei loco infra allato; idem conicit Naber (edd.).  
18 τ[ίθεσθε] Platt (H-L, B, K-W<sup>3</sup>). τίθεσ[θ]ε κ<sup>4</sup>, Th: τ[ρέφεισθ]ε olim κ (κ-w<sup>1,2</sup>, s<sup>1</sup>).  
19 ἄρτια: ἄρθια Tyrrell; ἄρκια Kontos (H-L). π[ά]ντ' κ-w, quod locis infra  
laudatis confirmatur; τ[α]ῖσθ' H-L, Wilcken (κ<sup>3</sup>, B, Th); τ[ά]λλ' κ<sup>1</sup>, quod tuetur  
Ludwich (*Berl. Phil. Woch.* 1903, p. 700), 'sed est ante ε hasta transversa magis  
litterae τ quam λ apta' (κ<sup>4</sup>). ΔΙΕΙ (κ, κ-w, B): αἰεὶ (H-L). Formam  
utramque usurpant decreta publica usque ad annum 361 A.C., ex quo anno αἰεὶ  
tantum inventum est, quamquam θιασωτῶν in titulis diu duravit αἰεὶ (Meisterhans,  
p. 33<sup>3</sup>); itaque αἰεὶ ubique scripsi; quod autem inter Aristotelis editores nonnulli  
modo hanc, modo illam formam malunt, velut in *Pol.* 1276 a 36, 38 ubi inter  
trium versuum spatium καίπερ αἰεὶ et καίπερ αἰεὶ legitur, vix credibile est scriptorem  
eundem formam utramque usurpasse.

21 τὴν τε φιλαργυρίαν κ, κ-w, H-L, B<sup>4</sup>, Th: τὴν τε ἀ[χρημ]ατίαν vel φ[ιλοπλου]ρίαν olim Blass; τὴν φ[ιλοχρημα]τίαν Kontos,  
Bernardakis. τὴν τε ὑπερ. κ<sup>1</sup> (κ-w); τὴν θ' ὑπερ. Jos. Mayor, Jackson, H-L;  
et metrum et τε iteratum poëtae versum produunt.

VI 1 <ὁ> Σόλων olim κ-w.

3 καὶ νόμους ἔθηκε secl. κ-w (Kaibel 134),

Reinach, Th.

TESTIMONIA. VI 3 Heraclidis epitoma: νομοθετῶν Ἀθηναίους καὶ χρεῶν  
ἀποκοπὰς ἐποίησε, τὴν σεισάχθειαν λεγομένην (Rose, Frag. 611, 3<sup>3</sup>). Hesych.  
σεισάχθεια· Σόλων χρεῶν ἀποκοπὴν δημοσίαν καὶ ἰδιωτικῶν ἐνομοθέτησεν, ἣν περ  
σεισάχθειαν ἐκάλεσε παρὰ τὸ ἀποσεισασθαι τὰ βάρη τῶν δανείων. Photius (=Suidas)

11 (7). 10, ἀμφοτέρων δ' εἰς κόρον ἠλάσατε,  
Hdt. ii 124, ἐς τοσοῦτον ἠλασαν (τὸ πρᾶγμα),  
'they drove it thus far'; v 50, ἐς πάσαν  
κακότητα ἐλάσας.

οὔτε γὰρ ἡμεῖς—ἔσεται] 'neither shall  
we (who are oppressed) continue to obey  
you, nor will you (who are wealthy) find  
all things perfect.'

ἄρτια πάντ'] Solon 4 (13) 35, εὐνομία  
δ' εὐκοσμία καὶ ἄρτια πάντ' ἀποφαίνει,  
and *ib.* 40, ἔστι δ' ὑπ' αὐτῇ πάντα κατ'  
ἀνθρώπους ἄρτια καὶ πινυτά. Theognis  
946, εἰμι παρὰ στάθην ὀρθὴν ὁδόν, οὐδέτέ-  
ρως | κλινώμενος· χρῆ γὰρ μ' ἄρτια  
πάντα νοεῖν.

τὴν αἰτίαν...ἀνάπτει] 'ascribes the ori-  
gin' (κ). Rare in Aristotle; *Met.* 12, 4,  
3, ὦν τοὺς λόγους εἰς ἀριθμοὺς ἀνήπτου, 'to  
ascribe or refer to.' Common in Plu-  
tarch, e.g. *Lycurg.* 6, τὴν ἀρχὴν καὶ τὴν  
αἰτίαν τῆς πολιτείας εἰς τὸν Πύθιον ἀνήψε,  
13 § 3, τὸ δὲ θλον καὶ πάσης νομοθεσίας  
ἔργον εἰς τὴν παιδείαν ἀνήψε, *Numa* 12 § 1,  
εἰς μᾶς δύναμιν θεοῦ τὰ περὶ τὰς γενέσεις  
καὶ τὰς τελευτὰς ἀνάπτουτες. Cf. ἀναφέ-

ρεω. Mr Poste and Mr H. Richards  
(*Class. Rev.* v 466 a) understand it 'im-  
putes the blame.' This might be defend-  
ed by *Od.* ii 86 μῶμον ἀνάψαι (Schol.,  
περιποιῆσαι, περιθεῖναι), where Ameis pre-  
fers ἐκ μῶμον ἀνάψαι. But in Attic Gk  
we should expect περιάπτει in this sense  
(*Dem. Lept.* 10). τῆς ἐλεγγείας, § 2.

δεδοικέναι κτλ.] Plut. *Sol.* 14, δε-  
δοικὸς τῶν μὲν τὴν φιλοχρηματίαν τῶν δὲ  
τὴν ὑπερφηανίαν. The double τε is far  
more common in verse than in prose  
(Kühner, § 520).

VI § 1. κωλύσας δανείζειν κτλ.] Plut.  
*Sol.* 15, Σόλωνος...τὴν τῶν χρεῶν ἀποκο-  
πὴν σεισάχθειαν ὀνομάσαντος. τοῦτο  
γὰρ ἐποίησατο πρώτων πολιτεία, γράψας  
τὰ μὲν ὑπάρχοντα τῶν χρεῶν ἀνεῖσθαι,  
πρὸς δὲ τὸ λοιπὸν ἐπὶ τοῖς σώμασι μηδένα  
δανείζειν. Diog. Laert. i 45. The phrase  
χρεῶν ἀποκοπαὶ is found in *Dem.* 17 § 15,  
24 § 149, *Andoc. de Myst.* 88, Plut. ii  
226 B, Cic. *ad Att.* vii 11 § 1, χ. ἀποκοπή  
in Plato, *Leg.* 736 C.

καὶ τῶν ἰδίων καὶ τῶν δημοσίων, ἃς σεισάχθειαν καλοῦσιν, ὡς  
 5 ἀποσεισάμενοι τὸ βάρος. ἐν οἷς πειρῶνται τινες διαβάλλειν  
 αὐτόν· συνέβη γὰρ τῷ Σόλωνι μέλλουσι ποιεῖν τὴν σεισάχθειαν 2  
 προειπεῖν τισι τῶν [γν]ωρίμω[ν], ἔπειθ', ὡς μὲν οἱ δημοτικοὶ  
 λέγουσι, παραστρατηγηθῆναι διὰ τῶν φίλων, ὡς δ' οἱ βουλόμενοι  
 βλασφημεῖν, καὶ αὐτὸν κοινωνεῖν. δανεισάμενοι γὰρ οὗτοι

C

4 ΔΕΙΣΑΧΘΙΑ: ἃς σεισάχθειαν K (K-W<sup>1,2</sup>, Th, olim B); ἃς σεισάχθεια B<sup>4</sup>; ἃ  
 σεισάχθεια K-W<sup>3</sup>, coll. Plut. Sol. 16. 5 ΑΠΟΣΕΙΣΑΜ(ΕΝ)ΟΙ: ἀποσεισάμενοι K,  
 H-L, B (defendit Gomperz); -μένων Jos. Mayor, K-W, olim B (S<sup>1</sup>); -μενον vel -μένον  
 Hude. 8 διὰ τοὺς φίλους Papageorgios, sed cf. c. 25 ult.

σεισάχθεια (=Apostolius 17, 52): χρεοκοπία (χρεοκοπία codex) δημοσίων καὶ ἰδιω-  
 τικῶν, ἣν εἰσηγήσατο Σόλων. εἶρηται δὲ παρόσον ἔθος ἦν Ἀθήνησι τοὺς ὀφειλοντας τῶν  
 πενήτων σώματι ἐργάζεσθαι τοῖς χρήσταις, ἀποδόντας δὲ οἰοεῖ τὸ ἄχθος ἀποσεισάσθαι,  
 ὡς Φιλόχορος δὲ δοκεῖ (sic), ἀποψηφισθῆναι τὸ ἄχθος. Cyrill. in cod. Vallicelliano  
 σεισάχθεια: χρεῶν ἀποκοπαί.

σεισάχθειαν] (1) Most of our ancient  
 authorities understood this to imply a  
 complete remission of debts; this is the  
 view of the text, and of Philochorus, frag.  
 57, and it is accepted by Schömann, *Ant.*  
 p. 328 E.T.; Gilbert i 143<sup>2</sup>; Landwehr,  
*Philol. Suppl. Bd v* (1883), 131 ff; and  
 by Busolt, i 525<sup>1</sup>, and Thumser, *Staatsalt.*  
 p. 375. (2) Others, including Androtion  
 (see note on 10 § 1), held that Solon  
 relieved the debtors, partly by a diminu-  
 tion in the rate of interest, partly by the  
 introduction of a new money-standard;  
 this is accepted by Boeckh; Hermann,  
*Staatsalt.* § 106; E. Curtius; and (in the  
 main) by Duncker, *Gesch. d. Alt.* vi ed.  
 5, 158. (3) Grote (c. 11, ii 304) assumes  
 a total remission of debts, but limits it to  
 the case of debts secured on the debtor's  
 person or his land.

βάρος] the corresponding prose equivalent  
 to the poetic ἄχθος.

§ 2. ἐν οἷς πειρῶνται—κοινωνεῖν] The  
 style is here probably influenced by the  
 authority followed by the writer (Kaibel,  
 29 n). The critics are of the same class  
 as those mentioned in *Pol.* 1274 a 3, διὸ  
 καὶ μέφονται τινες αὐτῷ (for throwing  
 open the law-courts to all the people).

συνέβη—ἐπλούτου] Plut. Sol. 15,  
 πρᾶγμα δ' αὐτῷ συμπεσεῖν λέγεται πάντων  
 ἀναρτότων ἀπὸ τῆς πράξεως ἐκείνης. ὡς  
 γὰρ ὄρμησεν ἀνιέναι τὰ χρέα καὶ λόγους  
 ἀρμόττοντας ἐζητεῖ καὶ πρέπουσαν ἀρχήν,  
 ἐκονώσατο τῶν φίλων οἷς μάλιστα πισ-  
 τεύουν καὶ χρώμενος ἐτύγχανε, τοῖς περὶ  
 Κόνωνα καὶ Κλεινίαν καὶ Ἰππόνικον, οἱ  
 γῆν μὲν οὐ μέλλει κινεῖν, χρεῶν δὲ ποιεῖν  
 ἀποκοπὰς ἐγνωνκεν. οἱ δὲ προλαβόντες

εὐθὺς καὶ φθάσαντες ἐδανείσαντο συχνὸν  
 ἀργύριον παρὰ τῶν πλουσίων καὶ μεγάλας  
 συνεωνήσαντο χώρας. εἶτα τοῦ δόγματος  
 ἐξενεχθέντος τὰ μὲν κτήματα καρπούμενοι,  
 τὰ δὲ χρήματα τοῖς δανείασιν οὐκ ἀποδι-  
 δόντες, εἰς αἰτίαν τὸν Σόλωνα μεγάλην καὶ  
 διαβολήν, ὥσπερ οὐ συναδικούμενον, ἀλλὰ  
 συναδικοῦντα, κατέστησαν. ἀλλὰ τοῦτο  
 μὲν εὐθὺς ἐλύθη τὸ ἐγκλημα τοῖς πέντε  
 ταλάντοις· τοσαῦτα γὰρ εὑρέθη δανείζων,  
 καὶ ταῦτα πρῶτος ἀφῆκε κατὰ τὸν νόμον.  
 ἔτι οἱ δὲ πεντεκαίδεκα λέγουσιν, ὧν καὶ  
 Πολύζηλος ὁ Ῥοδίος ἐστίν. τοῖς μέντοι  
 φίλοις αὐτοῦ χρεωκοπίδας καλοῦντες διέτε-  
 λσαν (the story of the five talents comes  
 from some other source than the text).  
*Præcept. Ger. Reip.* 13 § 10 p. 807, τοῦτο  
 γὰρ καὶ Σόλωνα κατησχυνε καὶ διέβαλε  
 πρὸς τοὺς πολίτας· ἐπεὶ γὰρ ἐν νῷ λαβῶν τὰ  
 ὀφλήματα κουφίσαι, καὶ τὴν σεισάχθειαν  
 (τοῦτο δ' ἦν ὑποκρίσμα χρεῶν ἀποκοπῆς)  
 εἰσενεγκεῖν, ἐκονώσατο τοῖς φίλοις· οἱ δ'  
 ἔργον ἀδικώτατον ἔπραξαν· ἐδανείσαντο  
 γὰρ ὑποφθάσαντες ἀργύριον πολὺ, καὶ μετ'  
 ὀλίγον χρόνον εἰς φῶς τοῦ νόμου προαχ-  
 θέντος, οἱ μὲν ἐφάνησαν οἰκίας τε λαμπρᾶς  
 καὶ γῆν συνεωνημένοι πολλὴν ἐξ ὧν ἐδανεί-  
 σαντο χρημάτων· ὁ δὲ Σόλων αἰτίαν ἔσχε  
 συναδικεῖν ἡδικημένους. Plutarch's ac-  
 count is obviously fuller than that in the  
 text.

διὰ τῶν φίλων] probably preferred to  
 ὑπὸ (as in 25, 1), to avoid hiatus (Kaibel,  
 14).

οἱ βουλόμενοι βλασφημεῖν] 28 § 4, οἱ  
 μάλιστα βουλόμενοι θρασύνεσθαι, Isocr.  
*Antid.* 32, τῶν βλασφημεῖν καὶ διαβάλλειν  
 βουλομένων (Kaibel, 135).



συνεπρίαντο πολλήν χώραν, καὶ μετ' οὐ πολὺ τῆς τῶν χρεῶν 10  
ἀποκοπῆς γενομένης ἐπλούτουν· ὅθεν φασὶ γενέσθαι τοὺς ὕστερον  
3 δοκοῦντας εἶναι παλαιοπλούτους. οὐ μὴν ἀλλὰ πιθ[ανώ]τερος  
ὁ τῶν δημοτικῶν λόγος· οὐ γὰρ εἰ[κ]ὸς ἐν μὲν τοῖς ἄλλοις οὕτω  
μέτριον γενέσθαι καὶ κοινόν, ὥστ', ἐξὸν αὐτῷ τοὺς ἑτέρους  
ὑποποισάμενον τυραννεῖν τῆς πόλεως, ἀμφοτέροις ἀπεχθέσθαι 15  
καὶ περὶ πλείονος ποιήσασθαι τὸ καλὸν καὶ τὴν τῆς πόλεως  
σωτηρίαν ἢ τὴν αὐτοῦ πλεονεξίαν, ἐν οὕτω δὲ μικροῖς καὶ φανεροῖς  
4 καταρρυπαίνειν ἑαυτόν. ὅτι δὲ ταύτην ἔσχε τὴν ἐξουσίαν, τὰ  
τε πράγματα νοσοῦντα μαρτυρεῖ, καὶ ἐν τοῖς ποιήμασιν αὐτὸς  
πολλαχοῦ μέμνηται, καὶ οἱ ἄλλοι συνομολογοῦσι πάντες. ταύτην 20  
μὲν οὖν χρὴ νομίζειν ψευδῆ τὴν αἰτίαν εἶναι.

7. πολιτείαν δὲ κατέστησε καὶ νόμους ἔθηκεν ἄλλους, τοῖς δὲ  
Δράκοντος θεσμοῖς ἐπαύσαντο χρώμενοι πλὴν τῶν φορικῶν. ἀνα-

10 καὶ μετ' οὐ Kontos, Bernardakis (κ-w, H-L, κ<sup>3</sup>, B<sup>2</sup>, κ-w<sup>3</sup>), [καὶ με]τ' viderunt  
in papyro B et Wessely: [μετὰ δ'] οὐ olim κ. Cf. *Magn. Mor.* 1211 b 1, μετ' οὐ πολὺ.

11 ΓΙΝΟΜΕΝΗΣ (κ<sup>1</sup>), γιγνομένης B, Th: γενομένης Rutherford, κ-w, H-L, κ<sup>3</sup>; γεγε-  
νημένης B<sup>2</sup>. 14 ὥστ' Richards, Jackson, Blass (edd.): [ἀμα] τ' olim κ. ἑτέρους  
Blass (H-L, κ-w<sup>3</sup>, κ<sup>4</sup>) coll. c. 11, 13: [νόμ]ους κ, κ-w<sup>1-2</sup>. 17 φανεροῖς 'lectio non  
omnino certa, sed vestigiis apta' κ<sup>4</sup>; ἀναξίους edd. priores (Th). 18 καταρρυπαίνειν: οὐ  
ῤυπαίνειν coni. B<sup>4</sup>.

19 μαρτυρεῖ Wessely et Blass, quod mihi quoque in mentem  
venerat (κ-w<sup>3</sup>, κ<sup>4</sup>, Th). ΜΑΡΤΥΡΟΥΣΙΤΟ litteris σι perobscure scriptis, et ei  
super ον additis. μαρτυρεῖ τοῦτο olim mecum coniecerunt κ-w<sup>2</sup> (s<sup>1</sup>). μετεκρούσατο  
olim κ.

παλαιοπλούτους] Lys. 16 § 49.

§ 3. εἰκὸς] a mode of argument com-  
mon in this treatise and not unknown in  
the *Politics*; cf. Macan in *J. H. S.* xii  
57 f, and Hicks, p. 679.

καταρρυπαίνειν] To the passages from  
Isocr. and Plato, quoted in L and S,  
may be added Plut. *de Cohibenda Ira* 6,  
ii p. 456, καταρρυπαίνει καὶ πῖμπλησιν  
ἀδοξίας, *de Profectibus in Virt.* 17, ii p.  
85 F, οὐ δ' ὅπως οὖν ἀξίων ῤυπαίνεσθαι.  
The word is not found in Ar.

§ 4. ταύτην τὴν ἐξουσίαν] sc. τοῦ τυραν-  
νεῖν. Plut. *Sol.* 14 and Solon fragm. 33,  
οὐκ ἔφην Σόλων βαθύφρων κτλ., there quoted:  
also fragm. 32.

τὰ τε πράγματα νοσοῦντα μαρτυρεῖ]  
The suggestion that the sense required  
is 'docet et res publica aegrotans et' (κ-w<sup>1</sup>)  
admits of being carried out by proposing  
τὰ τε πράγματα νοσοῦντα μαρτυρεῖ τοῦτο.  
The sequence μαρτυρεῖ... μέμνηται... συνο-  
μολογοῦσι would in this case find its  
parallel in c. 5 § 3, ἐκ τε τῶν ἄλλων ὁμολο-  
γεῖται καὶ αὐτὸς ἐν τοῖσδε τοῖς ποιήμασιν  
μαρτυρεῖ, and 12 § 1. Cf. *Pol.* 1334 a 5  
ὅτι δὲ δεῖ... μαρτυρεῖ τὰ γιγνώμενα τοῖς  
λόγοις, *Metaphysica* 282 b 22, ὁ λόγος

μαρτυρεῖ, *De Anima* 410 a 29, ὡς —,  
μαρτυρεῖ τὸ νῦν λεχθέν, *Eth.* ii 1, 1103 b 2  
μαρτυρεῖ δὲ καὶ τὸ γιγνώμενον ἐν ταῖς πόλε-  
σιν, &c. After this note had been written,  
μαρτυρεῖ was conjectured by κ-w<sup>2</sup>, and  
was printed in my former edition.

νοσοῦντα] c. 13 § 3, στασιάζοντες fol-  
lowed by νοσοῦντες metaphorically used  
in the same sense. Plat. *Rep.* 470 C,  
νοσεῖν... καὶ στασιάζειν, and 556 E, νοσεῖ τε  
καὶ αὐτὴ αὐτῇ μάχεται (ἢ πόλις), *Leg.*  
744 D, νόσημα (of στάσις).

μέμνηται] 'makes mention of,' usually  
c. gen.; here ὅτι is due partly to the  
influence of συνομολογοῦσι, and still more  
to μαρτυρεῖ, if that be accepted. Cf. 12  
§ 1, ὅτι—συμφωνοῦσι—μέμνηται.

VII § 1. Δράκοντος θεσμοῖς] c. 4 § 1.  
πλὴν τῶν φορικῶν] Plut. *Sol.* 17 *iniit.*  
πρῶτον μὲν οὖν τοὺς Δράκοντος νόμους  
ἀνέλε πλὴν τῶν φορικῶν ἅπαντας διὰ  
τὴν χαλεπότητα καὶ τὸ μέγεθος τῶν ἐπιτι-  
μίων. Cf. *Dem.* 23 § 66, Aelian *V. H.*  
viii 10, Josephus, *Ἀρίστων*, i 4, τῶν δημοσίων  
γραμμάτων ἀρχαιοτάτους τοὺς ὑπὸ Δράκον-  
τος αὐτοῖς περὶ τῶν φορικῶν γραφέντας νό-  
μους. On the revision of the laws of Athens,  
after the restoration of the democracy in

3 γράψαντες δὲ τοὺς νόμους εἰς τοὺς κύρβεις ἔστησαν ἐν τῇ στοᾷ τῆ βασιλείῳ καὶ ὤμοσαν χρῆσεσθαι πάντες. οἱ δ' ἐννέα ἄρχοντες

VII 4 βασιλεία Kaibel 135 coll. Harp. κύρβεις, CIA i 61.

TESTIMONIA. VII 3 \*Harp. κύρβεις: “ἀναγράψαντες—ἐν τῇ στοᾷ τῆ βασιλείᾳ” (epitomen excscr. Photius<sup>1</sup>, Suidas<sup>1</sup>). \*Plut. *Sol.* 25 (οἱ ξύλινοι ἄξονες) προσγγορεύθησαν, ὡς Ἀριστοτέλης φησί, κύρβεις. \*Schol. *Arist. Av.* 1354 (= Lex. Dem. Patm. p. 150 Sakkelion) κύρβεις...κατὰ δὲ ἐνλοῦς ἄξονες τρίγωνοι (κατασκευασμάτα τινα ξύλινα τρίγωνα Lex. Patm.) ἐν οἷς ἦσαν οἱ τῶν πόλεων νόμοι γεγραμμένοι...καθάπερ καὶ Ἄρ. ἐν τῇ Ἀθ. πολ. φησὶ καὶ Ἀπολλοδώρος (Rose, *Frag.* 352<sup>2</sup>, 390<sup>3</sup>).

the summer of 411 B.C., the laws of Dracon respecting homicide were once more retained. An inscr. of 409 B.C. records a decree authorizing the γραμματεῖς of the βουλὴ to give the ἀναγραφῆς, or recorders of the laws, a true copy of Dracon's law. Δράκοντος νόμον τῶν περὶ τοῦ φόνου ἀναγραφσάντων οἱ ἀναγραφῆς τῶν νόμων—ἐ στήλῃ λιθίνῃ καὶ καταθέντων πρόσθεν τῆς στοᾶς τῆς βασιλείας. (Cf. *Andoc.* i 84, 85)... Then follows a copy of the πρώτος ἄξων of Solon, containing Dracon's law on involuntary homicide (CIA i 61; Dittenberger, p. 87; Michel, no. 78; Hicks, *Gk Hist. Inscr.* p. 112).

ἀναγράψαντες] c. 3 § 4.

κύρβεις] Rectangular wooden tablets painted white and arranged in sets of four, each set forming a 'pillar' about the height of a man. This pillar revolved on an upright axis; hence the κύρβεις were called ἄξονες, the axes lignae of Gellius ii 12. The κύρβεις are mentioned in a fragment of Cratinus, quoted by Plutarch *Sol.* 25. An inscr. of 409 B.C. cites the πρώτος ἄξων (see *supra* on πλὴν τῶν φονικῶν). Two ἄξονες are quoted in a Schol. on *Iliad* xxi 282. Lysias, *Or.* 30, c. *Nicomachum* (B.C. 399), § 17, τὰς θυσίας τὰς ἐκ τῶν κύρβεων. In Dem. *Aristocr.* p. 629 § 28, p. 630 § 31, the law of homicide is found ἐν τῷ α' (i.e. πρώτῳ) ἄξονι (as emended by Cobet).

Aristotle is said to have written a treatise in five books περὶ τῶν Σόλωνος ἄξόνων (see list of his works, ascribed to Hesychius, in Rose, *Fragm. Ar.* p. 16, l. 140). Eratosthenes supposed that the several tablets were triangular in shape. This mistake was corrected by Polemon of Ilium, who, on the strength of his own observation, insists on the quadrangular shape of the tablets (*Harpocr.* s. v. ἄξονι: οἱ Σόλωνος νόμοι ἐν ξυλίνοις ἦσαν ἄξονι γεγραμμένοι...ἦσαν δὲ, ὡς φησὶ Πολέμων ἐν τοῖς πρὸς Ἐρατοσθένην, τετράγωνοι τὸ σχῆμα, διασφύζονται δὲ ἐν τῷ Πρυτανείῳ, γεγραμμένοι κατὰ πάντα τὰ μέρη· ποιοῦσι δ' ἐνίοτε φαντασίαν τρίγωνον, ὅταν ἐπὶ τὸ στενὸν κλιθῶσι τῆς γωνίας.

Polemo fragm. 48, Müller, *FHG* iii 130). A pupil of Eratosthenes, the famous critic Aristophanes of Byzantium, gives a clear account of their shape: Etymologicum Magn. p. 547, ἀμφοτέρων δὲ (sc. τῶν κύρβεων καὶ τῶν ἄξόνων) τὸ κατασκευάσμα τοιοῦτον· πλινθιον τι μέγα ἀνδρόμηκες, ἡρμοσμένα ἔχον ξύλα τετράγωνα, τὰς πλευρὰς πλατείας ἔχοντα καὶ γραμμάτων πλήρεις, ἐκατέρωθεν δὲ κνώδακας (' pivots'), ὥστε κινεῖσθαι καὶ περιστρέφεσθαι ὑπὸ τῶν ἀναγιγνωσκόμενων. The 'grammarians' Didymus (*Plut. Sol.* 1) and Seleucus (*Suidas*, s. v. ὀργεῶνες) wrote monographs on the ἄξονες. Plutarch, in his life of Solon, refers to the first, the thirteenth and the sixteenth ἄξων (c. 24, 19, 23), and states that some small fragments of the ἄξονες were still to be seen in his own day in the Prytaneum (c. 25).

Some of the Greek lexicographers erroneously distinguished between the κύρβεις and ἄξονες in respect to shape, material and contents (cf. Schol. on Apollonius Rhodius iv 280). The distinction assumes the following form in Tzetzes, *Chiliades*, xii 349:

οἱ ἄξονες τετράγωνοι, τρίγωνοι δὲ αἱ κύρβεις, εἶλον δὲ οἱ μὲν ἄξονες νόμους τοῦς ἰδιώτας, αἱ κύρβεις εἶλον νόμους δὲ τοῦς περὶ δημοσίων. καὶ ἐτι οἱ μὲν ἄξονες ὑπῆρχον ἀπὸ ξύλων, αἱ κύρβεις ἦσαν δὲ χαλκαί.

But the identity of the ἄξονες and κύρβεις has been proved by Hulleman, *Miscellanea Philol.* (Amsterdam, 1850), and is now generally accepted, e.g. by Gilbert, i 155<sup>2</sup>. Cf. Preller on Polemon, p. 87; Frohberger's *Lysias*, III p. 23; Rose, *Ar. Pseudepigraphus*, 414; and Oncken, *die Staatslehre des Ar.*, 422. In view of the text, it is no longer possible to regard the κύρβεις (placed in the στοᾷ) as later copies of the ἄξονες in the Prytaneum (so Busolt, i 539<sup>1</sup>, ii 291<sup>2</sup>, and in Müller's *Handbuch*, IV i 118). Wilamowitz, however (i 45 n), regards the κύρβεις as stone copies of the original wooden ἄξονες.

τῇ στοᾷ τῆ βασιλείῳ] called ἡ στοὰ ἡ βασιλεία in CIA i 61 (quoted in n. on



ὀμνύντες πρὸς τῷ λίθῳ κατεφάτιζον ἀναθήσειν ἀνδριάντα χρυσοῦν, 5  
εἴαν τινα παραβῶσι τῶν νόμων· ὅθεν ἔτι καὶ νῦν οὕτως ὀμνύουσι.

TESTIMONIA. 5 \*Harp. λίθος:...εὐκασι δ' Ἀθηναῖοι πρὸς τινι λίθῳ τοὺς ὄρκους ποιεῖσθαι, ὡς Ἀρ. ἐν τῇ Ἀθ. πολ. καὶ Φιλόχορος ἐν τῷ γ' ὑποσημαίνουσιν (ex epit. Photius, Suidas<sup>2</sup>), cf. Plut. *Sol.* 25 infra exscriptum.

πλὴν τῶν φονικῶν). Harpocr. s. v. βασιλειος στοά: δύο εἰσι στοαὶ παρ' ἀλλήλας, ἢ τε τοῦ Ἐλευθερίου Διὸς καὶ ἡ βασιλειος.

In literature it is known as ἡ τοῦ βασιλειῶς στοά (Plat. *Euthyphron* 2 A, *Theaet.* 210 D) or ἡ στοὰ ἡ βασιλειος (Aristoph. *Eccl.* 684). Cf. Pausan. i 3, 1, καλουμένην στοὰ βασιλειος ἐνθα καθίζει βασιλεὺς ἐνιαυσίαν ἀρχὴν ἀρχὴν καλουμένην βασιλείαν. Pausanias, entering the inner Cerameicus from the north, sees the στοὰ βασιλειος as the first building on his right, i.e. on the W. side of the Cerameicus. Apparently he did not go inside, and he tells us nothing of the altar outside, where the Archons took their oath. (See esp. Wachsmuth, *Stadt Athen*, ii 344—351; Curtius, *Stadtgeschichte von Athen*, p. xc b, and p. 294; Judeich, p. 297 f; and cf. Miss Harrison's *Mythology &c. of Athens*, p. 24.)

The use of this στοά as a place for keeping a record of the laws of Athens is attested in Andoc. *De Myst.* 82, 85, ἀναγράψαι ἐν τῇ στοᾷ, and 84, εἰς τὸν τοῖχον ἵνα περ πρῶτερον ἀνεγράφησαν. The statement of Anaximenes (in Harpocraton, s. v. ὁ κάτωθεν νόμος), that Ephialtes transferred τοὺς δέξοντας καὶ τοὺς κύρβεις from the Acropolis to the βουλευτήριον and the ἀγορά, is inconsistent with the text, and is probably a mere flourish of rhetoric. The κύρβεις were apparently always in the ἀγορά. Cf. Oncken, *Staatslehre*, ii 422. Secret meetings of the Areopagus were sometimes held ἐν τῇ βασιλείῳ στοᾷ, Dem. 25, *Aristog.* A, § 23.

ᾠμοσαν κτλ.] Plut. *Solon* 25, κοινὸν μὲν οὖν ᾠμνουν ὄρκον ἢ βουλή τοὺς Σόλωνος νόμους ἐμπεδώσειν, ἴδιον δ' ἕκαστος τῶν θεομοθετῶν ἐν ἀγορᾷ πρὸς τῷ λίθῳ, καταφατίζων, εἴ τι παραβῶσι τῶν θεσμῶν, ἀνδριάντα χρυσοῦν ἰσομέρητον ἀναθήσει ἐν Δελφοῖς. On the oath of the Archons, cf. c. 55 § 5, and Plato *Phaedr.* 235 D, καὶ σοι ἐγώ, ὥσπερ οἱ ἐννέα ἀρχοντες, ὑπισχνούμαι χρυσοῦν εἰκόνα ἰσομέρητον εἰς Δελφοῦς ἀναθήσειν.

The word ἰσομέρητον is omitted in the text and in Pollux viii 86. It is ingeniously explained by Bergk (*Rhein. Mus.* xiii 448) as virtually equivalent to ἰσο-

στάσιον and as implying that the statue in gold was to be equivalent in weight to the amount of silver received as a bribe.

This, he urges, is suggested by Deinarchus i 60, ii 17, where the δεκαπλοῦν τιμημα may be explained with reference to the relative value of gold to silver at Athens in the time of Solon, being 10 : 1. According to this view, the archons swore that they would pay a fine equivalent to ten times the value of any bribe they received. Bergk's opinion is, however, opposed by Busolt, ii 294<sup>2</sup> n, and by Kaibel, 231, and by Wilamowitz i 47 n. 10. In the text we have no reference to receiving bribes and no mention of the bulk of the statue; nor again have we either here, or in the excerpts of Heraclides or in Pollux, any mention of Delphi. Suidas (as observed by Thompson on Pl. *Phaedr.* l. c.) 'makes the statues three instead of one and represents them as portrait-statues of the delinquent' (χρυσῆ εἰκὼν: ᾧμνον οἱ Ἀθήνησιν ἀρχοντες, ἂν τι παρέλθωσιν ἐφ' οἷς ἂν ἀρχωσιν, χρυσοῦν εἰκόνα αὐτῶν ἀναθήσειν ἐν ἀστεί, ἐν Πυθοῖ, ἐν Ὀλυμπίᾳ). But portrait-statues were not in use in Solon's time, and 'it is very unlikely that the Delphians would have allowed their sacred peribolus to be defiled by the statue of a detected criminal. And if the penalty was intended to be enforced, the offering must needs have been of much more limited dimensions. It is therefore conceivable that both ἰσομέρητον and αὐτοῦ were introduced by late writers into the text of the original oath, in order to make it conformable to the supposed meaning of Plato.' The text shews that this conjecture is right, and also that the insertion of ἐν Δελφοῖς has no warrant in the original form of the oath.

Wachsmuth's suggestion that the λίθος (placed in the ἀγορά by Plutarch) was possibly identical with the altar of Zeus ἀγοραῖος (*Stadt Athen*, ii 352) is rejected by Wilamowitz, i 47 n. 9.

κατεφάτιζον] Only found here (and in Plutarch's quotation). The word is possibly borrowed from some Ionic source (Wilamowitz, i 47 f).

κατέκλεισεν δὲ τοὺς νόμους εἰς ἑκατὸν ἔτη καὶ διέταξε τὴν πολι-  
 τείαν τόνδε (τὸν) τρόπον. τιμήματι διεῖλεν εἰς τέτταρα τέλη, 3  
 καθάπερ διήρητο καὶ πρότερον, εἰς πεντακοσιομέδιμνον καὶ ἵππεία  
 10 καὶ ζευγίτην καὶ θῆτα. καὶ τὰς με[ν ἄλλ]ας ἀρχὰς ἀπένειμεν ||  
 ἄρχειν ἐκ πεντακοσιομέδιμνων καὶ ἵππέων καὶ ζευγιτῶν, τοὺς  
 ἑννέα ἄρχοντας καὶ τοὺς ταμίας καὶ τοὺς πωλητὰς καὶ τοὺς ἑνδεκα

7 κατέκλεισεν B<sup>2</sup> (κ-w<sup>3</sup>): κατέκλεισεν κ<sup>4</sup> coll. c. 15 § 4 [κατα]κλείσαντες; κατεκύ-  
 ρωσεν olim κ (s<sup>1</sup>). 8 τόνδε <τὸν> τρόπον edd.; cf. c. 29 § 5, 37 § 1. τιμήματι  
 recte Wessely (B<sup>2</sup>, κ-w<sup>3</sup>, κ<sup>4</sup>): τιμήματα κ; <τὰ> τιμ. B<sup>1</sup>, H-L, S<sup>1</sup>; <κατὰ> τιμ.  
 Papageorg., <κατὰ τὰ> τιμ. Wil. i 48; cf. Harp. et Phot. <τὸ πᾶν πλήθος> vel  
 <τὴν πολιτείαν> <ἐκ> τιμημάτων διεῖλεν Kaibel 136, κ-w<sup>3</sup> in adn., coll. Hesychio  
 et epitome. 9 καθάπερ—πρότερον suspecta κ<sup>2</sup>, del. Dufour, Wilcken, Thalheim.  
 10 με[ν ἄλλ]ας Diels et Wilcken, 'in papyro legi possunt' (κ<sup>4</sup>, Th): με[ν οὖν] κ<sup>1</sup>  
 (κ-w<sup>1,2</sup>, s<sup>1</sup>); μὲν B.

TESTIMONIA. 8 \*Harp. ἵππας et πεντακοσιομέδιμνον.

§ 2. κατέκλεισεν...τοὺς νόμους] Cf. Andoc. 3 § 7, νόμῳ κατεκλείσαμεν, and Dem. 4 § 33, νόμῳ κατακλείσθη. εἰς ἑκατὸν ἔτη] Plut. Sol. 25 init., ἰσχὺν δὲ τοῖς νόμοις πᾶσιν εἰς ἑκατὸν ἐν-  
 αυτοὺς ἔδωκε.

§ 3. τιμήματι κτλ.] Hitherto it has been universally held that the classification of citizens according to property was first devised by Solon. Plut. Sol. 18, δεύτερον δὲ Σόλων τὰς μὲν ἀρχὰς ἀπάσας, ὥσπερ ἦσαν, τοῖς εὐπόροις ἀπολιτεῖν βουλόμενος, τὴν δ' ἄλλην μίξαι πολιτείαν, ἧς ὁ δῆμος οὐ μετείχεν, ἔλαβε τὰ τιμήματα τῶν πολιτῶν, καὶ τοὺς μὲν ἐν ξηροῖς ὁμοῦ καὶ ἰγροῖς μέτρα πεντακόσια ποιοῦντας πρώτους ἔταξε καὶ πεντακοσιομέδιμνος προσηγόρευσε· δευτέρους δὲ τοὺς ἵππον τρέφειν δυναμένους ἢ μέτρα ποιεῖν τριακόσια· καὶ τούτους ἵππάδα τελούντας ἐκάλουν· ζευγίται δ' οἱ τοῦ τρίτου τιμήματος ὀνομάσθησαν, οἳ μέτρον ἦν συναμφοτέρων διακοσίων. οἱ δὲ λοιποὶ πάντες ἑκαλοῦντο θῆτες, οἳ οὐδεμίαν ἀρχεῖν ἔδωκεν ἀρχήν, ἀλλὰ τῷ συννεκκλησιάζειν καὶ δικάζειν μόνον μετείχον τῆς πολιτείας. The quotations in Harpocration are to the same effect. They ignore the 'Draconic constitution,' and they lend no support to the phrase καθάπερ διήρητο καὶ πρότερον. Those who decline to accept the 'Draconic constitution' must necessarily omit the words just quoted. Mr Kenyon suggests that the statements in c. 4 can only be reconciled with the general ascription of the classes in question to Solon, by supposing that the latter brought them into a new relation to the political constitution. Solon began his reforms by repealing all of Dracon's laws except those relating to homicide. This implies that 'Solon made a clean sweep of all the laws relating to the constitution, so as to have

a free hand in reconstructing it according to his own ideas. He then re-introduced the property classes, as well as the Council of Four hundred and the Areopagus.' This explanation is skilful and ingenious and may possibly be right.

Wyse, however, regards it as impossible. He suggests the simpler hypothesis that we here have a trace of the heterogeneous materials out of which the work is put together, i.e. the writer's authorities made Solon the author of the property classes, and the clause καθάπερ διήρητο καὶ πρότερον is an attempt to reconcile this view with the different doctrine given in the account of Dracon.

On Solon's τιμήματα, see Boeckh, Book iv c. v; Grote, c. 11, vol. ii 318; Busolt i 265<sup>2</sup>. τιμημα occurs first in CIA i 31.

ζευγίτην] from ζεύγος, 'a team,' applied to one who kept a pair of mules (Isaeus 5 § 43; 6 § 33), or of working horses, or a yoke of oxen.

τὰς ἀρχὰς ἀπένειμεν ἄρχειν] This does not mean that the members of all the three highest classes were eligible for the office of archon. The first part of the sentence must be read in the light of the second, which implies that there was a kind of scale of eligibility according to the class in which the citizen was placed. Those in the first class alone would be eligible for the archonship and the office of ταμίας. Cf. Plut. Aristides 1, τὴν ἐπώνυμον ἀρχήν, ἣν ἤρχε τῷ κνάμῳ λαχὼν ἐκ τῶν γενῶν τῶν τὰ μέγιστα τιμήματα κεκτημένων, οὓς πεντακοσιομέδιμνος προσηγόρευον. On the ταμῖαι, see c. 8 § 1; on the ταμῖαι and the πωληταί, c. 47; on the ἑνδεκα, c. 52.

ζευγιτῶν] We are not told until c. 26 § 2 that the ζευγίται were only eligible for the inferior offices.



καὶ τοὺς κωλακρέτας, ἐκάστοις ἀνάλογον τῷ μεγέθει τοῦ τιμήματος ἀποδιδούς τὴν ἀρχήν. τοῖς δὲ τὸ θητικὸν τελούσιν ἐκκλησίας καὶ  
4 δικαστηρίων μετέδωκε μόνον. ἔδει δὲ τελεῖν πεντακοσιομέδιμνον 15  
μὲν ὃς ἂν ἐκ τῆς οἰκείας ποιῇ πεντακόσια μέτρα τὰ συνάμφω ξηρὰ

13 ἀνά λόγον B. 16 τῆς: γῆς Bywater; τῆς defendit Kontos (*Athens* iii 321 f).  
16—17 ξηρῶν καὶ ὑγρῶν H (H-L) coll. Plut. *Sol.* 18 (ἐν ξηροῖς ὁμοῦ καὶ ὑγροῖς).

TESTIMONIA. 14—15 Schol. Arist. *Eq.* 627, οἷς οὐδὲ ἀρχεῖν ἐφέιτο, ἢ δικάζειν καὶ ἐκκλησιάζειν μόνον.

16—19 Pollux viii 130 οἱ μὲν ἐκ τοῦ πεντακόσια μέτρα ξηρὰ καὶ ὑγρά ποιεῖν κληθέντες...οἱ δὲ τὴν ἰππάδα τελούντες ἐκ μὲν τοῦ δύνασθαι τρέφειν ἵππους κεκλήσθαι δοκοῦσιν, ἐποιοῦν δὲ μέτρα τριακόσια (cf. Schol. in Plat. *Rep.* 415). Bekk. *Anecd.* 298, 20 πεντακοσιομέδιμνοι: οἱ ἐκ τῆς οἰκείας γῆς ποιοῦντες πεντακόσια μέτρα συνάμφω ξηρὰ καὶ ὑγρά. Id. 267, 13 ἰππάς:...οἱ ποιοῦντες τριακόσια μέτρα.

**κωλακρέτας**] The form given by Photius and Suidas: *κωλαγρέτης* in the Ravenna MS of Aristoph. and in the lexicon of Timaeus; lit. 'collectors of hams,' so called from receiving the prime parts of the victims to aid them in providing the public meals in the *prytaneum*. They are said to have had the control of financial matters in the time of the kings; in later times they acted as treasurers of the *naucrariae*. They were left untouched by the legislation of Solon, in connexion with which they are mentioned in the text; but in the reforms of Cleisthenes they lost the charge of the finances, which was then transferred to new officers called *Apodectae* (48). Under Pericles they were assigned the duty of paying the dicasts, and they were considered officials of some importance in the time of Aristophanes (Schol. on *Vesp.* 695, 727, *Av.* 1541). There is no documentary proof of their existence after the Archonship of Euclides (403 B.C.). Cf. Boeckh, ed. Fränkel, note 302, and Schömann's *Antiquities*, i 327 E. T.; also Mr Wayte's article in Smith's *Dict. Ant.*, s.v., Gilbert, i 125<sup>2</sup>, Busolt, ii 193 n. 4<sup>2</sup>, and Wilamowitz, i 52 n. 19.

**ἐκάστοις—τὴν ἀρχήν**] *Pol.* 1291 b 38, ἐν μὲν οὖν εἶδος δημοκρατίας τοῦτο, τὸ τὰς ἀρχὰς ἀπὸ τιμημάτων εἶναι κτλ.

**τοῖς δὲ τὸ θητικὸν τελούσιν—μόνον**] *Pol.* ii 12, 1274 a 15, Σόλων γε εἰκοετήν ἀναγκαιοτάτην ἀποδιδόναι τῷ δήμῳ δύναμιν, τὸ τὰς ἀρχὰς αἰρεῖσθαι καὶ εὐθύνειν..., τὰς δ' ἀρχὰς ἐκ τῶν γνωρίμων καὶ τῶν εὐπόρων κατέστησε πᾶσας, ἐκ τῶν πεντακοσιομέδιμνων καὶ ζευγυτῶν καὶ [τρι-του τέλους] τῆς καλουμένης ἰππάδος· τὸ δὲ τέταρτον τὸ θητικόν, οἷς οὐδεμίαν ἀρχὴν μετῆν. Cf. end of this chapter, τοὺς δὲ ἄλλους θητικόν, οὐδεμίαν μετέχοντας ἀρχῆς.

**τὸ θητικὸν τελούσιν**] 'those who belonged to the thetic census.' It will be

observed that they are not here called *θητες*. Of those who were placed in the fourth class Grote (ii 321) observes: 'It is said that they were all called *Thêtes*, but this appellation is not well sustained and cannot be admitted: the fourth compartment in the descending scale was indeed termed the Thetic census, because it contained all the *Thêtes*, and because most of its members were of that humble description, but it is not conceivable that a proprietor whose land yielded to him a clear annual return of 100, 120, 140 or 180 drachms, could ever have been designated by that name.' See, however, l. 10.

*τελεῖν* does not necessarily mean *actual* payment, but 'the being included in a class with a certain aggregate of duties and liabilities,'—equivalent to *censeri*, 'to rank as'; Boeckh, p. 36, Grote, p. 321 n.

**ἐκκλησίας—μόνον**] *Pol.* 1281 b 30, λείπεται δὴ τοῦ βουλευέσθαι καὶ κρίνειν μετέχειν αὐτοῦς κτλ.

§ 4. **ποιῇ**] [Dem.] *Phaenirrh.* 42 § 20, p. 1045, πλουτεῖς εἰκότως ἐπειδὴν ποιῆς σίτου μὲν μεδίμνους πλέον ἢ χιλιούς, οἶνον δὲ μετρητὰς ὑπὲρ ὀκτακοσίου. **πεντακόσια** κτλ. Hitherto, it has been sometimes supposed that one who obtained from his land a net return of 500 measures of dry produce, such as corn or barley, together with 500 measures of liquid produce, such as oil or wine, ranked in the first class (Bruno Keil in *Berl. Phil. Woch.* 1891, p. 521 n). It has also been held that a net return of either 500 dry measures or 500 liquid measures constituted a claim to that class (Busolt, i 527<sup>1</sup>). It is now clear that the 500 measures could be made up of dry and liquid produce taken together, and this is also the purport of some of the evidence previously known to us, e.g. the article in Bekker's *Anecd.* 298, 20, which, it now appears, was taken from the present passage. By *μέτρα* is meant

καὶ ὑγρά, ἵππάδα δὲ τοὺς τριακόσια ποιοῦντας, ὡς δ' ἔνιοί φασι τοὺς ἵπποτροφεῖν δυναμένους. σημεῖον δὲ φέρουσι τό τε ὄνομα τοῦ τέλους, ὡς ἂν ἀπὸ τοῦ πράγματος κείμενον, καὶ τὰ ἀναθήματα τῶν ἀρχαίων· ἀνάκειται γὰρ ἐν ἀκροπόλει εἰκὼν [[Διφίλου]], ἐφ' ἣ ἐπιγέγραπται τὰδε·

18 δ' ἐπιφέρουσι Η (H-L) coll. c. 3 l. 11. 19 ὡς ἂν κείμενον propter ὡς ἂν delent H-L; ἂν deiebat olim B; clausulam totam defendit Kaibel, 137. 20 Διφίλου sect. E S Thompson, Radinger (κ-w, B, s<sup>1</sup>, κ<sup>4</sup>, Th), defendit Murray, Ludwich *Festschr. O. Hirschfeld* 61.

TESTIMONIA. 18 Schol. Arist. *Eq.* 627...ἵππεῖς δὲ αὐτοὺς ὠνόμαζον διὰ τὸ δύνασθαι...ἵππον ἕκαστον αὐτῶν τρέφειν. Etym. cod. Vossianus, p. 1170, Gaisford, ζευγίσιον...δευτέρους δὲ τοὺς ἵπποτροφεῖν δυναμένους καὶ τοὺς τοὺς ἵππους δὲ (leg. καὶ τοὺς ἵππάδα) τελούντας ἐκάλουν.

21—24 Pollux viii 131 Ἀνθεμίων δὲ ὁ Διφίλου καλλωπίζεται δι' ἐπιγράμματος ὅτι ἀπὸ τοῦ θητικῆς τέλους εἰς τὴν ἵππάδα μετέστη, καὶ εἰκὼν ἔστιν ἐν ἀκροπόλει ἵππος ἀνδρὶ παρεστηκώς· καὶ τὸ ἐπίγραμμα | Διφίλου Ἀνθεμίων τόνδ' ἀνέθηκε θεοῖς | θητικῆς ἀντὶ τέλους ἵππάδ' ἀμειψάμενος (Falckenburgii codex).

either a μέδιμος (=six ἐκτεῖς=six *modii* =about 12 imperial gallons, or a bushel and a half) of dry measure, or a μετρητής in liquid measure. The latter is the standard ἀμφορεὺς of 12 χόες=69·33 pints, or slightly over 8½ gallons, and therefore three-fourths of the standard dry measure, the μέδιμος.

ἵππάδα] (τελεῖν). Isaeus 7 § 39, ἀπεγράφατο μὲν τμημα μικρόν, ὡς ἵππάδα δὲ τελῶν ἄρχειν ἤξειον τὰς ἀρχάς. *Pol.* 1274 a 20, τρίτου τέλους, τῆς καλουμένης ἵππάδος. In the *Lex.* of Photius, the first article on ἵππᾶς (followed by Suidas) makes the curious mistake of distinguishing the ἵππεῖς and the ἵππᾶς and treating the latter as a fifth class; the second article, with the help of Harpocration's quotation from ll. 8—10 of this chapter, corrects this mistake, adding τῶν οὖν ἵππέων οἱ (sic) ἵππάδες.

ὡς δ' ἔνιοί φασι] There is no real discrepancy between the two views, all whose land produced a net return of 300 μέδιμοι being deemed to have enough property to enable them to keep a horse for military purposes and to serve in the cavalry. Suidas, *s. v.* ἵππεῖς, following Schol. on Aristoph. *Eq.* 627, says: ἵππεῖς δὲ αὐτοὺς ὠνόμαζον διὰ τὸ δύνασθαι, εἵποτε χρεῖα γένοιντο, ἵππον ἕκαστον αὐτῶν τρέφειν. In addition to the war-horse (ἵππος πολεμιστήριος), a horse would be required for the servant of the ἵππεύς, and those who belonged to this class would also need a team for agricultural purposes (Boeckh, p. 639 Lamb, p. 579 Fränkel).

σημεῖον...φέρουσι] σημεῖον φέρειν or ἐπιφέρειν do not appear to be used by earlier writers, while later writers have τεκμήριον φέρειν, ἐπιφέρειν, προσφέρειν; Aristotle has πλῆθει φέρειν or ἐπιφέρειν

(Kaibel, 39).

ὡς ἂν—κείμενον] 'as though' (or 'implying that') 'the name was derived from the fact just mentioned.' For ὡς ἂν c. part., Kaibel, 137, quotes Hippocr. i 612 L, Strabo, vi 280, x 481. In *Ar. Analytica Posteriora*, i 3, 72 b 9, ὡς οὐκ ἂν ἐπισταμένους, ὡς ἂν is not really equivalent to ὡς, but ἂν has its proper meaning. *περὶ ἀκουσῶν* 803 b 5, ἕκαστον τῶν μορίων προσπίπτον, ὡς ἂν ἀπὸ πληγῆς ἕτερας ὄν, and 804 b 25, φωνοῦσιν, ὡς ἂν τὸ πνεῦμα βιαζόμενον. κείμενον, used, as often, for the perf. pass. part. of τίθημι. Isaeus 3 § 32, εἰ τις ἦδει τοῦθ' ὑπὸ τοῦ πατρὸς κείμενον, *nomen a patre impositum* (Cobet, *V. L.* 311, *N. L.* 703). Similarly in the next few lines, ἀναθήματα...ἀνάκειται...ἀνέθηκε.

ἀναθήματα] Polemon, a contemporary of Ptolemy Epiphanes (B.C. 204—181), devoted four books of his *περιήγησις* to the ἀναθήματα on the Acropolis (Strabo, ix 396). If the present passage was inserted at a later date than the time of Aristotle, it may possibly have been borrowed from the work of Polemon; but the only reason for doubting whether it is by the same hand as the rest of the treatise is the exceptionally frequent occurrence of *hiatus*, ἀκροπόλει εἰκὼν Διφίλου ἐφ' ἣ ἐπιγέγραπται. The passage was known to Pollux (viii 131), but whether his quotations from this treatise are taken at first hand or not, is uncertain.

Διφίλου] The statue was dedicated by Anthemion son of Diphilus. Diphilus himself had apparently belonged to the θητικὸν τέλος and would therefore have had no claim to be represented with a horse beside him. Mr A. S. Murray is



Διφίλου Ἀνθεμίων τήνδ' ἀνέθηκε θεοῖς,  
θητικού ἀντὶ τέλους ἱππάδ' ἀμειψάμενος.

καὶ παρέστηκεν ἵππος ἐκμαρτυρῶν, ὡς τὴν ἱππάδα τοῦτο σημαί-  
νουσιν. οὐ μὴν ἀλλ' εὐλογώτερον τοῖς μέτροις διηρῆσθαι καθά- 25  
περ τοὺς πεντάκοσιομεδίμνους. ζευγίσιον δὲ τελεῖν τοὺς διακόσια

22 καὶ τὸ ἐπίγραμμα Διφίλου Ἀνθεμίων ἵππον τόνδ' ἀνέθηκε θεοῖς Pollucis codices, ubi videntur critici aut Διφίλου et ἐπίγραμμα coniungenda esse aut cum Bekkero legendum Διφίλου Ἀνθεμίων τόνδ' ἵππον θεοῖς ἀνέθηκεν. Pollucis vero e codicibus unus habet Διφίλου Ἀνθεμίων τόνδ' ἀνέθηκε θεοῖς. Nostro autem in loco versus hexametrum nonnulli restituerunt, velut <ἵππον> Διφίλου Ἀνθεμίων ἀνέθηκε θεοῖσι Tyrrell; Διφίλου Ἀνθεμίων τήνδ' <εἰκόν> ἔθηκε θεοῖσι numerosius Jos. Mayor, ἀνέθηκε ex ονεθηκε ortum fuisse arbitratus (*Class. Rev.* v 177 a); Διφίλου Ἀνθεμίων τήνδ' <εἰκόνα> θεοῖς ἀνέθηκε Thompson (ib. 225 b). Sed Pollucis codices, non minus quam papyrus nostra, testantur versus pentametrum fuisse. 24 ΕΚΜΑΡΤΥΡΩΝ (Κ): †ἐκμαρτυρῶν K-W, s<sup>1</sup>: ἐπιμαρτυρῶν Tyrrell (H-L); εἰς μαρτύριον B. 25 ΜΕΤΡΙΟΙC. 26 τελεῖν del. Papageorgios. δ' ἔδει τελεῖν Kontos (H-L).

TESTIMONIA. 27—29 Pollux viii 130 οἱ δὲ τὸ ζευγίσιον (codd., Hesych., Phot.,

therefore probably right in regarding the statue as that of the son, Anthemion (*Class. Rev.* v 108). Anthemion probably owed his promotion from the lowest to the second class either to a legacy or some other stroke of fortune which suddenly made him a wealthy man (Boeckh, p. 641 Lamb).

It is very improbable that an inscription of such a date consisted of two pentameter lines. 'Vix crediderim inscriptionem vetustam ex duobus pentametris constitisse. Exempla quidem id genus titulorum quae Kaibel in ind. [*Épigr. Gr.*] p. 702 affert, sunt recentissima' (Preger, *Inscr. Gr. Metricae*, 1891, no. 74). The lines happen to give a consecutive sense but are possibly selected from two successive couplets of the original set of verses, the intermediate hexameter being omitted. 'ἄνδρα παρεστηκότα in versibus omitti non mirum... In anaglyphis saepius equi ad ordinem equestrem significandum additi sunt, cf. Goettling, *Opusc. Acad.* 243' (Preger, *l. c.*).

τήνδ' not τὴν εἰκόνα, but τὴν ἀνάθεσιν. Otherwise we should alter τήνδ' into τόνδ' (Kaibel, 138).

ἐκμαρτυρῶν ἐκμαρτυρῶ = palam testificor in Aesch. *Eum.* 461, λουτρῶν ἐξεμαρτύρει φόνον, and Aeschin. p. 15, 19, *Or.* I § 107, ὦν οὐδένα ἐγὼ παρακαλῶ δεῦρο τὴν ἑαυτοῦ συμφορὰν, ἣν εἴλετο σιγᾶν, εἰς πολλοὺς ἐκμαρτυρῆσαι. This sense is just tolerable in the present passage, though the word is perhaps needlessly strong for the context. It would be clearly out of place to give it the technical sense corresponding to that of ἐκμαρτυρία (*Class. Rev.*

v 177 a), *i. e.* a deposition made by a witness who, by reason of illness or absence abroad, was unable to attend in court. The horse in this case may metaphorically indeed be described as giving evidence; but (so far from being either absent abroad or on the point of leaving the country) it is standing in the very centre of Athens, on the platform of the Acropolis. The technical sense is therefore out of place.

ὡς—σημαίνουσιν] For the participle used as an accusative absolute after ὡς, cf. c. 29 § 3, ὡς οὐ δημοτικὴν ἀλλὰ παραπλησίαν οὖσαν τὴν... πολιτείαν, and *Pol.* v (viii) 4, 1338 b 13, (οἱ Λάκωνες) θηριώδεις ἀπεργάζονται τοῖς πόνοις, ὡς τοῦτο πρὸς ἀνδρῶν μάλιστα συμφέρον. Kühner, *G. G.* § 488 d; Maetzner *ad Lycurgum*, § 90, p. 231; Rehdantz, *Ind. Dem. s. v.* Participium. Trans. 'implying that this was the meaning of the status of Knight.' Kaibel, 130, makes the clause depend on ἐνιοὶ φασὶ τοὺς ἵπποτροφεῖν δυναμένους (εἶναι τὴν ἱππάδα), the rest being parenthetical.

ζευγίσιον] This form is supported by the *Etymologicum Magnum* (and *Gudianum*) alone. The *codex Sorbonicus* of the latter, p. 1170 D Gaisford, has ζευγίσιον: τῷ χαρακτήρι τῶν διὰ τοῦ ἰσιον, ὄλον, Ἀφροδίσιον, Ἀτρεμίσιον (*sic*), Προβαλίσιον. οὕτως οὖν καὶ ζευγίσιον. 'Per ἰ scribendum docet Choeroboscus in Cramerii *Anecd.* ii p. 215, 10.' Fränkel (n. 805 to Boeckh) urges that ζευγίσιον is the right form, and is better accredited than ζευγίσιον.

διακόσια] The property qualification

τὰ συνάμφω ποιοῦντας· τοὺς δ' ἄλλους θητικόν, οὐδεμιᾶς μετέχοντας ἀρχῆς. διὸ καὶ νῦν ἐπειδὰν ἔρηται τὸν μέλλοντα κληροῦσθαί τιν' ἀρχήν, ποῖον τέλος τελεῖ, οὐδ' ἂν εἰς εἴποι θητικόν.

8. τὰς δ' ἀρχὰς ἐποίησε κληρωτὰς ἐκ προκρίτων, οὓς ἐκάστη

VIII 1 τ' ΔΑΡΧΗΣ (= τῆς δ' ἀρχῆς) correxit K.

Schol. Plat., Bekk. An. 260 ult.: ζευγίσιον Etym. Magn.) τελοῦντες ἀπὸ διακοσίων μέτρων κατελέγοντο...οἱ δὲ τὸ θητικόν οὐδεμίαν ἀρχήν ἤρχον. \*Harp. θῆτες...οὔτοι δὲ οὐδεμιᾶς μετεῖχον ἀρχῆς, ὡς καὶ Ἀρ. δηλοῖ ἐν Ἀθ. πολ. Etym. Mag. p. 452, 15 θητικόν: οὔτοι δὲ οὐδὲ μᾶς μετεῖχον ἀρχῆς.

of the ζευγίται has hitherto been a matter of dispute. Boeckh, p. 641 Lamb, fixes it at 150 medimni. This he infers from a law quoted in [Dem.] *Macart.* 43 § 54, p. 1067, according to which a πεντακοσιομέδιμνος was to pay the ἐπίκληρος a dowry of 500 drachmae, a ἱππεὺς 300, and a ζευγίτης 150. From the correspondence of the first and second of these sums to the annual income of members of the first and second class, he infers that the dowry required of a ζευγίτης is identical in amount with his annual income. But he admits that all the positive evidence is in favour of 200 medimni. This view, which is adopted by Grote (iii 320 note), is supported by the authority of the text.

θητικόν] sc. τελεῖν. Cf. c. 7 § 3.

διὸ καὶ νῦν κτλ.] A masterly touch of sarcasm (says Wilamowitz, i 55). ' (As the Thetes are ineligible) hence it is that even now, when one who is about to draw lots for any office is asked to what rank he belongs, no one would say that he belonged to the rank of the Thetes.' The subject of ἔρηται is the officer superintending the drawing of lots for an appointment. The same vague use of the verb occurs in c. 55, ἐπερωτῶσιν and φησίν. As it was under the superintendence of the *Thesmothetae* that officials were appointed by lot (Schömann, *Antiquities*, p. 402 E. T.), the subject is probably ὁ θεσμοθέτης.

At first it was only the πεντακοσιομέδιμνοι who were eligible to the office of archon; next the ἱππεῖς; the ζευγίται became eligible in 457 B.C. (see c. 26). The present passage, as observed by Mr Kenyon, is interesting as shewing that the property qualification can never have been entirely abolished by law.

VIII § 1. κληρωτὰς ἐκ προκρίτων] 'appointed by lot, out of candidates selected by each of the (four) tribes.' Each of the 4 tribes nominated 10, and, out of these 40, the 9 archons were appointed by lot. The archons had

formerly been elected by the Areopagus; and, whatever may have been the rule under Dracon, it was Solon who, with a view to extending the political power of the people, devised the combination of selection and sortition described in the text. It has hitherto been sometimes supposed that appointment by lot was not used in Athens before the time of Cleisthenes. This is the view of Grote, C. F. Hermann, Busolt, Gilbert, Duncker and others. Grote in fact cannot believe it was introduced as early as the time of Cleisthenes (c. 31, iii 123 n). Curtius (i 478 E. T.) assigns it to this time. Schömann, in his criticisms on Grote (*Const. Hist. of Athens*, p. 73 E. T.), shews that an earlier date was not improbable; while Fustel de Coulanges (*La Cité Antique*, p. 212-4, ed. 1883) claims it as an institution of religious origin and therefore of great antiquity. The evidence of this treatise is in favour of its having been introduced at an early date.

The text enables us to understand the statement in Isocrates that, 'in the times of Solon and Cleisthenes,' they did not apply the lot to filling up offices out of the whole body of citizens, but selected those who were the best and the most suitable candidates for each office: *Areop.* § 22, οὐκ ἐξ ἀπάντων τὰς ἀρχὰς κληροῦντες, ἀλλὰ τοὺς βελτίστους καὶ τοὺς ἱκανωτάτους ἐφ' ἕκαστον τῶν ἔργων προκρίνοντες. Elsewhere, *Panath.* 145, he describes the constitution that the Athenians maintained 'for 1000 years' down to the age of Solon and the rule of Peisistratus, and says of the Athenians of old time that ἐν ὀλίγαις ἡμέραις ἐώρων τοὺς νόμους ἀναγεγραμμένους (this can only refer to the legislation of Dracon). He then adds: περὶ τοὺς αὐτοὺς χρόνους καθίστασαν ἐπὶ τὰς ἀρχὰς τοὺς προκρίθέντας ὑπὸ τῶν φυλετῶν καὶ δημοτῶν. [Dem.] *Neaer.* 59 § 75 says of the ἀρχων βασιλεὺς in the times after the συνοικισμὸς of Theseus: τὸν μὲν βασιλέα...ὁ δῆμος ἤρειτο ἐκ προ-



προκρίνειε τῶν φυλῶν. προύκρινεν δ' εἰς τοὺς ἐννέα ἄρχοντας ἡ ἐκάστη δέκα, καὶ (ἐκ) τούτων ἐκλήρουν· ὅθεν ἔτι διαμένει ταῖς φυλαῖς τὸ δέκα κληροῦν ἐκάστην, εἴτ' ἐκ τούτων κυμαεύειν.

2 προκρίνειε Gertz (κ-w, B<sup>2</sup>, K<sup>3</sup>, Th); προκρινει (κ<sup>1</sup>); προύκρινε olim B (H-L). 3 <ἐκ> τούτων ἐκλήρουν κ-w<sup>1</sup>, Gomperz, B<sup>2</sup> ('dubitanter' dedit κ<sup>4</sup>), τοῦ...ΛΗΡΟΥΝ fortasse των post του scripto; τούτους ἐκλήρουν κ<sup>1</sup> (H-L); τοῦ[των ἐκ]λήρουν Th; τοῦ[τους διεκ]λήρουν B<sup>3</sup>; τοῦ[τοῖς] ἐ[πεκ]λήρουν κ<sup>3</sup> (S<sup>1</sup>) coll. 59 § 5; τοὺς θ' ἐκλήρουν Wilcken (κ-w<sup>3</sup>, B<sup>4</sup>), 'spatio non sufficit' κ<sup>4</sup>.

κρίτων κατ' ἀνδραγαθίαν χειροτονῶν, where however we have mention of election by show of hands instead of appointment by lot. The use of the lot in the time of Solon is implied by Dem. *Lept.* § 90 (after mentioning Solon), τοὺς θεσμοθέτας τοὺς ἐπὶ τοὺς νόμους κληρουμένους, but too great stress must not be laid on this phrase, as the orators sometimes ascribe to Solon institutions which really belonged to a later date.

The natural interpretation of the present passage is that Solon introduced a new principle by combining selection with sortition. In this respect it is not perhaps inconsistent with the statement in *Pol.* ii 12, 1273 b 41, εἶκοι δὲ Σόλων (1274 a) ἐκεῖνα μὲν ὑπάρχοντα πρότερον οὐ καταλῶσαι, τὴν τε βουλὴν (i.e. the Areopagus) καὶ τὴν τῶν ἀρχῶν αἵρεσιν, τὸν δὲ δῆμον καταστήσαι, τὰ δικαστήρια ποιήσας ἐκ πάντων. Aristotle had just before remarked that some had singled out, as an aristocratic element in Solon's constitution, τὸ τὰς ἀρχὰς αἵρετάς (εἶναι). He adds that Solon did not abolish this principle, for αἵρεσις is not the 'manner of electing the magistrates,' but simply their election. They were still elected, but the details of the method of election were partly new; the new element being apparently the selection by the tribes. Aristotle approves of this method in *Pol.* viii (v) 5, 1305 a 28, μεταβάλλουσι δὲ καὶ ἐκ τῆς πατρίδος δημοκρατίας εἰς τὴν νεωτάτην· ὅπου γὰρ αἵρεται μὲν αἱ ἀρχαί, μὴ ἀπὸ τιμημάτων δέ, αἵρεται δὲ ὁ δῆμος, δημαγωγοῦντες οἱ σπουδαρχίωντες εἰς τοῦτο καθιστᾶσιν ὡς κύριον εἶναι τὸν δῆμον καὶ τῶν νόμων. ἄκος δὲ τοῦ ἢ μὴ γίνεσθαι ἢ τοῦ γίνεσθαι ἤπτον τὸ τὰς φυλάς φέρειν τοὺς ἀρχοντας, ἀλλὰ μὴ πάντα τὸν δῆμον.

In *Pol.* vi (iv) 14, 1298 b 9, while discussing oligarchies, he mentions some non-oligarchical elements: εἰάν δὲ ἐνίω μὲν αἵρετοὶ ἐνίω δὲ κληρωτοί, καὶ κληρωτοὶ ἢ ἀπλῶς ἢ ἐκ προκρίτων, ἢ κοινῇ αἵρετοὶ καὶ κληρωτοί, τὰ μὲν πολιτείας ἀριστοκρατικῆς ἐστί τούτων, τὰ δὲ πολιτείας

αὐτῆς. Cf. 1266 a 8; Plat. *Rep.* 537 D, *Leg.* 945 B, 753 and 756 (where we now see that Plato is simply reviving an old characteristic of the Solonian constitution). See also Wilamowitz, i 72; ii 63, 64.

ὅθεν ἔτι διαμένει.] This passage and its context are among the many in which the author argues from survivals, or infers a fact from a reason.

'The signals of this method,' as remarked by Mr Macan (*J. H. S.* xiii 38), 'are the innocent γὰρ (c. 2 l. 5, c. 3 l. 6 *et alibi*), the more elaborate ὅθεν οἱ ὅθεν καὶ (c. 3 l. 8, c. 8 l. 3), the suspicious διὸ, διὸ καὶ (c. 3 l. 17, c. 8 l. 16) and above all the term σημεῖον. Wherever these signals occur the critical reader will beware of danger ahead. It may not be necessary in every case to reject the supposed evidence and inference, but it will always be expedient carefully to examine before admitting them.' The writer is here arguing that the method of appointing archons adopted in his own day is a survival from that in the times of Solon. The intervention of the tribes is the point in common between the two methods: but whereas in the earlier method they select, in the later they only appoint by lot. In the former, the lot is resorted to in the second stage only; in the latter, in both.

κυμαεύειν] is synonymous with κληροῦν, the κύαμος, or bean, being employed in the process of appointment by lot. The procedure was as follows: Two jars were set up; in one of these was placed a number of white and coloured beans, in the other the small tablets with the names of the candidates. Then a tablet and a bean were drawn simultaneously and the candidate whose name came out along with the white bean was nominated (Schömann, *Antiquities*, p. 402 E. T.).

κυμαεύειν occurs in the ὄρκος ἡλιαστῶν in Dem. 24 § 150, ὅσαι (ἀρχαί) μετὰ τῶν ἐννέα ἀρχόντων κυμαεύονται, cf. Xen. *Mem.* i 2 § 9 (Socrates) λέγων ὡς μῶρον εἴη τοὺς μὲν τῆς πόλεως ἀρχοντας ἀπὸ κυάμου καθιστάναι, κυβερνήτην δὲ μηδένα εἶθελειν χρῆσθαι κυμαεντῷ. c. 22 § 5.

5 σημεῖον δ' ὅτι κληρωτὰς ἐποίησεν ἐκ τῶν τιμημάτων ὁ περὶ  
τῶν ταμιῶν νόμος, ᾧ χρώμενοι δια[τελ]οῦσιν ἔτι καὶ νῦν· κελεύει  
γὰρ κληροῦν τοὺς ταμίας ἐκ πεντακοσιομέδινων. [Σόλ]ων 2  
μὲν οὖν οὕτως ἐνομοθέτησεν περὶ τῶν [[ἐννέα]] ἀρχόντων. τὸ γὰρ  
ἀρχαῖον ἢ ἐν Ἀ[ρεί]φ [πάγ]φ βου[λ]ῆ ἀνακαλεσαμένη καὶ κρίνασα  
10 καθ' αὐτὴν τὸν ἐπιτήδειον ἐφ' ἐκάστη τῶν ἀρχῶν ἐπ' [ἐν]ια[υτ]ὸν  
[διατάξα]σα ἀπέστειλεν. φυλαὶ δ' ἦσαν τέτταρες καθάπερ πρό- 3  
τερον καὶ φυλοβασιλεῖς τέτταρες. [ἐκ] δὲ [τῆς] φυ[λῆ]ς ἐκάστης

5 ΕΠΟΙΗΣΑΝ (κ<sup>1</sup>): ἐποίησεν Bury, Hude (edd.). 8 περὶ τῶν ἐννέα ἀρχόντων  
secl. κ-W<sup>2</sup> (Kaibel 140; Wil. i 49 n. 15). ἐννέα secl. Th. περὶ τῶν ἀρχῶν  
Sakellarios. γὰρ κ, Β: δὲ Η-L, Wilcken κ-W<sup>3</sup>. 10 ἐκάστην Η (Η-L).  
11 [διατάξα]σα κ, Η-L, Β; ἐπιστήσασα Sakell.; καταστήσασα [ἄρξον]τα Diels; Wilcken  
(κ-W<sup>3</sup>). 12 ΤΕΤΤΑΡΕΣ.

TESTIMONIA. 11—14 \*Photius ναυκραρία:...ναυκραρία μὲν ὁποῖόν τι ἡ συμμορία  
καὶ ὁ δῆμος, ναύκραρος δὲ ὁποῖόν τι ὁ δήμαρχος, Σόλωνος οὕτως ὀνομάσαντος, ὡς καὶ  
'Αρ. φησί...ἐκ δὲ τῆς Ἀριστοτέλους πολιτείας ὃν τρόπον διέταξε τὴν πόλιν ὁ Σόλων  
“φυλαὶ—ἐκάστην” (cf. Pollux viii 108; Rose, Frag. 349<sup>2</sup>, 387<sup>3</sup>). Hesych. ναύκλαροι.

σημεῖον δ' ὅτι κτλ.] The law requiring  
the ταμίαι to be elected from among the  
πεντακοσιομέδιμοι is quoted to prove that  
Solon regulated the allotment of office  
according to the property classes. The  
law existed in the writer's time but was  
practically unenforced, as appears from  
c. 47. *Pol.* 1282 a 29, τῆς μὲν ἐκκλησίας  
μετέχουσι καὶ βουλευούσι καὶ δικάζουσι  
ἀπὸ μικρῶν τιμημάτων καὶ τῆς τυχοῦσης  
ἡλικίας, ταμιεύουσι δὲ καὶ στρατηγούσι  
καὶ τὰς μεγίστας ἀρχὰς ἀρχουσι ἀπὸ μει-  
ζόνων.

Considering the high position enjoyed  
by the archons in the time of Solon,  
Beloch declines to believe that they were  
appointed by lot (even out of a selected  
body of candidates). The law of the  
ταμίαι on which the writer relies proves  
nothing with regard to the archons (i 361  
n. 1).

§ 2. ἢ ἐν Ἀρείφ πάγφ βουλή] This  
passage gives us definite authority for the  
manner in which the public officials were  
elected in earlier times at Athens. Here-  
tofore it could only be conjectured that  
they were elected by the Areopagus. τὸ  
ἀρχαῖον is vague, and may either mean  
up to the time of Solon, or up to that of  
Dracon. In c. 4 we have been told that,  
under Dracon, the officials were elected  
by οἱ ὄπλα παρεχόμενοι, but the Draconian  
constitution is much disputed.

ἀνακαλεσαμένη] ‘having summoned,’  
without any necessary allusion to the fact  
that the βουλή of the Areopagus was ἡ  
ἀνω βουλή. Cf. Aeschines, *F. L.* 17, ἐπεισε  
τὴν βουλήν (the 500) ἀνακαλέσασθαι τὸν  
'Αριστόδημον.

§ 3. φυλαί] The successive names of  
the four tribes in the early history of  
Athens are quoted by Pollux viii 109.  
In the time of Erechtheus they took their  
names (Γελέοντες, Ὀπλητες, Αἰγικореῖς,  
'Αργάδεις) from the sons of Ion. Cf. Hdt.  
v 66, (of Cleisthenes) τῶν Ἴωνος παίδων  
Γελέοντος καὶ Αἰγικόροος καὶ Ἀργάδεω καὶ  
Ὀπλητος ἀπαλλάξας τὰς ἐπωνυμίας. Eur.  
*Ion* 1579, Γελέων (Canter: Τελέων vulg.)  
μὲν ἔσται πρῶτος· εἶτα δεύτερον Ὀπλητες  
'Αργαδῆς τ', ἐμῆς δ' ἀπ' αἰγίδος ἐν φύλῳ  
ἔξουσ' Αἰγικορῆς. (Schömann, *On Grote*,  
§ 2, and *Antiquities*, p. 317 f. E. T.;  
Philippi, *Att. Bürgerrecht*, pp. 233—296;  
Busolt, ii 98<sup>2</sup>; and Wilamowitz, ii 136 f.)

φυλοβασιλεῖς] These officials are iden-  
tical with those called βασιλεῖς (1) in the  
13th Axon of Solon, quoted by Plutarch,  
*Sol.* 19, ἐπιτίμους εἶναι πλὴν ὄσοι ἐξ Ἀρείου  
πάγου ἢ ὄσοι ἐκ τῶν Ἐφετῶν ἢ ἐκ Πρυταν-  
εῖου καταδικασθέντες ὑπὸ τῶν βασιλέων  
ἐπὶ φόνῳ ἢ σφαγαίῳ ἢ ἐπὶ τυραννίδι  
ἔφενγον, and also (2) in the decree of Patro-  
cleides, Andocides, *de Myst.* § 78 (founded  
on the language of the law just quoted), ἢ  
ἐξ Ἀρείου πάγου ἢ τῶν Ἐφετῶν ἢ ἐκ Πρυταν-  
εῖου ἢ Δελφίνου ἐδικάσθη ἢ ὑπὸ τῶν  
βασιλέων, ἢ ἐπὶ φόνῳ τίς ἐστὶ φνγή, ἢ  
θάνατος κατεγνώσθη, ἢ σφαγεῖσιν ἢ τυράν-  
νοισιν. In the context of the first passage  
they are called πρυτάνεις; in that of the  
second, they are distinguished from the  
Archon-Basileus. The identity of the  
βασιλεῖς of Solon with the φυλοβα-  
σιλεῖς of Pollux (viii 111, 120) is sup-  
ported by the connexion of both with the  
Πρυτανεῖον. Cf. Wilamowitz, i 94. The  
βασιλεῖς apparently dealt with cases of



ἦσαν νενεμημένοι τριπτύες μὲν τρεῖς, ναυκραριαὶ δὲ δώδεκα καθ' ἐκάστην. ἦν δ' ἐπὶ τῶν ναυκραριῶν ἀρχὴ καθεστηκυῖα ναύκραροι, τεταγμένη πρὸς τε τὰς εἰσφορὰς καὶ τὰς δαπάνας τὰς γιγνο- 15 μένας· διὸ καὶ ἐν τοῖς νόμοις τοῖς Σόλωνος οἷς οὐκέτι χρῶνται πολλαχοῦ γέγραπται 'τοὺς ναυκράρους εἰσπράττειν' καὶ 'ἀνα-

13 **ΝΑΥΚΡΑΙ|ΡΑΙ.** 14 ἦν δ' ἐπὶ Wilcken (κ-w, H-L), 'lectio incerta' κ<sup>4</sup>, Th: ἐπὶ δὲ B. **ΝΑΥΚΡΑΙΡΟΙ.** 15 **ΓΙΝΟΜΕΝΑς** (κ-w). 17 **πολλαχοῦ** Wessely (κ<sup>3</sup>, B, κ-w<sup>3</sup>, Th, litteris incertis Δχ); **πολλαχῶτι** Paton (H-L); **πολλ[άκ]ις** κ-w<sup>1,2</sup>.

persons who aimed at a *τυραννίς*. They also presided in the court of homicide at the Prytaneum (cf. 57 end). They probably represented 'the priestly functions of the ancient chieftains of the several separate tribes which were ultimately fused into a single community' (Prof. Ridgeway in Smith, *Dict. Ant.* s. v.). The fact that they were four in number was already known from the quotation of the present passage in Photius, s. v. *ναυκραρία*. Cf. Pollux viii 111, as emended by Wecklein, οἱ δὲ φ. ἐξ εὐπατριδῶν τέσσαρες (δ for δὲ) ὄντες κτλ. In the *Bulletin de Correspondance Hellénique*, iii 69, we have an inscr. found on the Acropolis respecting a fund called τὰ φιλοβασιλικὰ, part of which was spent on celebrating a religious festival.

**τριπτύες ... ναυκραρία]** The plupf. shews that these divisions had existed before the time of Solon. Photius, s. v. *ναυκραρία*, carelessly quotes Aristotle as his authority for ascribing to Solon the origin of the term *ναύκραρος* (Σόλωνος οὕτως ὀνομάσαντος, ὡς καὶ Ἀριστοτέλης φησί). That he had the present passage in view is indicated by his quoting it *verbatim* at the end of his article.

The existence of the *ναυκραρία* before the time of Solon is proved by Hdt. v 71, where their *πρυτάνεις* are described as holding an important position in the government of Athens at the time of the conspiracy of Cylon: οἱ πρυτάνεις τῶν ναυκράρων (αἱ ναυκραριῶν) ὅπερ ἐνεμον τότε τὰς Ἀθήνας; but Thuc. i 126 § 5 corrects this account and substitutes for them the nine Archons, adding τότε δὲ τὰ πολλὰ τῶν πολιτικῶν οἱ ἐννέα ἄρχοντες ἐπρασσον. Schömann (*Ant.* p. 326 E. T.) endeavours to reconcile both narratives by assigning to the nine Archons a place on the board of Prytaneis.

The *Naucrari* were the presidents of the *Naucrariae*, and the latter were the administrative districts into which the country was then divided. There were 12 in each tribe or 48 in all. Every four

of these districts formed a group called a *τριπτύς*, or third part of a tribe. In Photius p. 196 Porson, and in Bekk. *Anec.* p. 275, mention is made of a *ναυκραρία* called *Κωλιάς* which is the name of a strip of coast and cliffs near Phalerum. The term *ναυκραρία* has reference to the duty imposed on these districts of equipping a ship of war, in addition to that of providing two horsemen (Pollux viii 108). Grote, c. 10, ii 264 n., thinks 'the statement that each Naukrary was obliged to furnish one ship can hardly be true of the time before Solon.' The actual expense probably fell on the wealthier inhabitants of the district, and it would naturally be from their number that the *ναύκραροι*, or presidents of the *ναυκραρία*, were chosen. There was one president for each *ναυκραρία*, or 12 for each tribe. Hesychius s. v. *ναύκλαροι* (*σί*, cf. Wilamowitz, i 96 n.)...*τινὲς δὲ ἀφ' ἐκάστης φυλῆς δώδεκα, ὅτινες ἀφ' ἐκάστης χώρας τὰς εἰσφορὰς ἐξέλεγον. ὕστερον δὲ δήμαρχοι ἐκλήθησαν* (Schömann, *Antiquities*, p. 326 E. T.; Duncker, *H. G.* ii 144 E. T.; Gilbert, *Gr. St.* i 147<sup>2</sup>; *Jahrb. f. cl. Phil.* 1875, pp. 9 and 452). *ναύκραρος* is formed from *ναῦς* and the root *κᾶρ* (by metathesis *κρά*) which appears in *κράινω* 'to complete or accomplish' (G. Meyer in Curtius, *Studien*, vii 157). See also Busolt, ii 188<sup>2</sup> and Wilamowitz, ii 53 f.

**τὰς εἰσφορὰς]** Pollux viii 108, τὰς δ' εἰσφορὰς τὰς κατὰ δήμους διεχειροτόνον οὕτοι (sc. οἱ ναύκραροι) καὶ τὰ ἐξ αὐτῶν ἀναλώματα.

**ἐν τοῖς νόμοις κτλ.]** Phot. *Lex. ναυκραρία*: καὶ ἐν τοῖς νόμοις δὲ "ἐν (ἐὰν Müller) τις ναυκραρίας ἀμφισβητῆ," καὶ "τοὺς ναυκράρους τοὺς κατὰ τὴν ναυκραρίαν." Cf. Androtion in Schol. on Arist. *Aves*, 1541, τοῖς δὲ ἰούσι Πυθῶδε θεωροῖς τοὺς κωδικρέτας δίδοναι ἐκ τῶν ναυκραρικῶν (codd. ναυκληρικῶν) ἐφόδιον ἀργύρια καὶ εἰς ἄλλο ὅ τι ἂν δέη ἀναλώσαι. The passage in the text is probably quoted from Androtion or some other Attidographer. (Wilamowitz, i 51 f.)

λίσκειν ἐκ τοῦ ναυκραρικοῦ ἀργυρίου.' βουλὴν δ' ἐποίησε  
 τετρακοσίους, ἑκατὸν ἐξ ἑκάστης φυλῆς, τὴν δὲ τῶν Ἀρεοπαγιτῶν  
 20 ἔταξεν ἐπὶ [τὸ] νομοφυλακεῖν, ὡσπερ ὑπῆρχεν καὶ πρότερον ἐπί-  
 σκοπος οὖσα τῆς πολιτείας, καὶ τὰ τε ἄλλα τὰ πλείστα καὶ τὰ  
 μέγιστα τῶν πολιτικῶν διετῆρει καὶ τοὺς ἀμαρτάνοντας ἠθύνεν  
 κυρία οὖσα καὶ [ζη]μιοῦν καὶ κολάζειν, καὶ τὰς ἐκτίσεις ἀνέφερον  
 εἰς πόλιν, οὐκ ἐπιγράφουσα τὴν πρόφασιν δι' ἃ [τὸ ἐ]κτ[ί]ν[ε]σθαι,  
 25 καὶ τοὺς ἐπὶ καταλύσει τοῦ δήμου συνισταμένους ἔκρινεν, Σόλω-  
 νος θέντος νόμον εἰσα[γγ]ελ[ία]ς περὶ αὐτῶν. ὁρῶν δὲ τὴν μὲν

19 ἑκάστης <τῆς> B<sup>4</sup>, Th, cf. Kaibel 189. 20 ἐπὶ τὸ Paton, Gennadios (edd.) :  
 ἐτι olim K. 21 καὶ τὰ τε ἄλλα K-W, Wilcken (S<sup>1</sup>, K<sup>4</sup>, Th); [ἦ] τὰ τε ἄλλα B; ἐς  
 τὰ τε ἄλλα olim K; καὶ εἰς τὰ ἄλλα H-L. 22 τῶν πολιτικῶν Richards, Hude  
 (edd.), cf. 3, 35 τὰ πλείστα καὶ μέγιστα τῶν ἐν τῇ πόλει; τῶν <περὶ τῶν> πολιτικῶν  
 coniecit K. 23 καὶ ζημιοῦν Blass (H-L, K<sup>3</sup>, K-W<sup>3</sup>, Th): τοῦ ζημιοῦν K<sup>1</sup> (K-W).  
 ἐκτείσεις B. 24 δι' ἃ τὸ ἐκτίνεσθαι 'lectio...vestigii aptior quam ceterae' K<sup>4</sup>:  
 [τοῦ ἐ]κτ[ί]ν[ε]σθαι Tyrrell, idem agn. B (Th); [τοῦ εὐθύν]εσθαι olim B (H-L, K<sup>3</sup>); [τοῦ  
 πράττ]εσθαι S<sup>1</sup>; διὰ τὸ [εὐ]θύ[ν]εσθαι Wilcken (secl. K-W<sup>3</sup>). 26 νόμον εἰσαγγελίας  
 Wessely (B, K<sup>2-4</sup>, K-W<sup>3</sup>, Th) sed delet Wil. i 53: ὁ μὲν [οὖν ταῦτ'] ἔταξε K<sup>1</sup> (H-L).

§ 4. βουλὴν δ' ἐποίησε τετρακοσίους]  
 A new council of 400 is here contrasted  
 with the previously existing council of  
 the Areopagus. There is nothing in the  
 phrase to shew that the writer has made  
 any mention of a previous council under  
 Dracon. Cf. Plut. Sol. 19, συστησάμενος  
 δὲ τὴν ἐν Ἀρείῳ πάγῳ βουλὴν...δευτέραν  
 προσκατένευε βουλὴν ἀπὸ φυλῆς ἑκάστης,  
 τεττάρων οὐσῶν, ἑκατὸν ἀνδρας ἐπιλέξά-  
 μενος.

Ἀρεοπαγιτῶν] Philippi, *Areop. u.*  
*Epheten*, pp. 199—246; Gilbert, i 152.  
 Duncker, *Gesch. d. Alt.* (XII 12) vol. vi  
 187—194.

ἐπίσκοπος οὖσα κτλ.] Plut. *l.c.*, τὴν  
 δ' ἄνω βουλὴν ἐπίσκοπον πάντων καὶ φύλακα  
 τῶν νόμων ἐκάθισεν.

τὰ πλείστα καὶ τὰ μέγιστα κτλ.] c. 3  
 § 6, διώκει δὲ τὰ πλείστα καὶ τὰ μέγιστα  
 τῶν ἐν τῇ πόλει, καὶ κολάζουσα καὶ ζημιοῦσα  
 πάντας τοὺς ἀκοσμοῦντας κυρίως.

κυρία οὖσα] a notable hiatus (Kaibel,  
 12), which may, however, be removed  
 by transposing the two words.

[ζη]μιοῦν] obviously refers to pecuniary  
 penalties (Kaibel, 58 n, refuting B. Keil,  
 102 n).

ἀνέφερον] Dem. 41 § 8, τὴν τιμὴν οὐτ'  
 ἐκείνῳ διέλυσεν οὐτε νῦν εἰς τὸ κοινὸν ἀνε-  
 νήνοχεν.

εἰς πόλιν] = εἰς ἀκρόπολιν (cf. c. 60 § 3).  
 Thuc. ii 15, καλεῖται δὲ ἡ ἀκρόπολις μέχρι  
 τοῦδε ἐτι ὑπ' Ἀθηναίων πόλις. Aristoph.  
*Nub.* 69, *Eq.* 267, 1093, *Lys.* 245, 487.  
 'In inscriptions ἐν ἀκροπόλει is first found  
 in B.C. 387—6, according to *Bull. d. Corr.*

*Hell.* 1888 p. 149. In fourth century prose  
 the use of πόλις is preserved in certain  
 familiar and unambiguous combinations:  
 [Xen.] *De Red.* v 12, χρήματα εἰς τὴν  
 πόλιν ἀνενεχθέντα. Schol. Aristoph. *Lys.*  
 273, ἔστησαν ἐν πόλει παρὰ τὸν ἀρχαῖον  
 νεῶν (possibly quoted from one of the  
 writers of Ἀτθίδες or from Craterus). For  
 other references see Maetzner on Antiph. 6  
 § 39, ἐν τῇ πόλει. On the other hand,  
 Andoc. 3 § 7, and Aeschin. 2 § 175, have  
 ἀναφέρειν εἰς τὴν ἀκρόπολιν' (Wyse). This  
 use of πόλις must have been obsolete in  
 the time of Aristotle. He must therefore  
 be quoting from some writer at least  
 50 years earlier than his own time  
 (Wilamowitz, i 51).

ἐπὶ καταλύσει τοῦ δήμου συνιστα-  
 μένους] 25 § 3, συνισταμένους ἐπὶ κατα-  
 λύσει τῆς πολιτείας, [Dem.] 46 § 26.

νόμον εἰσαγγελίας] εἰσαγγέλλειν has  
 already been used in a general sense in  
 4 § 4. We now find a definite νόμος  
 εἰσαγγελίας ascribed for the first time to  
 Solon. The special case here mentioned  
 corresponds to the first of the three  
 classes of crimes which, according to  
 Hyperides, were included in the νόμος  
 εἰσαγγελτικός, *pro Eux.* § 8, εἴαν τις τὸν  
 δῆμον τὸν Ἀθηναίων καταλύῃ ἢ συνίῃ ἐπὶ  
 καταλύσει τοῦ δήμου ἢ ἐταιρικῶν  
 συναγάγῃ (Isocr. *de Big.* 6; Dinarch.  
*c. Dem.* 94). Cf. Theophr. *apud Lex.*  
*Rhet. Cantab.* s.v. εἰσαγγελία: εἴαν τις  
 καταλύῃ τὸν δῆμον. The text implies  
 that the definition given by Theophrastus  
 applies to a far earlier date than the time



πόλιν πολλάκις στασιάζουσαν, τῶν δὲ πολιτῶν ἐνίους διὰ τὴν ῥαθυμίαν [ἀγα]πῶντας τὸ αὐτόματον, νόμον ἔθηκεν πρὸς αὐτοὺς ἴδιον, ὃς ἂν στασιαζούσης τῆς πόλεως μὴ θῆται τὰ ὄπλα μηδὲ μεθ' ἑτέρων, ἄτιμον εἶναι καὶ τῆς πόλεως μὴ μετέχειν. 30

9. τὰ μὲν οὖν [περὶ τὰ]ς ἀρχὰς τούτου εἶχε τὸν τρόπον. δοκεῖ δὲ τῆς Σόλωνος πολιτείας τρία ταῦτ' εἶναι τὰ δημοτικώτατα·

28 [ἀγαπῶ]ντας κ-w et Kontos; [ἀγα]πῶντας κ<sup>4</sup>, Th; 'certum est *ωντας*, π verisimile magis quam ρ' Blass (*περιορῶντας* conii. olim Blass, Bury). 29 θῆται H-L (κ<sup>3</sup>, B, κ-w<sup>3</sup>), τιθῆται Richards, Blass (κ-w), sed spatium vix sufficit; αἴρηται olim κ.

IX 1 εἶχε litteris evanidis (κ, B, κ-w<sup>3</sup>): ἔταξε κ-w<sup>1</sup>, H-L. 2 τρία ταῦτ' papyrus secutus κ (κ-w<sup>2,3</sup>, Th); τρία [[ταῦτ]] B<sup>4</sup>; τρία τὰδ' H-L, κ-w<sup>1</sup> (app. B<sup>4</sup>); τρία πάντων Kaibel 144. τὰ om. H-L.

TESTIMONIA. 28—30. \*Gellius, ii 12: In legibus Solonis illis antiquissimis quae Athenis axibus ligneis incisae sunt quasque latas ab eo Athenienses ut sempiternae manerent poenis et religionibus sanxerunt, legem esse *Aristoteles* refert scriptam ad hanc sententiam: 'si ob discordiam dissensionemque seditio atque discessio populi in duas partes fiet et ob eam causam irritatis animis utrimque arma capientur pugnabiturque, tum qui in eo tempore in eoque casu civilis discordiae non alterutrae parti sese adiunxerit, sed solitarius separatusque a communi malo civitatis secesserit, is domo patria fortunisque omnibus careto, exul extorrisque esto' (Rose, Frag. 353<sup>2</sup>, 391<sup>3</sup>).

after Euclides, to which it was then assigned by Fränkel, *Att. Geschworenenger.*, p. 77.

There is a vague reference to *εἰσαγγελαί* in the time of Solon in Pollux viii 53, χίλιοι δὲ κατὰ μὲν Σόλωνα τὰς εἰσαγγελίας ἔκρινον, κατὰ δὲ τὸν Φαληρέα καὶ πρὸς πεντακσίους, cf. Philochorus, 155 Müller, *εἰσῆγγειλαν*, ὡς μὲν Φιλόχορος, χιλίων καθεζομένων, ὡς δὲ Δημήτριος ὁ Φαληρεὺς χιλίων πεντακσίων (cf. Duncker, *G. d. A.* vi 179 n). The special case mentioned in the text came before the Areopagus. Wilamowitz, i 53 n. 22, considers the clause Σόλωνος—αὐτῶν to be very questionable Greek.

§ 5. ἀγαπῶντας] Plut. *Ref.* 399 C, τὰ ἀποβαίνοντα ἀγαπῶντα.

τὸ αὐτόματον]=τὸ ἀπὸ τύχης. In *Μαγνα Μοραλία* 1199 a 9 we find τὰ ἀπὸ ταῦτομάτου contrasted with λόγος, cf. Aeschin. 3 § 167, ἐὰν αὐτομάτον τι συμβῆ (Kaibel, 143).

νόμον ἔθηκεν κτλ.] Plut. *Sol.* 20 *init.* τῶν δ' ἄλλων αὐτοῦ νόμων ἴδιος μὲν μάλιστα καὶ παράδοξος ὁ κελεύων ἄτιμον εἶναι τὸν ἐν στάσει μηδετέρας μερίδος γενόμενον. βούλεται δ', ὡς εἶοικε, μὴ ἀπαθῶς μηδ' ἀναισιθῆτως ἔχειν πρὸς τὸ κοινόν, ἐν ἀσφαλεῖ θέμενον τὰ οἰκεία καὶ τῷ μὴ συναλγεῖν μηδὲ συννοσεῖν τῇ πατρίδι καλλωπιζόμενον, ἀλλ' αὐτόθεν τοῖς τὰ βελτίω καὶ δικαίωτερα πράττουσι προσθέμενον συγκυδυνεύειν καὶ βοηθεῖν μᾶλλον ἢ περιμένειν ἀκύνδυνος τὰ τῶν κρατούντων. *Praec. Ger. Reip.* 32

§ 1, ii 823 F, ἀπορήσει...καὶ θαυμάσει τί παθῶν ἐκεῖνος ὁ ἀνὴρ ἔγραψεν ἄτιμον εἶναι τὸν ἐν στάσει πόλεως μηδετέροις προσθέμενον, *De Sera Numinis Vindicta* 4, ii 550 B—C, παραλογώτατον δὲ τὸ τοῦ Σόλωνος, ἄτιμον εἶναι τὸν στάσει μηδετέρα μερίδι προσθέμενον μηδὲ συστασιάσαντα. Cic. *ad Atticum* x 1, 2, ego vero Solonis... legem neglegam, qui capite sanxit, si quis in seditione non alterius utrius partis fuisset. (Cf. Grote, c. 11, ii 341.) John Mayor (*Class. Rev.* v 120 b) also refers to Cantacuzen. iv 13, and Nicephorus Gregora ix 6 *fin.*

θῆται τὰ ὄπλα] metaphor from taking up a position in the face of an enemy. Plato, *Ref.* 440 E, ἐν τῇ τῆς ψυχῆς στάσει τίθεσθαι τὰ ὄπλα πρὸς τοῦ λογιστικοῦ. The phrase is frequent in Xenophon's *Anabasis* in several military senses, e.g. εἰς τάξιν τὰ ὄπλα τίθεσθαι ii 2, 21 and v 4, 11 (Krüger's *Lexikon*, or Vollbrecht's *Wörterbuch*).

μηδὲ μεθ' ἑτέρων] Also in Thuc. ii 67 § 5, cf. v 48, οὐδ' ὑφ' ἑτέρων. vi 44 § 4, οὐδὲ μεθ' ἑτέρων. vii 59 § 1, μηδὲ μεθ' ἕτερα.

IX § 1. τῆς Σόλωνος πολιτείας—τὰ δημοτικώτατα.] Isocr. 7 § 16, ἐκέλην τὴν δημοκρατίαν, ἣν Σόλων μὲν ὁ δημοτικώτατος γενόμενος ἐνομοθέτησε. Dem. 18 § 6, Σόλων, εθνους ἀν' ἡμῶν καὶ δημοτικός. Hyper. c. *Athenog.* 21, ὁ δημοτικώτατος Σόλων. For Solon's relations to democracy see *Pol.* ii 12, 1273 b 35. In the

πρῶτον μὲν καὶ μέγιστον τὸ μὴ δανείζειν ἐπὶ τοῖς σώμασιν, ἔπειτα τὸ ἐξεῖναι τῷ βουλομένῳ τιμωρεῖν ὑπὲρ τῶν ἀδικουμένων, τρίτον δέ, (ῶ) μάλιστά φασιν ἰσχυκέναι τὸ πλῆθος, ἢ εἰς τὸ δικαστήριον ἔφεσις· κύριος γὰρ ὦν ὁ δῆμος τῆς ψήφου κύριος γίγνεται τῆς

4 τιμωρεῖν Paton, K-W (K<sup>3</sup>, B), cf. 19, 2; τιμωρεῖσθαι Wyse, H-L; δικάζεσθαι K<sup>1</sup>; δίκην λαβεῖν (hiatu vitato) J W Headlam et Lipsius, coll. Plut. Sol. 18. 5 <ῶ> Lipsius, H-L (B, K<sup>3</sup>, Th); <ῶ καὶ> K-W, Kaibel 144; ἦ K<sup>1</sup>. 6, 9, 13 ΓΙΝ (K-W).

language of Mr Newman's excellent paraphrase in vol. i p. 373, we are there told that 'certain persons regarded Solon as the destroyer of an extreme oligarchy, on the ruins of which he constructed the πάτριος δημοκρατία, a wisely mixed constitution: they took him to have founded the Areopagus, to have introduced the system of filling magistracies by election, and to have created the popular dicastery, thus as it were equipping the State with a complete set of new institutions.... To this view of Solon's work Aristotle objects: he says that Solon would seem to have found the council of the Areopagus, and the system of filling the magistracies by election, already established, and that he...left them as he found them, whereas he did institute the popular element in the constitution by founding the popular dicasteries. He appeals in support of his contention to the opinion of a second set of critics, who made Solon responsible for the existing extreme democracy. They complained that, so far from being the author of a mixed constitution, he overpowered the oligarchical element by the democratic, inasmuch as he gave supreme power to the popular dicastery. Armed with this judicial authority, the people became masters of the State; one statesman after another had to play into their hands, and so the extreme democracy gradually came into being. Aristotle, however, holds that these inquirers ascribed to Solon's institution of popular dicasteries consequences which would not have resulted from it, if it had not been for accidental circumstances. Solon was far from intending to found an extreme democracy; he gave, in fact, only a modicum of power to the people—enough to content them and no more—and reserved office for the better-to-do classes. On the other hand, he was not the contriver of an elaborate mixed constitution, but rather the founder of the beginnings of popular liberty; still less was he the undoer of the power of the Few. He left office in their hands, and gave the people only just enough power to make the holders of office govern well.'

μὴ δανείζειν κτλ.] 6 § 1. τὸ ἐξεῖναι—ἀδικουμένων] Plut. Sol. 18, οἴόμενος δὲν ἐπαρκεῖν τῇ τῶν πολλῶν ἀσθενείᾳ, παντὶ λαβεῖν δίκην ὑπὲρ τοῦ κακῶς πεπονθότος ἔδωκε· καὶ γὰρ πληγέντος ἑτέρου ἢ βλαβέντος ἐξῆν τῷ δυναμένῳ καὶ βουλομένῳ γράφεσθαι τὸν ἀδικούντα καὶ διώκειν, ὀρθῶς ἐθίζοντος τοῦ νομοθέτου τοὺς πολίτας ὥσπερ ἐνὸς μέρους συναισθάνεσθαι καὶ συναλγεῖν ἀλλήλοις. τούτῳ δὲ τῷ νόμῳ συμφωνοῦντα λόγον αὐτοῦ διαμνημονεύουσιν. ἐρωτηθεὶς γὰρ, ὡς ἔοικεν, ἦτις οἰκεῖται κάλλιστα τῶν πόλεων, "ἐκείνη," εἶπεν, "ἐν ᾗ τῶν ἀδικουμένων οὐχ ἦττον οἱ μὴ ἀδικούμενοι προβάλλονται καὶ κολάζουσι τοὺς ἀδικούντας." Plutarch here quotes much more than the text.

πλῆθος] synonymous not with δῆμος, but with οἱ πολλοί. The latter are contrasted like the poor with the rich (2 § 3, 5 § 1, 24 § 3, 27 § 4), the majority with the oligarchy (41 § 2, 29 § 1, 36 § 1). In the description of the constitution of the fourth century, Aristotle never uses πλῆθος. There was no longer any minority to which the πλῆθος could be contrasted; the δῆμος was now supreme (Kaibel, 53).

ἢ εἰς τὸ δικαστήριον ἔφεσις] The constr. changes from the substantival use of the infinitive to an ordinary substantive. The eulogists of Solon, referred to in Pol. ii 12, 1273 b 41, recognise the δικαστήριον as the element which is δημοτικὸν in his constitution (τὸν δῆμον καταστήσαι, τὰ δικαστήρια ποιήσας ἐκ πάντων); while his critics describe him as having subordinated the oligarchical element, κύριον ποιήσαντα τὸ δικαστήριον πάντων, κληρωτῶν δν. Aristotle himself subsequently mentions as one of the two elements in the necessary modicum of political power assigned to the people that of εὐθύνειν, i.e. calling the officials to account in the law-courts, μηδὲ γὰρ τούτου κύριος ὦν ὁ δῆμος δούλος ἂν εἴη καὶ πολέμιος. Plut. Sol. 18 (after saying of the θῆτες that τῷ συνεκκλησιάζειν καὶ δικάζειν μόνον μετεῖχον τῆς πολιτείας) adds: δ κατ' ἀρχαίς μὲν οὐδέν, ὕστερον δὲ παμμέγεθες ἐφάνη· τὰ γὰρ πλεῖστα τῶν διαφόρων ἐνέπιπτεν εἰς τοὺς δικαστάς. καὶ γὰρ ὅσα ταῖς ἀρχαῖς ἔταξε κρῖνειν, ὁμοίως καὶ περὶ ἐκείνων εἰς τὸ



2 πολιτείας. ἔτι δὲ καὶ διὰ τὸ μὴ γεγράφθαι τοὺς νόμους ἀπλῶς μηδὲ σαφῶς, ἀλλ' ὥσπερ ὁ περὶ τῶν κλήρων καὶ ἐπικλήρων, ἀνάγκη πολλὰς ἀμφισβητήσεις γίνεσθαι καὶ πάντα βραβεύειν καὶ τὰ κοινὰ καὶ τὰ ἴδια τὸ δικαστήριον. οἴονται μὲν οὖν τινες 10 ἐπίτηδες ἀσαφεῖς αὐτὸν ποιῆσαι τοὺς νόμους, ὅπως ἢ τῆς κρίσεως [ὁ] δῆ[μος κ]ύριος. οὐ μὴν εἰκός, ἀλλὰ διὰ τὸ μὴ δύνασθαι καθόλου

9 πολλὰς Paton, Blass, κ-w, κ<sup>3</sup>, Th; ἦν τὰς κ<sup>1</sup>; ἦν πολλὰς H-L sed deest spatium. 10 τὸ δικα[στ]ήριον κ-w, κ<sup>3</sup>, papyri lectio incerta (B): τὰ δικαστήρ[ια] κ<sup>1</sup> (H-L), sed propter tot generis neutri pluralia in contextu cumulatæ præstat numerus singularis. Cf. Kaibel 144.

11 ὅπως ἦ—κύριος ita recte Papageorg. (B, κ<sup>3</sup>, κ-w<sup>3</sup>, Th): ὅπως—ἦ κύριος H-L; ὅπως τι—ἦ κύριος K-W<sup>1</sup>; ὅπως τι τῆς κρίσεως [ἐ]χθρ [ὁ δῆμος κ]ύριος κ<sup>1</sup>.

12—13 περιλαβεῖν etiam ante καθολογ scriptum et deinde deletum: πανταχοῦ sine causa legendum suspicantur H-L.

δικαστήριον ἐφέσεις ἔδωκε τοῖς βουλομένοις. Grote (ii 325) holds that the popular dicasteries were not established by Solon, a view which is not in accordance with the text. He also points out (p. 326) that, although Solon laid the foundation of the Athenian democracy, his institutions were not democratical (as compared with those of Cleisthenes and Pericles). The dicasteries doubtless became more highly developed in later times, but of their existence in Solon's time for certain purposes, such as the control of officials, there can be no reasonable doubt. See Duncker, *Gesch. d. Att.* vi 179, 180.

§ 2. ἀπλῶς...σαφῶς] Dem. *Lept.* § 93, ἀπλᾶ καὶ σαφῆ, Isæus 11 § 32, ἀπλᾶ καὶ γνώριμα μαθεῖν, Dem. 24 § 68, ἀπλῶς καὶ πᾶσι γνωρίμως γεγράφθαι. In all these passages perspicuity is described as a merit in legislative enactments. Here the obscurity of some of Solon's laws is said to have increased the powers of the people as interpreters of the law in the dicasteries.

ἀλλ' ὥσπερ] For the ellipse, cf. *Rhet.* 1355 b 8 f, ἀλλὰ καθάπερ ἡ διαλεκτική (Kaibel, 144).

ὁ περὶ τῶν κλήρων] The reference is to the law of intestate succession quoted in Dem. *Macart.* 43 § 51, p. 1067. Parts of this law are paraphrased or expressly cited in Isæus 11 §§ 1, 2, and 7 § 20. The law of the ἐπικλήρος is quoted in Dem. 43 §§ 16, 54, and 46 § 22, ending with the words ἀνεπίδικον μὴ ἐξεῖναι ἔχειν μήτε κλήρον μήτε ἐπικλήρον. This law is referred to in Isæus 3 §§ 64, 74 and elsewhere. Both laws may be fairly ascribed to Solon, and students of Isæus will admit the ambiguity of certain clauses in them. The greater part of Plutarch's *Sol.* 20 is devoted to details of the law of

the ἐπικλήρος, but the points there touched upon are curious rather than obscure. In the time of Aristophanes the decision of rival claims to the hand of an 'heiress' was one of the most cherished privileges of the Athenian dicast (*Vesp.* 583—587). Cf. *inf.* 42 § 5, περὶ κλήρου καὶ ἐπικλήρου, 50 § 6, ἐπικλήρου κακώσεως, and κλήρων καὶ ἐπικλήρων ἐπιδικασίαι, also 43 § 4; and Plat. *Leg.* 630 E, τὰ περὶ τῶν κλήρων καὶ ἐπικλήρων.

ἀνάγκη] sc. ἦν. *Rhet.* i 1 § 8, ἀνάγκη ἐπὶ τοῖς κριταῖς καταλείπειν, *Eth.* 1137 b 15, ἀνάγκη μὲν εἰπεῖν καθόλου, μὴ οἴων τε δὲ ὀρθῶς.

οἴονται κτλ.] Plut. *Sol.* 18, λέγεται δὲ καὶ τοὺς νόμους ἀσαφέστερον γράψας καὶ πολλὰς ἀντιλήψεις ἔχοντας ἀξήσασαι τὴν τῶν δικαστηρίων ἰσχύν· μὴ δυναμένους γὰρ ὑπὸ τῶν νόμων διαλυθῆναι περὶ ὧν διεφέροντο συνέβαιναν εἰε δεῖσθαι δικαστῶν καὶ πᾶν ἀγενεῖ ἀμφισβήτημα πρὸς ἐκείνους, τρόπον τινὰ τῶν νόμων κυρίου ὄντας. 'It is hardly just to Plutarch' (says Grote) 'to make him responsible for the absurd remark that Solon rendered his laws intentionally obscure... We may well doubt whether it was ever seriously intended even by its author, whoever he may have been' (Grote, c. 11, ii 330). We now see that Plutarch quotes from the text (or from the authority followed in the text), where the authors of this opinion are not specified. The opinion is only quoted to be rejected. The real cause for the obscurity of some of Solon's laws is introduced with the words οὐ μὴν εἰκός κτλ.

τινές] The adherents of the Thirty; cf. 35 § 2 (Wilamowitz, i 63).

διὰ τὸ μὴ δύνασθαι (sc. Σόλωνα) καθόλου περιλαβεῖν τὸ βέλτιστον] 'owing to his being unable to attain the perfection of legislative expression while drawing

περιλαβεῖν τὸ βέλτιστον· οὐ γὰρ [δ]ί[κ]αιον ἐκ τῶν νῦν γιγνομένων ἀλλ' ἐκ τῆς ἄλλης πολιτείας θεωρεῖν τὴν ἐκείνου βούλησιν.

10. ἐν μὲν οὖν τοῖς νόμοις ταῦτα δοκεῖ θεῖναι δημοτικά, πρὸ δὲ τῆς νομοθεσίας ποιῆσαι τὴν τῶν χρεῶν ἀποκοπὴν καὶ μετὰ ταῦτα τὴν τε τῶν μέτρων καὶ σταθμῶν καὶ τὴν τοῦ

Χ 2 ΠΟΙΗΣΑΙ (κ, Η-Λ) 'potius quam ποιησας' (Wilcken, κ-w<sup>3</sup>, Th) 'habere videtur L; neque και, quod se dispexisse putat Wilcken' (del. κ-w<sup>3</sup>), 'videre possum,' κ<sup>4</sup>; ποιῆσαι retinet sed ἐποίησε mavult B<sup>4</sup> in appendice. 3 μετὰ ταῦτα, 'et ambiguum et falsum' B<sup>4</sup> in appendice.

up his laws in general terms.' It is characteristic of a legislator to deal with τὸ καθόλου, leaving the dicast to deal with the details. *Rhet.* i § 7, ἡ μὲν τοῦ νομοθέτου κρίσις οὐ κατὰ μέρος ἀλλὰ περὶ μελλόντων τε καὶ καθόλου ἐστίν, 13 § 13, συμβαίνει δὲ τοῦτο (τὸ ἐπιεικές) τὰ μὲν ἀκόντων τὰ δὲ ἐκόντων τῶν νομοθετῶν, ἀκόντων μὲν ὅταν λάθῃ, ἐκόντων δ' ὅταν μὴ δύνωνται διορίσαι, ἀλλ' ἀναγκαῖον μὲν ἢ καθόλου εἰπεῖν, μὴ ἢ δὲ, ἀλλ' ὡς ἐπὶ τὸ πολὺ. *Eth. Nic.* v 14, 1137 b 15, *Pol.* iii 11, 1282 b 2, (those in authority must be) κυρίως περὶ ὅσων ἐξαδυνατοῦσιν οἱ νόμοι λέγειν ἀκριβῶς διὰ τὸ μὴ ῥάδιον εἶναι καθόλου δηλῶσαι περὶ πάντων, *Pol.* 1268 b 39, 1269 a 9, 1282 b 2, 1286 a 10.

περιλαβεῖν, here 'to define strictly, determine in express words, draw up in a legal form' (L and S), *Plat. Leg.* 823 B, θήρα γὰρ πάμπολὺ τι πρᾶγμά ἐστι, περιειλημμένον ὀνόματι νῦν σχεδὸν ἐνί. *At. Eth. Nic.* v 4, 1130 b 3, ἐνὶ ὀνόματι περιλαβεῖν (embrace, include) ταῦτα πάντα, iii 12, 1117 b 21, τύπῳ περιλαβεῖν. *Pol.* iii 16, 1287 b 19, τὰ μὲν ἐνδέχεται τοῖς νόμοις περιληφθῆναι, vi 5, 1320 a 1, νόμοι οὐ περιλήφονται τὰ σφίζοντα τὰς πολιτείας.

οὐ γὰρ δίκαιον—βούλησιν] One of the writer's favourite methods of reconstruction is 'inference from the present to the past, from existing circumstances to their presumable antecedents, from a given state of institutions to a former condition of the same.' We here find 'part of a formula for the critical application of this method,' or rather for the limitations under which it may be applied (Mr Macan, *J. H. S.*, xii 37 f).

τῶν νῦν γιγνομένων] 'the present state of things' in the law courts, with their conflicting arguments as to the law (e.g. of the ἐπικληρος), which could only be settled by the verdict of the 'people' assembled in the court.

X § 1. πρὸ δὲ τῆς νομοθεσίας κτλ.] Solon's general legislation falls between the σεισάχθεια and the alteration of the currency. There is thus no direct con-

nexion between the change in the coinage and the famous 'disburdening' ordinance. It was not by a modification of the monetary standard that Solon relieved the oppressed debtors; it was by an absolute cancelling of the debt. The opposite view was held by Androtion, whose opinion is quoted by Plutarch only to be rejected: *Sol.* 15, καίτοι τινὲς ἔγραψαν, ὧν ἐστίν Ἀνδρότιων, οὐκ ἀποκοπῆ χρεῶν, ἀλλὰ τόκων μετριότητι κουφισθέντας ἀγαπήσαι τοὺς πένητας, καὶ σεισάχθειαν ὀνομάσαι τὸ φιλανθρώπειμα τοῦτο καὶ τὴν ἅμα τούτῳ γενομένην τῶν τε μέτρων ἐπαύξησιν καὶ τοῦ νομισματος τιμῆν. ἕκατον γὰρ ἐποίησε δραχμῶν τὴν μνᾶν πρότερον ἑβδομήκοντα καὶ τριῶν οὖσαν, ὥστ' ἀριθμῷ μὲν ἴσον, δυνάμει δ' ἕλαττον ἀποδιδόντων, ὠφελεῖσθαι μὲν τοὺς ἐκτίοντας μέγιστα μηδὲν δὲ βλάπτεσθαι τοὺς κομιζομένους. οἱ δὲ πλείστοι πάντων ὁμοῦ τῶν συμβολαίων ἀναίρειν γενέσθαι τὴν σεισάχθειαν, καὶ τούτους συνάδει μᾶλλον τὰ ποιήματα.

τῶν μέτρων καὶ σταθμῶν καὶ...τοῦ νομισματος αὐξήσιν] 'the augmentation of the measures and weights and of the currency.' *Andoc. De Myst.* 83 (the decree of Tisamenus), πολιτεύεσθαι Ἀθηναίους κατὰ τὰ πάτρια, νόμοι δὲ χρῆσθαι τοῖς Σόλωνος καὶ μέτροις καὶ σταθμοῖς. *Plato, Leg.* 746 D—E, νομισματα καὶ μέτρα ξηρά τε καὶ ὑγρά καὶ σταθμά. It was held by Boeckh (*Metrologie*, 1838, xv § 2) that Solon 'not only debased the coin but also altered the weights and measures.' Grote dissented from this opinion on the latter point, giving his reasons in the *Classical Museum*, i p. 25: 'I believe that the statement of Androtion...has no reference to the *medimnus* and *metretres*, and that we cannot even deduce from it the vague inference...that Solon made some new arrangement of the measures.' He interprets the words τῶν μέτρων ἐπαύξησιν (*Plut.*) of the monetary standard alone, referring them to the 'increased number of drachmae, which every mina and every talent were now made to contain.' He



2 νομίσματος αὔξησιν. ἐπ' ἐκείνου γὰρ ἐγένετο καὶ τὰ μέτρα μείζων  
τῶν Φειδωνείων, καὶ ἡ μνᾶ πρότερον ἔχουσα σταθμὸν ἑβδομή- 5

4 ΔΥΣΗCIN littera Ζ incerta (κ, β, κ-ω<sup>3</sup>, Th), non ΕΠΑΔΥΣΗCIN (olim κ-ω) nec ΚΑΤΑΔΤΑCIN (H-L). ΜΕΙΩ (κ, κ-ω, β, Th), non ΜΕΙΩ (H-L). 5 ἔχουσα Wilcken (κ-ω<sup>3</sup>, β<sup>2-4</sup>, κ<sup>4</sup>, Th); [μὲν ἐχ]ουσα κ<sup>1</sup>; ἔλκουσα, κ-ω, H-L, κ<sup>3</sup>; ἄγουσα β<sup>1</sup>, s<sup>1</sup> coll. c. 51 § 3 τὸν σταθμὸν ἄγοντας. [σ]ταθμὸν Diels (β<sup>2-4</sup>, κ-ω<sup>3</sup>, κ<sup>4</sup>): παρα- [πλήσιον κ (s<sup>1</sup>); παρὰ [μικρ]ὸν κ-ω; τρεῖς καὶ H-L; τὰς γ' καὶ β<sup>1</sup>.

even adds that 'we know positively that Solon did not meddle with the weights.' He holds that it was 'for the express purpose of affording relief to debtors, that Solon degraded the monetary standard, and maintains that Solon 'would not choose such a moment for rearranging the liquid and dry measures.' The present passage conclusively confirms the opinion held by Boeckh.

τὴν τοῦ νομίσματος αὔξησιν] apparently refers to the fact that 73 old Aeginetan drachmas were replaced by 100 Attic drachmas, so that the same amount of silver was represented by a larger number of coins. This explanation assumes that the weight of the drachmas was altered, while that of the mina remained the same.

§ 2. τὰ μέτρα μείζων τῶν Φειδωνείων] Hdt. v. 127, Φειδῶνος τοῦ Ἀργείου τυράνου... τοῦ τὰ μέτρα ποιήσαντος τοῖς Πειλοποννησίοισι. The date of Pheidon is disputed. He is sometimes placed in Ol. 8 = B.C. 748 (Pausan. vi 22, 2, followed by Unger, Duncker, and Busolt, i 140<sup>1</sup>, 611<sup>2</sup>); sometimes (by altering the text of Pausanias) in Ol. 28 = B.C. 668 (Weissenborn, followed by Curtius). Hdt. l.c. mentions a son of Pheidon among the suitors of the daughter of Cleisthenes, despot of Sicyon, which would make Pheidon's date shortly before 600 B.C. The first of these dates is half a century before the beginning of Greek coinage, which may be placed about B.C. 700 (Busolt, i 621<sup>2</sup>). The earliest authority for the statement that silver coins were first struck by Pheidon at Aegina is Ephorus, quoted by Strabo p. 376, Ἐφορος δ' ἐν Διγίνῃ ἀργυρον πρῶτον κοπήναι φησιν ὑπὸ Φειδῶνος, and p. 358, μέτρα ἐξέυρε τὰ Φειδῶνια καλούμενα καὶ σταθμοὺς καὶ νόμισμα κεχαραγμένον τό τε ἄλλο καὶ τὸ ἀργυροῦν (cf. Busolt, i 620<sup>2</sup> n). This last is the only passage which describes Pheidon as an inventor of weights; and even here the epithet 'Pheidonian' is applied to the μέτρα alone. The *Marmor Parium*, ep. 30, connects him with silver coinage as well as with a reform in the measures of capacity: Φειδῶν δ' Ἀργεῖος ἐδήμησε τὰ

μέτρα... καὶ ἀνεσκεύασε ('reformed them') καὶ νόμισμα ἀργυροῦν ἐν Διγίνῃ ἐποίησεν. The *Etymologicum Magnum*, s. v. ὀβελίσκος, mentions his coinage, but implies that he made no change in standards of weight. The text mentions him solely in connexion with μέτρα, or 'measures of capacity,' and not in connexion with coinage or weights, the present section dealing in order with three topics (1) measures, (2) coinage, (3) weights, which must not be confounded with one another. Similarly, in another of the πολιτεῖαι, that of Argos (Rose, Frag. 480, 3, Pollux 10, 179), μέτρα alone are mentioned in connexion with Pheidon: εἴη δ' ἂν καὶ φειδῶν τι ἀγγεῖον ἐλαιηρὸν ἀπὸ τῶν Φειδωνίων μέτρων ὠνομασμένον, ὅπερ ὦν ἐν Ἀργεῖα πολιτεῖα Ἀριστοτέλης λέγει.

The present passage tells us for the first time that the Pheidonian measures of capacity were smaller than the corresponding Attic measures. The Pheidonian scale of measures may be identified with the Babylonian, and the ratio of the Pheidonian to the Solonian measures may accordingly be 12 : 13. Thus, in liquid measure, the Solonian μετρητής is already known to have contained about 39 litres, or 8½ gallons: the Pheidonian μετρητής would therefore contain about 36 litres, or rather less than 8 gallons, and be identical with the Babylonian *epha* and the old Egyptian *artabe*. Similarly, in dry measure, the Solonian μέδιμος contained about 52 litres, or about 12 gallons; and the Pheidonian, 48 litres, or about 11 gallons (Hultsch, *Neue Jahrb. für Philologie*, 1891, pp. 263-4). For the opinion held hitherto, that the Pheidonian measures were larger than the Solonian, cf. Duncker, *Hist. Gr.* Bk 11, c. ii, vol. ii 26 E. T.

ἡ μνᾶ—ἑκάτὸν] According to the statement of Androtion in Plut. *Sol.* 15, Solon, in introducing a new standard for silver coin, lowered the standard to the extent of 27 per cent. 100 drachmas of the new standard contained no more silver than 73 of the old. Thus the new mina was equivalent in weight to 73 unreduced drachmas. As 73 : 100 :: 100 :

κοντα δραχμὰς ἀνεπληρώθη ταῖς ἑκατόν. || ἦν δ' ὁ ἀρχαῖος [7] χαρακτήρ διδραχμον. ἐποίησε δὲ καὶ σταθμὰ πρὸς τὸ νόμισμα

6 ταῖς: τὸτ' εἰς H-L; εἰς (hiatu admissio) coniecerat Mahaffy (*Athenaeum*, 1891 (1) 344), sed numerum omnibus notum indicat articulus. ΕΚΑΤΟΝ: τριάκοντα B<sup>4</sup>, 'eis quae ad summam centum dr. deerant.' 7 χαρακτήρ διδραχμον <βοῦς> Wyse, coll. Poll. ix 60; χαρακτήρ <βοῦς καὶ τὸ νόμισμα> διδραχμον Jos. Mayor. σταθμὰ K-W, K<sup>3</sup>, B, Th; τὰ σταθμὰ Keil; σταθμὸν K<sup>1</sup>; πρὸς τὸν σταθμὸν τὸ νόμισμα? H-L.

137; hence, 100 drachmas of the old standard would be equivalent in weight to 137 of the new. 73 to 100 is precisely the proportion between the Attic drachmas of 67.5 grs. and average Aeginetan drachmas of rather over 90 grs. (73 : 100 :: 67.5 : 92.4), the Attic mina being to the Aeginetan as 100 : 137 (Head's *Historia Numorum*, p. 309<sup>1</sup>). If, however, instead of taking Aeginetan coins of average weight, we take those of actual maximum weight, the stater of two drachmae weighs 194 grs. The corresponding Attic coin weighs 135 grs. Then as 194 : 135 :: 100 : 69 $\frac{5}{8}$  $\frac{7}{8}$ . Hence the number of drachmas of the Aeginetan standard, which would be equivalent in weight to 100 Attic drachmas, would be about 69 $\frac{1}{2}$ . Thus, the average weights confirm the figure given by Androtion (73), while the maximum weights confirm that in the text (70).

I append the explanation given in Head's 2nd ed., p. 367:—In the time of Solon 'the Euboic drachm in its heavy form (commonly known as the didrachm) weighed about 133 grs....The drachm of the old Pheidonian or Aeginetic standard hitherto current...weighed, on the other hand, about 93.1 grs. These two drachms (of 93 and 133 grs.) and their corresponding minae, each containing 100 drachms of their respective standards, stood therefore in relation to one another as follows:—Pheidonian = Aeginetic dr., 93.1 grs.; mina, 9310 grs. = 70 Euboic drs. Euboic dr., 133 grs.; mina, 13300 grs. = 100 Euboic drs.'

The new standard introduced by Solon in place of the Aeginetan has been convincingly proved by Mommsen (*Röm. Münzwesen*, p. 43 sq., *Mon. Rom.* ed. Blacas, i 29 sq., 73 sq.) to have been the Euboic, and henceforth Euboic coins would circulate freely in Attica, side by side with the new Attic money (Head, ed. i, 310, cf. 302 and xxxviii—xliv). Thus Solon's reform of the currency was not necessarily due to economic reasons connected with the debts of the poorer citizens. It had a commercial object and was intended to facilitate trade with the

neighbouring island of Euboea (especially with Chalcis and Eretria), with the numerous Euboic colonies, both in Chalcidice and in the West, and with other Greek cities (for example, Cyrene), where the Euboic standard prevailed. It would also promote trade with Corinth, where a similar standard was in use (Busolt, i 262<sup>2</sup> f), and with the Greek colonies in Chalcidice and Sicily (Köhler, in *Mittheil. d. d. arch. Inst.* 1885, x 151—157). It has further been suggested by Mr R. S. Poole (*Dict. of the Bible*, art. 'Weights and Measures') that the new Solonian standard was borrowed from Egypt. The Egyptian unit of weight was 140 grains, and the Solonian didrachm weighed 135 grains. Thus, whether the standard was actually borrowed from Egypt or Euboea, the Solonian coinage would facilitate intercourse with Egypt as well as with the countries where the Euboic standard was in use.

In this connexion it is interesting to notice that, after reforming the currency, and thus facilitating trade with countries employing either the Euboic or the Egyptian standard, Solon set out for Egypt, where he stayed for ten years, one of his avowed objects being the pursuit of commerce.

ἀνεπληρώθη] 'was raised to the full number of a hundred drachmas.'

ἦν—διδραχμον] 'the primitive type of coin was the two-drachma piece.' χαρακτήρ means (1), as here, τὸ κεχαραγμένον, that which has a stamp impressed upon it, cf. Plato, *Politicus*, 289 B, ἡ τοῦ νομίσματος ἰδέα καὶ σφραγίδων καὶ παντὸς χαρακτήρος: (2) the stamp itself, as in *Ar. Pol.* i 9, 1257 a 40 χαρακτήρα ἐπιβαλόντων, ἢ ἀπολύση τῆς μετρήσεως αὐτούς· ὁ γὰρ χαρακτήρ ἐτέθη τοῦ πόσου σημείον. *Oecon.* ii 5 (of Hippias), τὸ δὲ νόμισμα τὸ ὄν Ἀθηναίους ἀδόκιμον ἐποίησεν· τάξας δὲ τιμὴν ἐκέλευσε πρὸς αὐτὸν ἀνακομιζέειν· συνελθόντων δὲ ἐπὶ τῷ κόφαι ἔτερον χαρακτήρα ἐξέδωκε τὸ αὐτὸ ἀργύριον.

Before the time of Solon, the only money current in Attica, as well as in Boeotia and Peloponnesus, seems to have



τ[ρ]εῖς καὶ ἐξήκοντα μνᾶς τὸ τάλαντον ἀγούσας, καὶ ἐπιδιενε- 8  
μήθησαν [αἱ τ]ρεῖς μναὶ τῷ στατήρῃ καὶ τοῖς ἄλλοις σταθμοῖς.

8 *treis* καὶ olim *seclusit* κ; ante *ἐβδομήκοντα* (v. 5) *posuerunt* H-L, alii; *retinuerunt* K-W, B, S<sup>1</sup>, K<sup>4</sup>, Th. *ΕΞΗΚΟΝΤΑ*: *ὀγδοήκοντα* Gertz, Köhler. *ἀγούσας*: *ἄγον* Herwerden, Papabasilios. 9 *αἱ τρεῖς* Lehmann, Diels, Wilcken (κ-w<sup>3</sup>, κ<sup>4</sup>, Th); *αἱ γ̄* proposuerat B<sup>2</sup>; [αἱ] *μναὶ* κ<sup>1</sup>, B<sup>1</sup> (S<sup>1</sup>).

been the Aeginetan didrachm of about 194 grains; but there are no Athenian coins extant of Aeginetan weight. Thus, apart from mere tradition (Plut. *Thes.* 25 *ἔκοψε δὲ καὶ νόμισμα βοῦν ἐγχαράξας*), there is no proof of any coins having been struck at Athens before Solon (Head, p. xlii). The text must therefore refer to the old Aeginetan didrachms in circulation in Attica before the time of Solon. These coins had on the obverse a tortoise with a plain shell and a row of dots down the middle of its back; and, on the reverse, an incuse square divided into eight triangular compartments, of which four or more are deeply hollowed out (Head, *l.c.*, p. 332<sup>1</sup>, fig. 220).



From the time of Solon the standard coin of Athens was the tetradrachm of the



full Euboic weight of 270 grains. The common type is a head of Athena of rude archaic style with large prominent eye, wearing a round earring and close-fitting crested helmet: on the obverse is an owl with head facing and wings closed; also an olive-spray and the letters Α Θ Ε (*ib.* p. 310<sup>2</sup>, fig. 209). After the time of Solon, coins of Eretria, stamped with the head of a bull, together with other Euboic coins, may have circulated in Attica, side by side with the Solonian 'owls.' Philochorus, who was an *ιεροσκόπος* in 306 B.C., and 'therefore not unlikely to have seen old coins among the Temple treasures,'

states that the early didrachms, which preceded the Solonian 'owls,' were impressed with the figure of an ox (Head, *l.c.* p. 366<sup>2</sup>). Cf. Schol. on Arist. *Av.* 1106, ἡ γλαυξ ἐπὶ χαράγματος ἦν τετραδράχμων, ὡς Φιλόχορος· ἐκλήθη δὲ τὸ νόμισμα τὸ τετραδράχμων τότε [ἦ] γλαυξ. ἦν γὰρ γλαυξ ἐπίσημον καὶ πρόσωπον Ἀθηναίων, τῶν πρότερον διδράχμων ὄντων ἐπίσημον δὲ βοῦν ἐχόντων. Pollux, ix 60, διδράχμων· τὸ παλαιὸν δὲ τοῦτ' ἦν Ἀθηναίοις νόμισμα, καὶ ἐκαλεῖτο βοῦς, ὅτι βοῦν εἶχεν ἐντετυπωμένον. We cannot, however, ignore the fact that archaic coins of Euboea, bearing the bull's head, have repeatedly been found in Attica (cf. Köhler, *Mittheilungen*, ix 357-9).

*ἐποίησε—ἀγούσας*] 'He also instituted standard weights corresponding to the coinage, 63 minae weighing the talent,' *i.e.* 'at the rate of 63 minae to the weight of a talent.' Cf. c. 51, τὸν σταθμὸν ἄγοντας ὅσον ἂν οὔτοι τάξωσιν.

Needless difficulty has been felt respecting these 63 minae, on the ground that, in every standard, a talent invariably consists of 60 minae. But the text simply states the weight of the trade-talent in terms of the coinage-mina.

Solon made his new talent consist of 63 old minae of the average Euboic weight; and this talent was, like all other talents, divided into 60 minae. 'A talent weighing 63 of the Solonian coin-minae would weigh between 54558 and 53802 grammes, or (if we calculate from the normal weight of the Solonian mina of 873·2 grammes) 55011·6 grammes.' The weights of the corresponding trade-minae in the new σταθμὰ would be 909·3, 896·7, and 916·86. These results are confirmed by a series of extant Attic weights varying from 924·91 to 883·02 grammes (G. F. Hill, *Solon's Reform of the Attic Standard*, in *Numismatic Chron.* xvii (1907) 6).

*ἐπιδιενεμήθησαν σταθμοῖς*] 'The proportional parts of the three minae were added to (or 'distributed over') the *stater* and the other weights.' *ἐπιδιανέμω*, "to distribute besides," Philo 2, 651; *τινὶ τι* Josephus, *B. J.* 2, 6, 3" (L and S).

*στατήρ* is the general term for a stand-

11. διατάξας δὲ τὴν πολιτείαν ὑπερ εἶρηται τρόπον, ἐπειδὴ προσιόντες αὐτῷ περὶ τῶν νόμων ἠνώχλουν, τὰ μὲν ἐπιτιμῶντες τὰ δὲ ἀνακρίνοντας, βουλόμενος μήτε ταῦτα κινεῖν μήτ' ἀπεχθάνεσθαι παρών, ἀποδημίαν ἐποίησατο κατ' ἐμπορίαν ἅμα καὶ 5 θεωρίαν εἰς Αἴγυπτον, εἰ[π]ῶν ὡς οὐχ [ἦ]ξει δέκα ἐτῶν· οὐ γὰρ οἴεσθαι δίκαιον εἶναι τοὺς νόμους ἐξηγεῖσθαι παρών, ἀλλ' ἕκαστον τὰ γεγραμμένα ποιεῖν. ἅμα δὲ καὶ συνέβαινε αὐτῷ τῶν τε 2 γνωρίμων διαφόρους γεγενῆσθαι πολλοὺς διὰ τὰς τῶν χρεῶν

XI 2 ΕΝΩΧΛΟΥΝ (κ<sup>1</sup>, κ-w, β, κ<sup>4</sup>): ἠνώχλουν Jos. Mayor (H-L, κ<sup>3</sup>, Th). 3 ΚΕΙΝΕΙΝ. 5 εἰπῶν ὡς οὐχ ἦξει Wessely, Blass (κ<sup>3</sup>, κ-w<sup>3</sup>, Th); λέγων κτλ. coniecterat van Leeuwen; [περὶ Κα]νώπου [πόλ]ει olim κ. 6 δίκαιος Jackson (H-L). 7 ποιεῖν κ-w, β, κ<sup>4</sup>, Th: ποιῆσαι κ<sup>1</sup>, H-L, s<sup>1</sup>.

TESTIMONIA. 2—5 Heraclidis Epitoma, Rose, Frag. 611, 3<sup>3</sup>, ὡς δὲ διώχλουν (codd.; δ' ἐνώχλουν κ-w) αὐτῷ τινὲς περὶ τῶν νόμων, ἀπεδήμησεν εἰς Αἴγυπτον.

ard unit of weight or (more frequently) of money. It here denotes the trade-weight of a fiftieth part of a mina. The whole sentence implies that the trade-weights were the coin-weights increased by five per cent. (Hill, *l.c.* 7).

XI § 1. διατάξας—ποιεῖν] Plut. *Sol.* 25, ἐπεὶ δὲ τῶν νόμων εἰσενεχθέντων ἔνιοι τῷ Σόλωνι καθ' ἑκάστην προσῆσαν ἡμέραν ἐπαυοῦντες ἢ ψέγοντες ἢ συμβουλευόντες ἐμβάλλειν τοῖς γεγραμμένοις ὃ τι τύχοιεν ἢ ἀφαιρεῖν, πλείστοι δ' ἦσαν οἱ πυνθανόμενοι καὶ ἀνακρίνοντας καὶ κελεύοντες αὐτὸν ὅπως ἕκαστον ἔχει καὶ πρὸς ἣν κείται διάνοιαν ἐπεκιδιάσκει καὶ σαφηνίζει, ὁρῶν, ὅτι ταῦτα καὶ τὸ πράττειν ἄστοπον καὶ τὸ μὴ πράττειν ἐπίφθορον, ὅλως δὲ ταῖς ἀπορίαις ὑπεκοτῆναι βουλόμενος καὶ διαφυγεῖν τὸ δυσάρεστον καὶ φιλαίτιον τῶν πολιτῶν (ἐργασίαι γὰρ ἐν μεγάλοις πᾶσιν ἀδείν χαλεπὸν, ὡς αὐτὸς εἶρηκε), πρόσχημα τῆς πλάνης τὴν ναυκληρίαν ποιησάμενος ἐξέπλευσε δεκαετῆ παρὰ τῶν Ἀθηναίων ἀποδημίαν αἰτησάμενος. ἤλπιζε γὰρ ἐν τῷ χρόνῳ τούτῳ καὶ τοῖς νόμοις αὐτοῦς ἔσσεσθαι συνήθεις. πρῶτον μὲν οὖν εἰς Αἴγυπτον ἀφίκετο καὶ διέτριψεν, ὡς αὐτὸς φησι, Νεῖλον ἐπὶ προχοῇσι Κανωβίδος ἐγγύθεν ἀκτῆς.

ἠνώχλουν] This form is found in Xen. *Cyr.* v 3, 56, Isocr. 5 § 53, Aeschin. 1 § 58, Dem. *Lacr.* 16, *Olymp.* 19. In *Lacr.* 30 the MSS vary between ἐνωχλοῦμεν (Σ and other MSS), ἐνωχλοῦμεν (Aug. 1), ἠνωχλοῦμεν (*vulgo*). The *Rhet. ad Alex.* 1445 b 2 has ἠνώχλησαν. In Aeschin. 3 § 44 the MSS vary between ἠνωχλεῖτο (Bekker, Franke, Schultz), and ἐνωχλεῖτο. Voemel, *Proleg. Dem.* § 67, quotes Photius: ἠνελετο καὶ ἠνωχλε...

κοινὸν τῶν Ἀττικῶν ἰδίωμα. See also Lobeck's *Phrynicus*, p. 154.

παρών] placed immediately before ἀποδημίαν, to form a contrast with it (Kaibel, 96).

ἀποδημίαν ἐποίησατο] c. 13 *init.* It is suggested by Wilamowitz, i 15, that the substance of lines 4—10 comes from two of the lost poems of Solon.

οὐχ ἦξει] 'will not return.' ἦκειν = ἐπαυθῆναι, cf. Dem. 73, ἐπειδὴ δ' οὐχ ἦκον, and Xen. *Anab.* ii 9, 1, ἐγὼ δ' αὐτίκα ἦξω (Kaibel, 146).

δέκα ἐτῶν] For the fact cf. Hdt. i 29, ἀπεδήμησε ἕτεα δέκα. For the construction, cf. *ib.* vi 58, ἐπεὶ ἀνθάψωσι, ἀγορῆ δέκα ἡμερῶν οὐκ ἵσταται σφι. Xen. *Anab.* i 7, 18, οὐ μαχεῖται δέκα ἡμερῶν. Plat. *Goorg.* 516 D, ἴνα αὐτοῦ δέκα ἐτῶν μὴ ἀκοῦσειαν τῆς φωνῆς (of Cimon's exile).

οὐ γὰρ οἴεσθαι δίκαιον εἶναι—παρών] The nom. c. inf. after δίκαιον εἶναι may perhaps be defended (1) by Dem. 15 § 16, ἢ οὐδενὸς αὐτοῖ δούνα δίκην δίκαιον ἂν εἶναι (where, however, several editors prefer δίκαιοι ἂν, which involves a *hiatus*); (2) by Dem. *Prooem.* p. 1439, 14, ἐγὼ μὲν δὴ δίκαιον ὑπελήφα πρῶτον ἀπάντων αὐτὸς εἰπεῖν: (3) Dem. *Er.* 3 § 35, τὴν αὐτὴν εὐνοίαν ἣν πρὸς ζῶντα Λυκοῦργον εἶχον, δίκαιον εἶναι νομίζω καὶ πρὸς τοὺς παῖδας αὐτοῦ φαίνεσθαι ἔχων. In the text the construction after δίκαιον εἶναι is apparently identical with that often found after δεῖν (Rehdantz, *Ind. Dem.* s. v. οἴεσθαι).

§ 2. ἅμα δὲ καὶ κτλ.] Plut. *Sol.* 16 *init.*, ἦρεσε δ' οὐδετέροις, ἀλλ' ἐλύπησε καὶ τοὺς πλουσίους ἀελῶν τὰ συμβόλαια καὶ μᾶλλον ἔτι τοὺς πένητας, ὅτι γῆς ἀναδαμῶν οὐκ ἐποίησεν ἐλπίσασιν αὐτοῖς.



ἀποκοπᾶς, καὶ τὰς στάσεις ἀμφοτέρας μεταθέσθαι διὰ τὸ παρά-  
δοξον αὐτοῖς γενέσθαι τὴν κατάστασιν. ὁ μὲν γὰρ δῆμος ᾤετο 10  
πάντ' ἀνάδαστα ποιήσειν αὐτόν, οἱ δὲ γνώριμοι πάλιν [[εἰς]] τὴν  
αὐτὴν τάξιν ἀποδώσειν ἢ μ[ικρ]ρ[ὸ]ν παραλλάξ[ειν]. (ὁ δὲ) Σόλων  
ἀμφοτέροις ἠναντιώθη, καὶ ἐξὸν αὐτῷ μεθ' ὁποτέρων ἐβούλετο  
συστάντα τυραννεῖν εἴλετο πρὸς ἀμφοτέρους ἀπεχθῆσθαι, σώσας  
τὴν πατρίδα καὶ τὰ βέλτιστα νομοθετήσας. 15

12. ταῦτα δ' ὅτι τοῦτον (τὸν) τρόπον ἔσχευ οἱ τ' ἄλλοι  
συμφωνοῦσι πάντες καὶ αὐτὸς ἐν τῇ ποιήσει μέμνηται περὶ  
αὐτῶν ἐν τοῖσδε·

δήμῳ μὲν γὰρ ἔδωκα τόσον γέρας ὅσον ἀπαρκεῖ,  
τιμῆς οὐτ' ἀφελῶν οὐτ' ἐπορεξάμενος· 5

## Κ...ΣΤΑCIN

10 ΤΗΝΙC ΔΑΝΤΑΞΙΝ: τὴν οὖσαν κατάστασιν κ<sup>1</sup>; τὴν κατάστασιν Wilcken (κ-w, B, κ<sup>4</sup>); τὴν οὖσαν τάξιν H-L, τὴν νέαν τάξιν Diels. 11 ΕΙC (κ, H-L, Th); secl. K-W<sup>1,3</sup>, B<sup>1,2</sup>; ἢ K-W<sup>2</sup>, S<sup>1</sup>, B<sup>3,4</sup>. 12 σ[μικρὸν] παραλλάξ[ειν]· ὁ δὲ] Blass (H-L, κ<sup>3</sup>); [μικρὸν] κτλ. (κ-w, B<sup>2</sup>, κ<sup>4</sup>); μικρὸν παραλλάξαντα· Σόλων δὲ B<sup>3</sup>; μ. π. ὁ δὲ B<sup>4</sup>; μ. παραλλάξ[ειν] Σόλων Wilcken; μ. παραλλάξ[ειν] <ὁ δὲ> Σόλων κ<sup>4</sup>, Th. 13 ΗΒΟΥΛΕΤΟ (κ-w, B), quod in titulis Atticis ante annum 300 A.C. non apparet, Meisterhans p. 169<sup>3</sup>. 14 σύστα[ντ]α κ-w<sup>3</sup>, B<sup>2</sup>, κ<sup>4</sup>, Th; σύστα[ντι] olim κ (S<sup>1</sup>). ΔΠΕΧΘΕCΘΗΝΑΙ corr. Wyse etc.; ἀπεχθάνεσθαι Aristides.

XII 1 <τὸν> propter homoeoteleuton exciderat; addidit κ. ΕCΧΕΝ (κ, H-L, B, Th); εἶχεν κ-w. 4 ΔΗΜΟΙ. γέρας (quod cum τιμῆς quadrat aptius): κράτος Plut. ἀπαρκεῖ: ἐπαρκεῖ Plut. (B<sup>1</sup>), ubi ἀπαρκεῖ coniecerat Coraëis; ἐπαρκεῖν Brunck, ἀπαρκεῖν H-L (nisi forte ἀπήρκει legendum). 5—6 ΑΠΟΡΕΞΑΜΕΝΟCΟCΙ ex Plutarcho correctum.

TESTIMONIA. XI 12 Aristides infra exscriptus.

XII 4—9 Plut. Sol. 18.

μεταθέσθαι] 'changed their opinion with regard to him,' i.e. 'were alienated from him.' Hdt. vii 18, τὴν γνώμην μετατίθειμαι.

ὁ μὲν γὰρ δῆμος κτλ.] Plut. Sol. 14, Φανίας ὁ Λέσβιος αὐτὸν ἱστορεῖ τὸν Σόλωνα χρυσάμενον ἀπάτη πρὸς ἀμφοτέροις ἐπὶ σωτηρίᾳ τῆς πόλεως ὑποσχέσθαι κρύφα τοῖς μὲν ἀπὸροι τὴν νέμῃσιν, τοῖς δὲ χρηματικοῖς βεβαίωσιν τῶν συμβολαίων.

ἀνάδαστα] Thuc. v 4, 2 τὴν γῆν ἀναδάσασθαι, Dem. 24 § 149, γῆς ἀναδασμόν, Plat. Leg. 684.

ἐξὸν αὐτῷ κτλ.] Paraphrased by Aristides, ii 360 Dind., παρὸν αὐτῷ στασιαζούσης τῆς πόλεως ὁποτέρων βούλοιο προστάντι τυραννεῖν, ἀπεχθάνεσθαι μάλλον ἀμφοτέροις εἴλετο ὑπὲρ τοῦ δικαίου κτλ.

XII § 1. δῆμῳ—ἀδικῶς] These six lines are quoted in Plut. Sol. 18=frag. 5 Bergk. We have apparently a prose paraphrase of the first four lines in Pol. 1274 a 15—19, Σολῶν γε εἰκοε τὴν ἀναγκασιότατην ἀποδίδοναι τῷ δῆμῳ δύναμιν, τὸ τὰς ἀρχὰς αἰρεῖσθαι καὶ εὐθύνειν...τὰς δ' ἀρχὰς ἐκ τῶν γνωρίμων καὶ τῶν εὐπόρων

κατέστησε πάσας (Wilamowitz i 71 n. 43; Hicks, Pol. p. 681).

1. 4. ἀπαρκεῖ] 'is sufficient,' as in Aesch. Pers. 474, Soph. O. C. 1769, Eur. frag. 892, 4 Nauck<sup>2</sup>, ὦν οὐκ ἀπαρκεῖ πλησμονή, Arist. frag. 395 οὐκ ἀπήρκει, 'it was not enough' (L and S). Grote (ii 326), who had before him Plutarch's reading ἐπαρκεῖ, translates: 'I gave to the people as much strength as sufficed for their needs'; but ἐπαρκεῖν must mean either (a) 'to supply' or (b) 'to be strong enough' (whether to help or to hinder). Plutarch's ἐπαρκεῖ is the only instance of the absolute use of the verb given in L and S, except Soph. Ant. 612, ἐπαρκέσει νόμος ὁδ', 'this law shall prevail' or 'hold good,'=διαρκέσει. Such is the satisfactory explanation given by Professor Jebb, who adds that in the only other instance, i.e. in Plutarch's quotation from Solon, 'we must surely read ἀπαρκεῖ with Coraëis.' This opinion is conclusively confirmed by the reading given us by the papyrus.

οὐ δ' εἶχον δύναμιν καὶ χρήμασιν ἦσαν ἀγητοί,  
καὶ τοῖς ἐφρασάμην μηδὲν ἀεικὲς ἔχειν.

ἔστην δ' ἀμφιβαλὼν κρατερὸν σάκος ἀμφοτέροισι,  
νικᾶν δ' οὐκ εἶασ' οὐδετέρους ἀδίκως.

10 πάλιν δ' ἀποφαινόμενος περὶ τοῦ πλήθους, ὡς αὐτῷ δεῖ χρῆσθαι· 2

δῆμος δ' ὠδ' ἂν ἄριστα σὺν ἡγεμόνεσσιν ἔποιτο,  
μήτε λῖαν ἀνεθεῖς μήτε βιαζόμενος.

τίκτει γὰρ κόρος ὕβριν, ὅταν πολὺς ὄλβος ἔπηται  
ἀνθρώποισιν ὅσοις μὴ νόος ἄρτιος ᾖ.

15 καὶ πάλιν δ' ἐτέρωθί που λέγει περὶ τῶν διανείμασθαι τὴν γῆν 3  
βουλομένων·

οὐ δ' ἐφ' ἀρπαγαῖσιν ἦλθον, ἐλπίδ' εἶχον ἀφνεὰν  
καδόκουν ἕκαστος αὐτῶν ὄλβον εὐρήσειν πολύν,  
καί με κωτίλλοντα λείως τραχὺν ἐκφανεῖν νόον·

7 τοῖς H-L.

12 λῖην et πιεζόμενος Plut.

13 ΠΟΛΥΣ: κακῶ Theognis 153.

14 ἀνθρώπων καὶ ὄτῳ Theognis 154; ἀνθρώποισιν ὄτῳ Hartung ap. Bergk ad Theogn. (ὄτοις Hude).

15 καὶ secl. κ-w.

δ' secludere malebat B (Th).

δ' ἐτέρωθι

που R D Hicks, Wyse, A Sidgwick, idem ego quoque conieceram (κ-w, κ<sup>3</sup>, B, Th); δ' ἄλλοθι που Jos. Mayor, Bywater; ἀλλαχόθι που Naber (H-L); διαγῶθι που κ<sup>1</sup>.

διανεέσθαι H-L.

17 οὐ δ' ἐφ' ἀρπαγαῖσιν ἐλπίδ' ἦλιθ' εἶχον coni. κ-w<sup>2</sup>, cf. Kaibel

148.

ἀρπαγαῖς συνῆλθον Sakell., ἀρπαγῆ συνῆλθον Richards, coll. Solon fragm.

4, 13, ἐφ' ἀρπαγῆ.

18 'fortasse αὐτός' Richards.

19 καμὲ κ-w<sup>3</sup>.

TESTIMONIA. 11—14 Plut. *Comp. Sol. et Popl.* 2.

§ 2. δῆμος—βιαζόμενος] quoted in Plut. *Solomis et Poplicolae comparatio*, c. 2; frag. 6 Bergk.

τίκτει—ἔπηται] quoted as Solon's by Clemens Alexandrinus (*Stromateus*, vi 740): Σόλωνος δὲ ποιήσαντος· τίκτει γὰρ (v. l. τοι) κτλ. ἄντικρυς ὁ Θεόγνης γράφει· τίκτει τοι κόρος ὕβριν ὅταν κακῶ ὄλβος ἔπηται (Theognis 153, followed by the line ἀνθρώπων, καὶ ὄτῳ μὴ νόος ἄρτιος ᾖ). The Schol. on Pindar *Ol.* xiii 12 cites the first line as 'Homer's.' In the Proverbs of Diogenianus, viii 22, it appears in the form τίκτει τοι—κακῶ ἀνδρὶ παρεῖη.

Diog. Laert. i 59 quotes, among the apophthegms of Solon; καὶ τὸν μὲν κόρον ὑπὸ τοῦ πλοῦτου γεννᾶσθαι, τὴν δὲ ὕβριν ὑπὸ τοῦ κόρου.

§ 3. καὶ πάλιν δ'] καὶ—δὲ is common in Ar.; e.g. *Pol.* 1252 a 13, 1254 b 24, 1287 a 7, 1297 b 16; and especially in *Ethics* iv, viii, ix, x; 'adjungit autem καὶ—δὲ rem novam, saepe tam leni modo, ut idem fere valeat atque τέ. Etiam saepius quam Aristoteles Theophrastus iis particulis utitur' (in the *Historia Plantarum* there are about 100 instances;

in the *Characters* more than 70)—Eucken, *De Ar. dicendi ratione*, i 32.

ἐτέρωθι που λέγει] Ar. *de Anima* i 2, 404 b 2, ('Ἀναξαγόρας) πολλαχοῦ μὲν γὰρ τὸ αἴτιον τοῦ καλῶς καὶ ὀρθῶς τὸν νοῦν λέγει, ἐτέρωθι δὲ τοῦτον εἶναι τὴν ψυχὴν, *De Partibus Animalium*, iii 2, 663 b 3, ἐτέρωθι που τοῦ σώματος. Plut. *Sol.* 2, ἀλλ' ἐτέρωθι λέγει (of Solon).

ll. 17—25. οὐ δ' ἐφ' ἀρπαγαῖσιν—ἔχειν] Lines 17—19, 24 and 25 are entirely new; 20 and 21 are quoted by Plutarch *Sol.* 16; part of 22, 23 by Aristides, ii 536 Dind., ὁ δὲ δὴ Σόλων καὶ βιβλίον ἐξεπίτηδες πεποίηκεν... εἰς αὐτὸν καὶ τὴν ἑαυτοῦ πολιτείαν, ἐν ᾧ ἄλλα τε δὴ λέγει καὶ ταῦτα· ἃ μὲν—ἔρδον. Two other fragments in the same metre are assigned by Bergk to the same poem. The first of these is described in Plut. *Sol.* 14 as addressed πρὸς Φῶκον; the second is quoted by Plutarch immediately afterwards, beginning with οὐκ ἔφθ Σόλων βαθύφρων.

l. 19. καί με κωτίλλοντα—νόον] 'and that I, though smoothly glozing, would reveal my rude intent.' ἐκφανεῖν cannot be translated as though it were synonymous with κρύψαι. For κωτίλλοντα λείως,



χαῦνα μὲν τότε ἔφράσαντο, νῦν δέ μοι χολούμενοι  
 λοξὸν ὀφθαλμοῖς ὀρώσι πάντες ὥστε δήιον.  
 οὐ χρεῶν· ἃ μὲν γὰρ εἶπα σὺν θεοῖσιν ἦνυσα,  
 ἄ[λλ]α δ' ο[ὐ] μάτην ἔερδον, οὐδέ μοι τυραννίδος  
 ἀνδάνει βία τι [ῥέξ]ειν, οὐδέ πιείρας χθονὸς  
 πατρίδος κακοῖσιν ἐσθλοὺς ἰσομοιρίαν ἔχειν.

20

25

4 [πάλιν] δὲ καὶ περὶ τῆς ἀπ[οκ]οπῆς τῶν χ[ρ]εῶν καὶ τῶν δουλευόν-  
 των μὲν πρότερον, ἐλευθερωθέντων δὲ διὰ τὴν σεισάχθειαν·  
 ἐγὼ δὲ τῶν μὲν οὐνεκα ξυνήγαγον  
 δῆμον, τί τούτων πρὶν τυχεῖν ἐπαυσάμην;

21 ὀφθαλμοῖς<sup>1</sup> B, K<sup>4</sup>, Th. ΔΗΙΟΝ Plut. (K-W, K<sup>3</sup>, B, Th): δῆμι in Plutarcho Reiskium secutus Bergk (K<sup>1</sup>, H-L). 22 ἃ μὲν γὰρ ἀέλπτα Aristidis (ii 536) codices ΓΘ; ἄμα γὰρ ἀέλπτα Stephanus, S Jebb; ἃ μὲν ἀέλπτα coniecit Gaisford, recepit Bergk, versus initium arbitrati.

23 ἄμα (ἄλλα Gaisford) δ' οὐ μάτην Aristides, ubi ἂν μάτην Bergk, unde [ἀλλά δ' α]ἵ μ[ά]την K<sup>1</sup>, ἀλλά δ' οὐ μάτην Bury, H-L, K-W, K<sup>3</sup>, B, Th. 24 ἦνδανεν Richards. 26 [πάλιν] B, K-W<sup>1,2</sup>;...ει Wilcken (K-W<sup>3</sup>); λέγει Kontos. ἀποκοπῆς τῶν χρεῶν Wessely (K<sup>3</sup>, B, K-W<sup>3</sup>, Th): ἀπο[ο]ρας τῆς τῶν [πενή]των K<sup>1</sup> (H-L); ἀπ[ο]ρας τῆς τῶν [ὑπό]χρε]ων K-W<sup>2</sup>. <περὶ> τῶν δουλ. Kaibel. 26—52 δουλευόντων—ἐχρηώθη πόλις in fragmenti Berolinensis pagina prima continetur. 27 <τότε> διὰ H-L. 28 οὔνεκα, in poetis Atticis a criticis suspectum, saeculi quinti et sexti in titulis legitur, CIA iv 491, 8 ἀρετῆς οὔνεκα καὶ φιλίας (saec. v), CIA i 487, I οὔνεκα πιστὸς ἔφυς (saec. vi—v), Meisterhans, p. 216<sup>3</sup>. οὔνεκα ξ. νήγαγον H-L. οὔνεκα ξυνήγαγον (B, S<sup>1</sup>, K-W<sup>3</sup>, K<sup>4</sup>, Th). εἵνεκα ξυνήγαγον Platt. Equidem ΟΥΝΕΚΑΞΥΝΗΓΑΓΟΝ in papyro cerni posse puto, recte tamen animadvertit K supra litteram Σ scripturo esse O, et litteras ΓΑΓ litteris ΛΑΤ aut CAΤ prorsus esse similes. οὔνεκ' ἀξονήλατον K<sup>1</sup>; εἵνεκ' ἀξονήλατον K-W<sup>1</sup>, ἀξονήλατῶν K-W<sup>2</sup>. οὔνεκα ξενήλατον Jackson et Tyrrell (cf. Plut. Sol. 13 ἐπὶ τὴν ξένην πιρασκόμενοι, ib. 15 ἀνήγαγεν ἀπὸ ξένης, et inf. vv. 36—39). οὔνεκ' ἐξανήγαγον van Leeuwen. τῶν μὲν οὔνεκα ξυνήγαγον δῆμον, τί τούτων πρὶν τυχεῖν ἐπαυσάμην; R C Jebb, cuius interpretationem unice veram esse patet (B<sup>1</sup>, B<sup>2</sup>, K-W<sup>3</sup>, Th).

29 δῆμον τι τούτων πρὶν τυχῶν ἐπαυσάμην, K<sup>1</sup>. δῆμόν τι τούτων πρὶν τυχ[εῖ]ν ἐπαυσάμην, K-W, alii; τοιούτων Sidgwick, τοιούτων πρὶν τυχῶν van Leeuwen. τί τούτων πρὶν τυχεῖν ἐπαυσάμην; recte Jebb et Blass, qui tamen in B<sup>3</sup> maluit δῆμον, τί; τούτων πρὶν τυχεῖν ἐπαυσάμην; coll. Dem. 20, 60. τέλους δὲ πρὶν τυχεῖν ἐπαυσάμην Platt.

TESTIMONIA. 20, 21 Plut. Sol. 16.

22—23 Aristid. ii 536.

cf. Theognis 852, ὅς τὸν ἐταῖρον μαλθακὰ κωτίλλων ἐξαπατᾶν ἐθέλει, and similarly ἠδέα and αἰμῶλα κωτίλλειν.

§ 4. ἐγὼ δὲ—ἐπαυσάμην;] In the first line I accept ξυνήγαγον. For the second, I adopt a suggestion due to Professor Jebb, who makes the sentence interrogative. He adds that the rhetorical emphasis obtained by placing the relative clause (τῶν μὲν) before the antecedent (τούτων) seems to confirm the view that this is a question. 'But, as to the ends for which I formed the popular party, or (less probably) gathered the people into one (by healing the divisions which separated the various orders in the state), why did I desist before I had attained those ends?' (With ἐπαυσάμην, cf. l. 63 in

fragment at the end of this chapter: 'anyone else would not have restrained the people' οὐδ' ἐπαύσατο κτλ.) Solon is here quoting the question addressed to him by some of his opponents who held that he had not carried his reforms far enough. He is in fact putting in his own words the complaint which elsewhere he gives in the words of the malcontents, περιβαλὼν δ' ἄγραν ἀγασθεῖς οὐκ ἐπέσπασεν μέγα δίκτυον (frag. 33 Bergk<sup>4</sup>, l. 3). In the triumphant συμμαρτυροῖη κτλ., he seems to say, in Prof. Jebb's view, 'Earth is the best witness whether I had cause enough τοῦ τὸν δῆμον συναγαγεῖν, without going on to do those things which I am blamed for not doing.' Prof. Jebb further points out that it is probable that the

30

συμμαρτυροίη ταυτ' ἂν ἐν δίκῃ χρόνου  
μήτηρ μεγίστη δαιμόνων Ὀλυμπίων  
ἄριστα, Γῆ μέλαινα, τῆς ἐγὼ ποτε  
ὄρους ἀνεῖλον πολλαχῆ πεπηγότας,

33 πολλαχῆ: πολλαχοῦ Plut. codices nonnulli, quod etiam v. 39 fortasse praestat; cf. Platt, *Journ. of Phil.* xxiv 251 f.

TESTIMONIA. 30—54 Aristid. ii 536—8.

33, 34 Plut. *Sol.* 15.

first two lines formed a separate sentence, as Aristides does not quote them, and it is unlikely that he would have begun his quotation with the third line, *συμμαρτυροίη, κτλ.*, if it had been in the middle of a sentence. I may add that the sense thus gained is confirmed by a subsequent line, l. 44, in which Solon protests that he has performed all that he has promised: *διήλθον ὡς ὑπεσχόμην*. Cf. l. 22, *ἃ μὲν γὰρ εἶπα σὺν θεοῖσιν ἤρυσσα*.

This last consideration is also in favour of an interpretation suggested to me by Professor Diels, who (like H. N. Fowler and Hude) takes *τί* as the object of *τυχεῖν*, and understands the sentence as meaning: 'is there any one of these (aims) that I left unfulfilled?' In Attic verse *τυγχάνειν* governs the acc. as well as the gen.

Mr Arthur Platt (*Journal of Philology*, xxiv 250) declines to take *τῶν* as equivalent to *ἂν*, and objects to the absence of an antithesis to *μὲν*; he therefore takes *τῶν οὐνεκα* as in l. 53, and proposes in the second line *τέλους δὲ πρὶν τυχεῖν ἐπαυσάμην*.

ll. 30—54. *συμμαρτυροίη — λίκος*] Quoted by Aristides, ii 536—8, in two portions, (a) ll. 30—49 ending *οὐκ ἂν κατέσχε δῆμον*, and (b) *εἰ γὰρ ἤθελον* to the end. (b) is introduced with the words: *εἶτα τί φησὶν ὁ Σόλων*;

l. 30. *ἐν δίκῃ χρόνου*] possibly (1) 'before the tribunal of time, a bold expression, but less bold than that in Eur. *Bacch.* 889, *δαρὸν χρόνου πῶδα*. Or, less probably, (2) 'in the justice of time,' i.e. 'justice which time eventually brings.' *συμμαρτυρεῖν* is combined with *χρόνος* in Xen. *Hell.* iii 3 § 2, *συνεμαρτύρησε δὲ ταυτ' αὐτῷ καὶ ὁ ἀληθέστατος λεγόμενος χρόνος εἶναι*. Solon appeals to Earth to bear witness before the tribunal of Time that he had attained the ends he had in view.

l. 31. *μήτηρ—Γῆ*] Even the Attic land set free from its encumbrances is boldly personified as Mother Earth. Cf. Plato, *Leg.* 740A, *δεῖ τὸν λαχόντα τὴν λῆξιν ταύτην νομίζειν μὲν κοινὴν αὐτῆς τῆς πόλεως ξυμπάσης, πατρίδος δὲ οὐσης τῆς χώρας θε-*

*ραπεύειν αὐτὴν δεῖ μειζόνως ἢ μητέρα παῖδας, τῷ καὶ δέσποιναν θεὸν αὐτὴν οὖσαν θνητῶν ὄντων γεγονέναι, and 741, τῆς γῆς ἱερᾶς οὐσης τῶν πάντων θεῶν.*

ll. 33, 34. *ὄρους—ἐλευθέρα*] These lines, and part of ll. 38—41, are quoted in Plut. *Sol.* 15, *σεμνύνεται γὰρ Σόλων ἐν τούτοις, ὅτι τῆς τε προῦποκειμένης γῆς*

*ὄρους ἀνεῖλε—νῦν ἐλευθέρα.*

*καὶ τῶν ἀγωγίμων πρὸς ἀργύριον γεγονότων πολιτῶν τοὺς μὲν ἀνήγαγεν ἀπὸ ξένης*

*γλώσσαν οὐκέτ' Ἀττικὴν—ἐχοντας.*

l. 33. *ὄρους*] Sir George Cox, *Hist. of Greece*, i 201, has suggested that this means *boundaries*, and similarly in the *Edinburgh Review*, 1891, p. 493, 'These *boundary stones* were the marks of the religious ownership of the Eupatrids.' This view is refuted in Mr Evelyn Abbott's *History of Greece*, i 407.

As regards the meaning of *ὄρος* and cognate words in early Greek literature, the ambiguity in ll. xii 421, *ἀμφ' ὄροισι δὲ ἀνέρε δηριάσθων*, is made clear by other passages, which prove that the *οὔρα* are 'stones (xxii 405) marking off the allotments, and are easily moveable by a fraudulent neighbour (xxi 489),' *Leaf ad loc.* In Hdt. i 93 *οὔροι* is used of stones bearing inscriptions. In the present passage we have the earliest instance of *ὄροι* in the sense of 'mortgage pillars,' 'stone-slabs or tablets set up on mortgaged property, to serve as a bond or register of the debt' (L and S). This use is common in the time of Demosthenes, e.g. Or. 31 § 1, *τίθησιν ὄρους ἐπὶ μὲν τὴν οἰκίαν δισχιλίω, ἐπὶ δὲ τὸ χωρίον τάλαντου*, 42 § 5, *οὐδεὶς ὄρος ἐπεστὶν ἐπὶ τῇ ἐσχατιᾷ*, and § 28, *ἐκέλευον δεῖξαι ὄρον εἶπον ἐπεστὶ*, 49 § 13, *τοὺς ὄρους ἀνέσπακε*, 'has (illicitly) removed the tablets,' and § 11, *ἡ οὐσία ὑπόχρεως ἦν ἅπανσα καὶ ὄροι αὐτῆς ἕστασαν*, *ib.* § 61, *δοῖς αὐτοῦ ἡ οὐσία ἀφωρισμένη ἦν*, 25 § 69, *οἱ τεθέντες ὄροι ἐστηκότες*, 41 § 6, *ὄρους ἐπιστῆσαι χιλίων δραχμῶν ἐμοὶ τῆς προικὸς ἐπὶ τὴν οἰκίαν*. Isaeus 6 § 36, *ὅπως... ὄροι τεθεῖεν*. In Theophrastus (*Char.* 10=24 Jebb) it is characteristic of the penurious person



πρόσθεν δὲ δουλεύουσα, νῦν ἐλευθέρα.  
πολλοὺς δ' Ἀθήνας, πατρίδ' εἰς θεόκτιτον,  
ἀνήγαγον πραθέντας, ἄλλον ἐκδίκως,  
ἄλλον δικαίως, τοὺς δ' ἀναγκαίης ὑπὸ  
χρειοῦς φυγόντας, γλώσσαν οὐκέτ' Ἀττικὴν

35

34 δὲ : γὰρ Jos. Mayor (H-L). νῦν δ' H-L. 35 ΘΕΟΚΤΙCTON : idem habent Aristidis codices prope omnes. 38 χρησμὸν λέγοντας (quod intelligi nequit) Aristides.

TESTIMONIA. 38—41 γλώσσαν ἔχοντας Plut. Sol. 15. 38—41, 43 Plut. Sol. 15.

to inspect the *δροι* day by day to see if they remain the same. Harpocr. s.v. *δρος*· οὕτως ἐκάλουον οἱ Ἀττικοὶ τὰ ἐπόντα ταῖς ὑποκειμέναις οἰκίαις καὶ χωρίοις γράμματα, δηλοῦντα ὅτι ὑποκείνται δανεισθῆναι.

Originally the *δρος* was doubtless a boundary-stone or land-mark. In the absence of other means of registration, it became customary to inscribe on these boundary-stones a notice of the charges on the property. Solon, by his *σεισάχθεια*, released the poorer classes from the burden of their debts, and set the land, which was security for these debts, free from encumbrances. No sooner was the debt itself abolished, than the stones inscribed with the record of the security were removed, and the land set free. (Cf. Blass in *Hermes*, xv 286 ff.)

Many exx. of these inscribed *δροι* have been found. Those of Attica are published in CIA ii, the ordinary boundary-stones forming nos. 1062—1102 and the *termini fundorum pigneratorum* nos. 1103—1153. A specimen is figured in Duruy's *Histoire des Grecs*, i 385; and all the extant Greek inscriptions of this kind are collected and classified in the *Inscriptions Juridiques Grecques* by MM. Dareste, Haussoullier and Th. Reinach, 1891, i p. 107—142. Classes A and B are securities (*ἀποτιμήματα*) for money belonging either to minors (1—9) or married women (10—24). Class C (25—59), records of sale with right of redemption, 'ostensibly a purchase, but really a loan of money secured by the conveyance of property.' The debtor continues to occupy it, paying interest on the purchase-money and possessing the power of redemption within a certain time' (Hager in Smith's *Dict. Ant. s. v. HORI*). Class D (60, 61), records of ordinary sales. The following are some of the more interesting dated examples: A 5 (CIA ii 1138) ἐπὶ Νικολέους ἀρχοντος (B.C. 302/1)· *δρος* χωρίων καὶ οἰκίας καὶ τοῦ ὕδατος τοῦ προσόντος τοῖς χωρίοις κλήρων δυνείν ἀποτετιμημένων παῖσιν ὀρφανοῖς τοῖς Χαρίου ἰσοτελοῦς Χαρίππου καὶ Χαρία. B 17 (CIA ii 1137)

ἐπὶ Εὐξενίππου ἀρχοντος (B.C. 305/4)· *δρος* χωρίων καὶ οἰκίῶν ἀποτιμημάτων προικὸς Ξεναρίστει Πυθοδώρου Γαργητήλιου θυγατρὶ, τὸ κατὰ τὸ ἡμῖσιν καὶ τὸ ἐκ τούτου γιγνόμενον αἰτεῖ εἰς Δεώστρατον ἀρχοντα XXXHH... C 49 (CIA ii 1133) ἐπὶ Πραξιβούλου ἀρχοντος (B.C. 315/4)· *δρος* οἰκίας πεπραμένης ἐπὶ λύσει. D 61 (CIA ii 1134) ἐπὶ Θεοφράστου ἀρχοντος (B.C. 313/2)· *δρος* χωρίων τιμῆς ἐνοφειλομένης Φανοστράτῳ Παιανεῖ XX=2000 dr.

All these inscriptions belong to the latter part of the fourth century. It cannot be supposed, however, that lending money on mortgage was unknown in the previous century. Under the Second Athenian Federation (CIA ii 17), the Athenians were forbidden to purchase lands or houses in the territory of their allies or to lend money on mortgage. This implies that, under the First Confederation, lending money on these terms was not forbidden. But it would appear that for some centuries the Athenians, while still employing boundary-stones for their public or sacred domains, gave up using them as records of mortgages. It has been suggested that 'in the early times, which followed the reforms of Solon, no one had recourse to recording his claims on the detested tablets of stone whose removal from the land had been celebrated with such enthusiasm by the legislator himself' (*Inscr. Juridiques*, i 122).—For a similar reform among the Jews in the latter part of the fifth century, see *Nehemiah* v, 1—13.

πεπηγότας] Lycurg. *Leocr.* § 73, *δρους* τοῖς βαρβάροις πῆξαντες. Thuc. iv 92, 4, τοῖς μὲν ἄλλοις οἱ πλησιόχωροι περὶ γῆς *δρων* τὰς μάχας ποιοῦνται, ἡμῖν δὲ ἐς πᾶσαν, ἣν νικηθῶμεν, εἰς *δρος* οὐκ ἀντίλεκτος παγήσεται.

l. 36. *πραθέντας*] Solon ap. Dem. *F. L.* p. 421, τῶν δὲ πενιχρῶν | ἰκνοῦνται πολλοὶ γαῖαν ἐς ἀλλοδαπὴν | *πραθέντες* κτλ. Cf. Grote, c. 11, ii 310 n.

l. 37. ἀναγκαίης ὑπὸ χρειοῦς] Cf. *Il.* viii 57, *χρειοὶ ἀναγκαίη*.

40 *ιέντας, ὡς ἂν πολλαχῆ πλανωμένους,*  
*τοὺς δ' ἐνθάδ' αὐτοῦ δουλίην ἀεικέα*  
*ἔχοντας, ἦθη δεσποτῶν τρομευμένους,*  
*ἐλευθέρους ἔθηκα. ταῦτα μὲν κράτει*  
*νόμου, βίαν τε καὶ δίκην συναρμόσας,*  
 45 *ἔρεξα, καὶ διήλθον ὡς ὑπεσχόμην.*  
*θεσμοὺς δ' ὁμοίως τῷ κακῷ τε καὶ αἰσθῶ,*  
*εὐθείαν εἰς ἕκαστον ἀρμόσας δίκην,*  
*ἔγραψα. κέντρον δ' ἄλλος ὡς ἐγὼ λαβῶν,*  
*κακοφραδῆς τε καὶ φιλοκτῆμων ἀνήρ,*  
*οὐκ ἂν κατέσχε δῆμον· εἰ γὰρ ἤθελον*  
 50 *ἂ τοῖς ἐναντίοισιν ἠνδανεν τότε,*  
*αὐθις δ' ἂ τοῖσιν οὔτεροι φρασαίατο,*  
*πολλῶν ἂν ἀνδρῶν ἢδ' ἐχηρώθη πόλις.*

39 ὡς ἂν suspicatur Platt, qui mavult ὥστε (v. 21). 41 ἦθη Aristides, correxit Bergk.  
 42 ΚΡΑΤΕΕΙ ΝΟΜΟΥ Lond., ΚΡΑΙΤΗΟΜΟΥ Berol. κράτει (al. -η), ὁμοῦ Aristides,  
 Plut. (κ-w, β, Th), κράτει νόμου κ, Η-L, s<sup>1</sup>. 44 διήλθον: διήνυσ' Bergk, ?Herwerden.  
 45 ΤΕ, ut videtur, correctum in θ' (κ): δ' Aristides (Wyse, κ-w, Η-L, β, Th). ὁμοίους  
 Bergk, Aristidis codices duos secutus. 49 ΔΗΜΟΝ: idem habent Aristides et  
 Plut. Sol. 16: θυμὸν hic et infra v. 63 legendum suspicantur Η-L; idem olim Cantero  
 et Reiskio placuerat. 50 ἂ τοῖς Berol. et Aristides (edd.): ΔΥΤΟΙΣ. τότε:  
 ποεῖν A Sidgwick (Η-L). 51 ΔΥΤΟΙΣΙΝΟΥΤΕΡΟΙ (vel ΔΙΦΡΑΣΑΙΑΤΟ. ἂ τοῖσιν  
 ἀτέροις δράσαι, διὰ (κακὰ Valckenaer, βία Schaefer, δίχα O Schneider et Ahrens,  
 δράσαι δίχα Bergk) Aristides. ἂ τοῖσιν οὔτεροι φρασαίατο Platt, κ-w, κ<sup>3</sup>, β, Th; ἂ τοῖσδ'  
 ἂν ἄτεροι φρ. Tyrrell. 52 ἐχειρώθη Aristides, correxit Valckenaer.

l. 40. **δουλίην]** Ionic forms are characteristic of Solon's verses: cf. l. 41, *τρομευμένους*, and in Plut. Sol. 14, *αἰδεῦμαι* and *δοκέω*.

l. 41. **ἦθη—τρομευμένους]** 'trembling at each mood of their masters.'

l. 45. **θεσμοὺς]** One of the earliest examples of the use of this word in literature. In Plut. Sol. 19 end, *θεσμοὺς ἐφάνη* ὅδε is quoted from one of Solon's laws. Cf. note on c. 4 § 1.

l. 47. **κέντρον]** the 'goad' is here the symbol of strong control, as in Soph. Frag. 606 (of sovereignty), *λαβῶν δὲ χερσὶ κέντρα κηδεῖν πῶλον*.

l. 49. **οὐκ ἂν κατέσχε δῆμον]** With these words the first quotation in Aristides ends. Plutarch, however (Sol. 16), cites two lines with the following introduction: *καίτοι φησὶν, ὡς, εἰ τις ἄλλος ἔσχε τὴν αὐτὴν δύναμιν,*

*οὐτ' ἂν κατέσχε δῆμον οὐτ' ἐπαύσατο πρὶν ἂν ταραξας πῖαρ ἐξέλη γάλα.*

Hence in Bergk's ed. of frag. 36 these two lines are added to the passage quoted by Aristides; and the passage *εἰ γὰρ ἤθελον—λύκος*, quoted subsequently by

Aristides, is treated as a separate fragment (37). But the text makes it clear that this last passage followed immediately after his first quotation, while the couplet in Plutarch comes from a subsequent portion of the same poem quoted near the end of this chapter.

*εἰ γὰρ ἤθελον κτλ.]* 'for had I chosen to please both parties.'

l. 51. **τοῖσιν οὔτεροι φρασαίατο]** 'what their foes devised within their hearts' (K.). This does not explain the construction; *τοῖσι* cannot go with *οὔτεροι*, for 'their foes' would be *τῶν οὔτεροι*, 'those different from these.' *τοῖσι* must be dative after *φρασαίατο*. The sense seems to be 'whatever at any time the other party would devise for their opponents,' or perhaps, 'urge their opponents (*τοῖσι=ἐναντίοισι*) to do.' With *φρασαίατο* cf. *ποιόατο* at end of next quotation. Hude refers *ἐναντίοισιν* to the opponents of the popular party, and *οὔτεροι* to the supporters of that party.

l. 52. **ἀνδρῶν—ἐχηρώθη]** Hdt. vi 83, "Ἄργος ἀνδρῶν ἐχηρώθη.



τῶν οὔνεκ' ἀλκὴν πάντοθεν ποιούμενος  
ὡς ἐν κυσὶν πολλαῖσιν ἐστράφην λύκος.

5 καὶ πάλιν ὄνειδιζὼν πρὸς τὰς ὕστερον αὐτῶν μεμψιμοιρίας ἀμ- 55  
φοτέρων·

δήμῳ μὲν εἰ χρὴ διαφάδην ὄνειδίσαι,  
ἃ νῦν ἔχουσιν οὔποτ' ὀφθαλμοῖσιν ἂν  
εὔδοντες εἶδον.

ὅσοι δὲ μείζους καὶ βίαν ἀμείνονες  
αἰνοῖεν ἂν με καὶ φίλον ποιόιατο·

εἰ γὰρ τις ἄλλος, φησί, ταύτης τῆς τιμῆς ἔτυχεν,  
οὐκ ἂν κατέσχε δῆμον οὐδ' ἐπαύσατο,  
πρὶν ἀνταράξας πῖαρ ἐξεῖλεν γάλα. ||

53 ΟΥΝΕΚ (κ, Η-Λ, Β, Κ-Ω<sup>3</sup>): *ἐνεκ'* olim κ-ω (cf. v. 28). ἀλκὴν: ἀρχὴν Arist., ὄργην Bergk. ΠΟΙΟΥΜΕΝΟΣ (κ<sup>1,4</sup>, Β, Κ-Ω<sup>3</sup>, Th): *ποιεῖμενος* Platt, κ-ω<sup>1,2</sup>, Η-Λ, κ<sup>3</sup>, s<sup>1</sup>; *κυκεύμενος* Arist. 54 ΠΟΛΛΑΪΣΙΝ 'ita L, ut credo' κ, κ-ω<sup>1,2</sup>, s<sup>1</sup>: *πολλῶσιν* Wilcken, κ-ω<sup>3</sup>, Β<sup>2-4</sup>, Th. ἐστράφην Aristides (edd.): *ετραφήν* vel *εγραφήν*. 55 Αὐτῶν Blass (κ-ω, κ<sup>3</sup>); αὐτοῦ H N Fowler, *Harvard Studies* vii 172; αὐτῶ Thalheim. 57 ΔΙΑΦΡΑΔΗΝ: *διαφάδην* Kontos et κ-ω (κ<sup>3</sup>, Β, Th): *μ' ἀμφάδην* olim Platt (Η-Λ). 63 οὐκ—οὐδ': οὐτ'—οὔτ' Plutarch. 64 ΠΡΙΝΑΝΤΑΡΑΞΑΣ ΠΥΑΡ-ΕΞΕΙΛΕΝ: *πρὶν ἂν ταράξας πῖαρ ἐξέλη γάλα* Plut. (et κ-ω<sup>1</sup>), unde Adam ad Plat. *Crit.* 44 D coniecerat *πρὶν ἀνταράξας—ἐξεῖλεν*, etiam Gildersleeve *ἀνταράξας* legendum esse olim viderat; eadem postea protulerunt Sidgwick, Blass, Η-Λ (κ<sup>3</sup>, s<sup>1</sup>, Th). *πρὶν ἢ ταράξας πῖαρ ἐξεῖλεν γάλα* κ-ω<sup>2,3</sup>.

TESTIMONIA. 63, 64 Plut. *Sol.* 16.

l. 53. **ποιούμενος**] On *ποιεῖμενος* cf. note on l. 40, *δουλήν*. In Soph. *O. C.* 459, ἀλκὴν ποιῆσθαι means 'to succour.'

l. 54. **ὡς ἐν κυσὶν—ἐστράφην λύκος**] A reminiscence of Homer, *Il.* 12, 42, ἐν τε κύνεσσι...κάπριος ἢ ἐ λέων στρέφεται. Cf. Solon 15, 23, ταῦτα μὲν ἐν δήμῳ στρέφεται κακά.

l. 55. **αὐτῶν...ἀμφοτέρων**] As the text stands, ἀμφοτέρων must be meant as a closer definition of αὐτῶν, a word which is unessential (Kaibel, 152), and may be a mistake for αὐτῶ (Thalheim), the object of μεμψιμοιρίας.

§ 5. **διαφάδην**] *διαφράδην* is unknown. *διαφραδέως* means 'distinctly' (of sound) in Hippocrates 408. *διαφάδην*, 'openly,' is here accepted. This is found in Pollux ii 129, ἀρρήδην διαρρήδην, *διαφάδην*.

l. 59. **εὔδοντες**] 'even in their dreams.' Dem. *F. L.* 275, ἃ μὴδ' ὄναρ ἠλιπσαν πῶποτε.

l. 60. **ὅσοι**] *sc.* *εἰσί*. The last two lines refer to the rich, the first three to the poor. The whole of this passage (57—61) is new. **βίαν ἀμείνονες**, *Il.* i 404 βίην...ἀμείνων (Aristarchus).

l. 62. **εἰ γὰρ τις κτλ.**] Plut. *Sol.* 16, quoted in note on l. 49.

l. 64. **πρὶν—γάλα**] *πρὶν* c. subj. aor. (or

*πρὶν ἂν* in Attic Gk) is properly only used after negative clauses, to denote a point in *future* time before which something else must happen; or (as Goodwin puts it, *Moods and Tenses*, § 638), 'when a clause with *πρὶν*, *until*, refers to the future, and depends on a *negative* clause of future time (*not* containing an optative), *πρὶν* takes the subjunctive.' Such a construction is out of place here, where we require *πρὶν* c. indic. With the text, as emended, cf. Plat. *Meno* 86 D, οὐκ ἂν ἐπεσκευάμεθα πρότερον εἴτε διδακτὸν εἴτε οὐ διδακτὸν ἢ ἀρετῇ, *πρὶν* ὃ τι ἐστὶ πρῶτον ἐζητήσαμεν (*ib.* 84 C and *Theaet.* 165 D: Goodwin, § 637).

**ἀνταράξας**] In Ionic (as well as Doric poetry) *ἀν-* and *ἀμ-* stand for *ἀνα-*. *Od.* i 440, ἀγκρεμάσασα, and elsewhere *ἀνστήσων*, *ἀνστήτην*, *ἀνστήμεναι*; *Il.* xxiv 756, *ἀνστήσεις*; *Od.* v 320, *ἀνοσχεθέειν*; *ἀνοσχέσασθαι*, *ἀνοσχεο*, *ἀνοσχετός*.

**πῖαρ**] (*πίων*) lit. 'fat,' an Epic and Ionic word; *Il.* xi 550, xvii 659, *βοῶν ἐκ πῖαρ ἐλέσθαι*, of cream in Solon; also used metaphorically of 'the cream' of a thing, the choicest and best (L and S). Hesychius, *πῖαρ*: τὸ κρᾶτιστον. This suits the context better than *πῦαρ*, which is 'the first milk after calving,' 'beestings,'

65 ἐγὼ δὲ τούτων ὥσπερ ἐν μεταιχμίῳ  
ὄρος κατέστην.

13. τὴν μὲν οὖν ἀποδημίαν ἐποίησατο διὰ ταύτας τὰς αἰτίας. Σόλωνος δ' ἀποδημήσαντος, ἔτι τῆς πόλεως τεταραγμένης, ἐπὶ μὲν ἔτη τέτταρα διήγουν ἐν ἡσυχίᾳ· τῷ δὲ πέμπτῳ μετὰ τὴν Σόλωνος

TESTIMONIA. 65—66 Aristides infra laudatus.

or the rennet made from it. 'Before he had stirred up the beestings and got out all the milk' is Mr Platt's rendering (see *Journ. Phil.* xxiv 256). But the sense requires not a particular kind of milk, such as 'beestings'; but the best part of the milk, the 'cream.' The constr. is either *πρὶν ἀνταράξας γάλα ἐξείλεν πῖαρ*, or else *γάλα* is acc. after the complex verb *πῖαρ ἐξείλεν*.

l. 65. ἐγὼ—κατέστην] 'I set myself as a landmark between two armed hosts.' Hdt. viii 140, 2 (of debateable land), *δαιμαίνω ὑπὲρ ὑμέων ἐν τρίβῳ τε μάλιστα οἰκημένων τῶν συμμάχων πάντων αἰεὶ τε φθειρομένων μούνων, ἐξαίρετον μεταίχμιον τε τὴν γῆν ἐκτεμένων*. ὄρος, 'landmark,' or 'wall,' seems a harsh metaphor, except perhaps in one who, like Solon, had the ὄροι, the boundaries as well as the mortgage-tablets, of Attica much in his mind. The passage is paraphrased in Aristides, ii 360 (of Solon), *ἔστη δ' ἐν μεθορίῳ πάντων ἀνδρείωτατα καὶ δικαιοῦτατα, ὥσπερ τινὰς ὡς ἀληθῶς ἐκ γεωμετρίας περιγραφτοῦς φυλάττων ὄρους*.

XIII § 1. ἀποδημίαν ἐποίησατο] c.

II § 1.

Σόλωνος—τεταραγμένης κτλ.] 'When S. had gone abroad, although the State was still disturbed by divisions, yet for four years they lived in peace, but in the fifth year' &c. *ἀποδημεῖν* has two meanings (1) to be abroad, and (2) to go abroad. (1) is found in *Pol.* 1303 b 23, and *Poet.* 17, 1455 b 17, *ἀποδημοῦντος*: (2) in the present passage.

Wilamowitz (i 15) suggests that for part of the four undisturbed years (593—590) Solon remained at Athens. It is on the authority of Aristotle *ἐν τῇ τῶν Πυθιονικῶν ἀναγραφῇ* that Plutarch states that at Solon's prompting the Amphictyons attacked the Kirrhaeans in defence of Delphi. It was not until 590 that Krisa was conquered.

τῷ δὲ πέμπτῳ μετὰ τὴν Σόλωνος ἀρχὴν] The archonship of Solon is usually placed in B.C. 594/3 = *Ol.* 46, 3. This is the date given by Diog. Laert. i 62 on the authority of Sosicrates of Rhodes, the author of a work on the *History of Crete* and on the *Succession of Philosophers*,

who flourished between 200 and 128 B.C. The archons about this time are given by Clinton as follows:

*Ol.* *B.C.*

46, 2 = 595 Philombrotus

3 = 594 Solon

4 = 593 Dropides

47, 1 = 592 Eucrates?

2 = 591 Simon

3 = 590 [Simon, in *Marmor Parium*]

Jerome places Solon in 592: and the Armenian version of Eusebius in 590. 592 is already occupied by Eucrates, and 590 (in the *Marmor Parium*, see § 2 n) possibly by Simon. The text of c. 14 § 1 appears to place Solon 31 years before the archonship of Comeas (B.C. 560), *i.e.* in 591. But if Solon is placed in 591, Philombrotus and Dropides must be placed in 592 and 590, which are already assigned to other archons. Again, if Comeas is (by another method of reckoning) assigned to 561, Solon falls in 592, the year assigned to Eucrates. Eucrates, however, may really belong to a later date. Sosicrates (*ap.* Diog. Laert. i 101) places him in *Ol.* 47 (592—589) and makes Anacharsis visit Solon during the archonship of Eucrates. But Solon left Athens for ten years when his own archonship was over, so that, if Sosicrates (our only authority for Eucrates) is right about the date of the visit of Anacharsis, Eucrates cannot be earlier than 583. On the year of Solon's archonship, cf. Clinton, *Fasti*, ii 298; Fischer's *Gr. Zeittafeln*, p. 114; and Busolt, i 524<sup>1</sup>.

If Solon was archon in 594, and if 'in the fifth year' means four years after Solon, then the first year of anarchy falls in 590, and the second in 586. Then, if *διὰ τῶν αὐτῶν χρόνων* is retained in the sense, 'after the same interval of time,' *i.e.* four years later, the archonship of Damasias begins in 582. This is Mr Kenyon's view. In this calculation the first period of four years of peace must include either the year of Solon's archonship or the first year of anarchy; and the second period must include one of the years of anarchy.

On the other hand, if the first 'four



ἀρχὴν οὐ κατέστησαν ἄρχοντα διὰ τὴν στάσιν, καὶ πάλιν ἔτει 5  
2 πέμπτῳ διὰ τὴν αὐτὴν αἰτίαν ἀναρχίαν ἐποίησαν. μετὰ δὲ 5  
ταῦτα διὰ τῶν αὐτῶν χρόνων Δαμασίας αἰρεθεὶς ἄρχων ἔτη

XIII 4 ΟΥΚΑΤΕΣΤΗΣΑΝ (K-W, B, K<sup>3</sup>, Th), οὐκ ἐπέστησαν K<sup>1</sup> (H-L). 4 ἄρχοντα  
—18 διώκειν continentur fragmenti Berolinensis in pagina secunda. 5 διὰ e  
papyro Berol. ΔΙΤΙΔΝΑΡΧΑΙΔΙΑΝ: αἰτίαν ἀναρχίαν Burnet, Campbell, Jackson (edd.).  
6 διὰ τῶν αὐτῶν χρόνων secl. K-W; διὰ τοῦ αὐτοῦ χρόνου? Herwerden.

years' extend from B.C. 593 to 590, then the first year of anarchy is 589; again, if ἔτει πέμπτῳ is taken as meaning 'five years afterwards,' the second year of anarchy is 584. Further, if διὰ τῶν αὐτῶν χρόνων is regarded as an interpolation, the beginning of the rule of Damasias follows at once in 583. This is the view of Bauer, and of Kaibel and Wilamowitz. But the first year of Damasias coincides with that in which the Pythian festival was transformed into an ἀγὼν στεφανίτης, and the festival was held in the third year of each Olympiad, whereas 583 is the second year. The opinion that it fell in the second year of the Olympiad, which has been inferred from Thuc. iv 117 and v 1, is refuted in Clinton's *Fasti*, ii p. 195 = 245<sup>3</sup>.

Again, if the archonship of Solon is placed in 591, the years of anarchy may be put at intervals of four years in 587

and 583. Then, if διὰ τῶν αὐτῶν χρόνων be omitted, we get 582 as the first year of Damasias. This is the view of T. Reinach and of Poland. It has the advantage of leaving the text in c. 14 § 1 untouched, and it gives a date for Damasias which is consistent with Pausanias x 7, 5, where the first Pythian ἀγὼν στεφανίτης, which coincided with the first year of Damasias, is placed in 582. If so, the archonship of Simon which, according to the Scholiasts on Pindar, was five years before Damasias, may provisionally be placed in 587, instead of 590, the year assigned to it by the Parian Marble; but 587 was on this view a year of anarchy; hence it is not improbable that Simon was really archon in 586.

All the above views agree in placing the beginning of the archonship of Damasias later than 586 B.C., in or about 582. The following is a conspectus of the views above mentioned.

	Mr Kenyon	Bauer, Wilamowitz and Busolt	Reinach and Poland
Solon, archon .....	594	594	591
First period of 4 years.....	{ 594-1 } { 593-0 }	593-590	591-588
First year of anarchy .....	590	589	587
Second period of 4 years...	{ 590-87 } { 589-86 }	588-585	586-583
Second year of anarchy ...	586	584	583
Third period of 4 years ...	{ 586-3 } { 585-2 }	nil	nil
Damasias, archon.....	582	583	582

A space of 13 years, 594 to 582 inclusive, does not allow of three periods of four years, and four years besides. It only admits of three periods of three years (and four years over). But these can only be obtained by altering τέτταρα into τρία and πέμπτῳ twice into τετάρτῳ. This, however, would perhaps be going too far.

τὴν στάσιν] The article is due to the fact that the state of faction has already

been implied in the participle τετραγαμῆνης.

ἀναρχίαν ἐποίησαν] The text shows that the term ἀναρχία was applied to the two years 589 and 584. Cf. Dion Chrys. 21, 2 ἄρ' οὖν, ὅπερ Ἀθηναῖοι πολλάκις, καὶ ἡμᾶς χρὴ ἀναρχίαν ἀναγράφειν τὸν παρόντα καιρὸν (Wilamowitz, i 6; cf. ii 64).

§ 2. Δαμασίας] On the discovery of the Berlin fragments, much controversy arose respecting the Damasias there men-

δύο καὶ δύο μῆνας ἦρξεν, ἕως ἐξηλάθη βία τῆς ἀρχῆς. εἶτ'

7 ΕΞΗΛΑΘΗ : corr. Richards etc. (κ<sup>3</sup> etc.).

tioned. It was at first proposed to identify him with Damasias I, the archon of 639 B.C. This opinion was conclusively refuted by Landwehr (*Philologus*, Suppl. v) and Diels (*Berlin Acad.* 1885, p. 12); and, now that we have the context of the fragment before us, it is obvious that Damasias II can alone be meant.

Hitherto the determination of the date of Damasias II has depended on a mutilated passage in the Parian Marble. (This important chronological document was bought in Smyrna by an agent of Thomas Howard, Earl of Arundel and Surrey, 1585—1646, and sent to Arundel House in 1627. It was first edited by Selden, 1628. In 1667, at the instance of John Evelyn, *Letters*, Aug. 4, 1667, *Diary*, Sept. 19, Oct. 8, 17, 25, it was presented by the Earl's grandson to the University of Oxford, and in 1676 it was edited once more by Prideaux. After being preserved for many years in the Ashmolean Museum, it was removed to the University Galleries in 1889. It has been edited by Boeckh, *CIG* ii 2374, and C. Müller, *FHG* i 535—590. The authority for the chronology recorded in this Marble is probably Phantias of Eresos, a pupil of Aristotle. The dates are reckoned by the number of years that had elapsed before the archonship of Diognetus, B.C. 264—3.)

The passage, with which we are concerned, is restored as follows: ll. 53—54, [ἀφ' οὗ Ἀμφικτύονες ἐνίκησαν ἐλόντες Κύρραν, καὶ ὁ ἀγών ὁ γυμνικὸς ἐτέθη χρηματίτης ἀπὸ τῶν λαφύρων, ἔτη ΗΗ[Η] ΔΔΓ'ΙΙ (327), ἀρχοντος Ἀθήνησι Σίμωνος. ἀφ' οὗ [ἐν Δελφοῖς στεφ]ανίτης ἀγών πάλιν ἐτέθη, ἔτη ΗΗΗΔ..ΙΙ, ἀρχοντος Ἀθήνησι Δαμασίου τοῦ δευτέρου. The interval between the year of Diognetus and that of Damasias is here denoted by the symbols ΗΗΗΔ..ΙΙ (312). (a) Boeckh and C. Müller insert Γ'Ι (6), thus making the number 318; (b) Chandler and Clinton, Δ (10), making it 322; while Dopp (*Quaestiones de Marmore Pario*, 1883) proposes ΔΙ (11), making it 323. The corresponding dates B.C. are: (a) 582/1 or 581/0, according as we reckon exclusively or inclusively; or (b) 586/5, according as we reckon inclusively with 323 or exclusively with 322. But the archonship of Damasias coincides with a Pythian festival; this excludes 581 and leaves us the choice between 586 and 582.

It has been urged in favour of 586/5 that, on the authority of the ἀρχόντων ἀναγραφὴ of Demetrius Phalereus, Diog. Laert. i i 22 describes Thales and the other Wise Men of Greece as flourishing in the archonship of Damasias; and that 586/5 would be an appropriate year to mark their epoch, because the eclipse predicted by Thales took place on May 28, 585 B.C. (Cf. Busolt, i 493<sup>1</sup>.)

On the other hand, 582/1 is supported by Pausanias (x 7, 4—5), who implies that the first ἀγών στεφανίτης was in 582/1, and the last ἀγών χρηματίτης in 586/5.

It may here be suggested, that probably the first year of Damasias coincided with the first celebration of the Pythian games after their transformation into an ἀγών στεφανίτης, i.e. with 582. In the introduction to the Scholia on Pindar's Pythian odes, the last ἀγών χρηματίτης is assigned to the archonship of Simon (590) and the first ἀγών στεφανίτης to that of Damasias (582). Subsequently, a confusion may have arisen between the year of that celebration and the actual year in which the change was made (586). The archonship of Damasias was thus put four years too early. If the archonship of Simon coincided with the last ἀγών χρηματίτης and if that ἀγών was four years earlier than the change in the Pythian games (586), it follows that the archonship of Simon must be put in 590. Simon is placed in that year in the Parian Marble; and the evidence of the text, which gives at least 10 years between the year of Solon and that of Damasias, points to 582 as the year of Damasias.

If Damasias was archon in 582, Solon would by that date have returned to Athens after his absence of ten years (593—584 inclusive). This may be held to favour the conjecture of Diels (*Berl. Acad.* 1885, p. 13 f) that Solon refers to the usurpation of Damasias in fragm. 32 and 33, quoted in Plut. *Sol.* 14, εἰ δὲ γῆς ἐφεισάμην κτλ., and οὐκ ἔφυ Σόλων βαθύφρων. The trochaic passage quoted above in c. 12 has been ascribed to the same poem, πρὸς Φῶκον.

[ἐξηλάθη] The form ἐξηλάσθη is given in the papyrus and in the restoration of the Berlin fragment by Blass ἐξηλά[σ]θη. For ἡλλάσθην Vēitch, s.v. ελαύω, quotes Diod. Sic. 20, 51, σιν- Plut. *Caes.* 17. Gaisford, however, edits ἀπ- and ἐξ-



ἔδοξεν αὐτοῖς διὰ τὸ στασιάζειν ἄρχοντας ἐλέσθαι δέκα, πέντε  
 μὲν εὐπατριδῶν, τρεῖς δὲ ἀγροίκων, δύο δὲ δημιουργῶν, καὶ οὗτοι  
 τὸν μετὰ Δαμασίαν ἦρξαν ἐνιαυτόν. ᾧ καὶ δῆλον ὅτι μεγίστην 10  
 εἶχεν δύναμιν ὁ ἄρχων· φαίνονται γὰρ αἰεὶ στασιάζοντες περὶ  
 3 ταύτης τῆς ἀρχῆς. ὅλως δὲ διετέλουν νοσοῦντες τὰ πρὸς ἑαυτούς,  
 οἱ μὲν ἀρχὴν καὶ πρόφασιν ἔχοντες τὴν τῶν χρεῶν ἀποκοπήν  
 (συνεβεβήκει γὰρ αὐτοῖς γεγονέαι πένησιν), οἱ δὲ τῇ πολιτείᾳ  
 δυσχεραίνοντες διὰ τὸ μεγάλην γεγονέαι μεταβολήν, ἔνιοι δὲ 15  
 4 διὰ [τὴν] πρὸς ἀλλήλους φιλονικίαν. ἦσαν δ' αἱ στάσεις τρεῖς·

8 (pro δέκα, πέντε) [τετταρ]as Berol., cf. Meyer *Forschungen* ii 537 sqq. 9 [γ-  
 ρ]οίκων κ, qui litterae ρ partem inferiorem cerni posse putat: ΔΠΟΙΚΩΝ Berol., quod  
 correxit L. Cohn (*D. L. Z.* 1885, 264), tuebatur Wright. 11 ΔΥΝΑΜΙΝ [ΕΙΧΕΝ]  
 Berol. ΔΕΙ Berol. (H-L, B<sup>4</sup>): ΔΙΕΙ (κ, κ-w, B<sup>1-3</sup>, Th).

TESTIMONIA. 9 Hes. ἀγροῖῳται ἄγροικοι. καὶ γένος Ἀθήνησιν, οἱ ἀντιδιέστέλλον  
 πρὸς τοὺς Εὐπατρίδας. ἦν δὲ τὸ τῶν γεωργῶν καὶ τρίτον τὸ τῶν δημιουργῶν.

16—20 Schol. Arist. *Vesp.* 1223...κατὰ γὰρ τοὺς Σόλωνος νόμους τρεῖς ἦσαν αἱ

ηλᾶσθη in Hdt. iii 54, vii 6 &c. [Hdt.  
 vii 6 ἐξηλᾶσθη ὑπὸ Ἰππάρχου...ἐξ Ἀθηνέων.  
 ἐξηλᾶσθη cod. Florentinus, ἐξηλᾶθη al.;  
 iii 51 and i 173, ἐξελασθεῖς, in the latter  
 passage the cod. Parisinus has ἐξελαθεῖς].

ἄρχοντας—δέκα] Owing to a lacuna in  
 the Berlin fragment, which only mentions  
 the three archons elected by the second  
 class and the two by the third, it was  
 supposed that the first class elected four,  
 making nine archons in all. It now ap-  
 pears that in this particular year the  
 number was ten. This election was a  
 reactionary measure. It implied an  
 abandonment of the classification by  
 assessment which was the cardinal point  
 of Solon's constitution.

ἀγροίκων] The Berlin fragment has  
 ἀποίκων. There is a similar confusion  
 in l. 2 of the poems of Herondas, where  
 ΑΠΟΙΚΙΗC was first written and then  
 corrected into ΑΓΡΟΙΚΙΗC. The usual  
 name for this class is γεωμόροι (Plut.  
*Thes.* 25; Bekker's *Anecd. Gr.* 257, 7;  
*Etym. Mag.* p. 395, 50, &c.), or γεωργοί  
 (Schol. on Plat. *Axioch.* p. 253, Moeris,  
*s.v. γεννηταί*). But ἀγροικοι is the term  
 used in Dion. Halic. ii 8 (after men-  
 tioning the εὐπατρίδαι), ἀγροίκους δὲ (ἐκά-  
 λουν) τοὺς ἄλλους πολίτας οἱ τῶν κοινῶν  
 οὐδενὸς ἦσαν κύριοι· σὺν χρόνῳ δὲ καὶ οὗτοι  
 προσελήφθησαν ἐπὶ τὰς ἀρχάς. Cf. Hesych.  
*s.v. ἀγροῖῳται*: ἀγροικοι, quoted in  
 TEST. (Landwehr in *Philologus*, Suppl.  
 v, 1889, p. 139—155, *Die drei Stände in*  
*Attika*.)

§ 3. νοσοῦντες] of faction, c. 6 near  
 end.

οἱ μὲν...οἱ δὲ...ἔνιοι δὲ] The first two  
 are different sections of the Eupatridae,  
 some of whom resented the loss of money  
 involved in Solon's σεισάχθεια, while others  
 lamented the loss of political influence;  
 besides these, a few were actuated by the  
 mere spirit of factious rivalry.

τῇ πολιτείᾳ] The existing constitution.  
 Freeman (*Sicily*, iii 649) is hardly right  
 in suggesting that 'it is just possible that  
 πολιτεία in c. 13 (followed directly after  
 by ἡ μέση πολιτεία) may be meant in the  
 special Aristotelian sense.'

§ 4. στάσεις τρεῖς...τῶν παραλίων  
 ...τῶν πεδιακῶν...τῶν διακρίων] Hdt.  
 i 59, (Peisistratus) στασιαζόντων τῶν πα-  
 ράλων καὶ τῶν ἐκ τοῦ πεδίου Ἀθη-  
 ναίων, καὶ τῶν μὲν προεστῶτος Μεγακλῆος  
 τοῦ Ἀλκμέωνος τῶν δὲ ἐκ τοῦ πεδίου Λυ-  
 κούργου Ἀριστολαΐδου, καταφρονήσας τὴν  
 τυραννίδα ἤγειρε τρίτην στάσιν, συλλέξας  
 δὲ στασιώτας καὶ τῷ λόγῳ τῶν ὑπερα-  
 κρίων, προστὰς μηχανᾶται τοιαύδε. (Dion.  
 Hal. i 13, ὡς ὑπερακρίους τινὰς καὶ παρα-  
 λίους Ἀθηνησιν.) Plut. *Sol.* 29, οἱ δὲ ἐν  
 ἀστεϊστάσιζον ἀποδημόντος τοῦ Σόλωνος·  
 καὶ προεστήκει τῶν μὲν Πεδιέων Λυ-  
 κούργου, τῶν δὲ Παράλων Μεγακλῆς ὁ  
 Ἀλκμαίωνος, Πεισίστρατος δὲ τῶν Δια-  
 κρίων, ἐν οἷς ἦν ὁ θητικὸς ὄχλος καὶ  
 μάλιστα τοῖς πλουσίοις ἀχθόμενος. *id.* 13  
 (of the στάσεις just before the legislation  
 of Solon), τὴν παλαιὰν αὐθις στάσιν ὑπὲρ  
 τῆς πολιτείας ἐστασίαζον, ὅσας ἢ χώρα  
 διαφορὰς εἶχεν, εἰς τὸσαῦτα μέρη τῆς  
 πόλεως διαστάσης· ἦν γὰρ τὸ μὲν τῶν  
 Διακρίων γένος δημοκρατικώτατον, ὀλι-  
 γαρχικώτατον δὲ τὸ τῶν Πεδιέων· τρίτοι  
 δ' οἱ Πάραλοι μέσον τινα καὶ μεμιγμένον

μία μὲν τῶν παραλίων, ὧν προειστήκει Μεγακλῆς ὁ Ἀλκμέωνος, οἵπερ ἐδόκουν μάλιστα διώκειν τὴν μέσσην πολιτείαν· ἄλλη δὲ τῶν πεδιακῶν, οἳ τὴν ὀλιγαρχίαν ἐζήτουν, ἠγείτο δ' αὐτῶν Λυκούργος· τρίτη δ' ἡ τῶν διακρίων, ἐφ' ἣ τεταγμένος ἦν Πεισίστρατος, δημοτικώτατος εἶναι δοκῶν. προσεκεκόσμητο δὲ τούτοις οἳ τε ἀφηρημένοι τὰ χρέα διὰ τὴν ἀπορίαν καὶ οἳ τῷ γένει μὴ καθαροὶ διὰ τὸν φόβον· σημεῖον δ', ὅτι μετὰ τὴν [τῶν] τυράννων

18 οἵπερ : οἳ δὲ (ut videtur) Berol.

(H-L). 20 ΔΗ=δ' ἢ: δὲ? B<sup>4</sup>.

προσενέμνητο Butcher.

Rutherford, Blass, Gennadios (edd.).

19 ἐξήλουν hic et c. 34 § 3 coniecit Bury

21 προσεκεκόλλητο H-L, Kontos, Gennadios ;

22 χρέα hic desinit Berol.

23 τῶν add.

τάξεις (sic), μία μὲν τῶν παραλίων, ὧν προειστήκει Μεγακλῆς, ἑτέρα δὲ τῶν πεδιέων, ὧν προειστήκει Λυκούργος, τρίτη δὲ τῶν διακρίων, ὧν προειστήκει Πεισίστρατος.

αἰρούμενοι πολιτείας τρόπον ἐμποδῶν ἦσαν καὶ διεκώλων τοὺς ἐτέρους κρατῆσαι (*Moralia* 805 D τῶν Διακρίων...τῶν Πεδιέων ...τῶν Παραλίων, 763 D Παράλων, Ἐπακρίων, Πεδιέων). Πεδιείς is the form found in Diog. Laert. i 58, and Schol. on Arist. *Vesp.* 1223, a confused account (founded on this passage, see *Testimonia*), in which the τάξεις, as they are there called, are apparently regarded as the result of Solon's legislation. Suidas s. v. Πάραλοι mentions the Πεδιάσιοι and Διάκριοι.

On these three parties, cf. Schömann, *Ant.* p. 327 f, E. T.; Gilbert, i 157<sup>2</sup> f (= 142 E. T.); Duncker, 6, 447 f; Busolt, ii 302<sup>2</sup>.

διώκειν] *Pol.* 1279 a 16, ἐδίωκον τὰς ἀρχάς, 1284 a 19, (αἱ δημοκρατούμεναι πόλεις) δοκοῦσι διώκειν τὴν ἰσότητα. The metaphor is as old as Homer *Il.* xvii 75, ἀκίχτητα διώκειν. Cp. Thuc. ii 63, τιμὰς διώκειν.

τὴν μέσσην πολιτείαν] *Pol.* 1296 a 7, ὅτι δ' ἡ μέση (πολιτεία) βελτίστη, φανερόν· μὴ γὰρ ἀστασιώτατος.

For the form πεδιακῶν, cf. *Pol.* viii (v) 1305 a 21—24, πάντες δὲ τοῦτο ἔδρων ὑπὸ τοῦ δήμου πιστευθέντες, ἡ δὲ πίστις ἦν ἡ ἀπέχθεια ἢ πρὸς τοὺς πλουσίους, ὡς Ἀθηνησί τε Πεισίστρατος στασιάζας πρὸς τοὺς πεδιακοῦς.

δημοτικώτατος] 14 § 1; 16 § 8; 22 § 3.

§ 5. προσεκεκόσμητο] 'had joined their ranks'; the compound verb is not found elsewhere in this sense. κοσμεῖν in the sense of τάττειν is not a strictly Attic usage. Wyse conjectures that the word may be derived from some Ionic source. This conjecture is supported by Herodotus' use of ἐκεκοσμέατο (ix 31, ἐπὶ τάξεις πλεῦνας ἐκεκοσμέατο). The sentence from

this point down to προσῆκον is parenthetical.

οἳ τε—φόβον] The faction of Peisistratus was joined by those whom Solon's legislation had deprived of the debts due to them. The allegiance of these was prompted by their losses. Peisistratus was also joined by those who were not of pure descent. The latter were afraid of the oligarchical faction gaining the ascendancy and depriving them of the privileges of citizenship in consequence of their inferior birth. Landwehr, who doubts whether the parties really existed before the time of Solon (*Philol.* Suppl. v 155), suggests that οἳ ἀφηρημένοι τὰ χρέα are the capitalists belonging to the παράλιοι who had lost their money, whereas the πεδιακοὶ still had their land.

σημεῖον δ'—προσῆκον] The writer infers that the party of Peisistratus included persons of dubious origin from the fact that, after the rule of the Peisistratidae was brought to an end, there was a revision of the list of citizens. Cf. note on 8 § 1, ὅθεν ἐτι διαμένει.

While the text describes a revision of the list as following the fall of the tyrants, Aristotle, *Pol.* 1275 b 36 f, says of Cleisthenes μετὰ τὴν τῶν τυράννων ἐκβολήν, that he enrolled in the tribes many aliens. Beloch (i 334 n) regards this as a flat contradiction of the text. But it is better to suppose that the text refers to a date (509 or 508) shortly after the fall of the tyrants, and that this revision of the roll of citizens was due to the oligarchical party of Isagoras who, according to Hdt. v 73, expelled 700 families on the charge of sacrilege. This was followed by the democratic reforms



κατάλυσιν ἐποίησαν διαψηφισμόν, ὡς πολλῶν κοινωνούντων τῆς πολιτείας οὐ προσήκον. εἶχον δὲ ἕκαστοι τὰς ἐπωνυμίας ἀπὸ τῶν 25 τόπων ἐν οἷς ἐγεώργουν.

14. δημοτικώτατος δ' εἶναι δοκῶν ὁ Πεισίστρατος καὶ σφόδρ'

24 ΔΙΑΦΗΜΙΣΜΟΝ : διαψηφισμόν scripsi, idem scripserunt Kontos, Blass (edd.).

of his opponent Cleisthenes (cf. Wilamowitz, i 31 f). See, however, Busolt, ii 310 n 22.

διαψηφισμόν] The word occurs in Athenaeus, 218 A, διαψηφισμὸς ὁ γενόμενος κατὰ τῶν Ἑρασινίδην στρατηγῶν. The verb is used in c. 42 § 1, l. 4, διαψηφίζονται. The admission of citizens took place at the age of eighteen, when, if their title to citizenship was sufficiently proved, they were entered on the register called ληξιαρχικὸν γραμματεῖον and (probably two years afterwards) in the πίναξ ἐκκλησιαστικός. The lists of citizens were revised on special occasions, particularly when there was reason for suspecting that a number of persons had been improperly registered. The names were then read one by one from the register, and, as each was read, it was asked whether any objections were to be made to it. Such objections were discussed and evidence brought forward, so that the matter could not be despatched in one assembly, but required several meetings of the members of the deme (Dem. *Eubulides* § 9 seq.). If, finally, a vote was taken, and the result was unfavourable, the name was struck out (Schömann, *Ant.* 368 f, E. T.). See esp. Dem. *Eubul.* (an appeal against the vote of the δημόται, who had struck the speaker off their list) § 7, ἐν τοῖς δημοταῖς—τὴν διαψήφισιν γενέσθαι, § 15, περὶ πάντων τῶν δημοτῶν διαψηφισασθαι, § 62 τῆ προτέρα διαψηφίσει. Hitherto, the earliest known revision of the roll of citizens has been that in the archonship of Lysimachides B.C. 445/4 (Philochorus in Schol. on Ar. *Vesp.* 718; Plut. *Pericles* 37. Philippi, however, contends that the procedure of διαψήφισις was not resorted to on this occasion, *Bürgerrecht*, pp. 34—49). The next was in the archonship of Archias, 346 B.C. Cf. Harpocr. s. v. διαψήφισις: ἰδίως λέγεται ἐπὶ τῶν ἐν τοῖς δήμοις ἐξετασέων, αἱ γίνονται περὶ ἑκάστου τῶν δημοτεομένων, εἰ τῷ ὄντι πολίτης καὶ δημότης ἐστὶν ἢ παρεγγέγραπται ξένος ὢν. Διοχλῆνης κατὰ Τιμάρχου (§ 77, γεγόνασι διαψηφίσεις ἐν τοῖς δήμοις, καὶ ἕκαστος ἑμῶν ψήφον δέδωκε περὶ τοῦ σώματος, ὅστις Ἀθηναῖος ὄντως ἐστὶ καὶ ὅστις μὴ).

ἐντελέστατα δὲ διελκται περὶ τῶν διαψηφίσεων, ὡς γεγόνασιν ἐπὶ Ἀρχίῳ ἀρχόντος, Ἀνδροτίῳ ἐν τῇ Ἀτθίδι καὶ Φιλόχορος ἐν 5' τῆς Ἀτθίδος. Cf. Schol. Aeschin. i §§ 77, 114; Thumser, *Staatsalt.* p. 463, 3, and Meier and Schömann, p. 989 Lips.

εἶχον δ' ἕκαστοι—ἐγεώργουν] 'These parties derived their respective designations from the districts in which they held their lands,' the Plain, the Shore and the Mountain (or Highlands). The men of the *Mountain* led a hard life in the uplands of Parnes which afforded pasturage for sheep and goats, and were scantily supplied with the fruits of the field or of trees. (2) The men of the *Shore* enjoyed more abundant means of support in the building of boats, in ferrying and fishing, and in the manufacture of salt. (3) The men of the *Plain* formed the wealthiest class, with their groves of olives in the valley of the Cephissus and their fields of corn stretching inland from Eleusis. (Cf. Curtius, *H. G.*, i 311 E. T.) Grote, c. 11, ii p. 300 n, observes that Plutarch's description of the men of the Plain, as representing the oligarchical tendency, and the men of the Mountain, the democratical, is 'not quite accurate when applied to the days of Solon. Democratical pretensions, as such, can hardly be said to have existed.' Plutarch (or the authority he follows in c. 13) possibly makes these parties come into existence too early; elsewhere, c. 29, he places them after Solon's time, probably on the authority of the text, which distinctly describes the men of the Plain as oligarchical in spirit. The latter view is correct. Plutarch's premature introduction of these local divisions is due to his desire for greater vividness (cf. Wilamowitz, i 58 n. 28).

XIV § 1. εὐδοκιμηκῶς—πολέμῳ] Hdt. i 59, πρότερον εὐδοκιμήσας ἐν τῇ πρὸς Μεγαρέας γενομένη στρατηγίῃ, Νισαίων τε ἐλὼν καὶ ἄλλα ἀποδεξάμενος μεγάλη ἐργα. Plut., *Sol.* 8, mentions the long and distressing war with Megara for the possession of Salamis, and describes Peisistratus as taking the lead in supporting Solon in his endeavour to rouse the people to

εὐδοκιμηκῶς ἐν τῷ πρὸς Μεγαρέας πολέμῳ, κατατραυματίσας ἑαυτὸν συνέπεισε τὸν δῆμον, ὡς ὑπὸ τῶν ἀντιστασιωτῶν ταῦτα πεπονθῶς, φυλακὴν ἑαυτῷ δοῦναι τοῦ σώματος, Ἀριστίωνος ἡ γράψαντος τὴν γνώμην. λαβὼν δὲ τοὺς κορνηφόρους καλουμένους, ἐπαναστὰς μετὰ τούτων τῷ δῆμῳ κατέσχε τὴν ἀκρόπολιν ἔτει † δευτέρῳ † καὶ τριακοστῷ μετὰ τὴν τῶν νόμων θέσιν

**XIV 2** ηὐδοκιμηκῶς H-L adversante Kaibelio 154. **3** ὑπὸ K-W (K<sup>3</sup>, B, Th) : παρὰ K<sup>1</sup>. **4** ἑαυτῷ : αὐτῷ B<sup>4</sup>. Ἀριστῶνος Plutarchum secutus B<sup>4</sup>. **7** δευτέρῳ K, Th : δ' (= τετάρτῳ) K-W et Bauer (B<sup>1-3</sup>; δευτέρῳ obelo notavit B<sup>4</sup>).

fight once more for the recovery of the island. At the end of c. 9 he says of Solon, ἐνίκησε τοὺς Μεγαρέας. He implies that the war for the possession of Salamis was the origin of Solon's influence in Athens; if so, it can hardly be put later than 600 B.C. But Daimachus of Plataea (third century B.C., quoted in Plut. *Sol. et Popl. comp.* 4) denied that Solon acted as general in the war against Megara. That Peisistratus took any prominent part in a war as early as 600 B.C. is improbable, as he lived to 527 B.C. (Abbott, *H. G.*, i 400 n). Solon, who was some 30 years older than Peisistratus, took a leading part in the conquest of Salamis before he was archon, i.e. possibly about 600 B.C.; Peisistratus in the capture of Nisaea, probably about 570 B.C. (Busolt, i 521 n). Curtius (i 672, note 135) places the capture of Nisaea in 565, and Holm (i 481) shortly before the tyranny. In c. 17 we are told that the relative ages of Solon and Peisistratus make it impossible to accept the story that the latter was στρατηγός in the war with Megara for the possession of Salamis (the first Megarian war), in which Solon was concerned. Salamis and Nisaea were, however, recaptured by the Megarians (Plut. *Sol.* 12); and Peisistratus may have distinguished himself in a subsequent war with the Megarians for the recovery of the island.

**κατατραυματίσας** κτλ.] Hdt. i 59, τραυματίσας ἑαυτὸν τε καὶ ἡμόνους ἤλασε ἐς τὴν ἀγορὴν τὸ ζῆθος ὡς ἐκπεφευγὼς τοὺς ἐχθρούς, οἳ μιν ἐλαίονοντα ἐς ἀγρὸν ἠθέλησαν ἀπολέσαι δῆθεν, ἐδέετό τε τοῦ δήμου φυλακῆς τινὸς πρὸς αὐτοῦ κυρῆσαι... ὁ δὲ δῆμος ὁ τῶν Ἀθηναίων ἐξαπατηθεὶς, ἔδωκέ οἱ πῶν ἀστῶν καταλέξας ἄνδρας τούτους οἱ δορυφόροι μὲν οὐκ ἐγένοντο Πεισιστράτου κορνηφόροι δέ· ξύλων γὰρ κορῆνας ἔχοντες εἰποῦτο οἱ ὅπισθε· συνεπαναστάντες δὲ οὗτοι ἅμα Πεισιστράτῳ ἔσχον

τὴν ἀκρόπολιν. Plut. *Sol.* 30 § 1, κατατρώσας αὐτὸς ἑαυτὸν ὁ Πεισιστράτος. Polyæn. i 21 § 3 and Diogen. Laert. i 60 have κατατρώσας, or κατέτρωσεν, *ib.* § 66 ἑαυτῷ τραύματα ποιήσας. Diod. Sic. xiii 95 end, (of P.) ἑαυτὸν κατατραυματίσαντα προελθεῖν. κατατραυματίζω is also found in Hdt. vii 212, Polyb. xv 13 § 1, Dion. Halic. and Dio Cass.

**Ἀριστίωνος** κτλ.] Plut. *Sol.* 30 § 2, Ἀριστῶνος (*sic*) δὲ γράψαντος, ὅπως δοθῶσι πενήκοντα κορνηφόροι τῷ Πεισιστράτῳ φυλακὴ τοῦ σώματος. Beloch infers from the text that the decree was still in existence (i 328 n); but it seems better to assume, with Wilamowitz (i 14 n. 20), that the name had been handed down by tradition.

**κορνηφόρους**] Plat. *Rep.* 566 B, τὸ δὴ τυραννικὸν αἴτημα τὸ πολυθρόλητον... αἰτεῖν τὸν δῆμον φύλακας τινὰς τοῦ σώματος. Ar. *Rhet.* i 2, 19, Πεισιστράτος ἐπιβουλεύων ἤπει φυλακὴν καὶ λαβῶν ἐτυράννευσε. Pol. viii (v) 9, 1310 b 15, σχεδὸν γὰρ οἱ πλείστοι τῶν τυράννων γεγόνασιν ἐκ δημαγωγῶν ὡς εἰπεῖν, πιστευθέντες ἐκ τοῦ διαβάλλειν τοὺς γρωρῆμους, and *ib.* 30, οἷον... Πεισιστράτος Ἀθήνησι... ἐκ δημαγωγίας τύραννος κατέστη.

**κατέσχε τὴν ἀκρόπολιν**] Plut. *Sol.* 30 § 4, τὴν ἀκρόπολιν κατέσχε. Phaedrus i 2, 5, arcem tyrannus occupat Pisistratus. The political importance of the citadel in revolutions is exemplified in Juv. x 307 n, Lucan viii 490, Diod. Sic. xvi 70 § 4, Plut. *Timol.* 20 § 1 (Mayor).

**ἔτει—τριακοστῷ**] As Comeas was archon in 560 B.C., it would follow from the manuscript text that Solon was archon in 591. But, as Solon was more probably archon in 594, δευτέρῳ should be altered into τετάρτῳ, the former being possibly a corruption of δ̄. We thus get an interval of 33 years and keep the usual date for Solon's archonship (Bauer, p. 45 f). Cf. Wilamowitz, i 22.



2 ἐπὶ Κωμέου ἄρχοντος. λέγεται δὲ Σόλωνα, Πεισιστράτου τὴν φυλακὴν αἰτοῦντος, ἀντιλέξαι καὶ εἰπεῖν ὅτι τῶν μὲν εἶη σοφώτερος, τῶν δ' ἀνδρείοτερος· ὅσοι μὲν γὰρ ἀγνοοῦσι Πεισι- 10 στρατον ἐπιτιθέμενον τυραννίδι, σοφώτερος εἶναι τούτων, ὅσοι δ' εἰδότες κατασιωπῶσιν, ἀνδρείοτερος. ἐπεὶ δὲ λέγων [οὐκ ἔ]πειθεν, ἐξαράμενος τὰ ὄπλα πρὸ τῶν θυρῶν αὐτὸς μὲν ἔφη βεβοηθηκέναι τῇ πατρίδι καθ' ὅσον ἦν δυνατός (ἤδη γὰρ σφόδρα πρεσβύτης ἦν), 3 ἀξιοῦν δὲ καὶ τοὺς ἄλλους ταυτὸ τοῦτο ποιεῖν. Σόλων μὲν [οὖν 15

8 ΠΙΣΙΣΤΡΑΤΟΥ ut saepe: Πεισ. ubique K<sup>3</sup> etc. 12 ΚΑΤΑΣΙΩΠΩΝΤΕΣ: correxit K. οὐκ ἔπειθεν R D Hicks (edd.): [πράττει οὐ]θέν K<sup>1</sup>. 13 ΕΞΑΙΡΑΜΕΝΟΣ: ἐξαράμενος K (edd.).

TESTIMONIA. 8—15 Verbis fere isdem rem narrat Aelianus, *Var. Hist.* viii 16: ... (Σόλων) ἔφη ὅτι τῶν μὲν ἐστὶ σοφώτερος, τῶν δὲ ἀνδρείοτερος· ὅποσοι μὲν μὴ γινώσκουσιν ὅτι φυλακὴν λαβῶν περὶ τὸ σῶμα τύραννος ἐσται, ἀλλὰ τούτων μὲν ἐστὶ σοφώτερος· ὅποσοι δὲ γινώσκοντες ὑποσιωπῶσι, τούτων ἀνδρείοτερός ἐστιν. ὁ δὲ λαβῶν τὴν δύναμιν τύραννος ἦν. καθεζόμενος δὲ Σόλων πρὸ τῆς οἰκίας, τὴν ἀσπίδα καὶ τὸ δόρυ παραθέμενος ἔλεγεν ὅτι ἐξώπισται καὶ βοηθεῖ τῇ πατρίδι ἢ δύναται.

ἐπὶ Κωμέου] Plut. *Sol.* 32, ἐπεβίωσε δ' οὖν ὁ Σόλων ἀρξάμενον τοῦ Πεισιστράτου τυραννεῖν, ὡς μὲν Ἡρακλείδης ὁ Ποντικὸς ἱστορεῖ, συγχρὸν χρόνον, ὡς δὲ Φανίας ὁ Ἐρέσιος ἐλάττωνα δυοῖν ἐτῶν. ἐπὶ Κωμίου ἄρχοντος μὲν γὰρ ἤρξατο τυρανεῖν Πεισιστράτος, ἐφ' Ἡγεστράτου δὲ Σόλωνά φησιν ὁ Φανίας ἀποθανεῖν τοῦ μετὰ Κωμίαν ἄρξαντος. (Plutarch is possibly quoting from the work of Phantias, on τυράννων ἀναίρεσις ἐκτιμωρίας. Oncken, *Staatslehre*, ii 445 n.) As alternative forms of proper names in -έας or -ίας, we have *Λυσέας*, *Αἰσχρέας*, *Πατρέας* (Kaibel, 154).

The present treatise and the *Politics*, v 5, 23, agree in stating that Peisistratus lived for 33 years after usurping the government of Athens; the Peisistratidae ruled for 18 years (*Pol. l.c.*), and the interval between their expulsion and the battle of Marathon was 19 years (Thuc. vi 59). Thus the rule of Peisistratus began 70 years before B.C. 490, *i.e.* in 560. The year given by the Parian Marble (297 + 264/3 =) 561/0 (as well as by Jerome and the Armenian version of Eusebius) must be corrected to 560 (Clinton's *Fasti*, *sub anno*). While the rule of Peisistratus begins in 561 (or 560), the death of Hipparchus is placed in 518, and between these two dates *Pisistratus apud Athenienses tyrannidem exercuit* 542 or 541. This date can only refer to the battle of Pallene, c. 15 § 3 (Wilamowitz, i 24).

§ 2. εἰπεῖν ὅτι τῶν—ἀνδρείοτερος] Plut. *Sol.* 30, ὁρῶν δὲ τοὺς μὲν πένητας ὠρμημένους χαρίζεσθαι τῷ Πεισιστράτῳ καὶ θορυ-

βοῦντας, τοὺς δὲ πλουσίους ἀποδιδράσκοντας καὶ ἀποδειλιῶντας, ἀπῆλθεν εἰπών, ὅτι τῶν μὲν ἐστὶ σοφώτερος, τῶν δὲ ἀνδρείοτερος· σοφώτερος μὲν τῶν μὴ συνιέντων τὸ πραττόμενον, ἀνδρείοτερος δὲ τῶν συνιέντων μὲν, ἐναντιοῦσθαι δὲ τῇ τυραννίδι φοβουμένων. Cf. *Diog. Laert.* i 49—50, 65; *Aelian Var. Hist.* viii 16 (who tells the story in almost the same words as the text); and *Aristid.* i 765 *Dind.* The story is also told in *Diodorus*, ix 20, 1, *Plutarch Mor.* 7 § 5 B, and in *Valer. Max.* v 3 E 3, viii 9 E 1; see also *Wilamowitz*, i 262—6, and *Testimonia* in *Kenyon's Berlin ed.*

ἐξαράμενος τὰ ὄπλα] Plut. *Sol.* 30, οὐδενὸς δὲ προσέχοντος αὐτῷ διὰ τὸν φόβον ἀπῆλθεν εἰς τὴν οἰκίαν τὴν ἑαυτοῦ καὶ λαβῶν τὰ ὄπλα καὶ πρὸ τῶν θυρῶν θέμενος εἰς τὸν στενωπὸν, “ἐμοὶ μὲν” εἶπεν “ὡς δυνατὸν ἦν, βεβοήθηκα τῇ πατρίδι καὶ τοῖς νόμοις.” *Moralia* 794 E, ὁ δὲ Σόλων, τῆς Πεισιστράτου δημαγωγίας ὅτι τυραννικὸν ἦν μηχανήματα φανερῶς γενομένης, μηδενὸς ἀμύνεσθαι μηδὲ κωλύειν τολμῶντος, αὐτὸς ἐξευεγκάμενος τὰ ὄπλα καὶ πρὸ τῆς οἰκίας θέμενος, ἤξιο βοηθεῖν τοὺς πολίτας. *Diod. Sic.* ix 29 *Bekker*, οὐδενὸς δὲ αὐτῷ προσέχοντος ἀναλαβῶν τὴν πανοπλίαν προήλθεν εἰς τὴν ἀγορὰν γεγηρακῶς, καὶ τοὺς θεοὺς ἐπιμαρτυρόμενος ἔφησε καὶ λόγῳ καὶ ἔργῳ τῇ πατρίδι κινδυνουοῦσῃ βεβοηθηκέναι τὸ καθ' αὐτὸν μέρος. *Grote*, ii 352, says of this incident, as related by Plutarch: ‘As a last appeal, he put on his armour and *planted himself* in military posture before the door of his house.’ θέμενος, however, is not used absolutely, but must be construed with ὄπλα.

ο]ὐδὲν ἤνυσεν τότε παρακαλῶν· Πεισίστρατος δὲ λαβὼν τὴν ἀρχὴν διώκει τὰ κοινὰ πολιτικῶς μᾶλλον ἢ τυραννικῶς. οὐπω δὲ τῆς ἀρχῆς ἐρριζωμένης ὁμοφρονήσαντες οἱ περὶ τὸν Μεγακλέα καὶ τὸν Λυκούργου ἐξέβαλον αὐτὸν ἔκτω ἔτει μετὰ τὴν πρώτην

16 ἤνυσε H-L.

§ 3. πολιτικῶς μᾶλλον ἢ τυραννικῶς] Cf. *inf.* c. 16 § 8. Hdt. i 59, οὕτε τιμὰς τὰς ἐούσας συνταράξας οὕτε θέσμιμα μεταλλάξας, ἐπί τε τοῖσι κατεστειώσι ἔνεμε τὴν πῶλον κοσμέων καλῶς τε καὶ εὖ. Thuc. vi 54. For πολιτικῶς, cf. (with Mr Wyse) Isocr. iv 79, 151; ix 46, *Ep.* ii 3. This favourable opinion of the rule of Peisistratus is characteristic of the generation preceding that of Aristotle (Wilamowitz, i 120, 272).

οὐπω δὲ—ἐξέβαλον αὐτόν] Hdt. i 60, μετὰ δὲ οὐ πολλὸν χρόνον τῶντὸ φρονήσαντες οἱ τε τοῦ Μεγακλέος στασιώται καὶ οἱ τοῦ Λυκούργου, ἐξελαύνουσι μιν. οὕτω μὲν Πεισίστρατος ἔσχε τὸ πρῶτον Ἀθήνας, καὶ τὴν τυραννίδα οὕτω κάρτα ἐρριζωμένην ἔχων ἀπέβαλε.

ἔκτω ἔτει] The sixth year from 560/59 would be 555/4.

The following are the notes of time given in the manuscript text for the chronology of Peisistratus:

14 § 1. Beginning of rule. ἐπὶ Κωμέου.

14 § 3. First exile. ἔκτω ἔτει.

14 § 4. First return. ἔτει δωδεκάτῳ μετὰ ταῦτα.

15 § 1. Second exile. ἔτει μάλιστα ἐβδόμῳ.

15 § 2. Second return. ἐνδεκάτῳ... ἔτει.

17 § 1. Total duration of rule. (ἔτη) ἐνὸς δέοντα εἰκοσι.

ib. Death, 33 years from beginning of rule. ἐπὶ Φιλονέω ἀρχοντος... ἔτη τριᾶκοντα καὶ τρία.

The above data alone account for a total of at least (5+11+6+10=) 32 years; and, as Peisistratus lived for 33 years after usurping the government, they leave only one year for the third period of rule. But c. 17 § 1 tells us that he ruled for 19 years in all; if so, his third period of rule must have lasted (19-5-6=) 8 years. On the other hand, the passage in *Pol.* v 9 § 23, p. 1315 b 32, gives 17 years for the total duration of his rule, thus leaving 6 years for the third period. The chronology has been much discussed both before and after the discovery of this treatise. The following table gives a conspectus of some of the arrangements proposed. As typical in-

stances, before the discovery of this treatise, I have selected Clinton (*Fasti*, vol. ii, Appendix 11) and Busolt (i 551<sup>1</sup>, cf. ii 317<sup>2</sup> n. 4). To these I have added the years as arranged by Bauer (*Forschungen zu Ar.* 'Ath. pol.'), and Poland (in the notes to his German transl.). Thus far the chronology proposed accords, in the total number of years of rule and exile, with the data in the *Politics*. The other two estimates, those of Mr Kenyon and M. Th. Reinach, adhere more closely to the data of the present treatise.

	Clinton	Busolt	Bauer	Poland	Kenyon	Reinach
1st τυραννίς .....	6	5	5	5	5	5
1st exile .....	6	5	6	6	4	3
2nd τυραννίς .....	1	1	1	6	6	6
2nd exile .....	10	11	10	10	10	10
3rd τυραννίς .....	10	11	11	6	8	c. 9
years of τυραννίς	17	17	17	17	19	c. 20
years of exile ...	16	16	16	16	14	c. 13

It will be observed that there is a general consensus as to the duration of the first τυραννίς and the second exile. The greatest discrepancies are in the duration of the second and third τυραννίς. In the first exile, Bauer and Poland assume that ἔτει δωδεκάτῳ (14 § 4) is reckoned from the beginning of the usurpation and that μετὰ ταῦτα is to be either omitted or altered into μετὰ ταύτην; while Mr Kenyon and M. Reinach alter δωδεκάτῳ into τετάρτῳ. In the second τυραννίς, Bauer alters ἔτει... ἐβδόμῳ (15 § 1) into μηνι... ἐβδόμῳ. For the length of the third τυραννίς we have no data except those gained by subtracting the two earlier periods of rule from the total duration of actual rule. Of the above arrangements, Mr Kenyon's alone strictly adheres to the total of 19 years. The 19 years of this treatise do not seem to admit of being reconciled with the 17



4 κατάστασιν ἐφ' Ἑγησίου ἄρχοντος. ἔπει δὲ †δωδεκάτω† μετὰ 20 ταῦτα περιελαυνόμενος ὁ Μεγακλῆς τῇ στάσει, πάλιν ἐπικηρυκευσάμενος πρὸς τὸν Πεισίστρατον ἐφ' ᾧ τε τὴν θυγατέρα αὐτοῦ λήψεται, κατήγαγεν αὐτὸν ἀρχαίως καὶ λίαν ἀπλῶς. προδιασπείρας γὰρ λόγον ὡς τῆς Ἀθηνᾶς καταγούσης Πεισίστρατον, καὶ γυναῖκα μεγάλην καὶ καλὴν ἐξευρών, ὡς μὲν Ἡρόδοτός φησιν, 25 ἐκ τοῦ δήμου τῶν Παιανιέων, ὡς δ' ἔνιοι λέγουσιν ἐκ τοῦ Κολλυτοῦ στεφανόπωλιν Θραῦτταν, ἣ ὄνομα Φύη, τὴν θεὸν ἀπομιμησάμενος τῷ κόσμῳ συνεισήγαγεν μετ' αὐτοῦ· καὶ ὁ μὲν Πεισίστρατος

20 δωδεκάτω (K, H-L, K<sup>3</sup>, B<sup>1-3</sup>, Th): τετάρτω E S Thompson, Poste (K-W<sup>1</sup>); πέμπτῳ? <sup>ws</sup>

K-W<sup>2,3</sup>; ἐνδεκάτω B<sup>4</sup>. 21 ταῦτα: ταύτην Bauer (B<sup>4</sup>). 23 ἀρχαίως, ἀρχαϊκῶς (K, H-L, olim B, S<sup>1</sup>), cf. *Met.* 1089 a 2 Bonitz ἀρχαϊκῶς ἀπορήσαι: ἀρχαίως K-W, B<sup>4</sup>, K<sup>4</sup>, Th, cf. *Pol.* 1330 b 33 λίαν ἀρχαίως ὑπολαμβάνουσι. 25 [[καὶ] γυναῖκα K-W<sup>2</sup>, cf. Kaibel, 155: γυναῖκα καὶ ob numeros B<sup>2-4</sup>. ΦΗ(CIN). 26 Παιανιῶν H-L. ΚΟΛΥΤΟΥ, etiam altera τ, et fortasse altera λ, suprascripta. 27 ὄνομα <ἦν> Papageorg. coll. c. 17 § 4. 28 συν(per comp.)εἰσήγαγεν (H-L, B, K<sup>3</sup>, K-W<sup>3</sup>, Th) potius quam κατήγαγεν (K<sup>1</sup>, K-W<sup>1</sup>); εἰσήγαγεν Richards; συγκατήγαγεν? Kaibel 155.

TESTIMONIA. 23 *Plut. Sol.* 3 § 5 (de alia re) ἀπλοῦς ἐστὶ λίαν καὶ ἀρχαίως, unde apparet hanc narrationem Plutarcho fuisse notam.

years of the *Politics*. It is suggested by Bauer that the difference may be obtained by supposing that the fractions of the years in the three periods of rule were excluded in one reckoning and included in the other. This would imply that each of the three periods of rule, as estimated in the present treatise, extended to an average of two-thirds of a year beyond the duration stated in the *Politics*. This is possible, but not probable. It may be added that the genuineness of the passage in the *Politics* is not certain. Susemihl, in his 2nd and 3rd editions, brackets the whole of the paragraph in which it occurs; and, even if both passages are equally due to Aristotle, the present treatise may possibly represent his latest views.

§ 4. ἔπει δωδεκάτω μετὰ ταῦτα] This would naturally mean 'eleven years after the first exile.' But the sum of the two periods of exile was (according to 17 § 1) 33—19, or 14 years; and the second exile lasted 10 years (15 § 2), leaving only four years for the first exile. Such a number of years may perhaps be obtained by altering δωδεκάτω into τετάρτω (see *N. C.*), and by assuming that the symbol δ̄ followed by the erroneous explanation δεκάτω led to the reading δωδεκάτω. Another alternative (adopted in Kaibel and Kiessling's transl.) is to count

the eleven years from the beginning of the rule of Peisistratus. This involves either omitting μετὰ ταῦτα or altering it into μετὰ ταύτην (τὴν πρώτην κατάστασιν). See Bauer, p. 50 f.

περιελαυνόμενος—τῇ στάσει κτλ.] Hdt. i 60, περιελαυνόμενος δὲ τῇ στάσει ὁ Μεγακλῆς ἐπικηρυκεύετο Πεισιστράτῳ, εἰ βούλοιτό οἱ τὴν θυγατέρα ἔχειν γυναῖκα ἐπὶ τῇ τυραννίδι, where Stein interprets στάσει as referring to the partisans of Megacles; but, in the present text, στάσει more naturally refers to the opposing faction of Lycurgus.

θυγατέρα] Κοισύραν, Schol. Arist. *Nub.* 49, 800, and Ξυδάς, s. v., a statement doubted by Töppfer, *Att. geneal.* 243, and rejected by Wilamowitz, i 111 n. 20.

ἀπλῶς] Hdt. i 60 calls it a πρῆγμα εὐθέστατον.

Ἡρόδοτος] i 60 ad fin., ἐν τῷ δήμῳ τῷ Παιανίῳ. This is the only passage in which any writer of prose is named in this treatise. The only poet quoted by name is Solon.

ἔνιοι] partly refers to some unknown Atthidographer other than Kleidemus (Athen. 609 c, cf. Wilamowitz i 29 n).

Κολλυτοῦ] Wachsmuth, *Stadt Athen*, ii 262 f.

ἡ ὄνομα Φύη] Hdt. i 60, τῇ ὄνομα ἦν Φύη. The Schol. on Arist. *Eg.* 449 calls her Μυρρίνη.

ἐφ' ἄρματος εἰσήλαυνε παραιβατούσης τῆς γυναικός, οἱ δ' ἐν τῷ  
30 ἄστει προσκνυόντες ἐδέχοντο θαυμάζοντες.

15. ἡ μὲν οὖν πρώτη κάθοδος ἐγένετο τοιαύτη. μετὰ δὲ  
ταῦτα ὡς ἐξέπεσε τὸ δεύτερον, ἔτει μάλιστα ἐβδόμῳ μετὰ τὴν  
κάθοδον, (οὐ γὰρ πολλὸν χρόνον κατεῖχεν, ἀλλὰ διὰ τὸ μὴ  
βούλεσθαι τῇ τοῦ Μεγακλέους θυγατρὶ συγγίγνεσθαι φοβηθεὶς ἀμ-  
5 φοτέρας τὰς στάσεις ὑπεξήλθεν), καὶ πρῶτον μὲν συνώκισε περὶ 2  
τὸν Θερμαῖον κόλπον χωρίον ὃ καλεῖται 'Ραίκελος, ἐκεῖθεν δὲ

30 προσκνυόντες delet Gennadios τοῦ θαυμάζοντες interpretamentum arbitratus. θαυμάζοντες delet Richards (H-L), defendit Gennadios coll. Xen. *Hell.* i 6, 11; defendit etiam Kaibel 155. <καὶ> θαυμάζοντες F Richards.

XV 2 ΤΑΥΤΑΩΣΕΖ (κ, β, Th): ταῦτ' ἐξέπεσε κ-ω (Kaibel 155-6). ταῦτ' αὐθις ἐξέπεσε Gennadios (H-L). ἐβδόμῳ: τρίτῳ conl. κ-ω<sup>1</sup>; ἐτέρῳ? Bauer; δευτέρῳ von Schöffner.

μετὰ τὴν κάθοδον delent Cichorius et Bury (*Cl. Rev.* 1895, 106 f): μετὰ τὸ πρῶτον e coniectura β<sup>4</sup>, coll. § 2 <μετὰ> τὸ πρῶτον.

3 ΚΑΤΕΙΧΕΝ (κ<sup>1</sup>, κ<sup>4</sup>, Th): κατεῖχεν Wyse (κ-ω<sup>1</sup>, H-L, κ<sup>3</sup>); διακάτεσχεν β, repugnante Kaibelio 156. versus prioris in fine non Δ' sed signum ad spatium vacuum explendum scriptum esse testatur κ<sup>4</sup>.

4 ΣΥΓΓΙΝ (κ-ω). 5 καὶ delet Kontos; καὶ πρῶτον μὲν delet β<sup>4</sup>. συνώκισε: ᾤκισε conl. Gennadios, Hude (H-L, β), sed Heracl. exc. Τενεθίων

Ι Λ

confert Th.

6 ΡΑΚΗΔΟΣ.

[παραιβατούσης] A noteworthy Ionism, but not derived from the account in Hdt. The same word is used as a reference to the same incident in Cleidemus, *ap.* Athenaeum, 609 c, στεφανώπις δὲ ἦν, καὶ αὐτὴν ἐξέδωκε πρὸς γάμου κοινωσίαν ὁ Πεισίστρατος Ἰππάρχῳ τῷ υἱῷ, ὡς Κλειδῆμος ἱστορεῖ ἐν ὀγδόῳ νόστων· “ἐξέδωκε δὲ καὶ Ἰππάρχῳ τῷ υἱεὶ τὴν παραιβατήσασαν αὐτῷ γυναῖκα Φύην, τὴν Σωκράτους θυγατέρα” (Müller, FHG i 364). Cf. Kaibel, 45. Cleidemus, who wrote an Ἀθῆναι (Athen. 235 A), has been identified with Cleitodemus, mentioned by Pausanias (x 15, 5) as the most ancient writer of Athenian history. Plutarch (*Arist.* 19) refers to his account of the battle of Plataea; so that his date is after 479 B.C.

The story is also told in Polyæn. i 21, 1; Val. Max. i 3, 3; Hermogenes *de Invent.* ii 185, 21 Spengel, with Schol.; and Phylarchus *ap.* Athen. 609 c (Mayor).

[θαυμάζοντες] this touch is not included in the description in Hdt. i 60, but it may be defended by Hdt. iii 82 (Kaibel, 155).

XV § 1. ἔτει μάλιστα ἐβδόμῳ] It has been urged by Bauer (p. 51) and Rühl (*Rhein. Mus.* 1891, p. 442), that it is improbable that Megacles waited so long as six years to avenge the neglect of his daughter by her husband, Peisistratus; and the text implies that the duration of the second τυραννίς was short. Bauer accordingly

suggests that ἔτει should be altered into μηνί (a suggestion since withdrawn in his *Chronologie*, p. 7) and for similar reasons κ-ω alter ἐβδόμῳ into τρίτῳ. On the other hand it is suggested by Gomperz (p. 23 n) that the compact between Megacles and Peisistratus was made before the daughter of the former had attained a marriageable age.

[κατεῖχεν] the only passage in which the word is used without an object. See Index.

[τῇ τοῦ Μεγακλέους θυγατρὶ] Hdt. i 61, οἶα δὲ παίδων τέ οἱ ὑπαρχόντων νενητιῶν καὶ λεγομένων ἐναγέων εἶναι τῶν Ἀλκμειωνιδέων, οὐ βουλομένους οἱ γενέσθαι ἐκ τῆς νεογάμου γυναικὸς τέκνα ἐμισγεῖσθαι οἱ οὐ κατὰ νόμον.

[ἀμφοτέρας τὰς στάσεις] the party of Lycurgus and the party of Megacles who had become reconciled to the opposing party, Hdt. i 61, καταλλάσσετε τὴν ἐχθρὴν τοῖσι στασιώτησι.

[ὑπεξήλθεν] Hdt. i 61, ἀπαλλάσσετε ἐκ τῆς χώρας τὸ παράπαν, ἀπικόμενος δὲ ἐς Ἐρέτριαν ἐβουλεύετο ἅμα τοῖς παῖσι. Herodotus mentions the help offered by the Thebans and Argives, and by Lygdamis of Naxos, and then continues: ἐξ Ἐρετρίας δὲ ὀρηθηθέντες διὰ ἑνδεκάτου ἔτεος ἀπικόνο ὅπισσω. Eretria alone is there mentioned in connexion with this period of exile. Cf. Wilamowitz, i 30.

§ 2. Ῥαίκελος] The Schol. on Lycophon, 1236, states that this was the old



παρήλθεν εἰς τοὺς περὶ Πάγγαιον τόπους, ὅθεν χρηματισάμενος καὶ στρατιώτας μισθωσάμενος, ἔλθων εἰς Ἐρέτριαν ἐνδεκάτω πάλιν ἔτει τό(τε) πρῶτον ἀνασφάσθαι βία τὴν ἀρχὴν ἐπεχείρει, συμπροθυμουμένων αὐτῷ πολλῶν μὲν καὶ ἄλλων, <sup>10</sup> μάλιστα δὲ Θηβαίων καὶ Λυγδάμιος τοῦ Ναξίου, ἔτι δὲ τῶν

9 τό<τε> B<sup>2</sup> (κ-w, H-L, K<sup>3</sup>, Th): <μετὰ τὸ> (=μ' τὸ) Keil, Radinger, Cichorius (B<sup>4</sup>). ἀνασφάσθαι (K<sup>1</sup>, B, Th), ἀνασφάσθαι K<sup>3</sup>, K<sup>4</sup> (cf. Meisterhans, p. 179 n. 26<sup>3</sup>): ἀνασφάσθαι? ἀνακτῆσθαι Herwerden (κ-w), sed ω certum putat K.

name of Αἶνος in Macedonia. It is identical with the Αἶνεια of Hdt. vii 123, and is situated to the S. of the promontory at the extreme west of Chalcidice, opposite the mouth of the Axios and Ludias. (There was another Αἶνος in Thrace, near the mouth of the Hebrus.)

τοὺς περὶ Πάγγαιον τόπους] the region near the mouth of the Strymon. Though Herodotus says nothing of this region in connexion with the second exile of Peisistratus, the account in the text is illustrated by the passage in which the historian says of the tyrant on his final restoration: (i 64) ἐρρίξωσε τὴν τυραννίδα ἐπικούροισι τε πολλοῖσι, καὶ χρημάτων συνδόσι, τῶν μὲν αὐτῶν, τῶν δὲ ἀπὸ Στρυμόνος ποταμοῦ συνιώντων. Here τῶν μὲν and τῶν δὲ naturally refer to χρημάτων alone, and συνιώντων in the second clause echoes συνδόσι (=προσδόσι) in the first. We may therefore agree with Thirlwall (ii p. 61), as against Grote (iii 92 n), who refers τῶν μὲν to χρημάτων and τῶν δὲ to ἐπικούροισι. Thirlwall had said of Peisistratus that he 'possessed lands on the Strymon in Thrace, which yielded him a large revenue.' Grote thought this improbable, adding: 'If Peisistratus had established any settlement at the mouth of the Strymon, we must surely have heard something of it afterwards.' The text does not indeed tell us that Peisistratus made an actual settlement near that river, but it supplies us with exactly the kind of evidence which would have removed Grote's hesitation in accepting Thirlwall's inference from the account in Herodotus. The text tells us more than the historian. It informs us definitely that Peisistratus visited the region near the mouth of the Strymon, and thence drew his supplies of men, as well as of money.

It is interesting to notice these details respecting Rhaecelus and the country around Mount Pangaeus. The Pangaeus Mount is plainly visible across the gulf of the Strymon from the neighbourhood of

Stageira; and the bold promontory, north of Rhaecelus, is in full view across the plains that extend to the mouth of the Ludias from the Macedonian capital at Pella. These topographical considerations may serve to support the ascription of the treatise to the authorship of Aristotle, who spent the first seventeen years of his life, and seven years besides, at his native town of Stageira. In the *Historia Animalium*, pp. 592a7, 597a10, Aristotle makes special mention of the eels and the pelicans of the Strymon.

πάλιν] confirms the account of Hdt., implying that Peisistratus had in the first instance retired to Eretria, though we are not expressly told so in the text.

ἀνασφάσθαι...τὴν ἀρχὴν] Hdt. i 61, ἀνακτῆσθαι ὀπίσω τὴν τυραννίδα, and, i 73, ἀναλαβεῖν and ἀνακτῆσθαι τὴν ἀρχὴν; but, in the same chapter, we find ἀνασφάσθαι τὴν ἀρχὴν. Hence the author has changed one Herodotean phrase into another (Kaibel, 156).

Θηβαίων] Hdt. i 61, πολλῶν δὲ μεγάλα παρασχόντων χρήματα, Θηβαῖοι ὑπερεβάλλοντο τῇ ὀδοῖ τῶν χρημάτων.

Λυγδάμιος] Hdt. *l.c.*, καὶ γὰρ Ἀργεῖοι μισθωτοὶ ἀπίκοντο ἐκ Πελοποννήσου, καὶ Νάξιός σφι ἀνὴρ ἀπικόμενος ἐβελοντῆς, τῷ ὄνομα ἦν Λύγδης. Ar. *Pol.* viii (v) 5, 1305 a 42, ὅταν ἐξ αὐτῆς συμβῆ τῆς ὀλιγαρχίας γίνεσθαι τὸν ἡγεμόνα, καθάπερ ἐν Νάξῳ Λύγδαμος, ὃς καὶ ἐτυράνησεν ὕστερον τῶν Νάξων. The story of the way in which Lygdamis became tyrant of Naxos is quoted in Athen. viii 348, from 'Aristotle ἐν τῇ Νάξιῳ πολιτείᾳ.' In consequence of the wrongs done by some Naxian youths to the wealthy and popular Telestagoras and his two daughters, ἀγανακτῆσαντες οἱ Νάξιοι καὶ τὰ ὅπλα ἀναλαβόντες ἐπήλθον τοῖς νεανίσκοις· καὶ μεγίστη τότε στάσις ἐγένετο, προστατούντος τῶν Νάξιων Λυγδάμδος, ὃς ἀπὸ ταύτης τῆς στρατηγίας τύραννος ἀνεφάνη τῆς πατρίδος. (Frag. 558 Rose<sup>3</sup>.)

ἰππέων τῶν ἐχόντων ἐν Ἐρετρίᾳ τὴν πολιτείαν. || νικήσας δὲ τὴν 3  
ἐπὶ Παλληνίδι μάχην καὶ λαβὼν τὴν πόλιν καὶ παρελόμενος [C  
τοῦ δήμου τὰ ὄπλα, κατεῖχεν ἤδη τὴν τυραννίδα βεβαίως· καὶ  
15 Νάξον ἐλὼν ἄρχοντα κατέστησε Λύγδαμιν. παρείλετο δὲ τοῦ 4  
δήμου τὰ ὄπλα τόνδε τὸν τρόπον. ἐξοπλασίαν ἐν τῷ Θησειῷ

13 ἀναλαβῶν? Richards. τὴν [π]όλιν Wilcken, κ-w<sup>3</sup>, β, κ<sup>4</sup>: [τὴν ἀρχήν] κ<sup>1</sup>, s<sup>1</sup> etc. 14 καὶ Νάξον ἐλὼν κ<sup>3</sup>, β, Th: καὶ γὰρ Ν. ἐλὼν κ-w, Kaibel 156: καὶ εἰς Ν. ἐλθὼν κ<sup>1</sup> (H-L). καὶ Νάξον—Λύγδαμιν ab hoc loco aliena esse dicunt κ-w. 15 παρείλε (β<sup>2</sup>, Th), παρείλε κ<sup>1</sup>: παρείλε <το> Rutherford, κ-w, H-L, κ<sup>3</sup>, s<sup>1</sup>, β<sup>4</sup> appendix, κ<sup>4</sup>. 16 ΕΞΟΠΛΑΣΙΑΝ retinuerunt Kontos, κ-w, β (κ<sup>4</sup>), titulus nonnullis freti (Dittenberger 210, 10, titulo Iliensi post Alexandri mortem scripto, τῶν ἐξοπλασιῶν, et 522, 39<sup>2</sup>, lapide in insula Ceo invento, ἐν τῇ ἐξοπλασίᾳ ἐξετάξω; eadem scriptura etiam in Diodori Siculi codicibus servata est): ἐξοπλασίαν κ<sup>1</sup>, H-L, κ<sup>3</sup>, s<sup>1</sup>. ΘΗΣΕΙΩΙ in papyro vidit κ (β, κ-w<sup>3</sup>): ἀ|ΝΑΚΕΙΩΙ ex Polyaeo sumpserat κ<sup>1</sup> (κ-w<sup>1,2</sup>, H-L).

TESTIMONIA. 12—13 \*Schol. Arist. *Ach.* 234 Παλλήναδε: οἱ Παλληνεῖς δῆμὸς ἐστὶ τῆς Ἀττικῆς, ἔνθα Πεισιστράτῳ βουλομένῳ τυραννεῖν καὶ Ἀθηναίοις ἀμνημονεύουσιν αὐτὸν συνέστη πόλεμος...ἐμνηθται δὲ τούτου καὶ Ἀνδροτίων καὶ Ἄρ. ἐν Ἀθ. πολ. (Rose, *Frag.* 355<sup>2</sup>, 393<sup>3</sup>).

τῶν ἰππέων—πολιτείαν] ‘the Knights who held the supreme power in the constitution of Eretria’ (K.). πολιτεία is here *ius civitatis, potestas in civitate*, often used in the *Politics* in the phrase μετέχειν τῆς πολιτείας (*Index Ar. s.v.* 3). Eretria was under the rule of an oligarchy of Knights, which was overthrown by one Diagoras, probably not long before the Persian wars, *Pol.* viii (v) 6, 1306 a 35, τὴν ἐν Ἐρετρίᾳ δ’ ὀλιγαρχίαν τὴν τῶν ἰππέων Διαγόρας κατέλυσε ἀδικηθεὶς περὶ γάμων, and vi (iv) 3, 1289 b 36, ἐπὶ τῶν ἀρχαίων χρόνων ὅσαι πόλεις ἐν τοῖς ἰπποῖς ἢ δύναμις ἦν, ὀλιγαρχία παρὰ τοῖς ἦσαν· ἐχρῶντο δὲ πρὸς τοὺς πολεμίους ἰπποῖς πρὸς τοὺς ἀστυγέτονας, οὐκ Ἐρετριεῖς καὶ Χαλκιδεῖς κτλ. An inscription preserved in the temple of Artemis, about a mile from the city, recorded that the Eretrians used to march to that temple with 3000 hoplites, 600 horsemen, and 60 chariots (Strabo, p. 448). Cf. Gilbert, *Gr. St.*, ii 67 n.

§ 3. ἐπὶ Παλληνίδι] On the way from Marathon to Athens. Hdt. i 62, ἐπὶ Παλληνίδος Ἀθηναίης ἱρὸν. Παλληνίς was also the name of the temple, CIA vol. i 224, Ἀθηναίαις ἐν Παλληνίδι, Athen. 234 F, 235 A, ἐν Παλληνίδι (Kaibel, 156). The deme Pallene lay near Gargettos, between Pentelicus and the northern spurs of Hymettus. It has been proposed to place it S.E. of Hymettus, near *Koropi* (*Ath. Mittheilungen*, xvi 200—234); but this appears to have been the site of Sphettos, and the proposed identification does not suit the data in Hdt.; while the

name of Pallene survives in *Ballána* between *Kantzā* and *Hieraka* (Milchhöfer in *Berl. Phil. Wochenschr.*, 1892, no. 1 and 2). Cf. Arist. *Ach.* 233, βλέπων Βαλλήναδε. In the Austrian map the name *Balánas* is given to a stream which rises near *Kantzā* and falls into the sea at Araphen, after flowing in a direction parallel to the route by which Peisistratus marched to Athens round the S. of Pentelicus.

Νάξον—Λύγδαμιν] Hdt. i 64, καὶ γὰρ ταύτην ὁ Πεισιστράτος κατεστρέψατο πολέμῳ καὶ ἐπέτρεψε Λύγδαμιν. Schol. Aristoph. *Vesp.* 355, Νάξος ἐάλω ἐπὶ Πεισιστράτου.

As Polycrates came to the end of his rule of 16 years in B.C. 521, having been aided in its establishment by Lygdamis, it follows that Lygdamis was in power at Naxos in 537 (Duncker, *G. d. A.* v 465 and 512). As Peisistratus, who restored Lygdamis, died in 527, it would follow that the third τυραννίς probably lasted 10 or 11 years. The only alternative is to suppose that Lygdamis aided Polycrates before he himself needed the aid of Peisistratus.

§ 4. παρείλετο—τὰ ὄπλα] characteristic of a τυραννίς. *Pol.* viii (v) 10, 1311 a 12, τὸ τῷ πλήθει μηδὲν πιστεύειν (διὰ καὶ τὴν παραίρεσιν ποιοῦνται τῶν ὄπλων).

ἐξοπλασίαν] Cf. Xen. *Anab.* i 7 § 10, ἐν τῇ ἐξοπλασίᾳ, of an armed mustering of troops in preparation for a battle, the only passage in which the word is used by Xenophon. *Cyrop.* viii 5 § 9 ἐξοπλισίαι, and Polyaeus, v 47 (of Panaetius of



ποιησάμενος ἐκκλησιάζειν ἐπεχείρει, καὶ [χρόνον μὲν ἡκκλησί]ασεν μικρόν· οὐ φασκόντων δὲ κατακούειν, ἐκέλευσεν αὐτοὺς προσαναβῆναι πρὸς τὸ πρόπυλον τῆς ἀκροπόλεως, ἵνα γεγωνῆ μᾶλλον.

17 καὶ [χρόνον μὲν ἡκκλησί]ασεν Th; [φωνῆ δ' ἐξεκκλησί]ασεν K<sup>1</sup>; ...ασεν B; [φθέγγεσθαι δ' ἐσπούδ]ασεν K-W; ... δ' ἐστειγεν Wilcken (K-W<sup>3</sup>); ἐπιτηδὲς δ' ἐφώνησεν Tyrrell et Gertz (H-L in textu); [τῆς δὲ φωνῆς ἐχάλλ]ασεν Kontos (H-L in praefatione, K<sup>3</sup>, s<sup>1</sup>, coll. Lucian. *Bis Accus.* 21, et Aelian. *Hist. Anim.* xii 46); [χρόνον προσηγό]ρευεν, 'lectio valde incerta; litt. ultimae possunt etiam ασεν esse' K<sup>4</sup>. 18 διακούειν Wilcken (K-W<sup>3</sup>).

Leontini, Freeman's *Sicily*, ii 57) πρὸ τῶν πυλῶν ἐξόπλιων ποιήσας. ἐξοπλίεσθαι occurs in *Anab.* i 8 § 3, ii i § 2, iv 6 § 7, v 9 § 11, ἐξοπλισμένος iii i § 28, iv 3 § 3. Diodorus xix 3 ἐν ταῖς ἐξοπλισίαις φέρειν πανοπλίαν.

The story is told as follows in Polyaeus i 21 § 2, Πεισίστρατος Ἀθηναίων τὰ ὄπλα βουλόμενος παρελθεῖν, παρήγγειλεν ἡκεῖν ἅπαντας εἰς τὸ Ἀνάκειον μετὰ τῶν ὄπλων. οἱ μὲν ἦγον· ὁ δὲ προῆλθε βουλόμενος δημηγορήσασθαι, καὶ σμικρᾶ τῆ φωνῆ λέγειν ἤρχετο. οἱ δὲ ἐξακούειν μὴ δυνάμενοι, προελθεῖν αὐτὸν ἤξισαν εἰς τὸ προπύλιον, ἵνα πάντες ἀκούσειαν. ἐπεὶ δὲ ὁ μὲν ἡσυχῆ διελέγετο, οἱ δ' ἐντέιναντες τὰς ἀκοὰς προσεῖχον, οἱ ἐπικούροι προελθόντες ἀράμενοι τὰ ὄπλα κατήγγεκαν εἰς τὸ ἱερὸν τὸ Ἀγραυλίου. Ἀθηναῖοι δὲ γυμνοὶ καταλειφθέντες, τότε ἤσθοντο τῆς Πεισιστράτου βραχυφωνίας, ὅτι ἄρα ἦν τέχνασμα κατὰ τῶν ὄπλων.

The Ἀνάκειον, or temple of the *Dioscuri* or Ἄνακες (Plut. *Thes.* 33, Cic. *Nat. Deor.* iii 53), mentioned by Polyaeus, stood S.E. of the market of the Ceramicus (Curtius, *Text der Sieben Karten*, p. 53; *Stadtgeschichte von Athen*, pp. XLVI and 82). It was probably some way up the northern slope of the Acropolis. Lucian, *Piscator*, 42, humorously describes the philosophers 'planting their ladders against the Ἀνάκειον, and swarming up' the Acropolis. Andocides, *De Myst.* i 45, mentions a cavalry muster at the Ἀνάκειον, and Thucydides, viii 93, says that the hoplites who had destroyed the fort of Eetioneia ἔθεντο ἐν τῷ Ἀνακείῳ τὰ ὄπλα (Miss Harrison, *Mythology etc. of Athens*, 152).

The precinct of Agraulos, also mentioned by Polyaeus, may be placed below the ancient stone staircase in the N. cliff of the Acropolis, some 60 yards W. of the N. Porch of the Erechtheum. (Cf. Curtius, *Stadtgeschichte*, pp. XLIV, 37.)

The Θησεῖον is mentioned in the text. Its position is approximately determined

by the description of Pausanias. After leaving the Gymnasium and the Θησεῖον, which are near one another and 'not far from the Agora,' he passes from the Θησεῖον to the Ἀνάκειον, and adds that above the latter is the precinct of Agraulos (i 17 § 2, 18 §§ 1, 2). The precinct of the Θησεῖον was used as a place for the mustering and bivouacking of troops:—Thuc. vi 61, 2, κατέδαρθον ἐν Θησείῳ τῷ ἐν πόλει ἐν ὄπλοις. It was probably E. of the Agora and is not to be confounded with the building on the 'hill of Colonus' within the walls, popularly called the 'Theseum,' but now generally identified as the temple of Hephaestus (Miss Harrison, *l. c.* 145, also 118). According to Polyaeus, the weapons are at first left in the Ἀνάκειον (or its precinct) and transferred to the Ἀγραυλίῳ. According to the text, they are left in the Θησεῖον (or its precinct) and are then locked up εἰς τὰ πλῆστον οἰκήματα τοῦ Θησεῖον, not 'the buildings near the Theseum,' as we might have expected, but 'the neighbouring buildings of the Theseum.' The latter phrase suggests that some other building than the Θησεῖον has already been mentioned, and this (so far as it goes) is in favour of ἐν τῷ Ἀνακείῳ, although it is not in the ms. If ἐν τῷ Ἀνακείῳ is accepted, it proves that the *Theseum* is near the *Anaceum*, below the N. cliff of the Acropolis (C. Wachsmuth, *Rheinisches Museum*, xli 327). See also Wilamowitz, i 269—272.

ἐκκλησιάζειν] usually means 'to hold an assembly,' but is here used of 'haranguing the people.' For the latter use no parallel has yet been found.

τὸ πρόπυλον] Apparently used on purpose to avoid the grander term προπύλαια, which would have been an anachronism in so far as it would have suggested the Propylaea of the time of Pericles. The singular προπύλιον is first found in *Eud. Eth.* 1214 a 2 of the vestibule of the Delian *Letoion* (Kaibel, 41). πρόπυλον itself is seldom used in the singular.

20 ἐν ᾧ δ' ἐκεῖνος διέτριβε δημηγορῶν, ἀνελόντες οἱ ἐπὶ τούτῳ  
 τεταγμένοι τὰ ὄπλα, καὶ [κατα]κλείσαντες εἰς τὰ πλησίον οἰ-  
 κήματα τοῦ Θησείου, διεσήμηναν ἐλθόντες πρὸς τὸν Πεισιστρα-  
 τον. ὁ δέ, ἐπεὶ τὸν ἄλλον λόγον ἐπετέλεσεν, εἶπε καὶ περὶ τῶν 5  
 ὄπλων, τὸ γεγονός ὡς οὐ χρὴ θαυμάζειν οὐδ' ἀθυμεῖν, ἀλλ'  
 25 ἀπελθόντας ἐπὶ τῶν ἰδίων εἶναι, τῶν δὲ κοινῶν αὐ[τὸς] ἐπιμε-  
 λήσεσθαι πάντων.

16. ἡ μὲν οὖν Πεισιστράτου τυραννὶς ἐξ ἀρχῆς τε κατέστη  
 τοῦτον τὸν τρόπον καὶ μεταβολὰς ἔσχευεν τοσαύτας. διώκει δ' ὁ 2

20 ΔΙΕΤΡΙΒΕ. 20—21 ΤΟΥΤ(ΩΝ) ΤΕΤΑΓ: τούτων τεταγ. κ<sup>1</sup>, Kaibel 157; τούτῳ Rutherford et Joh. Mayor, coll. Plut. *Sulla* 14 § 10 Κουρίωνος ἐπὶ τούτῳ τεταγμένου (κ<sup>3</sup>, B, Th), τούτο κ-W, τούτ' ἐπιτεταγμένοι H-L. 21 αὐτῶν [καὶ συγ]κλή-  
 σαντες κ (κ-W, H-L), sed αὐτῶν quidem in papyro abesse, partem autem notae quae  
 κατά significaret apparere, indicavit Blass. καὶ παρακλ. Wilcken (κ-W<sup>3</sup>), καὶ [κατα]κλή-  
 σαντες B<sup>2-4</sup> (et Th), a Kaibelio approbatus (p. 157); καὶ [κατα]κλείσαντες κ<sup>4</sup>, coll.  
 19 § 5, 27 § 2.

24 ὡς οὐ χρὴ B (κ-W<sup>3</sup>, κ<sup>4</sup>); [λέγων ὡς οὐ χρὴ] κ<sup>1</sup>; [καὶ ὡς οὐ χρὴ] H-L (κ<sup>3</sup>); [ἔφη δ'  
 οὐ δεῖν] κ-W<sup>3</sup>. οὐδ' ἀθυμεῖν κ-W (κ<sup>3</sup>, B, Th); οὐ[δὲ] καταθυμεῖν κ<sup>1</sup>; οὐ[δ'] ἀγανακτ[εῖν]  
 H-L. 25 εἶναι add. Marchant coll. Aeschm. 3 § 8, Dem. 15 § 11, 6 § 4, 26 § 33 et  
 infra 16 § 3 πρὸς τοῖς ἰδίοις ὄντες. Compendium quod verbum εἶναι exprimit | in  
 papyro inesse divinavit Wyse, invenit κ. αὐτὸς (Richards, Wyse) ἐπιμελήσεσθαι,  
 Blass, κ-W, κ<sup>3</sup>, Th; [αὐτῷ νῦν] μελήσεσθαι κ<sup>1</sup>; αὐτὸς νῦν ἐπ. H-L.

Cic. *ad Att.* vi 1, 26, *audio Arrium πρό-  
 πυλον Eleusine facere*, Plut. *Mor.* 363 F, ἐν τῷ προπύλῳ τοῦ ἱεροῦ τῆς Ἀθηνᾶς (at Sais), Plin. *N. H.* xxxv 101, *Minervae delubri propylon*, xxxvi 32, in *propylo Atheniensium*. Pliny may have borrowed this exceptional form from Heliodorus, who possibly lived under Ptolemy Epiphanes, and wrote a work on the Acropolis (Wachsmuth, *Stadt Athen*, i 36). The word is found (in pl.) in Hdt., Hippocrates, and in an inscription from Smyrna. Mr H. Richards accordingly suggests that it may be an Ionism. τὰ πρόπυλα is used by Hdt. and Hippocrates. But the word is also found in an inscr. of the 5th century from the Peiraeus, CIA iv (1) fasc. 2, 521 e, p. 122, προπύλου δημοσίου ὄρος (of an unknown building).

Traces of the foundations of this ancient portal have been noticed S. of the E. hall of the Propylaea. It faced S.W. (Milchhöfer in Baumeister, *Denkm.* i 201 a).

γεγωνῆ] Ar. *De Anima* ii 8, 420 a 1, διὰ τὸ ψαθυρὸς εἶναι ὁ ἀήρ οὐ γεγωνεῖ. περὶ ἀκουστών, 804 b 24, φθέγγονται μὲν ἀλλ' οὐ δύνανται γεγωνεῖν, ἀλλὰ μόνον φωνοῦσιν, cf. 802 b 6, a 23. *Probl.* 917 b 21, ὁ αὐτὸς τῇ αὐτῇ φωνῇ πορρωτέρω γεγωνεῖ μετ' ἄλλων ᾄδων ἢ μόνος, cf. 901 b 31 γεγῶνασι, 904 b 35 γεγωνῶς (*Index Ar.*). Antiphon, *de caede Herod.* 44, πολλῶν

πλέον γεγωνεῖν ἔστι νύκτωρ ἢ μεθ' ἡμέραν (Cobet, *Mnem.* iv 153). γεγωνεῖν is the normal form in Attic prose, but the word is far from common.

τεταγμένοι] *Pol.* 1298 a 23, τὰς ἀρχὰς τὰς ἐφ' ἐκάστοις τεταγμένους. τετάχθαι may have ἐπὶ with the dat. or acc.; the former is found in Xen., and both in Plato. *Plat. Rep.* 345 D, ἐφ' ᾧ τέτακται, *Crit.* 50 D, οἱ ἐπὶ τούτῳ τεταγμένοι νόμοι, *Leg.* 952 E, τοὺς ἐπὶ τούτοις ἄρχοντας τεταγμένους, *ib.* 772 B, ἐπὶ πάντα καὶ ἕκαστα ταχθεῖς (χρόνος), *Tim.* 47 C, λόγος ἐπ' αὐτὰ ταῦτα τέτακται. The gen. is comparatively rare.

εἰς τὰ πλησίον—τοῦ Θησείου] Polyaeus, i 21 § 5, says εἰς τὸ ἱερὸν τὸ Ἀγραύλου.

§ 5. ἀθυμεῖν] *Met.* iii 5, 1009 b 37, πῶς οὐκ ἄξιον ἀθυμῆσαι. δυσθυμεῖν (Hdt. viii 10) is not found in Ar.

ἐπὶ τῶν ἰδίων εἶναι] c. 16 § 3. Aeschin. 3 § 8, οἱ δὲ ἀπεισιν ἐπὶ τῶν ἰδίων ἔργων, and *Pol.* viii (v) 8, 1309 a 6, οἱ γὰρ ἄποροι οὐ βουλήσονται ἄρχειν τῷ μηδὲν κερδαίνειν, ἀλλὰ πρὸς τοῖς ἰδίοις εἶναι μᾶλλον, οἱ δὲ εὐποροὶ δυνήσονται διὰ τὸ μηδεὸς προσδεῖσθαι τῶν κοινῶν. Cf. Hdt. i 63 (of the heralds of Peisistratus), θαρσεῖν τε κελεύοντες καὶ ἀπίεμαι ἕκαστον ἐπὶ τὰ εἰωτοῦ.



Πεισίστρατος, ὡσπερ εἶρηται, τὰ περὶ τὴν πόλιν μετρίως καὶ μᾶλλον πολιτικῶς ἢ τυραννικῶς· ἔν τε γὰρ τοῖς ἄλλοις φιλόφρωνος ἦν καὶ πρᾶος καὶ τοῖς ἀμαρτάνουσι συγγνωμονικός, καὶ δὴ 5 καὶ τοῖς ἀπόροις προεδάνειζε χρήματα πρὸς τὰς ἐργασίας, ὥστε 3 διατρέφεσθαι γεωργοῦντας. τοῦτο δ' ἐποίει δυοῖν χάριν, ἵνα μήτε ἐν τῷ ἄστει διατρίβωσιν ἀλλὰ διεσπαρμένοι κατὰ τὴν χώραν, καὶ ὅπως εὐποροῦντες τῶν μετρίων καὶ πρὸς τοῖς ἰδίοις ὄντες μήτ' ἐπιθυμῶσι μήτε σχολάζωσιν ἐπιμελεῖσθαι τῶν κοινῶν. 10 4 ἅμα δὲ συνέβαινε αὐτῷ καὶ τὰς προσόδους γίγνεσθαι μείζους ἐξεργαζομένης τῆς χώρας· ἐπράττετο γὰρ ἀπὸ τῶν γιγνομένων 5 δεκάτην. διὸ καὶ τοὺς κατὰ δῆμους κατεσκεύασε δικαστάς, καὶ

XVI 3 εἶρηται Radinger, B et (addito ἧδη) K-W, K<sup>3</sup>, Th; εἰρήκαμεν K<sup>1</sup> (H-L). [τὰ κατὰ] B (S<sup>1</sup>): τὰ περὶ Wilcken (K-W<sup>3</sup>, K<sup>4</sup>, Th). 4 τοῖς ἄλλοις Poland, Radinger (K-W, K<sup>3</sup>, Th); τοῖς θεσμοῖς K<sup>1</sup>; ταῖς ὁμίλαις H-L. 5 ΠΡΑΟΣ (K<sup>1</sup>, B<sup>1</sup>); πρᾶος K-W,

ΘΓ

H-L, B<sup>2</sup>, K<sup>4</sup>, Th; cf. Schanz, Plat. Leg., praef. vi. 7 ΔΙΑ...ΦΕΓΕΩΡΓΟΥΝΤΑΣ

litteris incertis scripta (K-W, K<sup>3</sup>, B, Th): διαμπερὲς ἐγεωργοῦντο quondam K, διανεκὲς ἐγεωργοῦντο H-L. 8 διεσπαρμένοι <ῶσι> Kontos (H-L). 11 ΓΙΝ (K-W) sed

in versu proximo ΓΙΓΝ (K-W etc.). 12 ἐξ ἐργ. H-L. 13 ΚΑΤΕΣΚΕΥΑΖΕ (K<sup>1</sup>, H-L, S<sup>1</sup>): κατεσκεύασε K-W (Kaibel 57 n), B, K<sup>4</sup>, Th.

XVI § 2. εἶρηται] 14 § 3.

καὶ δὴ καὶ] § 10.

τοῖς ἀπόροις—γεωργοῦντας] In the same spirit, we read in Plut. *Sol.* 31, ὡς δὲ Θεόφραστος ἰσθῆρκε, καὶ τὸν τῆς ἀργίας νόμον οὐ Σόλων ἐθήκεν, ἀλλὰ Πεισίστρατος, ὃ τὴν τε χώραν ἐνεργεστέραν καὶ τὴν πόλιν ἡρμαιοτέραν ἐποίησεν. For διατρέφεσθαι Mr Wyse compares Xen. *de Red.* i 1; iv 49; Schol. Aristoph. *Vesp.* 1446, ἐργαζόμενοι διατρέφονται. For the general sense, cf. *Pol.* 1320 b 7, (even under a democracy) χαριέντων ἐστὶ καὶ νοῦν ἔχοντων γνωρίμων καὶ διαλαμβάνοντας τοὺς ἀπόρους ἀφορμὰς διδόντας τρέπειν ἐπ' ἐργασίας.

προεδάνειζε] In this verb πρὸ does not mean 'beforehand,' but 'in advance.' προδανείζειν, originally 'to make an advance,' develops the meaning 'to lend without interest.' The conjecture προσεδάνειζε, 'he also lent money,' is withdrawn. It rested on the assumption that προεδάνειζε meant 'he lent beforehand,' a sense unsuitable to the context (Wyse in *Class. Rev.* vi 254).

§ 3. μήτε...ἀλλὰ] *Pol.* viii (v) 8, 1308 b 11, μήτ' αὐξάνειν λίαν μηδένα παρὰ τὴν συμμετρίαν, ἀλλὰ μᾶλλον πειρᾶσθαι. *Rhet.* i 4, 1359 b 6, ii 20, 1394 a 22 (cf. Kaibel, 158). For the general sense, *Pol.* viii (v) 10, 1311 a 14, τὸ ἐξ ἄστεος ἀπελαύνειν καὶ διακίσειν ἀμφοτέρων κοινόν, καὶ τῆς ὀλιγαρχίας καὶ τῆς τυραννίδος.

διεσπαρμένοι κατὰ τὴν χώραν] *Pol.*

vii (vi) 4, 1319 a 30, διὰ τὸ περὶ τὴν ἀγορὰν καὶ τὸ ἄστυ κυλίεσθαι πᾶν τὸ τοιοῦτον γένος ὡς εἰπεῖν ῥαδίως ἐκκλησιασίδει. οἱ δὲ γεωργοῦντες διὰ τὸ διεσπάρθαι κατὰ τὴν χώραν οὐτ' ἀπαντῶσιν οὐθ' ὁμοίως δέονται τῆς συνόδου ταύτης. vi (viii) 5, 1292 b 25, ὅταν μὲν οὖν τὸ γεωργικὸν καὶ τὸ κεκτημένον μετρίαν οὐσίαν κύριον ἢ τῆς πολιτείας, πολιτεύονται κατὰ νόμους· ἔχουσι γὰρ ἐργαζόμενοι ζῆν, οὐ δύνανται δὲ σχολάζειν, ὥστε τὸν νόμον ἐπιστήσαντες ἐκκλησιάζουσι τὰς ἀναγκαίας ἐκκλησίας. vii (vi) 4, 1318 b 9, βέλτιστος γὰρ δῆμος ὁ γεωργικός ἐστίν...διὰ μὲν γὰρ τὸ μὴ πολλὴν οὐσίαν ἔχειν ἄσχολος, ὥστε μὴ πολλάκις ἐκκλησιάζειν. Diogenes Laërt. i 98 says of Periander, on the authority of Ephorus and Aristotle, οὐκ εἶα ἐν ἄστει ζῆν τοὺς βουλομένους. Similarly, in the abstract of Aristotle, by Heracleides, οὐκ ἐπιτρέπων ἐν ἄστει ζῆν (Rose, *Frag.*<sup>3</sup> 611, 20).

Cf. Aelian *V. H.* ix 25; Max. Tyr. xxix 3; and Dion Chrys. *Or.* 7, 107, 108; 25, 3 (Mayor, and Kaibel, 158, n. 1).

τῶν μετρίων] 27 § 3.

πρὸς τοῖς ἰδίοις ὄντες] See note on 15 § 5, ἐπὶ τῶν ἰδίων εἶναι.

μήτε σχολάζωσιν] Similarly in *Pol.* viii (v) 11, 1313 b 23, the object of the Peisistratidae, in beginning the building of the Olympieum, was ἀσχολίαν (καὶ πενίαν) τῶν ἀρχομένων. Cf. *id.* 19 ff.

§ 4. δεκάτην] Hitherto, the main evi-

αὐτὸς ἐξήκει πολλάκις εἰς τὴν χώραν ἐπισκοπῶν καὶ διαλύων  
 15 τοὺς διαφορομένους, ὅπως μὴ καταβαίνοντες εἰς τὸ ἄστν παρα-  
 μελώσι τῶν ἔργων. τοιαύτης γάρ τινος ἐξόδου τῷ Πεισιστράτῳ  
 γιγνομένης συμβῆναί φασι τὰ περὶ τὸν ἐν τῷ [Ἰμ]ητῷ γεωρ-  
 γοῦντα τὸ κληθὲν ὕστερον χωρίον ἀτελές. ἰδὼν γάρ τινα παντελώ[ς  
 π]έτρας σκάπτοντα καὶ ἐργαζόμενον, διὰ τὸ θαυμάσαι τὸν παῖδα  
 20 ἐκέλευσεν ἐρέσθαι τί γίγνεται ἐκ τοῦ χωρίου· ὁ δ' ὅσα κακὰ καὶ

14 διαλύων (κ<sup>3</sup>, κ-w, B, Th) : διαλλάττων κ<sup>1</sup> (H-L) ; lacuna vix quattuor litterarum capax. 16 ἔργων Wilcken (κ-w<sup>3</sup>, B<sup>3,4</sup>, K<sup>4</sup>) : ἀγρῶν κ<sup>1</sup>, B<sup>1,2</sup>, S<sup>1</sup>. 17 τὰ κ<sup>1</sup>, S<sup>1</sup>, Th : τὸ H-L, B<sup>2</sup>, κ-w<sup>3</sup> ; ambigit Wilcken ; ' τὰ αὐτ τῖ, vix τὸ ' κ<sup>4</sup>. 18 πα[ττά]λφ πέτρας κ<sup>1</sup> (S<sup>1</sup>) ; π...λω[ς ἐν] πέτραις κ-w<sup>1,2</sup> ; παντελῶς ἐν Wessely, Blass, sed en abest ; παντελώ[ς π]έτρας κ-w<sup>3</sup> (reluctante Kaibelio, p. 152), Lacon, κ<sup>4</sup>, Th ; sed exspectatares potius ἐπιμελῶς (Hude) vel ἐπιπόνως vel πάνυ φιλοπόνως (Wil. i 292 n) ; πρεσβύτην invita papyro H-L. 19 διὰ τὸ θαυμάσαι secl. κ-w, S<sup>1</sup> ; ' θαυμάσας scriptum malis ' H-L ; διὰ τὸ θαυμαστὸν Papageorg. ; διὰ τοῦ καύματος ? Heitland. παῖδα κ-w, H-L, K<sup>3</sup>, B : π[ά]τταλον κ<sup>1</sup>, sed spatium non sufficit. 20 ἐκελεγεν corr. Fränkel. [περι]γίγνεται κ-w<sup>1,2</sup> invita papyro et invito Kaibelio 160.

dence for this has been the spurious letter of Peisistratus to Solon, Diog. Laert. i 53. The present passage supports the view of Boeckh (iii 6), Arnold (on Thuc. vi 54 § 5) and Thirlwall (c. xi, p. 72—74), that Peisistratus levied a tax of ten per cent. Grote demurred to accepting this, on the ground of insufficient evidence. (It is mentioned in Zenobius iv 76, Mantissa Proverb. cent. i 76, and Proverbiorum Appendix, ii 66.) Thuc. l. c., after mentioning Hipparchus, says ἐπετήδευσαν ἐπὶ πλείστον δὴ τύραννοι οὗτοι ἀρετὴν καὶ ξύνεσιν, καὶ Ἀθηναίους εἰκοστὴν μόνον πρᾶσσόμενοι κτλ., and the scholars above-mentioned accordingly assumed that the tax was reduced by the Peisistratidae. The text implies that this assumption was correct.

§ 5. τοὺς κατὰ δῆμους—δικαστὰς] The origin of these 'district-judges,' who went on circuit through the demes of Attica, is here for the first time ascribed to Peisistratus. Their number is stated as 30 under Pericles (c. 26 § 5). After the time of the Thirty Tyrants the number was changed to 40, four from each tribe (c. 53 § 1).

ὅπως μὴ καταβαίνοντες εἰς τὸ ἄστν...] The Peisistratidae are said to have introduced the use of a coarse frock bordered with sheep-skin, ὅπως ἀσχύνοιντο εἰς ἄστν κατιέναι (Pollux, vii 68).

§ 6. τοιαύτης γάρ τινος ἐξόδου κτλ.] Zenobius, Proverb. cent. iv 76, καὶ σφάκελοι ποιοῦσιν ἀτέλειαν (= Suidas s.v. καὶ σφάκελοι p. 189, ἐτ σφακελισμός) : Πεισιστράτος, ὡς φασίν, ὁ τύραννος δεκάτην τῶν γεωργομένων ἀπῆτει τοὺς Ἀθηναίους· παρῶν δὲ ποτε, καὶ ἰδὼν πρεσβύτην

πέτρας ἐργαζόμενον καὶ τόπους λιθώδεις, ἤρετο τὸν πρεσβύτην, τίνας ἐκ τῶν τόπων κομίζοιτο τοὺς καρπούς. ὁ δὲ ἀπεκρίνατο, Ὀδύνας καὶ σφάκελους, καὶ τούτων δεκάτην Πεισιστράτος φέρει. θαυμάσας δὲ ὁ Πεισιστράτος τὴν παρησίαν αὐτοῦ τῆς δεκάτης ἀτέλειαν ἔδωκε καὶ ἐκ τούτου οἱ Ἀθηναῖοι τῇ παροιμίᾳ ἐχρήσαντο, Mantissa Proverb. cent. i 76 (= Apostolius x 80 ed. Pontini). Diodorus Sic. ix 57, διαπορευόμενος ποτε διὰ τῆς χώρας κατενόησεν ἄνθρωπον κατὰ τὸν Ἰμῆττον ἐργαζόμενον ἐν χωρίοις λεπτοῖς καθ' ὑπερβολὴν καὶ τραχεσί, θαυμάσας δὲ τὴν φιλεργίαν ἐπεμψε τοὺς ἐρωτήσοντας κτλ... ὁ ἐργάτης ἐφῆσε λαμβάνειν ἐκ τοῦ χωρίου κακὰς ὀδύνας, ἀλλ' οὐθὲν αὐτῷ μέλειν· τούτων γὰρ τὸ μέρος Πεισιστράτῳ διδόναι. ὁ δὲ δυνάστης... γελᾶσας ἐποίησε τὸ χωρίον ἀτελές, καὶ ἐντεύθειν ἢ παροιμίᾳ 'καὶ σφάκελοι ποιοῦσιν ἀτέλειαν.' Procopius in Villoison, Anecd. ii 40.

The story has been traced to Demon, the writer of a work on proverbs, who is probably the same as the writer of an Ἄρθις, earlier than Philochorus (Zenob. Athous ii 4 quoted by O. Crusius Anal. ad Paroem. p. 132 f). But, if this Demon is the same as the nephew of Demosthenes bearing that name, he is later than the date of this treatise. The story may have come from an earlier Ἄρθις revised by Demon. Cp. Wilamowitz, i 272 f.

πέτρας σκάπτοντα] Cf. πέτρας γεωργεῖν in Comic Fragment 380 (Kock iii, p. 480), and in Lucian's Phalaris, B 8 ; also Menander, Frag. 719, εἰρήνη γεωργὸν κὰν πέτραις | τρέφει καλῶς, πόλεμος δὲ κὰν πεδίῳ κακῶς, and Philemon, 98, 5, τὰ πετραῖα ταῦτ' ὀψάρια (Heitland).



ὀδύνας' ἔφη, 'καὶ τούτων τῶν κακῶν καὶ τῶν ὀδυνῶν Πεισίστρατον δεῖ λαβεῖν τὴν δεκάτην.' ὁ μὲν οὖν ἄνθρωπος ἀπεκρίνατο ἀγνοῶν, ὁ δὲ Πεισίστρατος ἤσθεις διὰ τὴν παρρησίαν καὶ τὴν φιλεργίαν ἀτελεῖ πάντων ἐποίησεν αὐτόν. οὐδὲν δὲ τὸ πλήθος οὐδ' ἐν τοῖς ἄλλοις παρ(η)νώχλει κατὰ τὴν ἀρχήν, ἀλλ' αἰε παρε- 25 σκεύαζεν εἰρήνην καὶ ἐτήρει τὴν ἡσυχίαν· διὸ καὶ πολλάκις ἐ[θρ][ύλλο]ν ὡς [ἦ] Πεισιστράτου τυραννὶς ὁ ἐπὶ Κρόνου βίος εἶη· συνέβη γὰρ ὕστερον δια[δε]ξ[α]μένων τῶν υἱῶν πολλῶ γενέσθαι τραχυτέραν τὴν ἀρχήν. μέγιστον δὲ πάντων ἦν τῶν εἰρη]μένων τὸ δημοτικὸν εἶναι τῷ ἦθει καὶ φιλάνθρωπον. ἐν 30 τε γὰρ τοῖς ἄλλοις ἐβ[ούλ]ετο πάντα διοικεῖν κατὰ τοὺς νόμους, οὐδεμίαν ἑαυτῷ πλεονεξίαν διδούς, καὶ [ποτ]ε προσκληθεὶς φόνου δίκην εἰς Ἄρειον πάγον αὐτὸς μὲν ἀπήντησεν ὡς ἀπολογησόμενος, ὁ δὲ προσκαλεσάμενος φοβηθεὶς ἔλιπεν· διὸ καὶ πολὺν χρόνον ἔμεινεν (ἐν) [τῇ ἀρ]χ[ῇ], καὶ [δ]τ' ἐκπέσοι πάλιν ἀνελάμβανε 35

21 τῶν κακῶν καὶ τῶν ὀδυνῶν om. H-L; τῶν ante ὀδυνῶν secl. K-W (Kaibel 160), B<sup>4</sup>. 23 <αὐτὸν> ἀγνοῶν H (H-L), Hude, desiderat Wil. 25 παρ<ην> ὀχλει Wyse, Jos. Mayor (K-W, H-L, B, K<sup>4</sup>): παρωχλει (K, S<sup>1</sup>, Th). 27 ἐ[θρ][ύλλο]ν Thalheim; ἐθρύλησαν Wessely ap. K<sup>3</sup>, qui εθρ quidem dicit agnoscere posse, minime autem CAN; inde ἐθ[ρ]υλλ[ε]το B<sup>1</sup>, ἐ.....το B<sup>2</sup>, ἀκούειν ἦν B<sup>3</sup>, [εὐλογοῦσιν] B<sup>4</sup>; [παρψμάξ]ετο K<sup>1</sup>; [τοῦτ' ἐλέ]γετο K-W<sup>1,2</sup>, πολλὰ . . ἐλέγετο...K-W<sup>3</sup>; [ὑστερον ἐλέγετο] H-L; [ἐλέγετο ὑστερον] Bart; πολλά κλέ[α ἐ]θρ[ύλλο]ν 'lectio non certa, sed vestigiis satis apta' K<sup>4</sup>. 28 δια[δε]ξαμένων E Bruhn (approbante Kaibelio 161), δια[δε]ξ[α]μένων B, K-W<sup>3</sup>, Th; διὰ [τῆς ὕβρεως] K<sup>1</sup>, τὴν ὕβριν A Sidgwick, Gennadios, K-W<sup>1,2</sup>, H-L. 30 τῶν εἰρη]μένων Wilcken (K-W<sup>3</sup>, B<sup>3</sup>, K<sup>4</sup>, Th): [τῶν ἐπαίνου]μένων Jos. Mayor, Newman, Bury, K-W, H-L (K<sup>3</sup>, B<sup>1,2,4</sup>, S<sup>1</sup>); [τῶν ἀρεσκο]μένων olim K. 31 ἐβόλυετο B<sup>2</sup>, Wilcken (K-W<sup>3</sup>, K<sup>4</sup>); [προηρείτο] K-W<sup>1,2</sup>, B<sup>1</sup>, S<sup>1</sup>; [εἰώθει] K (H-L). 34 ἐΛΙΠΕΝ cf. Dem. 49 § 19, 59 § 60: ἐξέλιπεν anon. (Richardso per errorem tributum in *Cl. Rev.* v 179), cf. Dinarch. 3 § 98 et Plat. *Leg.* 943 A (H-L). 35 <ἐν> [τῇ ἀρ]χ[ῇ] olim B (K-W, S<sup>1</sup>, K<sup>4</sup>, Th), cf. 17, 3—4; ἐν ἀρχῇ H-L (K<sup>3</sup>); [ἦ] ἀρ[χ]ῇ B<sup>4</sup> coll. 25 § 1, 33 § 1, διέμεινε ἡ πολιτεία. ἀνελάμβανε Richards, K-W (B, K<sup>4</sup>, Th); ἀπελάμβανε Wyse, Gennadios, Ferrini, H-L, K<sup>3</sup>; ἐπελάμβανε (K<sup>1</sup>).

§ 7. παρ<ην> ὀχλει παρενοχλέω is less uncommon than παροχλέω, which is found in Theophr. *C. P.* iii 10, 5, μάλλον παροχλοῦσιν αἱ ρίζαι τῆς σκιάς. Cf. II § 1, ἠνώχλων.

ὁ ἐπὶ Κρόνου βίος] 'the golden age.' [Plat.] *Hipparch.* 229 B (after the death of Hipparchus) τρία ἔτη ἐτυραννεύθησαν Ἀθηναῖοι ὑπὸ τοῦ ἀδελφοῦ αὐτοῦ Ἰππίου, καὶ πάντων ἀν τῶν παλαιῶν ἤκουσας, ὅτι ταῦτα μόνα τὰ ἔτη τυραννὶς ἐγένετο ἐν Ἀθήναις, τὸν δ' ἄλλον χρόνον (during the joint rule of Hippias and Hipparchus, and not, as in the text, during the rule of Peisistratus) ἐγγύς τι ἔξων Ἀθηναῖοι ὥσπερ ἐπὶ Κρόνου βασιλεύοντος. The same proverbial phrase is applied by Plutarch, *Arist.* 24, to the happy condition of the Athenian allies under the administration

of Aristides, and in *Cimon* 10 to the liberality of Cimon (*inf.* c. 27 § 3).

συνέβη—ἀρχήν] c. 15 § 1.

§ 8. δημοτικόν] c. 14 *in*it.

καὶ ποτε προσκληθεὶς—ἔλιπεν] *Pol.* viii (v) 12, 1315 b 21, φασὶ δὲ καὶ Πεισίστρατον ὑπομείναι ποτε προσκληθέντα δίκην εἰς Ἄρειον πάγον. Plut. *Sol.* 31, ὅς γε καὶ φόνον προσκληθεὶς εἰς Ἄρειον πάγον ἤδη τυραννῶν ἀπήντησε κοσμίως ἀπολογησόμενος, ὁ δὲ κατήγορος οὐχ ὑπήκουσε (apparently on the authority of Heraclides).

§ 9. διὸ—ἐπεφύκει καλῶς] Cf. the sketch of the best means for maintaining a tyranny in *Pol.* 1314 a 30—1315 b 10.

ὅτ' ἐκπέσοι...ἀνελάμβανε] Optative of indefinite frequency, followed by the impf., as in *Pol.* viii (v) 5, 1305 a 7, ἐπὶ δὲ

ράδιως. ἐβούλοντο γὰρ καὶ τῶν γνωρίμων καὶ τῶν δημοτικῶν οἱ πολλοί· τοὺς μὲν γὰρ ταῖς ὀμιλίαις τοὺς δὲ ταῖς εἰς τὰ ἴδια βοηθείαις προσ[ή]γετο, καὶ πρὸς ἀμφοτέρους ἐπεφύκει καλῶς. ἦσαν δὲ καὶ τοῖς Ἀθηναίοις οἱ περὶ τῶν τυράννων νόμοι πρῶοι  
 40 κατ' ἐκείνους τοὺς καιροὺς οἳ τ' ἄλλοι καὶ δὴ καὶ ὁ μάλιστα καθήκων πρὸς τὴν τῆς τυραννίδος (κατάστασιν). νόμος γὰρ αὐτοῖς ἦν ὅδε· 'θέσμια τάδε Ἀθηναίων ἐστὶ καὶ πάτρια· ἐάν τινες τυραννεῖν ἐπανιστῶνται [[ἐπὶ τυραννίδι]] ἢ συγκαθιστῇ (τις) τὴν τυραννίδα, ἄτιμον εἶναι καὶ αὐτὸν καὶ γένος.'

17. Πεισίστρατος μὲν οὖν ἐγκατεγήρασε τῇ ἀρχῇ καὶ ἀπέθανε νοσήσας ἐπὶ Φιλόνεω ἄρχοντος, ἀφ' οὗ μὲν κατέστη τὸ πρῶτον τύραννος ἔτη τριάκοντα καὶ τρία βιώσας, ἃ δ' ἐν τῇ

38 προσήγετο Niemeyer, Lacon (edd.): ὠφέλησαν olim κ. ἀμφοτέρας H-L; ἀμφοτέρα Kontos. 39 περὶ τῶν τυράννων secl. Keil et Swoboda, cf. Kaibel 163 n. πρῶοι cf. v. 5. 41 καθ[ήκων] κ<sup>1</sup>, B, Wilcken (κ-w<sup>3</sup>, Th); ἀνήκων κ-w<sup>1.2</sup>; κα[θεστῶς] H-L. ΤΗΝΤΗΣ: τὰ τῆς H-L; <κατάστασιν> addidit post τυραννίδος κ<sup>1</sup>, κ-w in not., Th; post τὴν olim B (s<sup>1</sup>); <ἐπίθεσιν> Sakell. (B<sup>2</sup>). 42 Ἀθηναίων ἐστὶ ( / ) κ-w, κ<sup>4</sup>; Ἀθηναίων B<sup>2-4</sup>, κ-w, Th; Ἀθηναίος Kontos (B<sup>1</sup>, s<sup>1</sup>). κ(al) Blass et Wilcken (κ<sup>4</sup>, Th); κατὰ <τὰ> κ-w (Wilamowitz ii 43, Kaibel 163 f). τινες—ἐπανιστῶνται: τις <ἦ>—ἐπανιστῆται B<sup>4</sup>. 43 [[ἐπὶ τυραννίδι]] secl. κ, κ-w, B, s, Th. ἢ ἐπὶ τυραννίδι τις συγκαθιστῇ <συνωμοσίαν> H-L. ἢ τὴν τυραννίδα τις συγκαθιστῇ Blass (s<sup>1</sup>). ἐάν τις ἐπὶ τυραννίδι ἐπανιστῆται ἢ συγκαθιστῇ τὴν τυραννίδα Hagar. <ἦ> τι <s> κ<sup>3</sup>, qui, cum η et τι prorsus similia sint, nil nisi ἦ legendum suspicatur: ἦ κ<sup>1.4</sup>, Lipsius, Wilcken, κ-w, B, Th; ἢ συγκαθιστῶσι Papageorgios. ἢ συγκαθιστῇ τὴν τυρ. κ<sup>4</sup>, Th. <τις> τὴν s<sup>2</sup>. 44 εἶναι καὶ H-L ('fortasse recte' K), B, κ-w<sup>3</sup>, κ<sup>4</sup>, 1h: εἶναι κ.

XVII 1 ΕΝΚΑΤΕΓΗΡΑΣΕ (probat Rutherford).

TESTIMONIA. 3 Heraclidis epitoma (Rose, Ar. Frag. 611, 4<sup>3</sup>) Πεισίστρατος λγ ἔτη τυραννεύσας γηράσας ἀπέθανεν.

τῶν ἀρχαίων, ὅτε γένοιο ὁ αὐτὸς δημαγωγὸς καὶ στρατηγός, εἰς τυραννίδα μετέβαλλον. For ἀνελάμβανε cf. Hdt. iii 73, (τὴν ἀρχὴν) ἀναλαβεῖν.

§ 10. πρῶοι] refers to the penalty of ἀτιμία (l. 44), as less severe than that of death.

καὶ δὴ καλ] as often with οἳ τε ἄλλοι preceding; *supra* § 2.

ἐάν τινες—καὶ γένος] Andocides, *De Mysteriori*, § 97, ἐάν τις τυραννεῖν ἐπαναστῇ ἢ τὸν τύραννον συγκαταστήσῃ. In later times such an offence would be met by a καταλύσεως τοῦ δήμου γραφή, and the penalty would be death and confiscation of property. The decree against the orator Antiphon and Archeptolemus (one of the Four Hundred) required them to be put to death and their property to be confiscated. It also declared each of them to be ἄτιμον...καὶ τὸ γένος τὸ ἐκ τούτου (Pseudo-Plut. *vit. Antiph.* § 28).

Cf. Arist. *Thesm.* 338, εἰ τις...τυραννεῖν ἐπινοεῖ ἢ τὸν τύραννον συγκατάγειν, *Vesp.* 495, 498, 502, *Lys.* 630. The text shews that in Andoc. *l.c.* Dobree's suggestion,

<ἐπὶ τῷ> τυραννεῖν, is unnecessary. See also Wilamowitz, i 54 n. 23.

XVII § 1. ἐγκατεγήρασε] used metaphorically in Dinarchus, *Aristog.* § 3, *πονηρίαν ἀρχομένην*, contrasted with ἐγκαταγεγηρακίαν, 'inveterate.' Plut. *Phocion* 30, *πενίαν ἐν ἧ...ἐγκατεγήρασε. ἐγγηράσκειν* is similarly used c. dat.

Cf. Thuc. vi 54, 2, Π. γηραιῶν τελευτήσαντος; Val. Max. viii 9 E 2, 'decrepitem.'

Φιλόνεω ἄρχοντος] B. C. 528-7. The name of the archon of the year is now ascertained for the first time. The date of the death of Peisistratus was known already. He died in the beginning of B. C. 527, the latter half of Ol. 63, 1. The date is fixed by Ar. *Pol.*, quoted below, and by Thuc. vi 59 § 5. The former makes the rule of the Peisistratidae last 18 years; the latter says that the battle of Marathon was in the 20th year after the expulsion of Hippias. 490+18+19=527 (Clinton, *Fasts.* ii 254).

ἔτη τριάκοντα καὶ τρία] *Pol.* viii (v) 12, 1315 b 30, ἢ τῶν Πεισιστρατιδῶν



2 ἀρχῇ διέμεινεν ἐνὸς δέοντα εἴκοσι· ἔφευγε γὰρ τὰ λοιπά. διὸ  
 7.] καὶ φανερώς ληροῦσιν (οἱ) φάσκοντες || ἐρώμενον εἶναι Πεισί- 5  
 στρατον Σόλωνος καὶ στρατηγεῖν ἐν τῷ πρὸς Μεγαρέας πολέμῳ  
 περὶ Σαλαμῖνος· οὐ γὰρ ἐνδέχεται ταῖς ἡλικίαις, εἰάν τις ἀναλογί-  
 3 ζηται τὸν ἑκατέρου βίον καὶ ἐφ' οὗ ἀπέθανεν ἄρχοντας. τελευτή-  
 σαντος δὲ Πεισιστράτου κατέιχον οἱ υἱεῖς τὴν ἀρχήν, προάγοντες  
 τὰ πράγματα τὸν αὐτὸν τρόπον. ἦσαν δὲ δύο μὲν ἐκ τῆς γαμετῆς, 10  
 Ἰππίας καὶ Ἰππαρχος, δύο δ' ἐκ τῆς Ἀργείας, Ἰοφῶν καὶ Ἡγησί-  
 4 στρατος, ᾧ παρωνύμιον ἦν Θέτταλος. ἔγημεν γὰρ Πεισιστράτος ἐξ

4 εφ. ΓΕΝ, ἔφωγεν (ut videtur) κ<sup>1</sup>, β<sup>1</sup>, ἔφωγεν Jos. Mayor, Rutherford, κ-w, H-L, κ<sup>3</sup>, s<sup>1</sup>; ἔφωγε β<sup>2-4</sup>, κ<sup>4</sup>, Th. 5 ΛΗΡΟΥΣΙ, κ<sup>1</sup> (β<sup>4</sup>): ληροῦσιν <οἱ> Lacon, Hude, κ-w, H-L (κ<sup>3</sup>, β<sup>1-3</sup>, Th). 7 ΣΑΛΑΜΕΙΝΟΣ. 9 ΠΡΟΑΓΑΓΟΝΤΕΣ: corr. Rutherford, Jos. Mayor, Blass, κ-w, H-L (κ<sup>3</sup>, Th). 10 <Ἀττικῆς> γαμετῆς H-L. 11 τῆς: τινος Bart. 12 <ἐπ> ἔγημεν Papageorgios, Kaibel 166, coll. Plut. Cat. Mai. 24 (κ-w<sup>3</sup>, Th).

(ἀρχῇ) Ἀθήνησιν. οὐκ ἐγένετο δὲ συνεχῆς· δις γὰρ ἔφωγε Πεισιστράτος τυραννῶν ὥστ' ἐν ἔτεσι τριάκοντα καὶ τρισὶν ἑπτακαίδεκα ἔτη τούτων ἐτυράνευσεν, ὀκτωκαίδεκα δὲ οἱ παῖδες, ὥστε τὰ πάντα ἐγένετο ἔτη τριάκοντα καὶ πέντε. The passage is part of a paragraph regarded as an interpolation by Susemihl, ed. 2 and 3.

ἐνὸς δέοντα εἴκοσι] In *Pol.* quoted above, the rule of Peisistratus is said to have lasted 17 years. It has been proposed to reconcile the two accounts by supposing that fractions of a year are included here, and excluded in the *Politics*. See, however, note on 14 § 3.

§ 2. φανερώς ληροῦσιν] ληρεῖν is not found elsewhere in Aristotle, while λῆρος and ληρώδης are rare, e.g. *Hist. An.* 579 b 2, ὁ δὲ λεχθεὶς μῦθος...ληρώδης ἐστίν (Kaibel, 31).

ἐρώμενον] Ael. *V. H.* viii 16, λέγεται γὰρ αὐτοῦ παιδικὰ γενέσθαι. Cf. Wilamowitz, i 269.

Μεγαρέας] c. 14 § 1. ἀπέθανεν] Solon died not long after 560 B.C. (Plut. *Sol.* 12); Peisistratus, in 527.

§ 3. τὸν αὐτὸν τρόπον] Thuc. vi. 54 §§ 4 f, 6.

ἐκ τῆς γαμετῆς] The name is not known. ἐκ τῆς Ἀργείας] Hdt. v 94, Πεισιστράτος...κρατήσας αὐτοῦ (sc. Σιγέλου) κατέστησε τύραννον εἶναι παῖδα τὸν ἐωντοῦ νόθον Ἡγησίστρατον, γεγονότα ἐξ Ἀργείας γυναικός. "Herodotus calls Hegesistratus νόθον, because after the middle of the fifth century (c. 26 *ad fin.*) women of foreign blood certainly could not occupy at Athens the position of a lawful wife: the children of a ξένη were both νόθοι and

ξένοι. The same distinction is present to the writer: he contrasts 'the wedded wife' of Athenian birth with the 'Argive woman.' The reading need not be altered. Thucydides (vi 55 § 1) seems to include Thessalus among the legitimate sons of Peisistratus, τῶν γνησίων ἀδελφῶν" (Wyse, *Class. Rev.* v 226 b). In i 20 § 2, after stating that Hippias was the eldest son, he adds that Hipparchus and Thessalus were his brothers. The name of Thessalus was probably given him out of compliment to the Thessalian allies of the house of Peisistratus. The Thessalians ineffectually sent 1000 horse to defend Hippias shortly before his expulsion (Hdt. v 63). Plutarch, *Cato major* 24, calls Thessalus the son of Peisistratus and Timonassa, but we now know for the first time that this was another name for Hegesistratus. As regards the nationality of his mother it will be remembered that Peisistratus was aided, during his second exile, by mercenary troops from Argos (Hdt. i 61).

Ἰοφῶν] Not mentioned elsewhere as a son of Peisistratus. Hippias, Hipparchus and Thessalus alone are quoted by Thucydides (vi 55) as recorded on the tablet relating to the exile of the 'tyrants.' It is suggested by Wilamowitz (i 112 f), that only three of the sons lived at Athens, while Sigeum was held by Iophon, though Hdt. v 94 describes it as held by Hegesistratus (or Thessalus).

παρωνύμιον] = ἐπωνυμία (c. 45 § 1). Plat. *Soph.* 228 c. The adj. παρωνύμιος is found in Plat. *Leg.* 757 d, and the corresponding verb in Ar. *Phys.* vii 3, 245 b 11, 28, παρωνυμιάζοντες λέγομεν, and *Eth.*

Ἄργους ἀνδρὸς Ἀργείου θυγατέρα, ᾧ ὄνομα ἦν Γοργίλος, Τιμόνασσαν, ἣν πρότερον ἔσχεν γυναῖκα Ἀρχίνος ὁ Ἀμπρακιώτης τῶν Κυψελιδῶν· ὅθεν καὶ ἡ πρὸς τοὺς Ἀργεῖους ἐνέστη φιλία, καὶ συνεμάχεσαντο χίλιοι τὴν ἐπὶ Παλληνίδι μάχην Ἡγησιστράτου κομίσαντος. γῆμαι δέ φασι τὴν Ἀργεῖαν οἱ μὲν ἐκπεσόντα τὸ πρῶτον, οἱ δὲ κατέχοντα τὴν ἀρχήν.

14 ἔσχε H-L, B<sup>4</sup>.

15 ΕΝΕΣΤΗ: συνέστη H-L.

16 Ἡγησιστράτου primus detexit Jos. Mayor (K-W, H-L, K<sup>3</sup>, B, Th): Πεισιστράτου K<sup>1</sup>.

*Eud.* iii 1, 1228 a 35, παρωνυμάζεσθαι = παρωνύμιος παρά τι λέγεσθαι. The ordinary form of the adj. in Ar. is παρώνυμος.

Θέτταλος] 'Hegesistratos hatte das παρωνύμιον Θέτταλος, nicht das Distinctiv ὁ Θετταλός, sondern den Rufnamen der den Taufnamen verdrängte. Daher ist Θέτταλος zu schreiben, nicht Θετταλός' (Kaibel, 166).

§ 4. ἔξ Ἀργούς] 'an indispensable statement. Otherwise it might have been supposed that she came from Ampracia, in which case the friendship with Argos would have been left unexplained' (Kaibel, 166).

Τιμόνασσαν] *Plut. Cat. mai.* 24, ταύτην δὲ τὴν γνώμην πρότερον εἰπεῖν φασι Πεισιστράτον τὸν Ἀθηναίων τύραννον ἐπιγῆμντα τοῖς ἐνηλίοις παισὶ τὴν Ἀργοῦδα Τιμόνασσαν, ἔξ ἧς Ἰοφῶντα καὶ Θεσσαλὸν (sic) αὐτῷ λέγουσι γενέσθαι.

Ἀρχίνος ὁ Ἀμπρακιώτης τῶν Κυψελιδῶν] Cypselus (tyrant of Corinth for 30 years from B.C. 658 or 655) was succeeded by his son Periander. Among the contemporaries of the latter was another Periander, son of Gorgus, who was either a son or a brother of Cypselus. This second Periander was a tyrant of Ambracia. The establishment of a branch of the Cypselidae in Ambracia was in accordance with the ambitious policy of that dynasty. They attempted to occupy the coast of the Ionian sea as far as Illyria (Müller, *Dor.* i 8 § 3). Periander was deposed probably after the death of the Corinthian tyrant of the same name (B.C. 585). *Pol.* viii (v) 10, 1311 a 39, Περιάνδρω τῷ ἐν Ἀμβρακίᾳ τυράννῳ, and 4, 1304 a 31, ἐν Ἀμβρακίᾳ... Περιάνδρον συνεκβαλὼν τοῖς ἐπιθεμένοις ὁ δῆμος τὸν τύραννον εἰς ἑαυτὸν περιέστησε τὴν πολιτείαν. Ambracia was colonised in the reign of Cypselus (Strabo, p. 452) either by that tyrant's brother, Torgus, or his son Gorgus. Strabo, p. 328, describes Ambracia as Τόλγου (sic) τοῦ Κυψέλου κτίσμα (Clinton's *Fasti*, sub anno 612 B.C.). In the *Politics* the affair of Har-

modius and Aristogeiton is mentioned just before the fall of the Ambracian tyrant, Periander: here it is narrated shortly after a reference to another member of the Ambracian branch of the Cypselidae.—On Ambracia see Duncker, *H. G.* ii 353 E. T.

ἐπὶ Παλληνίδι] 15 § 3.

ἐκπεσόντα...κατέχοντα] If Peisistratus married Timonassa on his first usurpation of the government in 560 B.C., Hegesistratus may have been either 21, 23, 24 or 26 years of age at the battle of Pallene according as we place that event in 539 (Bosult, Bauer), 536 (Reinach), 535 (Kenyon) or 533 (Poland). If he married her on his first expulsion, the son may have been four years younger (17 to 22) in the year of the battle. The latter view seems preferable, as his marriage with the 'Argive woman' is more likely to have taken place, when it was to his interest to secure the aid of Argos, than on his first usurpation, when her presence in the palace would not have ingratiated him with his Athenian subjects or with his wedded wife. The beginning of the second tyranny, four to six years later, is out of the question, partly because Peisistratus was then in alliance with Megacles, while Timonassa was probably no longer alive; and partly because this would make the son 15 at the most on the occasion of the battle.

Within about eight years of this time Hegesistratus was old enough to be placed in charge of Sigeum (*Hdt.* v 94). He was 'much younger' than Hipparchus (c. 18 § 2). Hipparchus, again, was younger than Hippias, and Hippias was an old man in B.C. 490 (*Thuc.* vi 59 § 5). If Hippias was more than 70 in 490, he was born before 560. Hippias and Hipparchus were already 'young men' (*Hdt.* i 61) when their father married the daughter of Megacles, either 8, 9 or 11 years after 560. All these considerations are in favour of placing the marriage at the time of the first exile.



18. ἦσαν δὲ κύριοι μὲν τῶν πραγμάτων διὰ τὰ ἀξιώματα καὶ διὰ τὰς ἡλικίας Ἱππάρχος καὶ Ἱππίας, πρεσβύτερος δὲ ὢν ὁ Ἱππίας καὶ τῇ φύσει πολιτικὸς καὶ ἔμφρων ἐπεστάται τῆς ἀρχῆς. ὁ δὲ Ἱππάρχος παιδιώδης καὶ ἐρωτικὸς καὶ φιλόμουσος ἦν (καὶ τοὺς περὶ Ἀνακρέοντα καὶ Σιμωνίδην καὶ τοὺς ἄλλους 5 2 ποιητὰς οὗτος ἦν ὁ μεταπεμπόμενος), Θέτταλος δὲ νεώτερος πολὺ

XVIII 1 ΤΩΝ ΜΕΝ : μὲν τῶν Blass, Richards, edd. 5—7 καὶ τοὺς περὶ—πολὺ per parenthesin accipit Wilcken. 6—7 Θέτταλος—πολὺ del. Stahl, Θέτταλος—ὕβριστής delet Herwerden : defendit Heraclides infra laudatus. Θέτταλος K<sup>4</sup>; Θετταλὸς al.

TESTIMONIA. 4—7 Heraclidis epitoma (Rose, Ar. Frag. 611, 4<sup>3</sup>) Ἱππάρχος ὁ υἱὸς Πεισιστράτου παιδιώδης ἦν καὶ ἐρωτικὸς καὶ φιλόμουσος, Θεσσαλὸς (sic) δὲ νεώτερος καὶ θρασύς. τοῦτον τυραννοῦντα μὴ δυνηθέντες ἀνελεῖν Ἱππάρχον ἀπέκτειναν τὸν ἀδελφὸν αὐτοῦ.

XVIII. *Harmodius and Aristogeiton.*

§ 1. πρεσβύτερος—ὁ Ἱππίας] Thuc. i 20, 2, Ἀθηναίων γοῦν τὸ πλῆθος Ἱππάρχον οἴονται ὑφ' Ἀρμόδιον καὶ Ἀριστογείτονος τύραννον ὄντα ἀποθανεῖν, καὶ οὐκ ἴσασιν ὅτι Ἱππίας μὲν πρεσβύτατος ὢν ἦρχε τῶν Πεισιστράτου υἱῶν, Ἱππάρχος δὲ καὶ Θεσσαλὸς (sic) ἀδελφοὶ ἦσαν αὐτοῦ, and vi 54 § 2; 55 §§ 1, 2.

In [Plato], *Hipparchus*, 228 B, Hipparchus is wrongly described as the eldest son.

φιλόμουσος] Hipparchus is said to have set up in the demes of Attica Hermae inscribed with verses. *Hipparch.* 229 A, μῆμα τὸδ' Ἱππάρχου· στεῖχε δίκαια φρονῶν... ἔστι δὲ τῶν ποιημάτων καὶ ἄλλα ἐν ἄλλοις Ἑρμαῖς πολλὰ καὶ καλά ἐπιγεγραμμένα. The Homeric recitations introduced by Peisistratus at the Panathenaea were improved in certain respects by Hipparchus (*ib.* 228 B, Aelian, *V. H.* viii 2).

τοὺς περὶ] 'Formula οἱ περὶ τινα... in-terdum ita usurpatur, ut ab ipso personae nomine non multum differat, οἱ περὶ Ἐμπεδοκλέα καὶ Δημόκριτον *de Caelo* ii 7, 305 b 1 (cf. Ἐμπεδοκλῆς καὶ Δημόκριτος 305 a 34). οἱ περὶ Ἱπποκράτην *Meteor.* i 6, 342 b 35 (cf. Ἱπποκράτης 343 a 28). ἡ τῶν περὶ Γέλωνος τυραννῆς καὶ νῦν ἡ τῶν περὶ τὸν Διονύσιον, ἡ μὲν Γέλωνος *Pol.* v 10, 1312 b 10. Cf. *de Gener. et Corrupt.* 314 a 25, *Pol.* v 6, 1305 b 26, *Index Aristotelicus*. In such cases the proper name has no article (Eucken, *Sprachgebrauch, Praef.* p. 66).

Ἀνακρέοντα καὶ Σιμωνίδην] *Hipparch.* 228 C, (Hipparchus) ἐπ' Ἀνακρέοντα τὸν Τηϊῶν πεντηκόντορον στείλας ἐκόμισεν εἰς τὴν πόλιν· Σιμωνίδην δὲ τὸν Κεῖον ἀεὶ περὶ αὐτὸν εἶχε, μεγάλους μισθοῖς καὶ δῶροις πείθων.

*Simonides* (born 556 B.C.) was 29 years of age on the death of Peisistratus in 527.

It was probably after the expulsion of the Peisistratidae that he wrote the epitaph on Archedice, daughter of Hippias, quoted in Thuc. vi 59. Cf. Plat. *Protag.* 346 B. He also celebrated the death of his patron Hipparchus (ἡ μέγ' Ἀθηναίοισι φῶς γένεθ' ἠνίκ' Ἀριστο-γείτων Ἱππάρχον κτείνε καὶ Ἀρμόδιος, 134 Bergk). After spending some years at the court of the Aleuadae in Thessaly, he returned to Athens and there commemorated in verse some of the great events of the Persian wars. See also Freeman's *Sicily*, ii 258—264.

There is no evidence of intimate relations between Simonides and Anacreon, unless we ascribe to Simonides the epitaphs on Anacreon in *Anthol. Pal.* vii 24, 25, which are assigned with greater probability to a later poet, Leonidas.

*Anacreon* lived for many years at the court of Polycrates of Samos (Hdt. iii 121, Strabo, xiv 638), who was put to death in 522. The death of his patron and the unpopular rule of his successor would prompt him to accept the invitation of Hipparchus. At Athens he made the acquaintance of various members of noble families, such as Critias, son of Dropides (Plat. *Charmides*, 157 E), and Xanthippus, afterwards the victor of Mycale and the father of Pericles. On the death of Hipparchus, he probably went (like Simonides) to the court of the Aleuadae.

τοὺς ἄλλους ποιητὰς] *e.g.* the founder of the Athenian school of Dithyrambic poetry, and the teacher of Pindar, Lasus of Hermione, one of the rivals of Simonides (Aristoph. *Vesp.* 1410 Schol.). His detection of the forgeries of Onomacritus led to the banishment of the latter by Hipparchus (Hdt. vii 6).

§ 2. Θέτταλος] Diodorus Sic., x 16, 1,

καὶ τῷ βίῳ θρασὺς καὶ ὑβριστής, ἀφ' οὗ καὶ συνέβη τὴν ἀρχὴν αὐτοῖς γενέσθαι πάντων τῶν κακῶν. ἐρασθεῖς γὰρ τοῦ Ἀρμοδίου καὶ διαμαρτάνων τῆς πρὸς αὐτὸν φιλίας, οὐ κατεῖχε τὴν ὀργήν, 10 ἀλλ' ἔν τε τοῖς ἄλλοις ἐνεσημαίνετο πικρῶς καὶ τὸ τελευταῖον μέλλουσαν αὐτοῦ τὴν ἀδελφὴν κληφορεῖν Παναθηναίοις ἐκώλυσεν· λοιδορήσας τι τὸν Ἀρμόδιον ὡς μαλακὸν ὄντα, ὅθεν συνέβη παροξυνθέντα τὸν Ἀρμόδιον καὶ τὸν Ἀριστογείτονα πράττειν τὴν

9 διαμαρτάνων? B<sup>4</sup>. 10 πικρῶς K-W (K<sup>3</sup>, B, Th); ἐνεσημαίνετο τὸ πικρὸν K<sup>1</sup>, ἐνεσημαίνετο τὸ πικρὸν Richards (H-L). 13 παροξυνθέντας H-L, sed 'spatium deest.' 14 μετεχόντων πολλῶν 'satis clare legitur' Blass (K-W<sup>3</sup>, K<sup>4</sup>, Th); μ. <οὐ> π. Kaibel 167; μετὰ πολιτῶν πολλῶν K<sup>1</sup>; μετὰ πολιτῶν οὐ πολλῶν Gennadios; μετὰ συνει<δὸ>των <οὐ> πολλῶν Jos. Mayor (K-W<sup>1,2</sup>); μετὰ συνωμοτῶν οὐ πολλῶν Thompson; μετ' ὀλίγων ἄλλων Richards; μετ' [ἄλλων οὐ] πολλῶν H-L.

gives him a character for wisdom: ἀπειπατο τὴν τυραννίδα.

ἀφ' οὗ] Whether οὗ is neuter or (more probably) masculine, it is clear that the troubles of the Peisistratidae are here ascribed to the ὕβρις of Thessalus, who is naturally the subject of the next sentence ἐρασθεῖς γὰρ κτλ. This is so completely at variance with the account in Thucydides that Mr Kenyon in his first ed. felt constrained to throw the description of Thessalus into a parenthesis. But the writer does not hesitate to disagree with Thucydides in several of his details, and he may have deliberately disagreed with him in this important point. It does not follow that Thucydides is wrong. The whole of the episode on Harmodius and Aristogeiton is apparently written with extreme care to refute a popular error. It must also be remembered that (according to Hermippus, in Marcellinus, *Vit. Thuc.* p. ix, and Schol. on i 20) the historian was related to the Peisistratidae. Cf. vi 55 § 1, εἰδὼς...καὶ ἀκοῆ ἄκριβέστερον ἄλλων. On the other hand, the writer of this treatise shews in the latter part of c. 17 that he knows more than Thucydides about Thessalus, and Thucydides himself tacitly corrects in book i 20 some of the details in the account in book vi (Weil, *Journal des Savants*, avril 1891).

ἐρασθεῖς τοῦ Ἀρμοδίου] This is reported of Hipparchus by Diod. Sic. x 16 § 2, Plut. *Amator.* 16 § 27, p. 760, Athen. p. 602 A (Mayor).

ἐνεσημαίνετο πικρῶς] On the other hand, Thuc. (vi 54 § 4), with greater partiality towards the Peisistratidae, says of Hipparchus, βίαιον μὲν οὐδὲν ἐβούλετο δρᾶν. For ἐνεσημαίνεσθαι, cf. Isocr. 20 § 22, ἐνεσημανεῖσθε...τὴν ὀργήν.

μέλλουσαν—ἐκώλυσεν] Thuc. vi 56

§ 1, ἀδελφὴν γὰρ αὐτοῦ κόρην, ἐπαγγελλαντες ἤκειν κανοῦν οἴσουσαν ἐν πομπῇ τινί, ἀπῆλασαν, λέγοντες οὐδὲ ἐπαγγεῖλαι τὴν ἀρχὴν διὰ τὸ μὴ ἀξίαν εἶναι. *Ar. Pol.* viii (v) 10, 1311 b 36, (the rule of the Peisistratidae was attacked) διὰ τὸ προηλακίσαι μὲν τὴν Ἀρμοδίου ἀδελφὴν ἐπηρέασαι δ' Ἀρμόδιον (ὁ μὲν γὰρ Ἀρμόδιος διὰ τὴν ἀδελφὴν, ὁ δὲ Ἀριστογείτων διὰ τὸν Ἀρμόδιον). Plato, *Symp.* 182 C, ὁ γὰρ Ἀριστογείτονος ἔρωσ καὶ ἡ Ἀρμοδίου φιλία βέβαιος γενομένη κατέλυσε αὐτῶν (*sc.* τῶν ἐνθάδε τυράννων) τὴν ἀρχήν. The text connects this incident with the approaching Panathenaic festival, at which Hipparchus was put to death. The Panathenaea are mentioned in connexion with the sister of Harmodius by Aelian *V. H.* xi 8, and Max. Tyr. 24, 2. The year was B.C. 514.

On κληφορεῖν, cf. Aristoph. *Ecol.* 732, *Av.* 1551, and Harpocr. s. v. κληφοροῖ...Φιλόχορος ἐν β' Ἀθλῖδος φησὶν ὡς Ἐριχθονίου βασιλείοντος πρώτων κατέστησαν αἱ ἐν ἀξιωματι παρθένου φέρειν τὰ κανὰ τῇ θεῷ, ἐφ' οἷς ἐπέκειτο τὰ πρὸς τὴν θυσίαν, τοῖς τε Παναθηναίοις καὶ ταῖς ἄλλαις πομπαῖς (for other authorities, see Michaelis, *Parthenon*, p. 329 f). The Panathenaea had been revived by Peisistratus, but even in 566 B.C., six years before his first usurpation, it was attended by a large concourse in consequence of the institution of gymnastic contests at that date (Marcellinus, *Vit. Thuc.* i). The Scholiast on Aristides, iii 323 Dind., says of the great Panathenaea, Πεισίστρατος ἐποίησε.

μαλακόν] 'effeminate,' opp. to καρτερικός in *Eth.* 1147 b 23, 1150 a 14, 33; *Eth. Eud.* 1229 b 7, πρὸς τὸν θάνατον μαλακὸς ἢ περιφόβος. Cf. c. 3 l. 7.



3 πρᾶξιν μετεχόντων πολλῶν. ἤδη δὲ παρατηροῦντες ἐν ἀκροπόλει τοῖς Παναθηναίοις Ἰππίαν (ἐτύγχανεν γὰρ οὗτος μὲν δεχόμενος, 15 ὁ δ' Ἰππαρχος ἀποστέλλων τὴν πομπήν), ἰδόντες τινα τῶν κοινω- ούντων τῆς πράξεως φιλανθρώπως ἐντυγχάνοντα τῷ Ἰππία καὶ νομίσαντες μηνύειν, βουλόμενοί τι δρᾶσαι πρὸ τῆς συλλήψεως, καταβάντες καὶ προεξαστάντες τῶν [ἄλλω]ν, τὸν μὲν Ἰππαρχον διακοσμοῦντα τὴν πομπήν παρὰ τὸ Λεωκόρειον ἀπέκτειναν, 20 4 τὴν δ' ὄλην ἐλυμήναντο πρᾶξιν. αὐτῶν δ' ὁ μὲν Ἄρμόδιος εὐθέως ἐτελεύτησεν ὑπὸ τῶν δορυφόρων, ὁ δ' Ἄριστογείτων ὕστερον συλληφθεὶς καὶ πολὺν χρόνον αἰκισθεὶς. κατηγόρησεν δ' ἐν

15 μὲν δεχόμενος K-W, H-L (K<sup>3</sup>, B, Th); μετερχόμενος K<sup>1</sup>. 19 [ἄλλω]ν K<sup>1</sup>, H-L, K-W<sup>2</sup>, Th ('lectio incerta,' K<sup>4</sup>): λοιπῶν Papageorgios, B<sup>1</sup>, S<sup>1</sup>; ἐτέρων K-W<sup>1</sup>; σ(υ)νωμο- τ(ῶν) Diels. 20 παρὰ (Thuc. vi 57): περὶ H-L (ib. i 20). 21 τὴν δ' K-W (K<sup>3</sup>, B, Th); [τὴν μὲν οὖν] K<sup>1</sup>; ᾗ τὴν H-L. δ': γὰρ invita papyro K-W<sup>1</sup>. 2.

**μετεχόντων πολλῶν** This contradicts Thuc. vi 56 § 3, ἦσαν δὲ οὐ πολλοὶ οἱ ξυνομωμοκότες, ἀσφαλεῖς ἔνεκα. It implies that Aristotle believed in the existence of a widely extended conspiracy, and in the guilt of those who were executed for taking part in it (Wilamowitz, i 274, n. 27).

§ 3. ἐν ἀκροπόλει] Thucydides (vi 57 § 1) describes Hippias as marshalling the procession outside Athens in the (outer) Cerameicus, and adds that, on noticing one of the conspirators conversing with him, Harmodius and Aristogeiton, fearing that the plot was discovered, rushed *within the gates* (εἰσω τῶν πυλῶν), found Hipparchus near the Leocorium and stabbed him to death. Hippias, meanwhile, had remained outside the gates, and it was there that he disarmed the citizens. The text describes H. and A. as waiting for Hippias on the Acropolis. On observing some one conversing with Hippias, they descend (καταβάντες) and slay Hipparchus near the Leocorium. The two accounts are impossible to reconcile. In more than one point our author deliberately differs from the historian (*inf.* § 4). Hude, after comparing these conflicting accounts, decides in favour of Aristotle, who probably followed the same authority as his contemporary, Androtion (*Neue Jahrb.* 1892, 170-6). See also J. Miller in *Philologus* lii, 1893, 573-6.

**ἰδόντες—συλλήψεως**] Thuc. vi 57 § 3, ὡς εἰδόν τινα τῶν ξυνομοτῶν σφίσι δια- λεγόμενον οικείως τῷ Ἰππία... εἰδισαν καὶ ἐνόμισαν μεμνησθᾶί τε καὶ ὅσον οὐκ ἦδη συλληφθῆσθαι. πρὸ τῆς συλλήψεως con-

firms Thuc. i 20, πρὶν συλληφθῆναι, sus- pected by Cobet.

**προεξαστάντες τῶν ἄλλων**] 'having begun the attack without waiting for their confederates.'

**Ἰππαρχον διακοσμοῦντα τὴν πομπήν**] Thuc. i. 20 § 3, τῷ Ἰππάρχῳ περιτυχόντες περὶ τὸ Λεωκόριον καλούμενον τὴν Παναθηναϊκὴν πομπήν διακοσμοῦντι ἀπέκτειναν. In vi 57, the historian mentions Hippias alone as marshalling the procession outside the gates: (Harm. and Ar.) περι- ἔτυχον τῷ Ἰππάρχῳ παρὰ τὸ Λεωκόριον καλούμενον. The text supports παρὰ against περὶ.

**τὸ Λεωκόρειον** The monument of the three daughters of Leos who, at the command of an oracle, sacrificed themselves for their country, [Dem.] 60 § 29, Cic. *Nat. Deor.* iii 50. Harpocration places it in the midst of the (inner) Cerameicus. It is mentioned in connexion with the ἀγορά in Dem. 54 § 7. Cf. Wachsmuth, *Stadt Athen*, ii 417, and Judeich in *Fleckeis. Jahrb.* 1890, p. 756, and in *Topogr. von Athen*, p. 301. § 4. **πολὺν χρόνον αἰκισθεὶς**] Thuc. vi 57 § 3, οὐ βραδίως διετέθη.

**κατηγόρησεν—ἦσαν**] The story is told of Aristogeiton and Hippias by Seneca, *de Ira*, ii 23, and Justin ii 9 §§ 1-6. Cf. Diod. Sic. x 16 §§ 3, 4. The like story is told of Zeno of Elea, Cic. *Tusc.* ii 52, Val. Max. iii 3 E § 1 (where the tyrant is Phalaris, as in Heraclides Ponticus in Athen. 652 B), Diog. Laert. ix 26, 27, Plut. ii 505 D (Mayor). Polyaeus i 22, Ἄριστογείτων, ὑπὸ τῶν δορυφόρων στρεβλούμενος περὶ τῶν συνειδῶτων, τῶν μὲν συνειδῶτων ὠμολόγησεν οὐδένα, πάντας

ταῖς ἀνάγκαις πολλῶν οἱ καὶ τῇ φύσει τῶν ἐπιφανῶν καὶ φίλοι  
 25 τοῖς τυράννοις ἦσαν. οὐ γὰρ ἐδύνατο παραχρῆμα λαβεῖν οὐδὲν  
 ἴχνος τῆς πράξεως, ἀλλ' ὁ λεγόμενος λόγος ὡς ὁ Ἰππίας ἀποστήσας  
 ἀπὸ τῶν ὄπλων τοὺς πομπεύοντας ἐφώρασε τοὺς τὰ ἐγχειρίδια  
 ἔχοντας οὐκ ἀληθῆς ἐστίν· οὐ γὰρ ἔπεμπον τό(τε) μεθ' ὄπλων,  
 ἀλλ' ὕστερον τοῦτο κατεσκεύασεν ὁ δῆμος. κατηγορεῖ δὲ τῶν τοῦ 5  
 30 τυράννου φίλων, ὡς μὲν οἱ δημοτικοὶ φασιν, ἐπίτηδες, ἵνα ἀσεβή-  
 σαιεν ἅμα καὶ γένοιτο ἀσθενεῖς, ἀνελόντες τοὺς ἀναιτίους καὶ  
 φίλους ἑαυτῶν, ὡς δ' ἔνιοι λέγουσιν, οὐχὶ πλαττόμενος ἀλλὰ τοὺς  
 συνειδότας ἐμήνυνεν. καὶ τέλος ὡς οὐκ ἐδύνατο πάντα ποιῶν ἀπο- 6  
 35 αὐτῷ τὸν Ἰππίαν δοῦναι τὴν δεξιὰν πίστεως χάριν, ὡς ἔλαβεν,  
 ὀνειδίσας ὅτι τῷ φονεῖ τὰδελφοῦ τὴν δεξιὰν δέδωκε, οὕτω παρῶ-

27 ἐφώρασε κ, B<sup>2-4</sup>, κ-w, Th: εφωρασεν B<sup>1</sup>. τὰ del. Wil. i 109. 28 ἀληθεσ.  
 ΕΠΕΜΠΟΝΤΟ: ἐπεμπον τό<τε> correxi cum Rutherford, H-L, κ-w (κ<sup>3</sup>, B<sup>3,4</sup>, Th);  
 ἐπεμπον πω Papabasilieios (B<sup>1,2</sup>). 31 -σειαν H-L. ἀσθενεῖς, litteris cθεν  
 obscure scriptis, super ἀνελόντες additum (κ<sup>3</sup>, κ-w, B, Th); ἀγενεῖς κ<sup>1</sup>, ἐναγεῖς H-L.  
 32 πλαττόμενος? Kaibel 168. 33 ἐδύνατο H-L (κ<sup>4</sup>, Th): ἠδύνατο (κ, κ-w, B),  
 quod in titulis non nisi post annum 300 A.C. invenitur, Meisterhans, p. 169<sup>3</sup>.  
 35 αὐτῷ H-L; ἑαυτῷ B<sup>4</sup>. 36 τὰδελφοῦ (retinent κ-w, B, κ<sup>4</sup>, Th): τοῦ ἀδελφοῦ  
 olim κ (S<sup>1</sup>). Δέδωκε (edd.); δέδωκεν S<sup>1</sup>.

δὲ τοὺς Ἰππίου φίλους κοινωνῆσαι τῆς  
 ἐπιθέσεως· ὅποτε δὲ τούτους Ἰππίας ἀπέ-  
 κτεινε, τότε ὁ Ἀριστογείτνω ὀνειδίσεν αὐτῷ  
 τὸ στρατήγημα τῶν φίλων.

ταῖς ἀνάγκαις] Hdt. i 116, Ἀστυάγης  
 δὲ μιν οὐκ εὔβουλεύεσθαι ἔφη ἐπιθυμῶντα  
 εἰ ἀνάγκας μεγάλας ἀπικνεῖσθαι, ἅμα τε  
 λέγων ταῦτα ἐσήμαινε τοῖσι δορυφόροισι  
 λαμβάνειν αὐτόν. ὁ δὲ ἀγρόμενος εἰς τὰς  
 ἀνάγκας οὕτω δὴ ἔφαινε τὸν ἔοντα λόγον.  
 Antiphon, *de Chor.* 25. Thuc. i 99 § 1,  
 προσάγοντες τὰς ἀνάγκας.

φύσει] 'in birth,' as in c. 5 § 3.

λαβεῖν] in the sense of εὔρειν.

ἴχνος] met. as in Antiphon, *Tetral.* A γ  
 10, φανερώς δὲ τὰ ἴχνη τῆς ἰποψίας εἰς  
 τοῦτον φέροντα, and A δ 10, τὰ ἴχνη τοῦ  
 φόνου. Ar. *Hist. An.* 8, 588 a 33, ἐν τοῖς  
 παισὶ τῶν ὕστερον ἔξεων ἐσομένων ἔστιν  
 ἰδεῖν ὅσον ἴχνη καὶ σπέρματα, a 19; 9,  
 608 b 4. The metaphorical use of ἴχνος  
 first becomes frequent in Plato.

ὁ λεγόμενος λόγος] Thuc. vi 58, (Hip-  
 rias) ἐκέλευσεν αὐτοὺς, δεῖξας τι χωρίον,  
 ἀπελθεῖν εἰς αὐτὸ ἀνευ τῶν ὄπλων. καὶ οἱ  
 μὲν ἀνεχώρησαν οὐκ ἔμενοι τι εἶρειν αὐτόν, ὁ  
 δὲ τοῖς ἐπικούροις φράσας τὰ ὄπλα ὑπολα-  
 βεῖν ἐξελέγετο εὐθὺς οὐδ' ἐπρητῆτο καὶ εἰ τις  
 εὐρέθῃ ἐγχειρίδιον ἔχων· μετὰ γὰρ ἀσπίδος  
 καὶ δόρατος εἰώθεσαν τὰς πομπὰς ποιεῖν.  
 The conspirators purposely selected the  
 festival of the Panathenaea (about Aug.

13), ἐν ἣ ἴσθι μόνον ἡμέρᾳ οὐχ ὑποπτον ἐγίγνετο  
 ἐν ὄπλοις τοὺς τὴν πομπὴν πέμψοντας ἀθρό-  
 ος γενέσθαι. (The passage in Lysias 13 §  
 80, συνηκολούθει γὰρ λαβῶν τὰ ὄπλα καὶ  
 συνέπεμπε τὴν πομπὴν μετὰ τῶν πολιτῶν  
 πρὸς τὸ ἄστυ, quoted in Michaelis, *Par-  
 thenon*, 332, does not refer to the *Pana-  
 thenaea*, but to the festal procession on  
 the restoration of the democracy, on Sept.  
 21, 403.) The statement in the text is  
 intended as a deliberate correction of the  
 account in Thucydides, but we have now  
 no means of ascertaining the ultimate  
 authority for the correction. The first line  
 of the famous scholium of Callistratus (pro-  
 bably written not long after the Persian  
 war), implies that Harmodius and Aristo-  
 geiton concealed their daggers in branches  
 of myrtle (ἐν μύρτου κλαδί τὸ ξίφος φορή-  
 στω), but says nothing about spear or shield.  
 Cf. Wilamowitz, i 109 n. 18.

§ 5. ἀσεβήσαιεν indicates the conse-  
 quence of their destroying the innocent;  
 γένοιτο ἀσθενεῖς, that of their destroying  
 their own friends.

§ 6. πάντα ποιῶν] [Lys.] 8 § 5, ἐφά-  
 σκετε .. πάντα ποιῶντες οὐκ ἔχειν ὅπως  
 ἀπαλλαγῆτέ μου. Lys. 12 § 84, πάντα  
 ποιῶντες δίκην παρ' αὐτῶν οὐκ ἂν δύναισθε  
 λαβεῖν. Dem. 21 § 2, πάντα ποιῶντος  
 τούτου (ὁ δῆμος) οὐκ ἐπέεσθη.

ὀνειδίσας] Cf. Polyæn. quoted on § 4.



ξυνε τὸν Ἴππιαν ὡσθ' ὑπὸ τῆς ὀργῆς οὐ κατεσχευεν ἑαυτὸν ἀλλὰ σπασάμενος τὴν μάχαιραν διέφθειρεν αὐτόν.

19. μετὰ δὲ ταῦτα συνέβαινε πολλῶ τραχυτέραν εἶναι τὴν τυραννίδα· καὶ γὰρ διὰ τὸ τιμωρεῖν τὰ δελφῶ καὶ διὰ τὸ πολλοὺς 2 ἀνηρηκέσαι καὶ ἐκβεβληκέσαι πᾶσιν ἦν ἄπιστος καὶ πικρός. ἔτει δὲ τετάρτῳ μάλιστα μετὰ τὸν Ἰππάρχου θάνατον, ἐπεὶ κακῶς 5 εἶχε τὰ ἐν τῷ ἄστει, τὴν Μουνιχίαν ἐπεχείρησε τειχίζειν, ὡς 5 ἐκεί(σε) μεθιδρυσόμενος· ἐν τούτοις δ' ὦν ἐξέπεσεν ὑπὸ Κλεομένου τοῦ Λακεδαιμονίων βασιλέως, χρησμῶν γιγνομένων αἰεὶ τοῖς Λάκωσι 3 καταλύειν τὴν τυραννίδα διὰ τοιάνδ' αἰτίαν. οἱ φυγάδες, ὧν οἱ

37 κατέσχευεν recte Gennadios (κ- $w^3$ ,  $B^{2,3}$ ;  $K^4$ ): κατέχευεν olim κ (κ- $w^{1,2}$ ,  $B^1$ ,  $S^1$ ). ΕΛΓΥΤΟΝ: αὐτὸν  $B^4$ .

ΧΙΧ 2 ΤΙΜΩΡΕΙΝ: τιμωρῶν...[[καὶ διὰ τὸ]] κ- $w$  ( $B^2$ ). τὰ δελφῶ κ- $w$ ,  $B^{1-3}$ ,  $K^4$ , Th: τῷ ἀδελφῷ  $K^1$ ,  $S^1$ ,  $B^4$ . 3 ΠΙΣΤΟ: πικρὸς κ coll. Herod. v 62, Heracl. epit. 6; μισητός Gomperz, *D.L.Z.* 1891, 878. 4 κακῶς: ΕΝΚΑΚΩΙ, postea correctum. 5 εἶχε H-L. τῷ a correctore additum abesse propter numeros mavult Blass. ΜΟΥΝΥΧΙΑΝ passim: Μουνιχίαν κ- $w$ , H-L ( $K^3$ , B, Th), Meisterhans, p. 29<sup>3</sup>. 6 ΕΚΕΙ Κ, κ- $w$ : ἐκέισε Jos. Mayor, A Sidgwick (H-L, B,  $S^1$ , Th). 7 ΛΑΚΕΔΑΙΜΟΝΙΩ, non ΝΟC; -*νίων* Bernardakis, H-L (κ- $w^{2,3}$ ,  $K^3$ , B, Th); -*νος*  $K^1$ , κ- $w^1$ . ΓΙΝ (κ- $w$ ). ΔΕΙ: αἰεὶ  $B^4$ .

TESTIM. 3 πικρός. Heraclidis epitoma (611, 4<sup>3</sup>) Ἰππίας δὲ πικρότατα ἐτυράννει. 8—18 Etym. M. p. 361, 32 Gaisf. (= Suidas, Eustath.) ἐπὶ Λειψυδρίῳ μάχη: χωρίον ἦν ὑπὸ τῆς Πάρνηθος δ' ἐτείχισαν οἱ φυγάδες τῶν τυράννων ὧν οἱ Ἄλκμαιωνίδαι προεστήκεσαν. ἐκπολιορκηθέντων δ' αὐτῶν ὑπὸ τῶν περὶ Πεισιστρατον, σκόλιον εἰς αὐτοὺς ἦδετο "αἰαί—εὐπατρίδας," οἱ τὸτ' (Etym. M. ed. Gaisf.; idem habent Athen. 695 et Suidas; ὁπότε Etym. M. codex Dorvillii Bodleianus, et Apostolius vii 70) ἔδειξαν οἶων πατέρων ἔσαν. Cf. Rose, Frag. 356<sup>2</sup>, 394<sup>3</sup>.

'The narrative of the end of Aristogiton betrays the same liking for sensational stories as we trace, for instance, in Phylarchus' (W. L. Newman in *Class. Rev.* v 161 b).

XIX. *Hippias*. § 1. *τραχυτέραν*] Hdt. v 62 (of Hippias), ἐμπικρανομένου Ἀθηναίοισι διὰ τὸν Ἰππάρχου θάνατον. Thuc. vi 59 § 1, τοῖς δ' Ἀθηναίοις χαλεπωτέρα μετὰ τοῦτο ἡ τυραννὶς κατέστη, καὶ ὁ Ἰππίας διὰ φόβου ἤδη μᾶλλον ὦν τῶν τε πολιτῶν πολλοὺς ἔκτεινε κτλ.

ἄπιστος] Isocr. 3 § 58, περὶ τοὺς πιστεύοντας ἄπιστοι.

πικρός] Hdt. l. c., ἐμπικρανομένου.

§ 2. ἔτει—τετάρτῳ] B.C. 511/0. τὴν Μουνιχίαν—τειχίζειν] Plut. *Sol.* 12, λέγεται δὲ (Epimenides) τὴν Μουνιχίαν ἰδῶν καὶ καταμαθὼν πολλὸν χρόνον εἰπεῖν πρὸς τοὺς παρόντας, ὡς τυφλὸν ἐστὶ τοῦ μέλλοντος ἀνθρώπου· ἐκφαγεῖν γὰρ ἂν Ἀθηναίους τοῖς αὐτῶν ὁδοῦσιν, εἰ προῆδσαν, ὅσα τὴν πόλιν ἀνίσσει τὸ χωρίον (Diog. Laert. i 114). Cf. Wilamowitz, i 274. The height of Munichia, which commanded the harbours of Munichia and Zea, is 255

Paris feet above the sea, whereas the highest part of the Peiraeus is only 191. It was an important point in the fortification of the harbours, instituted by Themistocles; and its importance is also shewn by the fact that in 411 B.C. we read of the commander τῶν περιπόλων τῶν Μουνιχίασι τεταγμένων (Thuc. viii 92, 3); it was fortified by Thrasybulus in 403 (Xen. *Hell.* ii 4, 11—12; Diodor. Sic. xiv 33, M. λόφον ἔρημον καὶ καρτερόν). In the time of Alexander (325/4) one of the στρατηγοὶ was specially appointed to guard this point (c. 61 § 1). In 322 it was occupied by a Macedonian garrison (Plut. *Phocion* 27, 28; Curtius, *Stadtgeschichte*, p. 222); in 307 the fort was destroyed by Demetrius Poliorcetes (Plut. *Demetr.* 10), but was soon restored in the Macedonian interest, to be evacuated in 229. It was probably destroyed by Sulla. By the time of Strabo (p. 395 c) it was in ruins (C. Wachsmuth, *Stadt Athen*, ii 42—45).

ὑπὸ Κλεομένου] Hdt. v 64, 65. *χρησμῶν*] *ib.* 63 (quoted on § 4).

§ 3. οἱ φυγάδες—προσέπταιον] Hdt. v

Ἀλκμεωνίδαι προειστήκεσαν, αὐτοὶ μὲν δι' αὐτῶν οὐκ ἐδύναντο  
 10 ποιήσασθαι τὴν κάθοδον, ἀλλ' αἰεὶ προσέπταιον. || ἔν τε γὰρ τοῖς [C  
 ἄλλοις οἷς ἔπραττον διεσφάλλοντο καὶ τειχίσαντες ἐν τῇ χώρᾳ  
 Λειψύδριον τὸ ὑπὲρ Πάρνηθος, εἰς ὃ συνεξῆλθόν τινες τῶν ἐκ τοῦ  
 ἄστεως, ἐξεπολιορκήθησαν ὑπὸ τῶν τυράννων, ὅθεν ὕστερον μετὰ  
 ταύτην τὴν συμφορὰν ἦδον ἐν τοῖς σκολιοῖς [[αἰεὶ]].

9 ἐδύναντο K, H-L, Th: ἠδύναντο (K-W, B); cf. 18, 33. 10 αἰεὶ (K, K-W,  
 B, Th): αἰεὶ H-L, S; cf. 5, 19. 12, 15 Λιψύδριον, idem habet Suïdae cod.  
 Medicus. γπερ: ὑπό? J H Wright, in Herodoto ὑπὲρ Παιονίης ὑπὸ Πάρ-  
 νηθος scriptum fuisse arbitratus. 13 <δ'> ὑπὸ B<sup>4</sup> coll. Etym. M. ἐκπολιορκε-  
 θέτων δέ. M(ΕΤΑ) ΤΑΥΤΗΝ K, H-L, Th; εἰς ταύτην K-W (B<sup>1-3</sup>) ex Etym. Mag.  
 361, 33 σκόλιον εἰς αὐτοὺς ἦδετο; μετὰ ταῦτ' εἰς B<sup>4</sup>. 14 αἰεὶ secl. Hude, K-W, H-L,  
 B; ex dittographia ortum.

TESTIM. 12 \*Schol. Arist. *Lys.* 666: Λειψύδριον: χωρίον τῆς Ἀττικῆς περὶ τὴν  
 Πάρνηθον (ita codex Ravennas, τὸ ὑπεράνω Πάρνηθος L, τὸ ὑπὲρ Πάρνηθος Suïd.,  
 ὑπὸ τὴν Πάρνηθον Et. M.), εἰς δ' συνῆλθόν τινες τῶν ἐκ τοῦ ἄστεως, ὡς φησὶν Ἀρ.  
 ἐν Ἀθ. πολ. *Ib.* 665... (οἱ Ἀλκμαιωνίδαι) πόλεμον ἀράμενοι πρὸς Ἴππιαν τὸν τύραννον  
 καὶ τοὺς Πεισιστρατίδας ἐτείχισαν τὸ Λειψύδριον. Hesych. Λειψύδριον: χωρίον τι ὑπὲρ  
 Πάρνηθος δ' ἐτείχισαν Ἀλκμαιωνίδαι. Cf. Rose, *l.c.*

62, (the Alcmeonidae) ἅμα τοῖσι ἄλλοισι  
 Ἀθηναίων φηγάσι πειρωμένοισι κατὰ τὸ  
 ἰσχυρὸν οὐ προεχώρει κάθοδος, ἀλλὰ προσ-  
 ἐπταιον μεγάλως πειρώμενοι κατιέναι τε  
 καὶ ἐλευθεροῦν τὰς Ἀθήνας, Λειψύδριον τὸ  
 ὑπὲρ Παιονίης (Πάρνηθος *em.* Valckenaer)  
 τειχίσαντες. Duncker, *G. d. A.* vi 501,  
 places this incident in B.C. 513. Cf. J. H.  
 Wright, *The date of Cylon*, p. 54.

Λειψύδριον] a 'waterless' spot on the  
 southern flank of Parnes. The site has  
 not been identified. Leake (*Demi*, p. 39),  
 placing Paeonidae at *Menidhi*, regarded  
 the monastery of St Nicolas at the upper  
 end of a long acclivity three or four miles  
 (*drei Stunden*, Kastromenos, *die Demen*,  
 p. 95) to the N. as the site of Leipsydrium.  
 The monastery is 'built in a strong situa-  
 tion upon the summit of a height, backed  
 by the pine woods of Parnes and near  
 the right bank of a remarkable torrent.'  
 But the presence of the torrent is un-  
 favourable to this identification of the  
 'waterless' spot. Kastromenos, *l.c.*, mere-  
 ly says of this torrent that its water 'has  
 certainly never failed to supply Leipsy-  
 drium,' but he does not say clearly that this  
 fact goes against the proposed identifica-  
 tion. *Menidhi* is now identified as the site  
 of Acharnae, while Paeonidae may possibly  
 correspond to the ruined village of *Vari-  
 pompri*, two hours north of *Menidhi* at the  
 southern edge of Parnes, and Leipsydrium  
 may have occupied the same position as  
 the Pyrgos above that village (Hanriot,  
*Recherches*, p. 55 *sqq.*, quoted in Bur-

sian's *Geographie*, i 334).

In spite of the apparent testimony of  
 Herodotus, Wilamowitz (i 34 n. 10) holds  
 that this event probably preceded the  
 slaying of Hipparchus.

ἦδον ἐν τοῖς σκολιοῖς] cf. c. 20 at end.  
 On *scolia*, see K. O. Muller's *Lit. of  
 Ancient Greece*, i 249 E. T. 'The  
 rhythms of the extant *scolia* are very  
 various, though, on the whole, they re-  
 semble those of the Aeolic lyric poetry;  
 only that the course of the strophes is  
 broken by an accelerated rhythm, and is  
 in general more animated. This is par-  
 ticularly true of the apt and elegant  
 metre, which occurs in eight *Scolia* (one  
 of them the Harmodius), and of which  
 there is a comic imitation in Aristoph.  
*Ecll.* 938.

— — — — —  
 — — — — —  
 — — — — —  
 — — — — —

Here the hendecasyllables begin with a  
 composed and feeble tone; but a more  
 rapid rhythm is introduced by the ana-  
 paestic beginning of the third verse; and  
 the two expressions are reconciled by the  
 logaedic members in the last verse.' This  
*scolium* is quoted with many others in  
 Athenaeus, xv p. 695, who probably  
 derived this and the *scolium* in c. 20 ult.  
 from Aristotle's text. Cf. Wilamowitz,  
 i 37, ii 75.



αἰαὶ Λειψύδριον προδωσέταιρον,  
οἴους ἄνδρας ἀπόλεσας μάχεσθαι  
ἀγαθούς τε καὶ εὐπατρίδας,  
οἱ τὸτ' ἔδειξαν οἴων πατέρων ἔσαν.

4 ἀποτυγχάνοντες οὖν ἐν ἅπασι τοῖς ἄλλοις ἐμισθώσαντο τὸν ἐν

16—17 μάχεσθαι τ' ἀγαθούς καὶ Eustathius; τ' ἀγαθούς, γένει τ' Hermann, *El. D. Metr.* 695. καὶ εὐπατρίδας, idem habent Athenaeus, Suidas et Etym. Mag.: καὶ εὐπατρίδαν Tyrrell; ἀγαθούς, καλοῦς, εὐπατρίδας Bury.

TESTIM. 19 \*Schol. in Arist. *Lys.* 1153: 'Ἀρ. φησὶ μετὰ τὸν Ἰππάρχου θάνατον χρῆσμον γενέσθαι τοῖς Λάκωσιν καταλύειν τὴν τυραννίδα, τῆς Πυθίας, ὡς οἱ Ἀλκμαιονίδαι ἐμισθώσαντο τὸν ἐν Δελφοῖς νεῶν οἰκοδομεῖν, συνεχῶς τοῦτο χρώσης αὐτοῖς μαντευομένοις, ἕως πρότερον μὲν Ἀγχιμόλον ἐπεμψαν κατὰ θάλασσαν, ἀποκρουθέντος δὲ αὐτοῦ ὀργισθέντες οἱ Λάκωνες Κλεομένη τὸν βασιλέα σὺν μείζονι ἐξέπεμψαν στόλῳ· καὶ νικήσας τοὺς Θετταλοὺς εἰσῆλθεν εἰς τὴν Ἀττικὴν καὶ τὸν Ἰππίαν συνέκλεισεν εἰς τὸ Πηλαργικὸν τεῖχος, ἕως οἱ παῖδες τῶν τυράννων ἐξιόντες ἐάλωσαν (Rose, *Frag.* 357<sup>2</sup>, 395<sup>3</sup>).

προδωσέταιρον] a rare epithet appropriate to an impromptu song. It was afterwards used in late prose by Dio Cassius 58, 14. The only other word exactly parallel to it is *προδωσίκουπος* of 'a boaster who breaks his word.' Both words are noticed by Lobeck, *Phryg.* 770 (L and S).

§ 4. ἀποτυγχάνοντες] without gen., a usage also found in later writers, as Polybius and Diodorus. The passive ἀποτυγχάνεται is used in *Phys. Ausc.* ii 199 b (Kaibel, 39).

ἐμισθώσαντο—Ἀθήνας] Hdt. v 62, παρ' Ἀμφικτυόνων τὸν νηὸν μισθοῦνται τὸν ἐν Δελφοῖσι... ἐξοικοδομήσαι. οἱ δὲ χρημάτων εὖ ἦκοντες καὶ ἔόντες ἄνδρες δοκίμοι ἀνέκαθεν ἐτι, τὸν τε νηὸν ἐξεργάσαντο τοῦ παραδείγματος κάλλιον... (c. 63) ὡς οὖν δὴ οἱ Ἀθηναῖοι λέγουσι, οὗτοι οἱ ἄνδρες ἐν Δελφοῖσι κατῆμενοι ἀνέπειθον τὴν Πυθίην, ὅκως ἔλθοιεν Σπαρτιητέων ἄνδρες εἴτε ἰδίῳ στόλῳ εἴτε δημοσίῳ χρησόμενοι, προφέρειν σφὶ τὰς Ἀθήνας ἐλευθεροῦν, *ib.* ii 180. Schol. Aeschin. 3, 116.

The temple at Delphi was burnt down in B.C. 548; the contract of 300 talents for rebuilding it is assigned by Duncker, *G. d. A.* vi 493, to about 535. Pharaoh Amasis, who contributed to its restoration, died in 526.

Rose, *A.P.*, p. 418, observes, on Schol. Arist. *Lysistr.* 1153, that the writer of the Ἀθ. πολ. must have closely followed Herodotus. But this is no proof of the spuriousness of the treatise, as Ar. frequently refers to Herodotus in his undisputed works: 523 a 17, 579 b 2, 736 a 10, 756 a 6, 1409 a 27, 1417 a 7, 1451 b 2.

It appears impossible to take *ἄφ' ὧν* as =

*ἀφ' ὧν* (as proposed by Mr Kenyon). It can only mean: 'hence it was that they had abundance of money.' Similar uses of *ἄφ' ὧν* occur in 6 § 2, 7 § 4, 21 §§ 2, 4. We have here a slight divergence from the account in Herodotus. The historian describes the wealth of the Alcmaeonidae as enabling them to undertake the contract for rebuilding the temple, which they carried out in a splendid manner. The text states that, owing to their undertaking the contract, they had large supplies of money. These sums were entrusted to them to enable them to execute their contract, but they were (partly) applied to securing the aid of Sparta against the Peisistratidae. Cf. Wilamowitz, i 33, 38. This account is confirmed by a subsequent Atthidographer, Philochorus, *frag.* 70, FHG i 395, ap. Schol. Pind. *Pyth.* vii 9, λέγεται, ὅτι τὸν Πυθικὸν ναὸν ἐμπρησθέντα, ὡς τινὲς φασιν, ὑπὸ τῶν Πεισιστρατιδῶν οἱ Ἀλκμαιωνίδαι φυγαδευθέντες ὑπὸ τῶν Πεισιστρατιδῶν ὑπέσχοντο ἀνοικοδομήσαι, καὶ δεξάμενοι χρήματα καὶ συναγαγόντες δύναμιν ἐπέθεντο τοῖς Πεισιστρατιδαῖς, καὶ νικήσαντες μετ' εὐχαριστηρίων πλείονων ἀνωκοδόμησαν τῷ θεῷ τὸ τέμενος, ὡς Φιλόχορος ἱστορεῖ. Isocr. de *Perr.* 232 describes the Alcmaeonid Cleisthenes as having established the democracy, λόγῳ πείσας τοὺς Ἀμφικτυόνας δανεῖσαι τῶν τοῦ θεοῦ χρημάτων αὐτοῦ. Similarly Dem. c. *Mid.* 144 says of the Alcmaeonidae: τούτους δὲ φασιν ὑπὸ τῶν τυράννων ὑπὲρ τοῦ δήμου στασιάζοντας ἐκπέσειν, καὶ δανεῖσαι τοὺς ἀποκρούσαντας ἐκ Δελφῶν ἐλευθερῶσαι τὴν πόλιν καὶ τοὺς Πεισιστράτου παῖδας ἐκβαλεῖν.

20 Δελφοῖς νεῶν οἰκοδομεῖν, ὅθεν εὐπόρησαν χρημάτων πρὸς τὴν τῶν  
 Λακώνων βοήθειαν. ἡ δὲ Πυθία προέφερεν αἰὲν τοῖς Λακεδαιμονί-  
 οῖς χρηστηριαζομένοις ἐλευθεροῦν τὰς Ἀθήνας εἰς τοῦθ' ἕως  
 προὔτρεψε τοὺς Σπαρτιάτας, καίπερ ὄντων ξένων αὐτοῖς τῶν  
 Πεισιστρατιδῶν· συνεβάλλετο δὲ οὐκ ἐλάττω μοῖραν τῆς ὀρμῆς  
 25 τοῖς Λάκωσιν ἢ πρὸς τοὺς Ἀργεῖους τοῖς Πεισιστρατίδαις ὑπάρ-  
 χουσα φιλία. τὸ μὲν οὖν πρῶτον Ἀγχιμόλον ἀπέστειλαν κατὰ 5  
 θάλατταν ἔχοντα στρατιάν. ἠττηθέντος δ' αὐτοῦ καὶ τελευτή-  
 σαντος διὰ τὸ Κινέαν βοηθῆσαι τὸν Θετταλὸν ἔχοντα χιλίους  
 ἰππεῖς, προσοργισθέντες τῷ γενομένῳ Κλεομένην ἐξέπεμψαν τὸν  
 30 βασιλέα στόλον ἔχοντα μείζω κατὰ γῆν, ὃς ἐπεὶ τοὺς τῶν Θετταλῶν  
 ἰππεῖς ἐνίκησεν κωλύοντας αὐτὸν εἰς τὴν Ἀττικὴν παριέναι, κατα-  
 κλείσας τὸν Ἰππίαν εἰς τὸ καλούμενον Πελαργικὸν τεῖχος ἐπολιόρ-

20 <ἐξ->οικοδομεῖν B<sup>4</sup> ex Herod. v 62, sed cf. Schol. Arist. ὅθεν κτλ.: ἄτ' Gompertz; ὅτι εἰσποροὶ ἦσαν χρημάτων <ἀποβλέποντες> Hude; ibidem lacunam indicabant K-W<sup>1,2</sup>.

21 προέφερον (κ, κ-ω, β, Th): προὔφερον H-L (S<sup>1</sup>), coll. v. 23 προὔτρεψε. ΔΙΕΙ (κ, κ-ω, β, Th): αἰὲν H-L (S<sup>1</sup>), cf. 5, 19. 22 ΕΙΣΤΟΥΤΕΥΘΕΩΣ: correxit Blass e Schol. Arist. *Lys.* 1153, coll. c. 25 § 4 (edd.).

24 ΣΥΝΕΒΑΛΛΕΤΟ (κ, κ-ω, β, Th), cf. Kaibel, p. 170: συνεβάλετο Richards (H-L). 28 ΘΕΣΣΑΛΟΝ (κ-ω): Θετταλὸν (κ, H-L, β, Th), Meisterhans, p. 101<sup>3</sup>.

29 ΠΡΟΣΟΡΓΙΣΘΕΝΤΕΣ (κ, κ-ω, β, Th): παρ- Naber (H-L) et K-W<sup>1,2</sup> in notis; sed cf. Herod. iii 146 (Kaibel 170). 30 ΘΕΣΣΑΛΩΝ. 32 -ΚΛΕΙΣΑΣ κ, coll. Meisterhans, p. 36<sup>3</sup>: -κλήσας (κ-ω, H-L, β, Th).

Δακώνων...Δακεδαιμονίους] The same change of form in 19, 2 and 23, 4.

προέφερον] This defends προφέρεω in Hdt. v 63, against προφαίνεω (preferred by Bekker and Dindorf).

καίπερ ὄντων ξένων] Hdt. l. c., καὶ ξενίους σφι ἐόντας τὰ μάλιστα.

συνεβάλλετο—μοῖραν] Plat. *Tim.* 47 C, (λόγος) μεγίστην ξυμβαλλόμενος εἰς αὐτὰ μοῖραν, and often with μέρος. Ar. *de Animā* 1, 402 b 22, συμβάλλεται μέγα μέρος πρὸς τὸ εἰδέναί, *Poet.* 22, 1458 a 34; *de Part. Anim.* iii 12, 673 b 25, συμβάλλεται πολὺ μέρος πρὸς ὑγίειαν. *Pol.* iv (vii) 11, 1330 b 13, ταῦτα πλείστον συμβάλλεται πρὸς τὴν ὑγίειαν, ii 9, 1270 a 14, συμβάλλεσθαι τι πρὸς τὴν φιλοχρηματίαν, iii 9, 1281 a 4, συμβάλλονται πλείστον εἰς—, vii (vi) 2, 1317 b 16, συμβάλλεται ταύτη πρὸς—.

ἡ πρὸς Ἀργεῖους—φιλία] c. 17 *ad fin.*

§ 5. Ἀγχιμόλον] Hdt. v 63, πέμπουσι Ἀγχιμόλιον—κατὰ θάλασσαν πλοίοισι. Ἀγχιμόλον is the reading in the Ravenna MS of Schol. on Aristoph. *Lys.* 1153.

Κινέαν] Hdt. l. c. Θεσσαλοὶ...ἀπέπεμψαν...χιλίην τε ἵππων καὶ τὸν βασιλέα τὸν σφέτερον Κινέην.

προσοργισθέντες τῷ γενομένῳ] The exceptional compound word is supported by προσημπεκρυνέεσθαι τοῖσι Σαμίοισι, Hdt. iii. 146 (Kaibel 170).

Κλεομένην—παριέναι] Hdt. v 64, μέζω στόλον στείλαντες ἀπέπεμψαν ἐπὶ τὰς Ἀθήνας, στρατηγὸν τῆς στρατιῆς ἀποδέξαντες βασιλέα Κλεομένεα τὸν Ἀναξανδρίδην, οὐκ ἔτι κατὰ θάλασσαν στείλαντες ἀλλὰ κατ' ἤπειρον· τοῖσι ἐσβαλοῦσι ἐς τὴν Ἀττικὴν χώραν ἡ τῶν Θεσσαλῶν ἵππος πρώτη προσέμιξε καὶ οὐ μετὰ πολλὸν ἐτράπετο. Arist. *Lys.* 1150-6.

κατακλείσας—Ἀθηναίων] Hdt. l. c. ἄμα Ἀθηναῖον τοῖσι βουλομένοισι εἶναι ἐλευθέροισι ἐπολιόρκει τοὺς τυράννοους ἀπεργμένους ἐν τῷ Πελασγικῷ τείχεϊ.

Πελαργικὸν τεῖχος] the ancient fortification surrounding the west end (if not the whole) of the Acropolis; it had nine gates, and was the chief fortress of Athens until the expulsion of the Peisistratidae. It was thereupon destroyed and its site was left unoccupied (Thuc. ii 17). Even in the second century A.D. the blocks of stone from its ruined walls were still to be seen (Lucian, *Piscator* 47). Cf. Bur-  
 sian, *Geogr.* i 305 and Lolling in I. Müller's *Handbuch*, iii 337. Curtius insists on the



6 κει μετὰ τῶν Ἀθηναίων. προσκαθημένον δ' αὐτοῦ συνέπεσεν ὑπεξιώντας ἄλωναί τοὺς τῶν Πεισιστρατιδῶν υἱεῖς· ὦν ληφθέντων, ὁμολογίαν ἐπὶ τῇ τῶν παίδων σωτηρία ποιησάμενοι, καὶ τὰ ἑαυτῶν 35 ἐν πένθ' ἡμέραις ἐκκομισάμενοι, παρέδωκαν τὴν ἀκρόπολιν τοῖς Ἀθηναίοις ἐπὶ Ἀρπακτίδου ἄρχοντος, κατασχόντες τὴν τυραννίδα μετὰ τὴν τοῦ πατρὸς τελευταίαν ἔτη μάλιστα ἑπτακαίδεκα, τὰ δὲ σύμπαντα σὺν οἷς ὁ πατὴρ ἤρξεν ἐνὸς δεῖ(ν) πεντήκοντα.

34 ΕΠΕΞΙΟΝΤΑΣ : ὑπεξιώντας Wyse, Kontos (κ-w, H-L, K<sup>3</sup>, B, Th). 35 καὶ secl.

.T.

B<sup>4</sup>. 37 ΕΠΙΠΑΡΠΑΚΤΙΔΟΥ, ἐπὶ Ἀρπακτίδου (κ, κ-w, B, ἐφ' Ἀρπ. H-L). 39 δειν Joh. Mayor, A Sidgwick, κ-w<sup>1,2</sup> (K<sup>3</sup>): Δει hic et 27 § 2 (H-L, B, κ-w<sup>3</sup>, K<sup>4</sup>, Th), Ar. *Rhet.* 1390 b 11 ἐνὸς δεῖ (Par. prima manu) πεντήκοντα (Kaibel, 170).

TESTIM. 39 Schol. *Vesp.* 502, δοκεῖ δὲ ἡ τυραννὶς καταστῆναι, ὡς φησὶν Ἐρατοσθένης, ἐπὶ ἔτη ν̄ (50), τοῦ ἀκριβοῦς διαμαρτάνων, Ἀριστοτέλους (Bentley; legebatur Ἀριστοφάνους) μὲν τεσσαράκοντα καὶ ἐν (per errorem pro ἐννέα scriptum) φήσαντος, Ἡροδότου δὲ (ν 65) ξξ καὶ τριάκοντα (Rose, *Frags.* 358<sup>2</sup>, 396<sup>3</sup>).

literal sense of the passages describing it as surrounding the Acropolis, Hdt. vi 137, τοῦ τείχεος τοῦ περὶ τὴν ἀκρόπολιν ποτε ἐηλαμένου, Dionys. Hal. i 28, Paus. i 28 3 (*Stadtgeschichte* pp. LXXVI, 47, and map on p. 61). Cf. Holm, ii 341. After the building of the wall of Cimon, the name was probably confined to the west end of the fortification (Judeich in *Fleckeis. Jahrb.* 1890, p. 753 f, and in Müller's *Handbuch*, iii 2, 2, p. 107 f).

§ 6. ὑπεξιώντας] Hdt. v 65, ὑπεκτιθέμενοι γὰρ ἔξω τῆς χώρης οἱ παῖδες τῶν Πεισιστρατιδῶν ἤλωσαν. ὁμολογίαν κτλ.] *ib.* παρέστησαν—ὥστε ἐν πέντε ἡμέρησι ἐκχωρήσαι ἐκ τῆς Ἀττικῆς.

ἐπὶ Ἀρπακτίδου ἄρχοντος] The expulsion of the Peisistratidae belongs to the year 511/0 B.C., being placed by Thuc. vi 59 § 5 (παυθεὶς ἐν τῷ τετάρτῳ), in the fourth year of the sole rule of Hippias, which began in 514 B.C. It is also the fourth year before the archonship of Isagoras in B.C. 508/7 (21 § 1). The name of the archon is now known for the first time.

When Thucydides (*l.c.*), as observed by Mr Kenyon, describes Hippias as fighting at Marathon 'in the 20th year' after his expulsion, he is using a round number, as the actual interval was 20 years and a few months. Mr E. S. Thompson (*Class. Rev.* vi 181) connects the Plataean alliance with the expulsion of the Peisistratidae, placing both events in B.C. 511/0. Hence, in Thuc. iii 68, where the fall of Plataea is put in the 93rd year after its alliance with Athens, Mr Thompson (anticipated by Grote) proposes to alter the 93rd into the 84th year.

ἔτη μάλιστα ἑπτακαίδεκα—ἐνὸς δεῖν πεντήκοντα] In *Pol.* viii (v) 12, 1315 b 31, the rule of the sons lasts 18 years, while from the beginning to the end of the τυραννὶς of the father is 33 years, thus giving a total of 51 years. The 49 years of the text include 'about 17 years' for the rule of the sons, added to the 33 years assigned to the father in c. 17 § 1. In Hdt. v 65 the actual τυραννὶς of Peisistratus and his sons lasts for 36 years. It is probably by deducting from this number the 17 years here mentioned, that the writer gets 19 years as the duration of the actual rule of Peisistratus in 17 § 1.

σὺν] Rare in Attic prose, except in Xenophon, its place being generally taken by μετὰ with gen. One of the special uses of σὺν in Attic prose is to express numerical addition. According to Eucken, *Sprachgebrauch des Ar.*, p. 29, the following are the only instances of σὺν in the genuine writings of Aristotle. *Met.* 1039 b 21, σὺν τῇ ὕλῃ συνειλημμένος, 1044 b 15, ἐὰν δὲ προστεθῇ τὸ ὑπὸ γῆς ἐν μέσῳ γινόμενης, ὁ σὺν τῷ αἰτίῳ λόγος οὗτος, 1058 b 17, σὺν τῇ ὕλῃ οἱ λόγοι αὐτῶν. *Meteor.* 348 a 24, φερόμενα σὺν ψόφῳ πολλῷ. *Hist. Anim.* 490 a 32, αἱ γὰρ καμπαί τέτταρες, ἡ δὺν σὺν τοῖς πτερυγίοις, 525 b 15—17, πῶδας δ' οἱ μὲν κάραβοι ἐφ' ἑκάτερα ἔχουσι πέντε σὺν ταῖς ἐσχάταις χηλαῖς· ὁμοίως δὲ καὶ οἱ καρκίνοι δέκα τοὺς πάντας σὺν ταῖς χηλαῖς. *De partib. anim.* 683 b 3, ἐξάποδα δὲ τὰ τοιαῦτα πάντ' ἐστὶ σὺν τοῖς ἀλτικοῖς μορίοις. It will be observed that in several of these exx. the numerical sense is prominent. In the spurious works near the time of Ar. there is no instance of σὺν, but it occurs in

20. καταλυθείσης δὲ τῆς τυραννίδος ἐστασίαζον πρὸς ἀλλήλους Ἰσαγόρας ὁ Τεισάνδρου, φίλος ὢν τῶν τυράννων, καὶ Κλεισθένης, τοῦ γένους ὢν τῶν Ἀλκμεωνιδῶν. ἠττώμενος δὲ ταῖς ἑταιρείαις ὁ Κλεισθένης προσηγάγετο τὸν δῆμον, ἀποδιδούς τῷ  
5 πλήθει τὴν πολιτείαν. ὁ δὲ Ἰσαγόρας ἐπιλειπόμενος τῇ δυνάμει 2  
πάλιν ἐπικαλεσάμενος τὸν Κλεομένην, ὄντα ἑαυτῷ ξένον, συνέπει-  
σεν ἐλαύνειν τὸ ἄγος, διὰ τὸ τοὺς Ἀλκμεωνίδας δοκεῖν εἶναι τῶν  
ἐναγῶν. ὑπεξεληθόντος δὲ τοῦ Κλεισθέους, (ἀφικόμενος ὁ Κλεο- 3  
μένης) μετ' ὀλίγων ἠγηλάτει τῶν Ἀθηναίων ἐπτακοσίας οἰκίας·  
10 ταῦτα δὲ διαπραξάμενος τὴν μὲν βουλὴν ἐπειράτο καταλύειν,  
Ἰσαγόραν δὲ καὶ τριακοσίους τῶν φίλων μετ' αὐτοῦ κυρίους καθ-  
ιστάναι τῆς πόλεως. τῆς δὲ βουλῆς ἀντιστάσεως καὶ συναθροισθέντος  
τοῦ πλήθους, οἱ μὲν περὶ τὸν Κλεομένην καὶ Ἰσαγόραν κατέφυγον  
εἰς τὴν ἀκρόπολιν, ὁ δὲ δῆμος δύο μὲν ἡμέρας προσκαθεζόμενος

XX 2 ΤΙΣΑΝΔΡΟΥ. 3 ΑΛΚΜΕΟΝΙΔΩΝ hic et v. 20. ΗΤΤΗΜΕΝΟΣ (κ): ἠττώμενος Blass coll. Hdt. v 66 (κ-w, H-L, κ<sup>3</sup>, Th). 4 'an προσήγετο?' Th coll. 16 § 9, 17 § 3. 5 ΕΠΙΛΕΙΠΟΜΕΝΟΣ (κ, κ-w, B, Th), cf. 27 § 4, 34 § 3: ἀπολειπόμενος Richards, Kontos, H-L; ὑπο- Haskins. 7—9 ἄγος et ἠγηλάτει, κ-w, s<sup>1</sup>, κ<sup>4</sup>, cf. Jebb ad Soph. O. T. 402; ἄγος et ἠγ. κ<sup>1</sup>, H-L, Th; ἄγος et ἠγ. B ex Herod. v 72. 8 <ἀφικόμενος ὁ Κλεομένης> μετ' ὀλίγων ἠγηλάτει add. κ-w<sup>2</sup> ex Hdt. v 70 (B<sup>3,4</sup>, κ<sup>4</sup>, Th). Κλεομένης post Κλεισθ. add Papageorg. 11 ΑΥΤΟΥ sc. μετα του; μετ' αὐτοῦ edd.; αὐτοῦ Papabasilios; <τῶν> μετ' αὐτοῦ Papageorg.

those of much later date. In the most extensive of the works of Theophrastus it is only found thrice: *Hist. Pl.* ix 20, 4, *Caus. Pl.* ii 17, 8, v 6, 6 (Eucken, p. 30). See also Tycho Mommsen's *Beiträge*, p. 371 f.

δεῖν (inf. as in μικροῦ δεῖν), not δέει, is the right form here, and in c. 27, ἐνὸς δεῖν πεντηκοστῷ ἔτει, as well as in *Rhet.* ii 14 fin. where, however, the first hand of the best MS has τὰ ἐνὸς δεῖ πεντήκοντα, and the second hand has δεῖν (Kaibel, 170). In Plato, *Rep.* 378 C, πολλοῦ δεῖ is not adverbial, and the indicative is therefore right. To make δεῖν stand for δέον is a barbarism (Kühner, *Gr. Gr.* § 50, 11, p. 216 Blass) and cannot be defended on the analogy of πλεῖν ('more than') which is really for πλείον, not for πλέον. It is remarkable that this numerical expression (= *undequinquaginta*) has escaped lexicographers and grammarians (Mayor).

## XX—XXII. The Constitution of Cleisthenes.

XX § 1. φίλος—τυράννων] Aristotle (or the authority he follows) assumes that the opponent of Cleisthenes, the foe of the tyrants, must necessarily be their friend. Isagoras may have belonged to one of

the noble families which survived in Athens under the rule of the Peisistratidae (Beloch, i 339 n, cf. Wilamowitz, ii 76 n. 6). Herodotus, v 66, describes him as οἰκίης ἐὼν δοκίμου.

ἠττώμενος—δῆμον] Hdt. v 66, (Κλεισθένης καὶ Ἰσαγόρης) ἐστασίασαν περὶ δυνάμεις, ἐσσοῦμενος δὲ ὁ Κλεισθένης τὸν δῆμον πρ.σεταιρίζεται, *ib.* 69 fin. ἦν τε τὸν δῆμον προσθέμενος πολλῷ κατύπερθε τῶν ἀντιστασιωτέων. (70) ἐν τῷ μέρει δὲ ἐσσοῦμενος ὁ Ἰσαγόρης ἀντιτεχνᾶται τάδε. On ἑταιρεία cf. *Pol.* 1313 a 39 ff.

§ 2. ἐπιλειπόμενος] Cf. 27 § 4, 34 § 3, and Kaibel, 171.

ἐπικαλεσάμενος—ξένον] Hdt. v 70, ἐπικαλέεται Κλεομένηε...γενόμενον ἐωυτῷ ξένον.

ἐλαύνειν τὸ ἄγος] Cf. c. 1.

§ 3. ὑπεξεληθόντος] Hdt. v 72, Κλεομένης δὲ ὡς πέμπων (κῆρυκα) ἐξέβαλλε Κλεισθέnea καὶ τοὺς ἐναγέας, Κλεισθένης μὲν αὐτὸς ὑπεξέσχε. ἠγηλάτει] *ib.* μετὰ δὲ οὐδὲν ἦσσαν παρῆν ἐς τὰς Ἀθήνας ὁ Κλεομένης οὐδ' ἔσυνε μεγάλῃ χειρὶ (cf. μετ' ὀλίγων), ἀπικόμενος δὲ ἠγηλάτει ἐπτακόσια ἐπίστια Ἀθηναίων.

ταῦτα δὲ—ὑποσπόνδους] Hdt. v 72, ταῦτα δὲ ποιήσας δεύτερα τὴν βουλὴν καταλύειν ἐπειᾶτο, τρηκοσίοισι δὲ τοῖσι



ἐπολιόρκει, τῇ δὲ τρίτῃ Κλεομένην μὲν καὶ τοὺς μετ' αὐτοῦ πάντας 15  
ἀφείσαν ὑποσπόνδους, Κλεισθένην δὲ καὶ τοὺς ἄλλους φυγάδας  
4 μετεπέμψαντο. κατασχόντος δὲ τοῦ δήμου τὰ πράγματα Κλει-  
σθένης ἡγεμὼν ἦν καὶ τοῦ δήμου προστάτης. αἰτιώτατοι γὰρ  
σχεδὸν ἐγένοντο τῆς ἐκβολῆς τῶν τυράννων οἱ Ἄλκμεωνίδαι καὶ  
5 στασιάζοντες τὰ πολλὰ διετέλεσαν. ἔτι δὲ πρότερον τῶν Ἄλκ- 20  
μεωνιδῶν Κήδων ἐπέθετο τοῖς τυράννοις, διὸ καὶ ἦδον καὶ εἰς  
τοῦτον ἐν τοῖς σκολιοῖς·

ἔγχει καὶ Κήδωνι, διάκουε, μηδ' ἐπιλήθου,  
εἰ χρὴ τοῖς ἀγαθοῖς ἀνδράσιν οἰνοχοεῖν.

21. διὰ μὲν οὖν ταύτας τὰς αἰτίας ἐπίστευεν ὁ δῆμος τῷ  
Κλεισθένει. τότε δὲ τοῦ πλήθους προεστηκῶς ἔτει τετάρτῳ μετὰ  
2 τὴν τῶν τυράννων κατάλυσιν ἐπὶ Ἰσαγόρου ἄρχοντος, πρῶτον μὲν

16 ἀφίεσαν (κ, H-L, B<sup>1</sup>): ἀφείσαν (κ-W, B<sup>1-3</sup>, K<sup>1</sup>, Th). ΚΛΕΙΣΘΕΝΗΝ  
(κ-W, H-L, B, S<sup>1</sup>, Th), cf. Kühner, *Gr. Gr.* i p. 512<sup>3</sup>: Κλεισθένη κ, cf. 22 § 1.  
20 ἀντιστασιάζοντες H-L. στασ. <πρὸς τούτους> Gennadios, <πρὸς αὐτοὺς> Kaibel  
172, coll. Andoc. 2 § 26. 24 εἰ δὴ χρὴ minus bene Athen. 695; εἰ χρὴ τοῖς Porson;  
εἰ δὴ χρῆς Bergk.

·Ο·

XXI 1 ΕΠΙΣΤΕΥΕΝ, cf. 35 § 3 ἔχαιρον ἡ πόλις. ἐπίστευεν ὁ δῆμος κ, H-L, B, Th:  
ἐπίστευον [ὁ δῆμος] Rutherford, Bury, κ-w (Wil. i 294 n. 10). 3 ἐπ' H-L.

Ἰσαγόρῳ στασιώτησι τὰς ἀρχὰς ἐνεχειρίζε.  
ἀντισταθείσης δὲ τῆς βουλῆς καὶ οὐ βου-  
λομένης πείθεσθαι, ὃ τε Κλεομένης καὶ ὁ  
Ἰσαγόρης καὶ οἱ στασιῶται αὐτοῦ καταλαμ-  
βάνουσι τὴν ἀκρόπολιν. Ἀθηναίων δὲ οἱ  
λοιποὶ τὰ αὐτὰ φρονήσαντες ἐπολιόρκεον  
αὐτοὺς ἡμέρας δύο· τῇ δὲ τρίτῃ ὑπόσπονδοι  
ἐξέρχονται ἐκ τῆς χώρας ὅσοι ἦσαν αὐτῶν  
Λακεδαιμόνιοι. Isagoras withdrew with  
the Lacedaemonians (74); the rest of the  
Athenians who had taken his side were  
put to death (72 *fin.*).

πάντας] apparently a correction of  
Herodotus' account (Thalheim).

μετεπέμψαντο] Hdt. v 73, Κλεισθένεα  
καὶ τὰ ἐπτακόσια ἐπίστια τὰ διωχθέντα  
ὑπὸ Κλεομένηος μεταπεμψάμενοι.

§ 4. τοῦ δήμου προστάτης] c. 2 § 2  
*ad fin.*

§ 5: πρότερον τῶν Ἄλκ.] is the most  
natural construction and it is so translated  
by Kaibel and Kiessling. Wilamowitz,  
i 38, assumes, in his text, that Kedon  
was an Alkmeonid, but suggests in his  
note that he was only a client of that  
house.

Κήδων] Nothing else is known of  
this person. His endeavour to expel the  
tyrants was doubtless one of the unsuccess-  
ful attempts recorded in c. 19 in the  
general phrase: αἰεὶ προσέπταιον.

καὶ εἰς τοῦτον] *i.e.* as well as the

baffled heroes of Leipsydrium celebrated  
in the song recorded in c. 19, and quoted  
by Athenaeus immediately after this  
couplet. This juxtaposition seems to  
shew that both quotations were derived  
from this work.

XXI. Wilamowitz, ii 146, describes  
this chapter as a veritable revelation—  
'it is all pure gold.'

§ 1. ἔτει τετάρτῳ· ἐπὶ Ἰσαγόρου  
ἄρχοντος] The fourth year after the  
expulsion of the Peisistratidae (511/0)  
corresponds to 508/7 B.C. The archon-  
ship of Isagoras is placed by Dionysius  
Hal., *Ant. Rom.* i 74, in Ol. 68, i =  
508/7 B.C.; and his second mention of the  
same date, in v 1, shews that it was an  
Olympic year. On the expulsion of  
Isagoras, Cleisthenes apparently became  
archon in his place (cf. Wilamowitz, i 6).

The text implies that the reforms of  
Cleisthenes were subsequent to the ex-  
pulsion of Isagoras and Cleomenes.  
Cleisthenes begins by offering (ἀποδοῦς,  
20 § 1) the commons a share in the  
constitution; Isagoras appeals to Cleo-  
menes for his assistance against Clei-  
sthenes, and is defeated; thereupon  
Cleisthenes carries out his proposed re-  
forms. Herodotus briefly mentions some  
of these reforms (v 66 and 69), and  
describes the calling in of Cleomenes as

οὖν συνένειμε πάντας εἰς δέκα φυλάς ἀντὶ τῶν τεττάρων, ἀναμείξαι  
5 βουλόμενος, ὅπως μετάρχωσι πλείους τῆς πολιτείας· ὅθεν ἐλέχθη

XXI 4 ΟΥΝΕΝΕΙΜΕ: συνένειμε Newman (coll. 41 § 2), Kontos, Gertz, H-L (K<sup>3</sup>, B); οὖν συνένειμε K-W, qui lacunam post ἀρχοντος indicatam ope Ar. Pol. 1725 b 36 explendam censent; sine lacuna Diels, K<sup>4</sup>, Th. διένειμε Wyse, ἀνένειμε E S Thompson. ἀναμείξαι K-W; H-L, K<sup>3</sup>, Th; cf. 3 § 5 σύμμιξις: ἀναμιξάει (K<sup>1</sup>). <τε> βουλόμενος <καί> Th.

a counter-move on the part of Isagoras (70). Hence modern historians, e. g. Thirlwall, Grote, Curtius and Busolt, place the constitutional reforms of Cleisthenes before the calling in of Cleomenes. This appears improbable, for (as justly observed by Mr Kenyon) 'there was not time to have introduced such extensive constitutional changes before the Spartan invasion'; a remark which had already been made by Sauppe, *De Demis Urbanis*, p. 1. The evidence of Herodotus, when carefully examined, is partly in favour of the account in the text. He begins by describing Cl. as courting the aid of the commons (τὸν δῆμον προσεταιρίζεται). He then adds that it was afterwards (μετὰ δὲ) that Cl. transformed the four tribes into ten. This part of his narrative is a digression, and the story is resumed in c. 69, ἦν τε τὸν δῆμον προσθέμενος πολλῶ κατῦπερθε τῶν ἀντιστασιωτέων. In this view, I find myself in agreement with Lugebil, *Philol.* Suppl. Bd iv 165.

§ 2. εἰς δέκα φυλάς ἀντὶ τῶν τεττάρων κτλ.] Hdt. v 66, μετὰ δὲ τετραφύλους ἔοντας Ἀθηναίους δεκαφύλους ἐποίησε κτλ. *ib.* 69, τὰς φυλάς μειωνόμασε καὶ ἐποίησε πλείους ἐξ ἑλασσόνων· δέκα τε δὴ φυλάρχους ἀντὶ κατέρων ἐποίησε, δέκα δὲ καὶ τοὺς δήμους συνένειμε ἐς τὰς φυλάς. In the *Politics*, Ar. alludes to these reforms as follows: iii 2, 1275 b 37, ἀλλ' ἴσως ἐκείνο μᾶλλον ἔχει ἀπορίαν, ὅσοι μετέσχον μεταβολῆς γενομένης πολιτείας (cf. μετάρχωσι... τῆς πολιτείας), οἷον Ἀθηνησὶν ἐποίησε Κλεισθένης μετὰ τὴν τῶν τυράννων ἐκβολήν· πολλοὺς γὰρ ἐφυλέτευσε ξένους καὶ δούλους μετοίκους, i. e. enrolled (as citizens) in the tribes not only free-born foreigners but also slaves who by emancipation had already become μέτοικοι (cf. Gilbert, *Gr. St.* i 161<sup>2</sup> f; Thumser, *Staatsalt.* p. 404 n. 1). The text, as it stands, makes no direct mention of these, though it incidentally names the νεοπολίται at the end of § 4. Cf. *ib.* vii (vi) 4, 1319 b 20, ἔτι δὲ καὶ τὰ τοιαῦτα κατασκευάσματα χρήσιμα πρὸς τὴν δημοκρατίαν τὴν τοιαύτην, οἷς Κλεισθένης τε Ἀθηνησὶν ἐχρήσατο βουλόμενος αὐξήσαι τὴν δημοκρατίαν, καὶ περὶ Κυρήνην οἱ τὸν δῆμον καθιστάντες. φυλαί

τε γὰρ ἕτεροι ποιηταὶ πλείους καὶ πατρίαι, καὶ τὰ τῶν ἰδίων ἱερῶν συνακτέον εἰς ὄλγα καὶ κοινά, καὶ πάντα σοφιστέον ὅπως ἂν ὄτι μάλιστα ἀναμιχθῶσι (cf. ἀναμείξαι) πάντες ἀλλήλοις, αἱ δὲ συνήθειαι διαζευχθῶσιν αἱ πρότεραι. See Grote, c. 31, ii p. 109—113; and *inf.* on § 6.

ὅθεν—βουλομένους] 'Hence the advice, not to notice the tribe, which was tendered to those who would scrutinise (the lists of) the clans.' This is the interpretation suggested by Mr Kenyon who, in the course of an excellent note, observes that, as the φυλαί, after the reforms of Cleisthenes, 'no longer bore any relation to the γένη, it was useless to enter on an examination of the tribes for the purpose of reviewing the lists of the γένη... A number of persons were admitted to the new tribes who had not been members of the old, and these were not necessarily entered on the rolls of any of the γένη. Formerly, on any review of the citizen-roll, it was no doubt usual to go through it tribe by tribe, following all the subdivisions of the old patriarchal system. Now, the tribe-roll had no relation to that of the γένη, and consequently those persons who wished to examine the latter would have nothing to do with distinctions of tribe.' In the words of Grote, c. 10, ii 273, 'the gentes had no connection, as such, with these new tribes, and the members of the same gens might belong to different demes.'

Mr Wyse, however, holds that τὰ γένη is simply an idiomatic plural for τὸ γένος, in the sense of 'a man's birth.' Cf. Arg. to Dem. Or. 57 δεῖ δὲ μὴ τὰ ἀνυχήματα προφέρειν ἀλλὰ τὰ γένη ζητεῖν, i. e. τὸ γένος in each several case. Before Cleisthenes a man might have claimed to be of purer and nobler birth as belonging, let us say, to the Γελέωντες. After Cleisthenes all were 'mixed up,' noble and simple alike, and the tribe was no indication of a man's family history. This is a simpler explanation than Mr Kenyon's, and is in accordance with Aristotle's view of Cleisthenes' aims, as expressed here and in the *Politics*.



9.] καὶ τὸ μὴ φυλοκρινεῖν || πρὸς τοὺς ἐξετάζειν τὰ γένη βουλομένους.  
 3 ἔπειτα τὴν βουλὴν πεντακοσίους ἀντὶ τετρακοσίων κατέστησεν,  
 πενήκοντα ἐξ ἐκάστης φυλῆς· τότε δ' ἦσαν ἑκατόν. διὰ τοῦτο  
 δὲ οὐκ εἰς δώδεκα φυλὰς συνέταξεν, ὅπως αὐτῷ μὴ συμβαίῃη  
 μερίζειν κατὰ τὰς προὔπαρχούσας τριττύς· ἦσαν γὰρ ἐκ τεττάρων 10  
 φυλῶν δώδεκα τριττύες, ὥστ' οὐ [συν]έπιπτεν (ἀν) ἀναμίσγεσθαι

8 ἐξ del. B<sup>4</sup> appendix.ἐκάστης <τῆς>, B<sup>4</sup>, Th.

9 οὐκ(αι)εἰς.

I MH

ΔΥΤΩΣΥΜΒΑΙΝΗ ΜΗ alia manu.

10 πρὸς (Th) mutatum in κ(ατα).

τεττά-

ρων: Δ; ἐκ &lt;τῶν&gt; τεττάρων coll. § 2 Parageorgios.

11 οὐκ ἐπειπτεν? οὐκ ἂν

συνέπιπτεν Richards (H-L); οὐ συνέπιπτεν ἂν Hude, K-W, K<sup>3</sup>, B<sup>1-3</sup> (S<sup>1</sup>, K<sup>4</sup>); οὐ συνέπιπτε B<sup>4</sup>, -εν Th, coll. Andoc. i 58, Lys. vii 32.

φυλοκρινεῖν] 'to draw distinctions between tribes.' The word occurs in Thuc. vi 18 § 2, εἴγε ἡσυχάζοιεν πάντες ἡ φυλοκρινοῖεν οἷς χρεῶν βοηθεῖν, where, like ταμνεσθαι in § 3, and στορέσωμεν in § 4, it is a vivid metaphor characteristic of the speaker, Alcibiades. Cf. Lucian, *Abdicatus*, 4, οὐκ ἐς βάθος ὄντων, οὐδ' ἀκρῶς φυλοκρινούτων (Schol. διακρούωντων, δοκιμαζόντων περιέργως) τὰς ἰσθούς, and *Phalaris alter*, 9, φυλοκρινεῖν τὰ ἀναθήματα καὶ γενεαλογεῖν τὰ πεμπόμενα, ὅθεν καὶ ἀφ' ὅτου καὶ ὅποια (in all these passages there is a v. l. φυλοκρινεῖν). In late authors we also have φυλοκρίνησις, φυλοκρινητέον, and φυλοκρινητικός (see L and S). Pollux, viii 110, after recounting the names of the Attic tribes, adds ἀπὸ δὲ φυλῶν τὸ φυλοκρινεῖν ὠνομάσθη; and Suidas explains φυλοκρινεῖν by διακρίνει, καταδοκιμάζει περιέργως. Cf. Phrynichus, p. 71, 8 Bekk. *Απ. φυλοκρινεῖν*· κυρίως μὲν τὸ τὰς φυλὰς τὰς ἐν ταῖς πόλεσι διακρίνειν, σημαίνει δὲ καὶ τὸ ἄλλο τι διατάττειν καὶ διακρίνειν, id. *Ἀρρ. Σοφ.* p. 81, 7, φυλοκρίνει (sic)· διακρίνει, δοκιμάζει περιέργως, κατεξετάζει, quoted by Schmidt on Hesych. φυλ[λ]οκρινεῖν· τὰς φυλὰς διακρίνειν.

ἐξετάζειν] Dem. 45 § 82, τὸν ἡμέτερον πατέρα ἐξήταξες ὅστις ἦν (of one who was once a slave). Cf. note on Dem. *Lept.* § 5.

§ 3. τὴν βουλὴν] From this time forward the Solonian Council of 400 is superseded by that of 500, ἡ τῶν πεντακοσίων βουλή, or ἡ βουλή οἱ πεντακόσιοι (Aeschin. *Ctes.* § 2) as it was sometimes called, to distinguish it from the Council of the Areopagus. The institution of the Council of the Five Hundred has always been attributed to Cleisthenes, in connexion with the introduction of the ten tribes; but this passage is probably the

first express statement on the subject in any ancient author.

οὐκ εἰς δώδεκα φυλὰς συνέταξεν κτλ.] 'The reason why he did not organize the people into twelve tribes was that he might not have to divide them according to the already existing Trittyes; for the four tribes had twelve Trittyes, so that he would not have achieved his object of re-distributing the population in fresh combinations' (Kenyon).

Twelve was the number of tribes adopted by Plato in his model city (*Leg.* 745, 771), and, had this number been prepared by Cleisthenes, it would have simplified the arrangement of the prytanies by making each of the 12 prytanies correspond to a lunar month. But, in this case, the twelve new tribes would have exactly corresponded to the twelve old Trittyes, and the reformer's object of breaking up the old system by bringing the people into new combinations with one another would have been defeated.

Besides, the old Trittyes had not a local character. They were identical with the Phratries and thus consisted of a third part of the members of the old tribe wherever they resided. These fixed fractions of the old tribes were to be superseded by a local organisation in which the name Trittyes continued to mean 'a third part of a tribe' but was to be used thenceforth in a local sense. See also Wilamowitz, ii 147.

ὅπως—μὴ συμβαίῃη] *Inf.* ὅπως—μετέχῃ, and ἵνα μὴ... ἐξελέγχωσιν.

τριττύς] c. 8 § 3.

οὐ συνέπιπτεν ἂν—πλήθος] lit. 'it would not have resulted in the people being mingled together.' ἀναμίσγεσθαι is a rather rare alternative form for ἀναμίγνυσθαι.

τὸ πλήθος. διένειμε δὲ καὶ τὴν χώραν κατὰ δήμους τριάκοντα μέρη,

TESTIMONIA. 12—15 Michael Psellus *περὶ τῶν ὀνομάτων τῶν δικῶν*, p. 103 Boissonade, p. 1015 § 31 Migne, ἡ δὲ τριττὸς νεώτερον (leg. νεώτερον) ὄνομα παρὰ τοῖς Ἀθηναίοις ἐστὶ. Κλεισθένης γὰρ τις, εἰς τριάκοντα μοίρας τὴν Ἀττικὴν ἀπύσασαν διένειμας; ἐπειδὴ τὸ μὲν αὐτῆς ἐπιθαλαττίδιον ἦν, τὸ δὲ ἐπὶ τοῦ μέσου καθήστο τῆς χώρας, τὸ δὲ παρὰ τὸ ἄστυ συνέστρωτο, δέκα μὲν μοίρας τῇ παραλίῳ συντέτευχε, δέκα δὲ κατέστησεν ἐπὶ τὴν μεσόγειον, δέκα δὲ ἀστυνόμους ἐποίησε: καὶ τὸ τριτημόριον τριττὸς ὠνόμαστο (attulerunt K-W).

§ 4. διένειμε—τριάκοντα μέρη] c. 30 § 3, διένειμαι...τέτταρα μέρη, Xen. *Cyrop.* vii 5, 3, τὸ σπράτευμα κατένειμε δώδεκα μέρη, Plato, *Politicus*, p. 283 D, διέλωμεν αὐτὴν δύο μέρη (Kühner *Gr. Gr.* § 411, 6 c).

Cleisthenes divided the whole of Attica into 30 portions, each of them called a *τριττὸς*. 10 of these were urban or suburban, 10 on the coast, and 10 in the interior. Each of the 10 tribes had three *τριττὸς* allotted to it, one from each of the above districts. Thus 'the tribe, as a whole, did not correspond with any continuous portion of the territory, nor could it have any peculiar local interest, separate from the entire community' (Grote). In this way the evils that had arisen during the previous century from the factions of the Shore, the Plain and the Mountain, were effectually counteracted.

The number of demes in a *τριττὸς* varied from 1 to 7. From the passage in Hdt. v 69, δέκα δὲ καὶ τοὺς δήμους κατένειμε ἐς τὰς φυλάς, 'Cleisthenes distributed the demes among the tribes by tens,' it has been inferred that he 'at first recognised exactly 100 demes, distributed in equal proportion among his 10 tribes.' This is the view of Schömann (*Ant.* p. 365 E. T.). K. F. Hermann (*Staatsalt.* § 111, 12) held that this is what Herodotus meant to affirm, but he does not accept the account as true. Others again (e.g. Corsini, Grote in his first ed., and Dietrich, *de Cleisthene*, Halle, 1840, p. 32) connect δέκα with ἐς τὰς φυλάς and contend that such a collocation is not uncommon in Herodotus. Madvig, *Adv. Crit.* i 305, strikes out δέκα δὲ. Bake (*Bibliotheca Critica* iv 272) alters it into καὶ δὴ. Cf. Schömann, *On Grote*, § 6, and *Ant.* pp. 336, 366 E. T. The best proposal is that of Lolling, who suggests δέκα(χα) δὲ, implying that Cleisthenes distributed the demes over the ten tribes in ten batches. δέκαχα corresponds in form to *τρίχα* and *τέτραχα*, and is found in a decree of Samos 405 B.C., *Delt. Arch.* 89, 26, l. 31, νεῖμαι αὐτοῖς...εἰς τοὺς δήμους καὶ τὰς φυλάς δέκαχα (Wilamowitz, ii 149 n. 9).

Such being the probable meaning of

the passage in Herodotus, it ceases to be an authority for the existence of exactly 100 demes in the time of Cleisthenes. We know the names of at least 145 demes, and, in the time of Polemon (β. 177 B.C.), the number was 174 (Strabo, p. 396). To Cleisthenes, however, the exact number of the demes was immaterial; the unit of his reorganisation of the tribes was not the deme but the group of demes, the *Triittys*.

Since the publication of the first edition of this commentary, the distribution of the Attic demes among the ten tribes of Cleisthenes has been carefully investigated by Milchhöfer, *Untersuchungen über die Demcnordnung des Kleisthenes* (Berlin, 1892); Loeper, *Die Trittyen und Demen Attikas*, in the *Mittheilungen des deutschen archäologischen Instituts in Athen*, 1892, pp. 319—433; and, independently, by Wilamowitz, on *Trittyen und Demen in Ar. und Athen*, ii 145—168. A map shewing the distribution of the demes over the three regions of Attica, the urban and suburban, the coast, and the interior, accompanies the first two of these investigations; and a similar map is to be found in Kiepert's *Formae Orbis Antiqui*, no. xiv (1906).

One hundred of the demes discussed by Milchhöfer are distributed as follows over the three districts. (Colonus is here ascribed to *Aegeis* alone.)

	urban or suburban	the coast	the interior	total
<i>Erechtheis</i>	1	2	1	4
<i>Aegeis</i>	4	5	4	13
<i>Pandionis</i>	1	5	3	9
<i>Leontis</i>	2	3	7	12
<i>Acamantis</i>	1	5	6	12
<i>Oeneis</i>	4	3	1	8
<i>Cecropis</i>	2	2	5	9
<i>Hippothontis</i>	5	3	3	11
<i>Aiantis</i>	1	5	4	10
<i>Antiochis</i>	1	6	5	12
	—	—	—	—
	22	39	39	100

This list does not exhaust the total number of demes dealt with by Cleisthenes.



δέκα μὲν τῶν περὶ τὸ ἄστυ, δέκα δὲ τῆς παραλίας, δέκα δὲ τῆς μεσογείου, καὶ ταύτας ἐπονομάσας τριττῦς, ἐκλήρωσεν τρεῖς εἰς τὴν φυλὴν ἐκάστην, ὅπως ἐκάστη μετέχη πάντων τῶν τόπων. καὶ 15 δημότας ἐποίησεν ἀλλήλων τοὺς οἰκοῦντας ἐν ἐκάστῳ τῶν δήμων, ἵνα μὴ πατρόθεν προσαγορεύοντες ἐξελέγχωσιν τοὺς νεοπολίτας, ἀλλὰ τῶν δήμων ἀναγορεύωσιν· ὅθεν καὶ καλοῦσιν Ἀθηναῖοι 5 σφᾶς αὐτοὺς τῶν δήμων. κατέστησε δὲ καὶ δημάρχους τὴν αὐτὴν

13 τῶν: τῆς Parageorgios. 17 νέους πολίτας Wayte. 18 προσαγορεύωσιν Richards. καὶ <νῦν> K-W<sup>1</sup>. Ἀθηναῖοι: hinc incipit fr. Berol. II a.

TEST. 19—21 \*Schol. Arist. *Nub.* 37 Ἄρ. δὲ περὶ Κλεισθένους φησὶ “κατέστησε καὶ δημάρχους—ἐποίησεν” (Rose, *Frag.* 397<sup>3</sup>, deerat in ed. 2). \*Harp. ναυκραρικά:… Ἄρ. δ’ ἐν Ἀθ. πολ. φησὶ “κατέστησαν δὲ δημάρχους—ναυκράροις· δημίους (δημαίους cod. A) ἀντὶ τῶν ναυκράρων ἐποίησαν” (359<sup>2</sup>, 397<sup>3</sup>). \*Harp. δημάρχους:… τοῦτους δὲ φησιν Ἄρ. ἐν Ἀθ. πολ. ὑπὸ Κλεισθένους κατασταθῆναι τὴν αὐτὴν ἔχοντας ἐπιμέλειαν τοῖς πρότερον ναυκράροις (*ib.*). Hesych. δημάρχου: οἱ πρότερον καλούμενοι ναῖκράροι…

ὅπως ἐκάστη μετέχη πάντων τῶν τόπων] *Pol.* 1330 a 16, ἵνα—ἀμφοτέρων τῶν τόπων πάντες μετέχωσιν. *Plat. Leg.* 745 B-E (Newman).

δημότας—δήμων] Under this arrangement every one originally belonged to the deme in which he lived. His descendants, whether they had property in the deme or not, continued to belong to the same deme. It was only through adoption that a member of one deme became a member of another, by being enrolled in the deme of his adoptive father (*Dem. Leoch.* §§ 22, 34; Schömann, *Antiq.* p. 367, E. T.).

ἵνα μὴ—νεοπολίτας] Many foreigners and resident aliens were added by Cleisthenes to the roll of citizens (*Pol.* 1275 b 37, quoted in n. 1 on § 2). Such a newly enrolled citizen, if called by his father's name alone, would betray his foreign origin; but, by being designated by his deme, he lost the badge of his alien birth and was put on equal terms with the other members of the deme.

πατρόθεν] *Xen. Oecon.* vii 3, *Pausan.* vii 7 § 4, *CIA* ii 114 B 4 (Athenian decree of B.C. 342), ἐπιγράψαι δὲ... τοὺς βουλευτὰς πατρόθεν καὶ τοῦ δήμου. ἐξελέγχωσιν] *Dem. Euibul.* 57 § 3, τοῖς μὲν ἐξελεγχόμενοι ξένους οὐσι χαλεπαίνειν, and *ib.* § 51.

τῶν δήμων ἀναγορεύωσιν] ‘publicly (or officially) call them by their demes.’ τῶν δήμων is not found in inscriptions. In MSS it generally precedes the name of the deme. Cf. τῶν δήμων Πιτθεύς, τῶν δήμων Θορκίος, Φρεαρρίου τῶν δήμων (*Plat. Euthyphro*, 213, *Dem.* 39 § 30, *Plut. Them.* 1, 1), *Lys.* 23 § 2, ὁπόθεν δημοτεύοιτο. It may be inferred that before the time of Cleisthenes Athenians were not described

by the name of their demes. ‘In Athens, at least after the revolution of Kleisthenēs, the gentile name was not employed; a man was described by his own single name, followed first by the name of his father and next by that of the deme to which he belonged’ (*Grote* c. 10, ii 274).

§ 5. κατέστησε—δημάρχους] Photius, *s.v.* ναυκραρία, quotes from this treatise (c. 8 § 3), φυλαὶ δὲ ἦσαν—καθ’ ἐκάστην. After this quotation should follow the words which have by mistake been placed before it, viz.: ὕστερον δὲ ἀπὸ Κλεισθένους δήμοι εἰσι, καὶ δημάρχου ἐκλήθησαν. At the close of his article he cites Cleidemus (ἐν τῇ τρίτῃ): ὅτι Κλεισθένους δέκα φυλάς ποιήσαντος ἀντὶ τῶν τεσσαρῶν, συνέβη καὶ εἰς πεντήκοντα μέρη διαταγῆναι αὐτοὺς (ταῦτα Müller) δὲ ἐκάλουν ναυκραρίας, ὥσπερ νῦν εἰς τὰ ἑκατὸν μέρη διαιρεθέντα (διαιρεθέντας Siebelis) καλοῦσι συμμορίας (*FGH* i 361). According to this view, the change in the number of tribes from four to ten involved a change in the number of ναυκραρία from 48 (12 × 4) to 50. The importance of the *Naucrariae* naturally did not remain the same as it had formerly been, and we hear in particular that the business which had once belonged to the *Naucrari* now passed to the Demarchs (*Schömann, Ant.* p. 370, E. T. on the authority of quotations from this passage in Harpocration &c.).

In the passage above cited from Photius Mr P. Giles (*English Historical Review*, 1892, p. 331) proposes, instead of πεντήκοντα (i.e. Ν) μέρη, to read τριάκοντα (i.e. Λ) μέρη, and to identify these μέρη with the τριττῦς. He also assumes that this sentence was followed by a

20 ἔχοντας ἐπιμέλειαν τοῖς πρότερον ναυκράροις· καὶ γὰρ τοὺς δῆμους ἀντὶ τῶν ναυκραριῶν ἐποίησεν. προσηγορεῦσε δὲ τῶν δῆμων τοὺς μὲν ἀπὸ τῶν τόπων, τοὺς δὲ ἀπὸ τῶν κτισάντων· οὐ γὰρ ὅπαντες

TESTIMONIA. 21 f. Cf. Etym. gen. infra exscriptum.

clause referring to the δῆμοι. He is doubtless justified in adding that this treatise gives no direct support to the view that the ναυκραρία consisted of two δῆμοι. (Cf. Gilbert, i 163<sup>2</sup>.)

The Peripatetic, Demetrius Phalereus (Müller, FHG, ii 363), ascribed the establishment of demarchs not to Cleisthenes but to οἱ περὶ Σόλωνα (Newman). The demes themselves existed long before Cleisthenes. It was the τριτύς, or group of demes, that was characteristic of Cleisthenes.

προσηγόρευσε—κτισάντων] 'He named some of the demes from their localities, and some from their founders.' Demes were already in existence before Cleisthenes; but they were now recognised as component parts in the new constitutional order, and had their names fixed by official sanction. Many of them had local designations derived either from natural features (Ποταμός, Κηφισία, Ἐπικηφισία, Δειράδες, Ἀλιμοῦς), or from places in their neighbourhood (Ὀλον Δεκελεικόν, Ὀλον Κεραμεικόν), or from plants or trees that grew there (Μαραθῶν, Ῥαμνοῦς, Μυρμινοῦς, Ἄγροῦς, Ἀχεροῦς, Ἰτέα, Ἐλαιοῦς, Ἐρκεῖα, Θρία, Πρασιαί, Πτελέα, Φηγοῦς). Among other local designations may be mentioned Οἰνῆ, Βῆσα, Λαμπτραί, Ἐλευσίς. Cf. *Et. gen.* (ex Photio), copied in *Etym. Magn.* s.v. Ἐλευσίς:...οἱ γὰρ δῆμοι τῶν Ἀθηναίων ἢ ἀπὸ τῶν τόπων, ἢ ἀπὸ τῶν παρακειμένων αὐτοῖς, ἢ ἀπὸ τῶν ἐν αὐτοῖς φυτῶν, ἢ ἀπὸ τῶν ἐν αὐτοῖς χειροτεχνῶν, ἢ ἀπὸ τῶν οἰκησάντων (οἰκισάντων Leake) ἀνδρῶν καὶ γυναικῶν, and Schol. Aristoph. *Plut.* 586.

Other demes were named 'from their founders,' i.e. from one of the eponymous founders of the demes. The names of forty are collected by Sauppe, *De Demis Urbanis*, p. 4 ff. (e.g. Aithaliades, Anagyros, Anaphlystus, Sphettus); but since many of them are obviously coined from the names of the demes, it is in these cases inaccurate to describe the demes as designated after their founders. Many of the demes were called after distinguished gentes who held property in them (e.g. Butadae, Thymoetadae, Cothocidae, Perithoetae, Semachidae, Scambonidae, Colleidae). There are as many as 30 such demes (25 of them are given in Grote, c. 10,

ii 273n); and it has been suggested that all of these were constituted by Cleisthenes. 'It seems that Kleisthenes' (says Grote, l. c.) 'recognised a certain number of new demes to which he gave names derived from some important gens resident near the spot. It is thus that we are to explain the large number of Kleisthenean demes that bear patronymic names.' 'The demes named after gentes are situated mainly in that part of the country which has been assigned to the *Phyle* of the Geleontes, and where accordingly the greater number of noble families and the most important of them lived' (Schömann, *Ant.* p. 366 n. E. T.).

οὐ γὰρ—τοῖς τόποις] This sentence is intended to explain the addition of ἀπὸ τῶν κτισάντων τὸ ἀπὸ τῶν τόπων, 'for (from the time of Cleisthenes) the demes were no longer called in all cases from the localities' (understanding προσηγορευθέντες from προσηγόρευσε); i.e. they then ceased to be in every instance designated by 'local' names. These old 'local' names had often been derived from the villages or hamlets included within the limits of the deme as constituted by Cleisthenes. Many of these were superseded by gentile or patronymic or heroic names,—names derived ἀπὸ τῶν κτισάντων. οὐ γὰρ ἔτι is inconsistent in sense with ὑπήρχον, unless the latter is made to mean little more than ἦν. Possibly the sentence implies that (even in the time of Cl.) the demes had already lost their local designations, and had received names derived from persons instead. Cl. gave official recognition to both classes of names, local and personal. Poland translates as follows: *Denn nicht alle Gauen entsprachen mehr den alten Namen der Oertlichkeiten*, adding in a note, that, in naming the new demes, Cl. availed himself of the old names, but had often, for example, to break up an old deme into several divisions and thus create new names. Kaibel and Kiessling translate: *Da nicht mehr alle Gemeinden sich mit Ortsbezeichnungen deckten*; Wilamowitz, *Denn Local bestanden sie nicht mehr alle*. Blass reads ἐν τοῖς τόποις, with the following interpretation: *non omnes demi erant inter vicus qui iam exstabant; itaque multos ab heroibus appellavit*. All



6. ὑπῆρχον ἐτι τοῖς τόποις. τὰ δὲ γένη καὶ τὰς φρατρίας καὶ τὰς 23

23 ἐτι ('non ἐν, quod legit Blass') κ, κ-w<sup>1,2</sup>, s<sup>1</sup>, κ<sup>4</sup>: ἐν Berol. (B. κ-w<sup>3</sup>, Th): ἐτι ἐν Papageorgios; ἅπασιν κτλ. coniecit K (Jos. Mayor); ἅπασιν ὑπῆρχεν ὀνόματα Bury (H-L). ΦΑΤΡΙΑΣ, idem habet corr. Berol., cf. Meisterhans 82<sup>3</sup> n. 701.

that we require is some form of words giving the simple sense: 'the names of the demes were not all derived from the names of places.'

§ 6. τὰ δὲ γένη—πάτρια] The parallel passage in the *Politics*, 1319 b 20, quoted on § 2 n. 1, implies that Cleisthenes increased the number of the phratries (and it was so understood by Buermann, *Jahrb. f. kl. Phil.* Suppl. Bd ix 1878, 597 sqq.). The text states that he allowed every one to remain in his former phratría. It was once held by Busolt (*Gr. Gesch.* i 394<sup>1</sup>, note 5, after Landwehr, *Philologus*, Suppl. Bd v 168) that the reference to the phratries in the passage in the *Politics* did not necessarily apply to Athens, but to Cyrene, which is mentioned in the same passage; and with this view Mr W. R. Paton agrees (*Class. Rev.* v 221 b). See also Duncker, *G. d. A.* vi 591 note. Busolt, however, has since admitted that the φρατρίαι are those of Athens (I. Müller's *Handbuch*, iv 1, p. 144 note 11); he adds that the present passage (as represented in the Berlin fragment) implies that the principle of the organisation of the phratries according to γένη remained unchanged. 'Probably the phratries before the time of Cleisthenes were larger bodies which, on the occasion of his reforms, were broken up into smaller portions. The number of the phratries is unknown; but they must have been more than 12' (*ib.*). See also *Gr. Gesch.* ii 21<sup>2</sup> n.

The present passage has been held to be 'somewhat out of harmony' with that in the *Politics*, and the question has been asked whether the statement as to priest-hoods can be easily reconciled with the fact that Cleisthenes converted a number of private worships into a few public ones (Mr W. L. Newman, in *Class. Rev.* v 162 a). If we are compelled to choose, one would prefer the definite statement in the text to the inference drawn from the less definite statement in the *Politics*, not to mention the disturbing influence of the mention of Cyrene in that passage. The two statements may, however, be reconciled. I take the text to refer to those who were already citizens connected with existing γένη and φρατρίαι. Cleisthenes allowed all these to

continue as of old in their respective γένη and φρατρίαι, with their religious institutions intact. Among these institutions would be (1) the sacrificial rites performed by the φιλοβασιλεῖς, who survived the change from four tribes into ten (8 § 3; 57 end); and (2) the hereditary priest-hoods such as those held by the Eumolpidae, Kerykes and Eteobutadae. Cf. Lex. Dem. Patm. p. 152, Sakkelion, (of the 30 γεννηται) ὡν αἱ ἱερωσῦναι (αἱ) ἐκάστοι προσήκουσαι ἐκληροῦντο, οἶον Εὐμόλπιδαι καὶ Κήρυκες καὶ Ἐτεοβουτάδαι, ὡς ἱστορεῖ ἐν τῇ 'Αθ. πολ. Ἀριστοτέλης κτλ. (Rose, Frag. 385<sup>3</sup>).

In contrast to the existing citizens there were a number of other persons who had hitherto not belonged to that body and therefore had no γένη. These are the νεοπολίται of § 4. It was for these that Cleisthenes provided new φρατρίαι. At the same time he absorbed many of the minor local cults into public festivals held at Athens.

Mr Newman, in his commentary on *Pol.* 1319 b 19 f. (vol. iv 522), objects that 'the object of Cleisthenes was to mingle the νεοπολίται with the old citizens, and would he have been content to place the former in phratries of their own, distinct from the others? Perhaps, if we seek to reconcile the two statements, Aristotle refers only to Cyrene in his mention of phratries in 1319 b 24. But ...statements which are not in complete harmony with each other are to be found in the *Politics* itself.'

In *Class. Rev.* v 222 b, Mr W. R. Paton observes that the νεοπολίται could not be received into the γένη, all the members of which were allied (or supposed to be allied) by blood; but he considers that they could be received into the phratries, each of which was a group of γένη not claiming a blood-relationship with one another and therefore more elastic. He assumes that Cleisthenes did not increase the number of phratries; whereas it is not improbable that he did, and there is nothing in the present passage to prove that he did not.

Gilbert, i 163<sup>2</sup> f, assumes a 'new arrangement of the phratries.'

ἱερωσύνας εἶασεν ἔχειν ἐκάστους κατὰ τὰ πάτρια. ταῖς δὲ φυλαῖς  
25 ἐποίησεν ἐπωνύμους ἐκ τῶν προκριθέντων ἑκατὸν ἀρχηγῶν, οὓς  
ἀνείλεν ἡ Πυθία, δέκα.

22. τούτων δὲ γενομένων δημοτικωτέρα πολλὴ τῆς Σόλωνος  
ἐγένετο ἡ πολιτεία· καὶ γὰρ συνέβη τοὺς μὲν Σόλωνος νόμους  
ἀφανίσει τὴν τυραννίδα διὰ τὸ μὴ χρῆσθαι, καί [ν]οὺς δ' ἄλλους  
θεῖναι τὸν Κλεισθένην στοχαζόμενον τοῦ πλήθους, ἐν οἷς ἐτέθη καὶ  
5 ὁ περὶ τοῦ ὄστρακισμοῦ νόμος. πρῶτον μὲν οὖν ἔτει πέμπτῳ 2

24 ἱΕΡΩΣΥΝΑΣ (κ, Η-Λ, Β, Κ-<sup>W</sup>3, Th): ἱερωσύνας κ-<sup>w</sup>1-2, s<sup>1</sup>, Meisterhans, p. 46<sup>3</sup>.

25 ΕΠΩΝΥΜ. . . C, ἐπωνυμ[ί]ας κ<sup>1</sup>; ΕΠΩΝΥΜΟΥC Berol., idem coniec'erant Jos. Mayor, Richards (edd.).

XXII 3 χρᾶσθαι Berol. κ(αι). οyc Lond., καί...Berol., καινοὺς κ-<sup>w</sup> (edd.); τοὺς κ<sup>1</sup>. 4 κλεισθενη (edd.): Κλεισθένην κ<sup>1</sup>, s<sup>1</sup>. 5 † πεμπτῳ†, an ὀγδόῳ? κ.

25—26 Etym. M. ἐπώνυμοι (locus infra exscriptus).

TESTIMONIA. XXII 5—39 Heraclidis epitoma (Rose, Frag. 611, 4<sup>3</sup>): καὶ τὸν περὶ ὄστρακισμοῦ νόμον εἰσηγήσατο, ὃς ἐτέθη διὰ τοὺς τυραννιῶντας. καὶ ἄλλοι τε ὠστρακίσθησαν καὶ Ξάνθιππος καὶ Ἀριστείδης.

τὰς ἱερωσύνας εἶασεν ἔχειν] Plato, *Leg.* 759 A (πάτρια ἱερωσύναι), μὴ κινεῖν.

ταῖς δὲ φυλαῖς—δέκα.] In *Etym. M.*, s.v. ἐπώνυμοι, after mention of the ἐπώνυμοι τῶν ἡλικιῶν (c. 53), we have, contrasted with these, οἱ δέκα ἀφ' ὧν αἱ φυλαὶ προσηγορεύθησαν, οἶον Ἐρεχθεύς, Αἰγυῖς, Πανδίων, Λεῶς, Ἀκάμας, Οἰνύες, Κέκροψ, Ἰπποθῶν, Αἴας, Ἀντίοχος· ταῦτα δὲ τὰ δέκα ὀνόματα ἀπὸ ρ' (=ἑκατὸν, ἀπορα *Et. M.*) ὁ Πύθιος εἶλετο, Κλεισθένης οὕτω διαταξαμένου τὸ πᾶν πλήθος εἰς δέκα φυλάς. Cf. *Bull. de corr. hellén.* 1877), ...τοῦ θεοῦ τοῦτο χρῆσαντος...τούτους γὰρ ἐξ ὀνομάτων ἑκατὸν ὁ θεὸς ἐξελέξατο, and Schol. *Aristid.* iii 331, 20 Dind.; also Bekker, *Anecd.* (λέξεις ῥητορικαί) 245, 17, Photius, and Suidas. This is one of several instances in which the influence of the Alcmaeonidae with the oracle at Delphi was of important consequence to Athens.

ἀρχηγῶν] The ἐπώνυμοι are themselves called ἀρχηγῆται in *Aristoph.* *Frag.* 186 Dind. (παρὰ τοὺς ἀρχηγέτας), ap. Bekk. *Anecd.* i 449: ἀρχηγῆται ἡγεμόνες οἱ ἐπώνυμοι τῶν φυλῶν. These hundred heroes have sometimes been wrongly regarded as the eponymous heroes of a hundred Attic demes. Herodian, *περὶ μονήρους λέξεως*, p. 17, 8, has Ἀραφὴν εἰς τῶν ἑκατὸν ἡρώων. Araphen may well have been of the original hundred ἀρχηγῆται, and his name was adopted as the name of an Attic deme; but it does not follow that there were a hundred demes whose names had a similar origin.

## XXII. Ostracism.

On the composition of this chapter in general, see Kaibel, 22 f.

§ 1. ἀφανίσει] 'to put out of sight,' practically 'to suppress' by allowing them to become obsolete.

στοχαζόμενον τοῦ πλήθους] *Pol.* vi (iv) 12, ἀν...ὀλιγαρχικοὺς τοὺς νόμους τιθῆναι στοχάζεσθαι χρῆ τῶν μέσων, Polyb. vi 38, 2, πρὸς τὸ πλήθος αἰεὶ στοχαζόμενος.

ὄστρακισμοῦ] Our knowledge of the procedure in cases of ostracism is founded on a fragment of Philochorus 79 b (FHG i 396), in the Appendix to Photius, p. 675 Porson: προχειροτονεῖ μὲν ὁ δῆμος πρὸ τῆς ἡ' πρυτανείας (see c. 43 § 5), εἰ δοκεῖ τὸ ὄστρακον εἰσφέρειν· ὅτε δὲ δοκεῖ, ἐφράσseto σανίσιν ἢ ἀγορὰ καὶ κατελείποντο εἰσοδοὶ δέκα, δι' ὧν εἰσίντες κατὰ φυλάς ἐτίθησαν τὰ ὄστρακα, στρέφοντες τὴν ἐπιγραφὴν. ἐπιστάτου δὲ οἱ τε ἐννέα ἀρχοντες καὶ ἡ βουλή· διαριθμηθέντων δὲ ὅτῳ πλείστα γένοιτο καὶ μὴ ἐλάττω ἑξακισχιλίων, τοῦτον ἔδει τὰ δίκαια δόντα καὶ λαβόντα ὑπὲρ τῶν ἰδίων συναλλαγμάτων ἐν δέκα ἡμέραις μεταστῆναι τῆς πόλεως ἔτη δέκα (ἄλλοτερον δὲ ἐγένοντο πέντε) καρπούμενον τὰ ἑαυτοῦ μὴ ἐπιβαίοντα ἐντὸς Γεραιστοῦ. (Dobree's correction of πέρα τοῦ) Εὐβοίας ἀκρωτηρίου· μόνος δὲ Ἰπέρβολος ἐκ τῶν ἀδόξων δοκεῖ ἐξοστρακίσθηναι διὰ μοχθηρίαν τρόπων, οὐ δι' ὑποψίαν τυραννίδος· μετὰ τοῦτον δὲ κατελύθη τὸ ἔθος, ἀρξάμενον νομοθετήσαντος Κλεισθένης, ὅτε τοὺς τυράννους κατέλιπεν, ὅπως συνεκβάλη καὶ τοὺς φίλους αὐτῶν. According to Ephorus and Theopompus the object of ostracism was to check



μετὰ ταύτην τὴν κατάστασιν ἐφ' Ἑρμοκρέοντος ἄρχοντος τῆ βουλῇ τοῖς πεντακοσίοις τὸν ὄρκον ἐποίησαν, ὃν ἔτι καὶ νῦν ὀμνύουσιν. ἔπειτα τοὺς στρατηγούς ἤρουντο κατὰ φυλάς, ἐξ ἐκάστης φυλῆς ἓνα, τῆς δὲ ἀπάσης στρατιᾶς ἡγεμῶν ἦν ὁ πολέμαρχος.

6 ΕΡΜΟΥ|ΚΡΕΟΝΤΟΣ (κ<sup>1</sup>). 8 ἔπειτα <δ' ἔτει ἡ> sc. μετὰ ταύτην τὴν κατάστασιν (in v. 5 servato πέμπτῳ) Bury (*Cl. Rev.* 1895, 107 n). 8—9 ἐκάστης <τῆς> φυλῆς B, s<sup>1</sup>, Th, [...φυ]λῆς ἐκάστ[η]ς Berol.

ὑπεροχῇ (cf. Androt. fragm. 5, Diod. xi 55, Nepos, *Them.* 8, *Cimon* 3; Plut. *Arist.* 7, *Them.* 22, *Nic.* 11, *Alcib.* 13). This opinion is shared by Ar. *Pol.* iii 13, 1284 a 17 and 36, and viii (v) 3, 1302 b 15. The checking of ὑπεροχῇ may well have been its original purpose, but in process of time it was made the means of preventing mischief arising from στάσεις by suppressing the leader of the opposition and leaving the majority free to carry out their wishes without hindrance. See Grote, c. 31; Busolt, ii 439<sup>2</sup>, and in Müller's *Handbuch*, iv 1, 121; Lugebil, *Das Wesen und die historische Bedeutung des Ostrakismos in Athen*, in *Jahrb. f. cl. Phil.* Suppl. Bd iv, 119—175; Gilbert, *Gr. St.* i 168<sup>2</sup> f; Beloch, i 337; Abbott's *Hist. of Gr.* i 481—3; and Smith, *Dict. Ant.* s.v.

§ 2. ἔτει πέμπτῳ] The text, as it stands, implies 504/3 B.C., four years after the archonship of Isagoras, 508/7. But the archon of 504/3 is already known, *Acestorides* (Dionys. v 37), and not *Hermocreon*. The year is the 12th before the battle of Marathon 490/489, and must therefore be 501/0, the archon of which year has not hitherto been known. It is just conceivable that the reforms of Cleisthenes may have taken three years to get into complete shape, but nothing is said to this effect in the text, and it seems therefore necessary (as suggested by Mr Kenyon) to alter the 5th year into the 8th (εἰς into ἦ). See, however, Wilamowitz, i 24 f.

τοῖς πεντακοσίοις] So called to distinguish it from the Council of the Areopagus. The addition of these words is not inappropriate here, as the establishment of the Council of 500 was one of the recent reforms.

τὸν ὄρκον] Xen. *Mem.* i 1 § 18, τὸν βουλευτικὸν ὄρκον ὁμῶς, ἐν ᾧ ἦν κατὰ τοὺς νόμους βουλευσέν. Lys. 31 § 1, ὁμῶς εἰσῆλθον εἰς τὸ βουλευτήριον τὰ βέλτιστα συμβουλεύσειν τῇ πόλει, ἐνεστί τε ἐν τῷ ὄρκῳ ἀποφαίνειν εἰ τίς τινα οἶδε τῶν λαχόντων ἀνεπιτήδειον ὄντα βουλεύειν. [Dem.] 59 § 4, ὁμομοκῶς τὰ βέλτιστα

βουλευσέν τῷ δήμῳ τῶν Ἀθηναίων. In Solon's time the βουλῆ swore τοὺς Σόλωνος νόμους ἐκπεδώσειν (Plut. *Sol.* 25).

The oath included a clause, οὐδὲ δῆσω Ἀθηναίων οὐδένα, ὅς ἂν ἐγγυητὰς τρεῖς καθιστῆ τὸ αὐτὸ τέλος τελοῦντας, πλὴν εἰάν τις ἐπὶ προδοσίᾳ τῆς πόλεως ἢ ἐπὶ καταλύσει τοῦ δήμου συνίων ἀλώ, ἢ τέλος τι πριάμενος ἢ ἐγγυησάμενος ἢ ἐκλέγων μὴ καταβάλλῃ (Dem. 24 § 144). Arist. *Thesm.* 943, ἔδοξε τῇ βουλῇ σε δεῖν. Dem. *ib.* 148 refers the ὄρκος βουλευτικὸς to Solon; but it was the Areopagus that had cognisance of high treason assigned to it by Solon (c. 8 § 4), and presumably did not lose it until B.C. 462/1 (c. 25 § 2). The statement that the oath in the times of Cleisthenes was the same as that in the times of the writer seems inconsistent with the account in c. 45, where we are told that the βουλῆ had meanwhile lost the right of imprisoning, &c. (Wyse).

στρατηγούς ἤρουντο] Grote observes that 'there were now created, for the first time, ten *stratēgi* or generals, one from each tribe... The ten generals, annually changed, are thus (like the ten tribes) a fruit of the Kleisthenean constitution' (c. 31, iii 116). Plut. *Aristid.* 5, τῶν δέκα καθεστῶτων τοῖς Ἀθηναίοις ἐπὶ τὸν πόλεμον στρατηγῶν. *Them.* 6 § 1, τῶν Ἀθηναίων βουλευομένων περὶ στρατηγού, where mention is made of χειροτονία (Busolt, i 616<sup>1</sup>, n. 3). Unless we are prepared to accept the 'Draconic constitution' of c. 4, there is no reason for departing from the ordinary view that the institution of the στρατηγοὶ dates from the time of Cleisthenes.

τῆς ἀπάσης στρατιᾶς ἡγεμῶν—πολέμαρχος] 'Even after the *stratēgi* had been created, under the Kleisthenean constitution, the polemarch still retained a joint right of command along with them—as we are told at the battle of Marathon, where Kallimachus the polemarch not only enjoyed an equal vote in the council of war along with the ten *stratēgi*, but even occupied the post of honour on the right wing' (Hdt. vi 109—111; Grote, *l. c.*). In still closer accordance with the

10 ἔτει δὲ μετὰ ταῦτα δωδεκάτῳ νικήσαντες τὴν ἐν Μαραθῶνι μάχην 3  
 ἐπὶ Φαινίππου ἄρχοντος, διαλιπόντες ἔτη δύο μετὰ τὴν νίκην,  
 θαρροῦντος ἤδη τοῦ δήμου, τότε πρῶτον ἐχρήσαντο τῷ νόμῳ τῷ  
 περὶ τὸν ὄστρακισμόν, ὃς ἐτέθη διὰ τὴν ὑποψίαν τῶν ἐν ταῖς δυνά-  
 μεσιν, ὅτι Πεισίστρατος δημαγωγὸς καὶ στρατηγὸς ὦν τύραννος  
 15 κατέστη. καὶ πρῶτος ὄστρακίσθη τῶν ἐκείνου συγγενῶν Ἰππαρχὸς 4

10 [ἐν] B<sup>4</sup>. 13 τοῦ ὄστρακισμοῦ quondam κ-w<sup>12</sup>, Kaibel 174: textum defendit Harp. infra exscriptus. 14 οτε: ὅτι (κ coll. Harpocr., H-L, B, Th): ὁ γὰρ κ-w, dubitante Kaibelio 175.

TESTIMONIA. 12—27 Harp. Ἰππαρχος (locus infra exscriptus).

fresh evidence of the text, Busolt, i 616<sup>2</sup>, observes: *der Polemarchos zog nach wie vor an der Spitze des Heeres aus der Stadt.* Aristotle does not tell us when the polemarch lost this privilege.

§ 3. ἐπὶ Φαινίππου ἄρχοντος] 490/489. διαλιπόντες ἔτη δύο] B.C. 489, 488. *Pol.* 1299 a 37, τοὺς μὲν διαλείπει πολλὸν χρόνον, *Hist. Anim.* 523 a 8, δ. ἐν ἔτος. For two successive years, under the archonship of Phaenippus and Aristeides in the sixth prytany, early in 489 and 488, the Athenians declined to make use of the law of ostracism.

θαρροῦντος—τοῦ δήμου. The connexion here and elsewhere established (cc. 24, 27) 'between moments of elation and self-confidence at Athens and constitutional changes for the worse' may be compared with Isocr. *Areop.* § 3 *sqq.* and *Panath.* § 133 (W. L. Newman, *Class. Rev.* v 161 a).

περὶ τὸν ὄστρ.] c. gen. in § 1. 'Ad significandam eam rem, de qua agitur ac disputatur, περὶ etiam c. acc. ita usurpatur ut ab usu praep. περὶ c. gen. non videatur discerni posse, veluti... *Pol.* 1300 a 8, 9; 1322 b 30, 31, 1286 b 34 et 1287 a 1; *Rhet.* 1414 a 28, 1418 a 2' *Ind. Ar.*

ἐτέθη διὰ τὴν ὑποψίαν—Ἰππαρχος Χάρμου] Archon in 496/5. Harpocr. s.v. Ἰππαρχος... ἄλλος δὲ ἐστὶν Ἰππαρχος ὁ Χάρμου, ὡς φησι Λυκούργος ἐν τῷ κατὰ Λεωκράτους (§ 117, Ἰππαρχον τὸν Τιμάρχον, who, in his absence, was condemned to death for *προδοσία*; nothing else is known of him and it is not impossible that Τιμάρχον in Lycurgus may be a mistake for Χάρμου, a proposal independently suggested by Heller and Wilamowitz, i 114, n. 27): περὶ δὲ τοῦτου Ἀνδροτίων ἐν τῇ β' (frag. 5) φησὶν ὅτι συγγενὴς μὲν ἦν Πεισίστράτῳ τοῦ τυράννου καὶ πρῶτος ἐξ ὄστρακίσθη τοῦ περὶ τὸν ὄστρακισμόν νόμου τότε πρῶτος: τεθέντος διὰ τὴν ὑποψίαν τῶν περὶ Πεισίστρατον, ὅτι δημαγωγὸς ὦν καὶ στρατηγὸς ἐτυράνησεν.

It will be observed that language almost identical with the text is quoted by Harpocration from the *Ἀθθίς* of Androtion. The historian of that name is almost certainly identical with the orator attacked in Dem. κατὰ Ἀνδροτίωνος, in 355 B.C. He had then been a prominent politician for 30 years (Dem. l. c. § 66). The authorities in favour of this identification are Westermann, Arnold Schaefer, and Blass; against it are Ruhken, Dindorf and C. Müller (FHG, i p. lxxxiii) and recently M. Weil, *Journal des Savants*, 1891, p. 203. All the extant quotations from the *Ἀθθίς* (except the present) 'just cover the period of Androtion's political career, and a few more years which he may have passed in exile: the latest event noticed is the *διαψήφισις*... in B.C. 346-5.' He probably left Athens soon after B.C. 355, retired to Megara, and there wrote his *Ἀθθίς* in the enforced leisure of banishment, Plut. *de exil.* 14, p. 605 C, (συνέγραψεν) Ἀνδροτίων Ἀθηναῖος ἐν Μεγάροις (Wayte, Dem. *Androt.* p. xlix, l). If the present work was written about 325 B.C., the passage in the text may well have been borrowed from Androtion, who was probably no longer alive at the time. If he began public life at 30, he must have been born in B.C. 415 (355+30+30) and, if alive, would have been 90 at the date assumed for the present work. Cf. Wilamowitz, i 123 n. 3, 277.

δημαγωγὸς] *Pol.* 1305 a 7, ἐπὶ δὲ τῶν ἀρχαίων, ὅτε γένοιτο ὁ αὐτὸς δημαγωγὸς καὶ στρατηγός, εἰς τυραννίδα μετέβαλλον· σχεδὸν γὰρ οἱ πλείστοι τῶν ἀρχαίων τυράνων ἐκ δημαγωγῶν γεγόνασιν, and (on Peisistratus in particular) *ib.* 1310 b 27; Isocr. *Panath.* 148; Dio Chrys. i 303, 13 D.

§ 4. πρῶτος ὄστρακίσθη κτλ.] Plut. *Nic.* 11, πρῶτος δ' (ἐξ ὄστρακίσθη) Ἰππαρχος ὁ Χολαργεὺς (probably a mistake for Κόλλυτεῖς, or for Χάρμου) συγγενὴς τις ὦν



Χάρμου Κολλυτεύς, δι' ὃν καὶ μάλιστα τὸν νόμον ἔθηκεν ὁ Κλεισθένης, ἐξελάσαι βουλόμενος αὐτόν. οἱ γὰρ Ἀθηναῖοι τοὺς τῶν τυράννων φίλους, ὅσοι μὴ συνεχεαμαρτάνοιεν ἐν ταῖς ταραχαῖς, εἶναι οἰκεῖν τὴν πόλιν, χρώμενοι τῇ εἰωθίᾳ τοῦ δήμου πραότητι· ὃν ἡγεμῶν καὶ προστάτης ἦν Ἱππαρχος. εὐθύς δὲ τῷ ὑστέρω ἔτει 20 ἐπὶ Τελεσίμου ἄρχοντος ἐκνάμεισαν τοὺς ἐννέα ἄρχοντας κατὰ

16 ΚΟΛΥΤΤΕΥΣ.

18 C(ΥΝ)ΕΞΑΜΑΡΤΑΝΟΝ: συνεχεμαρτανον κ, κ-w<sup>1</sup>, B<sup>1,4</sup>;συνεαμαρτάνοιεν Poste (H-L, K-W<sup>2,3</sup>, B<sup>2,3</sup>, K<sup>4</sup>, Th); ἐν om. κ-w<sup>2</sup>. 19 ΠΡΑΟΤΗΤΙ(κ<sup>1</sup>); cf. 16, 5 et 39.

20 Ἱππαρχος: hinc incipit fr. Berol. II δ.

ΥΣΤΕΡΩΙ

(κ, B<sup>1</sup>, Th): ὑστερον κ-w, B<sup>1-3</sup>, S<sup>1</sup>; cf. 34 § 2.

τοῦ τυράννου. According to Cleitodemus, ap. Athen. 609 c, Hippias had married a daughter of Charmus. Hipparchus was ostracised early in 487, under Aeschines (the name is given by Dion. Hal. viii 1).

ὅσοι μὴ συνεχεαμαρτάνοιεν ἐν ταῖς ταραχαῖς] The present optative, proposed by Poste, is defended by Kaibel, who supports his own omission of ἐν by quoting Polyb. v 11, 1 (Philip) τοῖς Αἰτωλῶν ἀσεβήμασι συνεχεαμαρτάνων καὶ κακῶ κακὸν ἴωμενος οὐδὲν ἔστο ποιεῖν ἄτοπον.

τῇ εἰωθίᾳ τοῦ δήμου πραότητι] Dem. Timocr. 51, ὁ τὸν νόμον τοῦτον...θεῖς ἦδει τὴν φιλανθρωπίαν καὶ πραότητα τὴν ὑμετέραν. It may be doubted whether any such praise as that of πραότης is ever ascribed to the δήμος in the extant works of Ar. The laws against the tyrants are described as πρᾶσι in 16 § 9, and, elsewhere, we read of the δικαιοσύνη (28 § 3) and the σωφροσύνη (40 § 3) of the people. Isocr., *De Perm.* 20, describes the Athenians as being (in certain cases) πραστάτους.

§ 5. τῷ ὑστέρω ἔτει] In 34 § 2 we have τῷ ὑστερον ἔτει. In 42 § 4 τὸν ὑστερον (ἐνιαυτὸν) is contrasted with τὸν πρῶτον and the former is found in 45 § 3.

ἐπὶ Τελεσίμου ἄρχοντος] The last date mentioned having been 488 B.C. (i.e. 'two years after Marathon'), the archonship of T. may be placed in 487/6. The only years after B.C. 496 (down to 292) for which the archons are not already known are 487 and 486. 482 may be assigned to Themistocles, and 481 to Hyspichides (c. 22 end).

ἐκνάμεισαν τοὺς ἐννέα ἄρχοντας κτλ.] Under the Solonian constitution (c. 8) the archons had been appointed by lot out of forty candidates nominated by the four tribes. From the close of the τυραννίς the archons had been elected (οἱ δὲ πρότεροι πάντες ἦσαν αἰρετοί), 'by whom we do not know, possibly (as Mr Kenyon suggests)

by the ἐκκλησία. The general principle of the Solonian system was now revived by introducing a combination of selection and sortition.

The successive changes in the method of appointment to this office (as summed up by Mr Kenyon) were as follows: (1) the archons were originally nominated by the Council of the Areopagus, c. 8 § 2; (2) under the 'Draconian constitution' they were elected by the general body of citizens (c. 4 § 2); (3) under the Solonian constitution, they were in ordinary course appointed by lot from forty candidates selected by the four tribes (c. 8 § 1); (4) under the τυραννίς this system was perhaps practically in abeyance, though nothing had been formally done to repeal appointment by lot (Peisistratus, son of Hippias, was archon, Thuc. vi 54, and there was always one of the ruling house holding office); (5) under the constitution of Cleisthenes they were elected by the ecclesia (οἱ δὲ πρότεροι πάντες ἦσαν αἰρετοί); (6) from 487 B.C. they were appointed by lot from 100 (or 500) candidates selected by the tribes; (7) subsequently, from an uncertain date down to the time of the writer, the lot was applied to the preliminary nomination by the tribes as well as to the actual appointment (c. 8 § 1).

As appointment to the archonship by lot was apparently done away with by Cleisthenes in 508, and was re-introduced in 487, it follows that the archons in 490 were not appointed by lot, and that Herodotus was therefore mistaken in describing the polemarch of that year as ὁ τῷ κνάμω λαχὼν (vi 109). This had already been maintained by Grote (c. 31, iii 126), Busolt (ii 338<sup>1</sup>) and others, and their opinion is now found to be correct. Cf. Lugebil in *Jahrb. f. class. Philol.*, Suppl. Bd v 564—699; Holm, *Gr. Gesch.* ii 140, note 18.

Aristides was archon in 489 when the

φυλὰς ἐκ τῶν προκριθέντων ὑπὸ τῶν δημοτῶν πεντακοσίων τότε μετὰ τὴν τυραννίδα πρῶτον· οἱ δὲ πρότεροι πάντες ἦσαν αἰρετοί· καὶ ὠστρακίσθη Μεγακλῆς Ἴπποκράτους Ἀλωπεκῆθεν. ἐπὶ μὲν 6  
25 οὖν ἔτη τρία τοὺς τῶν τυράννων φίλους ὠστράκιζον, ὧν χάριν ὁ

22 ΔΗΜΟΤ(ΩΝ) Lond.: ΔΗΜΩΝ Berol. τῶν δημοτῶν πεντακοσίων (κ, κ-ω<sup>1,2</sup>, β): τῶν δῆμων πεντακοσίων κ-ω<sup>3</sup>, Th: τοῦ δήμου <ἐκ> τῶν πεντακοσιομεδίων J W Headlam (*Cl. Rev.* 1891, p. 112); (ἐκ τῶν προκριθέντων) ὑπὸ τῶν δημοτῶν πεντακοσιομεδίων Wyse: τοῦ δήμου πεντακοσιομεδίων H-L. ΤΟΙΣ (πεντεκαεικοστῶ ἔτει Weil): τότε Whibley, β, κ-ω, Η-Λ, κ<sup>3</sup>, Th.

office was still elective, yet Demetrius Phal. makes him archon in 478, and, consistently with this, describes him as *κνᾶμψ λαχῶν* (Plut. *Arist.* 1, 5). On the other hand, Idomeneus (fl. B.C. 310—270), having in view the archonship of 489, as it appears correctly, speaks of him as having held office *οὐ κναμευτὸν ἀλλ' ἐλομένων Ἀθηναίων*. It was Aristides who, shortly after the battle of Plataea, carried a proposal that they should thenceforth choose (*αἰρεῖσθαι*) the *ἄρχοντες* (in the widest sense of the term) from all the Athenians alike. Duncker, *G. d. A.* vi 593, holds that it was on this occasion that appointment by lot was introduced: before it, we find the office of archon filled by leading statesmen; not so, afterwards. He also holds that the reforms of Cleisthenes did not touch the method of appointing the archons.—

There is a difficulty as to the persons by whom the preliminary selection was made. The text, as it stands in the MS, speaks of them as 500 selected by the members of the demes. The practice down to the writer's time was for each tribe to nominate ten by lot, or 100 in all (c. 8). Now if each tribe ever nominated 50, it is improbable that its privilege would be reduced to that of nominating 10. Hence Mr Kenyon proposes to alter 500 (φ') into 100 (ρ').

'It seems possible that Demetrius Phal. accepted this date (B.C. 487) for the introduction of the lot: he placed the archonship of Aristides the year after Plataea (Plut. *Arist.* c. 1 and 5) and spoke of ἡ ἐπώνυμος ἀρχὴ ἣν ἤρξε τῷ κνᾶμψ λαχῶν ἐκ τῶν γενῶν τῶν τὰ μέγιστα τιμήματα κεκτημένων οὓς πεντακοσιομεδίμους προσηγόρευον (*ib.* c. 1): the admission of *ἱππεῖς* then, according to Demetrius, is after 478. We see now that there is not necessarily any conflict between Idomeneus of Lampsacus and Demetrius, except as to the year when Aristides was archon. Idomeneus, like Plutarch, may have assigned Aristides to the year after Marathon

(*ib.* c. 5): in which case his statement (*ib.* c. 1, ἀρξαι γε τὸν Ἀριστείδην οὐ κναμευτὸν ἀλλ' ἐλομένων Ἀθηναίων) agrees with the 'Ath. Pol.' (Wyse).

Μεγακλῆς] son of Hippocrates (Hdt. vi 131), grandson of Megacles (the opponent of Peisistratus c. 14 and 15), and nephew of Cleisthenes. Through his sister, Agariste, he was the uncle of Pericles. There was another Megacles in the same generation (victor in the Pythian games, Pind. *Pyth.* vii 15), a son of Cleisthenes, and grandfather of Alcibiades. The ostracism of this second Megacles is mentioned in Lysias, *Alc.* 14 § 39. According to Pindar (*l. c.*) the house of Megacles was subject to *φθόνος* on account of its *εὐπραγία*. The actual ostracism fell in the sixth prytany of 487—6, *i.e.* early in 486.

It is remarkable that an institution founded by Cleisthenes should have thus been brought into play against his son and his nephew. According to Aelian, *Var. Hist.* xiii 24, Cleisthenes himself was ostracised, but of this there is no proof. As to the ostracism of the nephew there is no doubt. Even one of the pieces of pottery used in voting on the question has been found. It bears the name of Μεγακλῆς [Ἴπποκράτους Ἀλωπεκῆθεν (published in Benndorf's *Gr. u. Sic. Vasenbilder* p. 50, pl. 29, no. 10). It is a fragment of black-glazed ware, apparently cut into a circular form for the purpose. It was discovered in the pre-Persian stratum to the E. of the Parthenon (*Class. Rev.* v 278 a). CIA iv 3 no. 569.

§ 6. ἔτη τρία] Mr Kenyon holds that the three years are B.C. 489—87, *i.e.* the two after the battle of Marathon and the year in which Hipparchus son of Charmus was ostracised; but, unless we press the meaning of the imperfect *ὠστράκιζον*, and apply it to the purpose and desire of the people, rather than to their acts, it seems better to consider the period of three years to begin with that in which Hip-



νόμος ἐτέθη, μετὰ δὲ ταῦτα τῷ τετάρτῳ ἔτει καὶ τῶν ἄλλων εἴ τις δοκοίη μείζων μεθίσταντο· καὶ πρῶτος ὠστρακίσθη τῶν ἄπωθεν 7 τῆς τυραννίδος Ξάνθιππος ὁ Ἀρίφρονος. ἔτει δὲ τρίτῳ μετὰ

N

27 ΜΕΘΙΣΤΑΤΟ : μεθίστατο B (S<sup>1</sup>); -ίσταντο ceteri.ἀποθεν B<sup>4</sup> appendix.

parchus was banished, *i.e.* early in 487. Thus the three years, at the beginning of which the ostracism took place, would be B.C. 487 (Hipparchus), 486 (Megacles), and 485, the name of the person ostracised in 485 being unknown. The elder Alcibiades has been suggested (cf. Beloch, i 361 n. 2). Then the ostracism of Xanthippus, τῷ τετάρτῳ ἔτει, would be early in 484 and 'the third year after this,' 483/2, the archonship of Nicodemus, which is in accordance with the chronology adopted in Clinton's *Fasti. ἐν τοῦτοις τοῖς καιροῖς* (*i.e.* not necessarily under Nicodemus, but in the previous year 484/3, early in 483) Aristides was banished; and, in the 'fourth year after,' he was recalled, 481/0, *i.e.* in the summer of 480, the season in which Xerxes invaded Attica (Bauer, p. 59).

τῷ τετάρτῳ ἔτει] Early in 484.

εἴ τις δοκοίη μείζων] In *Pol.* 1302 b 15, στάσις arises ἔταν τις ἢ τῇ δυνάμει μείζων, and the correction of this (says Ar.) was the object of ostracism.

ἀποθεν τῆς τυραννίδος] *Pol.* ii 3, 1262 a 29, ὧν οὐδὲν ὁσίον ἐστὶ γίνεσθαι πρὸς πατέρας καὶ μητέρας καὶ τοὺς μὴ πόρρω τῆς συγγενείας ὄντας, ὥσπερ πρὸς τοὺς ἀποθεν (distant in relationship), iii 9, 1280 b 9, γίνεται γὰρ ἡ κοινωνία συμμαχία τῶν ἄλλων τόπῳ διαφέρουσα μόνον τῶν ἀποθεν συμμαχιῶν (alliances, of which the members live apart), *ib.* 18, εἰ τινες οἰκοῖεν χωρὶς μὲν, μὴ μέντοι τοσοῦτον ἀποθεν (so far off) ὥστε μὴ κοινωνεῖν. 'οἱ ἀποθεν, *syn.* οἱ ἀγνωστες, *opp.* οἱ γνώριμοι, οἱ συνήθεις, οἱ συγγενεῖς.' *Rhet.* i 11, 1371 a 12 οἱ συνήθεις καὶ οἱ πολῖται (μᾶλλον) τῶν ἀποθεν : *c. gen.* in *Thuc.* iii 111 § 1, ἀποθεν τῆς Ὀλπης, *Aristoph. Plut.* 674 ἀποθεν τῆς κεφαλῆς.

Ξάνθιππος ὁ Ἀρίφρονος] During the excavations on the Acropolis in 1886, a fragment of a late black-figured vase was found in the pre-Persian stratum E. of the Parthenon, with the following inscription clearly incised upon it.

ΧΣΑΝΘΙΠΠΟΣ  
ΑΡΡΙΦΡΟΝΟΣ

The fragment was published by Studniczka, *Arch. Jahrb.* 1887, p. 161, who

observed that the position in which it was found proved that the ostracism of Xanthippus took place before B.C. 480 (*Class. Rev.* v 277 b). *CIA* iv 3, 568. In March, 1891, after the first publication of this treatise, another fragment was found at Athens in the ὁδοῦ Πειραιῶς with the first five or six letters of the father's name written (with the double ρ) above that of the son (*CIA* iv 3, 571). The name Ariphron was misspelt, apparently because it was unfamiliar at the time. It had belonged, however, to one of the ancient authorities of Athens (cf. Wilamowitz, ii 86, n. 25).

Xanthippus impeached Miltiades in 490/89 (*Hdt.* vi 136; Grote, c. 36, iii 312). The present passage shews that his ostracism falls early in 484, before that of Aristides (early in 483). Of its causes we know nothing; but it is natural to suppose that the friends of Miltiades had something to do with it. In 480 Xanthippus left Athens with the other inhabitants at the approach of Xerxes: *Plutarch, Them.* 10, tells the story of his dog, which could not endure to be left behind on this occasion. Xanthippus was the archon of 479 (*Diod.* xi 27). He commanded the Athenians at Mycale (479, *Hdt.* ix 114) and at the siege of Sestos (ix 121). By Agariste, daughter of Hippocrates, and sister of the Megacles mentioned above, he became the father of Pericles (*Hdt.* vi 131) and Ariphron (*Plut. Alc.* 1, *Plat. Protag.* 320). The elder of the two legitimate sons of Pericles was named after his grandfather, Xanthippus (*Plut. Per.* 24, 36).

Near the Acropolis a potsherd has been found bearing the name of Themistocles:

ΘΕΜΙΣΘΟΚΛΕΣ  
ΦΡΕΑΡΡΙΟΣ

This refers either to the early part of 483, when Aristides was ostracised, or to a date some ten years later, when Themistocles was sent into exile (reproduced in G. F. Hill's *Illustrations*, No. 240).

§ 7. ἔτει...τρίτῳ after 485/4, would bring us to 483/2 for the archonship of Nicodemus. It was ἐν τοῦτοις τοῖς και-

29 ταῦτα Νικοδήμου ἄρχοντας, ὡς ἐφάνη τὰ μέταλλα τὰ ἐν Μαρωνείᾳ

29 ΝΙΚΟΜΗΔΟΥΣ (K-W, H-L, B): Ν(ΙΚΟ)ΔΗΜΟ(Υ) Berol. et Dion. Hal. viii 83 (K, Th). <ἐπὶ> Νικ. Papageorgios; an ἄρχοντας Νικοδ.? Th. ΕΦΑΝΗ: <λυσιτελέστερα> ἐφάνη Richards coll. Xen. *Red.* iv 31; ἀπεγράφη? Wyse.

ροῖς that Aristides was ostracised, and early in 480 all the citizens who had been ostracised were recalled διὰ τὴν Ζέρξου στρατείαν (§ 8). Nicodemus, according to Dionysius Hal. viii 83, p. 1711 Reiske, was archon in the consulship of L. Aemilius Mamercus and K. Fabius, 270 A.U.C. (Cato). In Baiter's *Fasti Consulares* this is identified as A.U.C. 269 = B.C. 484.

Νικομήδους is the reading in the papyrus; Ν(ΙΚΟ)ΔΗΜΟ(Υ) that of the Berlin fragment, and similarly in Dionysius. Mr Kenyon, perhaps rightly, holds that, in this conflict between the two MSS, 'the authority of Dionysius may turn the scale.'

The name Νικομήδης ('victor in counsel') is formed from *μήδομαι* on the analogy of Ἀγαμήδης, Ἀλιμήδης, Ἀμφιμήδης, Ἀνδρομήδης, Ἀριστομήδης, Ἀστυμήδης, Ἀντομήδης, Διομήδης, Εὐμήδης, Εὐρυμήδης, Θεομήδης, Θρασυμήδης, Καλλιμήδης, Κλει(=Κλεο)μήδης, Κλυτομήδης, Λαομήδης, Λυκομήδης, Νεομήδης, Ξενομήδης, Ὀνασι(=Ὀνασι-)μήδης, Παλαμήδης, Περιμήδης and Πολυμήδης (Pape-Benseler, *Eigen-namen*, p. xxx). It cannot be interpreted as 'conqueror of the Medes,' which would be Μηδόικος. Similarly, the alternative name Νικόδημος means 'with victorious army or people' *ib. s. v.*

ὡς ἐφάνη τὰ μέταλλα κτλ.] Hdt. vii. 144, Ἀθηναῖοι γενομένων χρημάτων μεγάλων ἐν τῷ κοινῷ, τὰ ἐκ τῶν μετᾶλλον σφι προσήλυθε τῶν ἀπὸ Λαυρείου, ἐμελλόν λαξεῖσθαι ὀρχηδὸν ἕκαστος δέκα δραχμάς. τότε Θεμιστοκλῆς ἀνέγνωσε Ἀθηναίους τῆς διαίρειος ταύτης πανσαμένους νέας τοῦτων τῶν χρημάτων ποιήσασθαι ἐς τὸν πόλεμον, τὸν πρὸς Διγινήτας λέγων. (Plut. *Thest.* 4, τὴν Λαυρεωτικὴν πρόσδοον ἀπὸ τῶν ἀργυρείων μετᾶλλων ἔθος ἔχόντων Ἀθηναίων διανέμεσθαι κτλ.) This account, esp. the word πανσαμένους, implies that the revenue for the mines had *hitherto* been distributed among the people (to the extent of 10 drachmas a head).

ἐφάνη can only mean 'were discovered,' which may possibly be supported by *εὐρέθη* in Bekker's *Anecdota*, p. 279, Μαρωνεία: τόπος ἦν τῆς Ἀττικῆς, ὅπου τὰ μέταλλα εὐρέθη. φανῆναι may be used of a discovery, made either unexpectedly, as in *ἐρμαῖον ἐφάνη* (Pl. *Rep.* 386 D); or after long search (*ib.* 336 E, εἰ μὲν χρυσοῦν ἐξήτρομεν, followed by

φανῆναι, applied to δικαιοσύνη (Kaibel, pp. 49, 176). The mention of the revenue of 100 talents from the works comes somewhat suddenly after the first announcement of the discovery of the mines, and possibly some other word was really written by the author. The author of the tract *περὶ πόρων* implies that they were of immemorial antiquity, but there are indications that they had only recently come into prominence. Aeschylus in the *Persae*, 238, the dramatic date of which is 480 B.C., makes the chorus answer an inquiry of the wife of Darius as to the wealth of Athens by the reply ἀργύρου πηγὴ τις αὐτοῖς ἐστὶ, θησαυρὸς χθονός. 'At what time they first began to be worked,' says Grote (c. 39, iii 406), 'we have no information; but it seems hardly possible that they could have been worked with any spirit or profitable result, until after the expulsion of Hippias and the establishment of the democratic constitution of Kleisthenes.' It is quite conceivable that a very recent discovery of a very productive mine at one particular place, Maroneia, may have given a new importance to the question of the best disposal of the revenue.—It has even been suggested that the mines had originally belonged to Aegina and had been wrested from her by Athens (Mahaffy, *Rambles and Studies in Greece*, p. 163); but neither the text nor the parallel passages in Hdt. and Plut. lend any support to this. The Athenians had to rely on the revenue from the mines to make way against the Aeginetans.

τὰ ἐν Μαρωνείᾳ] 'The mining district, besides the *demi* Anaphlystus, Besa, Amphitrope, and Thoricus, contained several places which were not *demi*, as Laureium, Thrasylum [ἐπὶ Θρασύλλῳ, Dem. 37 § 25, Aeschin. 1 § 101], Maroneia, Aulon [Aeschin. 1. c.]' (Leake's *Demi*, p. 274). Laurium may have been the general term for the district, derived from its numerous shafts and tunnels, λαύραι, lit. 'narrow passages.' Maroneia may perhaps be identified with some ruins five miles N. of Sunium. In Dem. *Pant.* 37 § 4, Nicobulus and his partner Euergus allege that they lent to Pantaenetus 105 minae, ἐπ' ἐργαστηρίῳ τε ἐν τοῖς ἔργοις ἐν Μαρωνείᾳ καὶ τριάκοντα ἀνδραπόδοις. Οἱ



νεία καὶ περιεγένετο τῇ πόλει τάλαντα ἑκατὸν ἐκ τῶν ἔργων, 30

30—31 ἐκ τῶν ἔργων] (vel τοῖς | κεκτημένοις) ἑκατ[ὸν τάλαντα συμβουλευόντων] τῶν τῶν τῶν δῆ[μοφ] διανείμασθαι τὸ ἀργύριον Herol.

TEST. 30 Bekk. An. p. 179 Μαρωμία (leg. Μαρώνεια): τόπος ἦν τῆς Ἀττικῆς, ὅπου τὰ μέταλλα εὐρέθη. Harp. s.v.: (Dem. Pant. § 4), τόπος ἐστὶ τῆς Ἀττικῆς.

the silver mines of Laurium, see Boeckh's *Dissertation*, pp. 615—678, printed as Appendix to Boeckh's *Public Economy*, trans. Lewis; K. F. Hermann, *Privatalt.* § 14, 17; Büchschütz, *Besitz und Erwerb*, pp. 98—103; *Select Private Orations of Dem.* i p. 1013.

τάλαντα ἑκατὸν κτλ.] Polyænus, i 30 § 6 (5), Θεμιστοκλῆς ἐν τῷ πρὸς Αἰγινήτας πολέμῳ μελλόντων Ἀθηναίων τὴν ἐκ τῶν ἀργυρίων πρόσδοσιν, ἑκατὸν τάλαντα, διανείμασθαι, κωλύσας ἔπεισεν ἑκατὸν ἀνδράσι τοῖς πλουσιωτάτοις ἑκάστῳ δοῦναι τάλαντον· κἂν μὲν ἀρέσῃ τὸ πραχθησόμενον, τῇ πόλει τὸ ἀνάλωμά λογισθῆναι, ἐὰν δὲ μὴ ἀρέσῃ, τοὺς λαβόντας ἀποδοῦναι. ταῦτα μὲν ἔδοξεν. οἱ δὲ ἑκατὸν ἄνδρες ἕκαστος μίαν τριῆρη κατέστησαν, σπουδῇ χρησάμενοι κάλλους καὶ τάχους. Ἀθηναῖοι καινὸν στόλον ποιήσαντες ἤσθησαν, καὶ οὐ μόνον κατὰ Αἰγινήτων ταῖς τριῆρεσι ταῦταις, ἀλλὰ καὶ κατὰ Περσῶν ἐχρήσαντο. The date of the announcement of the surplus was probably May, 482, the ninth prytany being the time of the year when such business was brought forward (cf. c. 47, 21—28).

The anecdote in the text, and in the above passage of Polyænus, is not to be found in Herodotus (vii 144), where we are simply told that Themistocles persuaded the Athenians to spend the surplus from the silver-mines of Laurium on building ships for the war against Aegina. The amount available for distribution is stated by Hdt. as 10 drachmas a head. Elsewhere (in v 97) he reckons the citizens at 30,000. This gives us 50 talents for distribution. He also speaks of 200 ships (an exaggeration suggested by the number of the fleet in 480). But 50 talents is far too small a sum for a fleet, even if only 100 ships were built at the cost of only one talent each. It has accordingly been suggested that Hdt. founded his calculation on the diminished returns of the mines at a later date, about 430 B.C. (Stein *ad loc.*). Boeckh considers that the population was probably 20,000 at the time meant by the historian. The amount to be distributed, at 10 dr. a head, would in that case be 200,000 dr. = 33½ talents.

It was Boeckh's opinion that all the

public money arising from the mines was (annually) divided among the members of the community (*Dissertation*, § 8, p. 652 Lewis ed. 2). Grote himself held that the sum for distribution only formed 'part of a larger sum lying in the treasury, arising from the mines. Themistocles persuaded the people to employ the whole sum in ship-building, which of course implied that the distribution was to be renounced. Whether there had been distributions of a similar kind in former years...is a matter on which we have no evidence' (c. 39, iii 407 n). The evidence of the text supports Grote's view. The date of the building of the fleet is discussed by Busolt, ii 123 f. (ed. 1887), but the text was then represented by the Berlin fragment only. He now (ii 650<sup>2</sup>) places the beginning of the building in 483/2 and its completion in the autumn of 481.

Θεμιστοκλῆς was evidently not in the position of archon *εponymus* in the year of the proposal to distribute the revenue from the silver mines. The archon of that year was Nicodemus (483/2). He was in office, however, at the time when he proposed the fortification of the Peiræus, Thuc. i 93 § 2, *ἐπῆρκετο δ' αὐτοῦ πρότερον ἐπὶ τῆς ἐκείνου ἀρχῆς ἢς κατ' ἐνιαυτὸν Ἀθηναῖοις ἤρξεν*, and he may have been archon *eponymus* at that time. The archon for 481/0 was Hypsichides (*infra* § 8). Hence some have placed the archonship of Themistocles in 482/1.

But Dionysius Hal., *Ant. Rom.* vi 34, makes Themistocles archon in 493/2 B.C., and this date is accepted by Curtius, Holm, Beloch, Busolt, and Wilamowitz.

The chronology suggested by Bauer is as follows: according to Plutarch (*Them.* 31 and *Cim.* 18) Themistocles died at the age of 65 at the time of Cimon's expedition against Cyprus (448/7). This would give us 513 for his birth. He would be 30 in 483/2, and this was the year in which he brought about the formation of a fleet. His archonship should probably be placed in 482/1, a year that is not yet filled by any name. This is supported by the scholiast on Thuc. πρὸ δὲ τῶν Μηδικῶν ἤρξεν Θ. ἐνιαυτὸν ἕνα. Hdt. vii 143 describes him as *ἀνὴρ ἐς πρώτους νεωστὶ παρών*, which is unfavourable to placing

συμβουλευόντων τινῶν τῷ δήμῳ διανείμασθαι τὸ ἀργύριον, Θεμιστοκλῆς ἐκώλυσεν, οὐ λέγων ὅ τι χρήσεται τοῖς χρήμασιν ἀλλὰ δανείσαι κελεύων τοῖς πλουσιωτάτοις Ἀθηναίων ἑκατὸν ἑκάστῳ τάλαντον, εἴτ', ἐὰν μὲν ἀρέσκη τὸ ἀνάλωμα, τῆς πόλεως εἶναι τὴν  
 35 δαπάνην, εἰ δε μὴ, κομίσασθαι τὰ χρήματα παρὰ τῶν δανεισμένων. λαβὼν δ' ἐπὶ τούτοις ἐναυπηγήσατο τριήρεις ἑκατόν, ἑκάστου ναυπηγουμένου τῶν ἑκατὸν μίαν, αἷς ἐναυμάχησαν ἐν Σαλαμῖνι πρὸς τοὺς βαρβάρους. ὠστρακίσθη δ' ἐν τούτοις τοῖς καιροῖς Ἀριστείδης ὁ Λυσιμάχου. τετάρτῳ δ' ἔτει κατεδέξαντο  
 40 παντας τοὺς ὠστρακισμένους ἄρχοντος Ὑψιχίδου, διὰ τὴν Ξέρξου στρατείαν· καὶ τὸ λοιπὸν ὄρισαν τοῖς ὠστρακιζομένοις ἐκτὸς

34—35 ἐὰν μὲν ἀρέσκη, τὸ ἀνάλωμα τῆς πόλεως εἶναι, deletis τὴν δαπάνην (supra verum ab alia manu scriptis), H-L, B<sup>1-3</sup> (Th), coll. Polyae. i 30 κὰν μὲν ἀρέση τὸ πραχθησόμενον, τῇ πόλει τὸ ἀνάλωμα λογισθήναι: τὴν δαπ. etiam Berol. habuisse videtur. 36 ἑκατόν: hic desinit Berol. 39 τετάρτῳ (K, B<sup>4</sup>, Th): τρίτῳ ex Plut. Ar. 8 K-W<sup>2</sup> (B<sup>1-3</sup>). 40 ὙΨΗΧΙΔΟΥ ante corr. (H-L): Ὑψιχίδου (K, K-W, B, Th). 41 ΣΤΡΑΤΙΑΝ (B): στρατείαν (K-W, H-L, K<sup>3</sup>, Th). In titulis (velut etiam in codicibus) et στρατεία et στρατιά *expeditionem* significat (στρατεῦσθαι—τὰς στρατείας, B.C. 325; —τὰς στρατίας B.C. 330) Meisterhans, p. 55<sup>3</sup>. ENTOC—κατοικεῖν K, K-W, H-L, Th: ἐκτὸς—κατοικεῖν Wyse (B<sup>1,2,4</sup>, s<sup>1</sup>); ἐντὸς—<μὴ> κατοικεῖν Kaibel (B<sup>3</sup>, Th); utrumque egregie confirmat Philochorus in Lex. Rhet. Cantab. ὠστρακισμοῦ τρόπος: μὴ ἐπιβαίνοντα ἐντὸς Γεραίστου.

his archonship as far back as 493: νεωστὶ is more likely to denote an interval of two, than of 13 years. The Themistocles of 493 (Dionysius) would in this case be another of the same name. Or Dionysius may have simply made a mistake.

ὅ τι χρήσεται] Plat. *Crit.* 45 C, οὐκ ἔχω ὅ τι χρήσομαι τῷ ἀργυρίῳ.

ἐν τούτοις τοῖς καιροῖς] Jerome has, under Ol. 74, 1 (= 484/3), *Aristides cum ignominia eicitur*. On the ostracism of Aristides, cf. Plut. *Arist.* 7.

§ 8. τετάρτῳ ἔτει] 481/0. This fixes the date of the archonship of Hypsichides, a name that is now known for the first time. Plut., *Arist.* 8, says that the Athenians recalled Aristides, Ξέρξου διὰ Θετταλίας καὶ Βοιωτίας ἐλαύνοντος, i.e. in the spring of 480 B.C. He adds that the vote for the recall was passed in the *third* year after the banishment. This note of time may be explained by the fact that, if the vote for ostracising Aristides took place at the 6th (or 8th) *πρωτανεία* (c. 43 § 5), this would fall early in B.C. 483, and the corresponding date in 480 would be the end of the third year after.

κατεδέξαντο] Andoc. 1 § 107 (of the same incident), ἔγνωσαν τοὺς τε φεύγοντας καταδέξασθαι καὶ τοὺς αἰτίμους ἐπιτίμους ποιῆσαι.

τὸ λοιπὸν] [Dem.] 26 § 6, Ἀριστείδην

μὲν γὰρ φασιν ὑπὸ τῶν προγόνων μετασταθέντα ἐν Αἰγίνῃ διατρίβειν ἕως ὃ δῆμος αὐτὸν κατεδέξατο. Hdt. viii 79, ἐξ Αἰγίνης διέβη. Suidas, s. v. Ἀριστείδης, διέτριψεν ἐν Αἰγίνῃ φυγῶν. Ξέρξου δὲ ὡς αὐτὸν ἐν τῇ φυγῇ πρεσβευσασμένου καὶ τρισχιλίουσιν ἀρεικούσιν... διδόντος, οὐδὲν ἐπιστρέφασθαι ἔφη τοῦ Περσικοῦ πλοῦτου κτλ. The fact that Aristides remained in Aegina explains the provision that henceforth persons ostracised were to reside *outside* Geraestus and the Scyllaeon promontory. According to Plutarch (*Cim.* 17), Cimon when ostracised appeared at Tanagra (Wyse in *Class. Rev.* v 274 b).

ἐκτὸς] Mr Kenyon, retaining ἐντὸς, suggests that the object of the regulation was to keep the ostracised person 'within very narrow boundaries,' so as to obviate the danger of a banished citizen entering into communication with Persia. But, as Aristides had remained within these limits, it is more reasonable to suppose that the line *beyond* which the ostracised person was to withdraw was thenceforward made the subject of special regulation. Banishment had in fact to be defined more strictly. Otherwise the exile might remain within a very short distance of Attica and carry on intrigues against his opponents.

Themistocles, while under ostracism,



Γεραιστοῦ καὶ Σκυλλαίου κατοικεῖν ἢ ἀτίμους εἶναι καθ-<sup>42</sup>  
ἀπαξ.

23. τότε μὲν οὖν μέχρι τούτου προήλθεν ἡ πόλις ἅμα τῇ  
δημοκρατία κατὰ μικρὸν αὐξανόμενη· μετὰ δὲ τὰ Μηδικὰ πάλιν  
ἴσχυσεν ἡ ἐν Ἀρείῳ πάγῳ βουλή καὶ διώκει τὴν πόλιν, οὐδενὶ  
δόγματι λαβούσα τὴν ἡγεμονίαν ἀλλὰ διὰ τὸ γενέσθαι τῆς περὶ  
Σαλαμίνα ναυμαχίας αἰτία. τῶν γὰρ στρατηγῶν ἐξαπορησάντων 5  
τοῖς πράγμασι καὶ κηρυξάντων σῶζειν ἕκαστον ἑαυτὸν, πορίσασα  
2 δραχμὰς ἐκάστῳ ὀκτὼ διέδωκε καὶ ἐνεβίβασεν εἰς τὰς ναῦς. διὰ

42 ἀτίμοις Hude.

XXIII 1 ΤΟΤΕ: τὸ Poste (H-L). 2 ΔΥΞΑΝΟΜΕΝΗ (plerique), -μένη Richards  
(Th). 5 διαπορησάντων Richards, coll. Cobet *V. L. f.* 219. 6 ΣΩΖΕΙΝ: σῶζειν  
(edd.), cf. Meisterhans, p. 179<sup>3</sup>. <χρήματα> πορίσασα Papageorgios. 7 inter  
ἐκάστῳ et ὀκτὼ lacunam sine causa indicat B, coll. Plut. *Them.* 10, ἐκάστῳ τῶν στρα-  
τευομένων; 'non recte' B<sup>4</sup> appendix.

TESTIMONIA. XXIII 5—7 \*Plut. *Them.* 10 οὐκ ὄντων δὲ δημοσίων χρημάτων τοῖς  
'Ἀθηναίοις Ἄρ. μὲν φησι τὴν ἐξ Ἀρείου πάγου βουλὴν πορίσασαν ἐκάστῳ τῶν στρα-  
τευομένων ὀκτὼ δραχμὰς αἰτιωτάτην γενέσθαι τοῦ πληρωθῆναι τὰς τριῆρεις, Κλειδήμος  
δὲ καὶ τοῦτο τοῦ Θεμιστοκλέους ποιεῖται στρατήγημα.

lived at Argos, Thuc. i 139, ἔχων δίαίταν  
μὲν ἐν Ἄργει (Plut. *Them.* 23 § 1), ἐπι-  
φοιτῶν δὲ καὶ ἐς τὴν ἄλλην Πελοπόννη-  
σον, and afterwards went to Corcyra, and  
Epirus, to Pydna in Macedonia, and  
thence to Naxos and Ephesus. He clearly  
kept outside the limits described in the  
text as emended. Hyperbolus, again,  
lived in Samos (Thuc. viii 73 § 2). Both  
these cases exemplify the rule. According  
to the Schol. on Aristoph. *Vesp.* 947,  
one of the differences between those who  
are banished for life and those who are  
ostracised is that the former 'have no  
fixed place of abode, no time of return  
assigned, but the latter have' (καὶ τόπος  
ἀπεδίδοδο καὶ χρόνος).

Γεραιστοῦ] The cape at the s. E.  
extremity of Euboea. (Hdt. viii 7, ix  
105, Thuc. iii 3 § 4.)

Σκυλλαίου] the cape at the eastern  
extremity of the territory of Troezen (Thuc. v 53), the most  
easterly point of the Peloponnesus, and  
forming (with the opposite promontory of  
Sunium) the entrance to the Saronic gulf.

ἀτίμοις—καθάπαξ] The penalty is  
that of perpetual ἀτίμια. For καθάπαξ  
in this connexion cf. Dem. *Mid.* §§ 32,  
87, *Aristog.* i § 30. The various disa-  
bilities in such a case are enumerated by  
Aeschines, c. *Timarch.* § 18 (see Smith,  
*Dict. Ant.* i 242 a).

XXIII, XXIV. *The supremacy of the  
Areopagus. Aristides and Themistocles.*

XXIII § 1. προήλθεν ἡ πόλις—αὐξα-  
νομένη] Hdt. v 76, Ἀθηναῖοι μὲν νῦν

ἠϋξήντο, and v 66, Ἀθῆναι...ἐγίνοντο  
μέζονες. αὐξανόμενη is the opposite of  
ὑποφερομένη (25 § 1). This is supposed by  
Kaibel (48) to be a medical metaphor  
suggested by Hippocrates.

μετὰ τὰ Μηδικὰ—βουλή] *Pol.* viii  
(v) 4, 1304 a 20, ἡ ἐν Ἀρείῳ πάγῳ βουλή  
εὐδοκμήσασα ἐν τοῖς Μηδικοῖς ἔδοξε συν-  
τωνωτέραν ποιῆσαι τὴν πολιτείαν.

οὐδενὶ δόγματι κτλ.] This is said of the  
Areopagus to contrast it with the Four  
Hundred (c. 29) and the Thirty (c. 34  
end, and Isocr. *Areop.* 67, οἰ...ψηφίσματι  
παραλαβόντες τὴν πόλιν).

τῆς περὶ Σαλαμίνα ναυμαχίας] *Pol.*  
1304 a 22, ὁ ναυτικός ὄχλος γενόμενος  
αἴτιος τῆς περὶ Σαλαμίνα νίκης καὶ  
διὰ ταύτης (ταύτην? Susemihl) τῆς ἡγε-  
μονίας διὰ τὴν κατὰ θάλατταν δύναμιν τὴν  
δημοκρατίαν ἰσχυροτέραν ἐποίησεν.

ἐξαπορησάντων τοῖς πράγμασι] Isocr.  
*Paneg.* 147, ἀπορήσας τοῖς παροῦσι πράγ-  
μασι. Similarly διαπορεῖν c. dat.; for  
ἐξαπορεῖν c. dat. cf. Polybius i 62, 1,  
ἐξαπορεῖν τοῖς λογισμοῖς (Kaibel, 40).  
For the general sense of the context, cf.  
Cic. *de Off.* i 75, et Themistocles quidem  
nihil dixerit, in quo ipse Areopagum adiu-  
verit, at ille vere a se adiutum Themis-  
toclem; est enim bellum gestum consilio  
senatus eius qui a Solone erat constitutus.  
Cf. also Wilamowitz, i 139 f.

πορίσασα δραχμὰς] Probably from  
the sacred treasure on the Acropolis;  
cf. Philippi, *Areopag.* 293; Oncken,  
*Staatslehre*, 468.

ταύτην δὴ τὴν αἰτίαν παρεχώρουν αὐτῆς τῷ ἀξιώματι, καὶ ἐπολι-  
τεύθησαν Ἀθηναῖοι καλῶς καὶ κατὰ τούτους τοὺς καιροὺς. συνέβη  
10 γὰρ αὐτοῖς περὶ τὸν χρόνον τούτον τὰ τε εἰς τὸν πόλεμον ἀσκήσαι  
καὶ παρὰ τοῖς Ἑλλησιν εὐδοκιμῆσαι καὶ τὴν τῆς θαλάττης ἡγεμο-  
νίαν λαβεῖν ἀκόντων Λακεδαιμονίων. ἦσαν δὲ προστάται τοῦ  
δήμου κατὰ τούτους τοὺς καιροὺς Ἀριστείδης ὁ Λυσιμάχου καὶ  
Θεμιστοκλῆς ὁ Νεοκλέους, ὁ μὲν τὰ πολέμια \*δοκῶν, ὁ δὲ τὰ πολι-

8 ΔΥΤ(ΗΝ)ΤΩΙΔΞΙΩΜΑΤΙ: αὐτῇ τῷ ἀξιώματι κ; αὐτῆς ἀξιώματι Rutherford;  
αὐτῆς τῷ ἀξιώματι Blass (H-L, K-W<sup>3</sup>, Kaibel 178, B<sup>4</sup>, K<sup>4</sup>, Th); αὐτῇ τοῦ ἀξιώματος  
Joh. Mayor (K-W<sup>1-2</sup>, S<sup>1</sup>). 9 καὶ secl. Poland, Radinger, K, K-W; retinent H-L  
(B, Th), coll. 33 § 3; defendit Keil, *Sol.* 206. 10 Κ(ΔΤΑ) supra scripto ΠΕ[ΡΙ]. κατὰ  
K<sup>3</sup>, Th: περι B, K<sup>4</sup>. κατὰ (vel περὶ) τὸν αὐτὸν χρόνον secl. K-W. \*eis inter scribendum  
in π(ερί) corr. manu 1, probante K' (Th): ceteri eis. 12 ΑΚΟΝΤΩΝ (K, K-W,  
B, Th): ἐκόντων Jos. Mayor (*Class. Rev.* v 112 b), Gennadios: εἰκόντων Naber (H-L).  
14 ΠΟΛΕΜΙΑ (K, K-W, H-L; Th): πολεμικά Blass, Richards, E S Thompson (S<sup>1</sup>);  
πολέμια defendit K coll. Thuc. i 18 εὖ παρεσκευάσαντο τὰ πολέμια, et in 80 ἐν τοῖς  
πόλεμοις γεγενῆσθαι σφίσι ἀριστοί. ΔΣΚΩΝ retinent K, K-W<sup>1</sup>, B<sup>2-3</sup>, cf. Xen. *Cyrop.* i  
5, 9, οἱ ταῦτα τὰ πολεμικά ἀσκούντες; δοκῶν Richards, E S Thompson, Kontos, Lipsius  
(H-L, K-W<sup>3</sup>, B<sup>1-4</sup>, Th); δοκῶν ἀσκεῖν conicit K (K<sup>4</sup>). 14—15 ΠΟΛΕΜΙΚΑΔΕΙΝΟΣ  
per errorem, corr. K.

§ 2. παρεχώρουν αὐτῆς τῷ ἀξιώματι] 'yielded to its reputation.' ἀξίωμα, which means οὐ τις παρὰ τῶν πλειόνων ἡξιώθη, can be appropriately applied to the Areopagus, but not to the people (Kaibel, 178).

The most common construction of παραχωρεῖν is *c. dat. pers. et gen. rei vel loci*. Isocr. 118 D, π. τοῖς ἐχθροῖς τῆς ἡμετέρας. Aeschin. 54, 21. Polyb. iv 5, i etc., π. τινὶ τῆς πολιτείας, τῆς ἀρχῆς (L and S). Similarly εἰκειν τινὶ τῆς ὁδοῦ (Hdt. ii 80). For ἀξίωμα, cf. Thuc. vi 15 § 2, ὦν ἐν ἀξιώματι ὑπὸ τῶν ἀστῶν, and i 130 § 1.

Mr Kenyon formerly printed παρεχώρουν αὐτῇ τῷ ἀξιώματι, 'gave place (or 'precedence') to it in rank' (or 'reputation'). The simple dat. may here be equivalent to ἐν—. The latter is found in *Magn. Mor.* ii 1, 1198 b 28, ὁ ἐν τούτοις παραχωρῶν ἐπιεικῆς, but I can find no exact parallel for the dative alone.

ἐπολιτεύθησαν—καλῶς] With the subsequent context, cf. Isocr. *Areop.* 51 (of the Areopagus), ἧς ἐπιστατούσης οὐ δικῶν οὐδ' ἐγκλημάτων οὐδ' εἰσφορῶν οὐδὲ πένιας οὐδὲ πολέμων ἢ πόλις ἔγεμεν... παρείχον γὰρ σφᾶς αὐτοὺς τοῖς μὲν Ἑλλησι πιστοῦς, τοῖς δὲ βαρβάροις φοβεροῦς· τοὺς μὲν γὰρ σεσωκότες ἦσαν κτλ., and §§ 80, 82. *Panath.* 151, τὰς πράξεις τὰς ἐκ τοῦ καλῶς πολιτεύεσθαι ... 152, παρὰ τοῖς Ἑλλησιν εὐδοκιμήσαν. *De Pace*, 75—77, esp. τῆς πολιτείας τῆς παρὰ πᾶσιν εὐδοκιμοῦσης.

καὶ κατὰ τούτους τοὺς καιροὺς] καὶ is perhaps added because Athens had been

well governed when the Areopagus was in power before, cf. § 1, πάλιν ἰσχυσεν (Newman).

τὴν τῆς θαλάττης ἡγεμονίαν κτλ.] Isocr. *Paneg.* 72 (after the Persian wars), οὐ πολλῶ δ' ὕστερον τὴν ἀρχὴν τῆς θαλάττης ἔλαβον, δόντων μὲν τῶν ἄλλων Ἑλλήνων, οὐκ ἀμφισβητούντων δὲ τῶν νῦν ἡμᾶς ἀφαιρεῖσθαι ζητούντων, *de Pace* 30, παρ' ἐκόντων τῶν Ἑλλήνων τὴν ἡγεμονίαν ἐλάβομεν, *Panath.* 67, οἱ σύμμαχοι τὴν ἡγεμονίαν ἡμῶν τὴν κατὰ θάλατταν ἔδσαν. Thuc. i 96, παραλαβόντες οἱ Ἀθ. τὴν ἡγεμονίαν... ἐκόντων τῶν ξυμμάχων διὰ τὸ Πανσανίου μῖσος. Dem. 3 § 24, πέντι καὶ τετταράκοντα ἔτη τῶν Ἑλλήνων ἦρξα ἐκόντων. In Xen. *Hell.* vi § 34 a Sparta declares that the Athenians were chosen leaders at sea τῶν Λακεδαιμονίων συμβουλευομένων. None of the above passage shews that the Lacedaemonians were really willing to surrender the supremacy and in Thuc. i 96 the reference is not to the Lacedaemonians, but to the allies of Athens who smarted under the overbearing conduct of Pausanias. Hence ἀκόντων should be retained.

§ 3. προστάται τοῦ δήμου] c. 2 § 2, and c. 28. Holm, *Gr. Gesch.* ii 43, 110. Νεοκλέους] Plut. *Them.* 1, N. οὐ τὰ ἄγαν ἐπιφανῶν Ἀθήνησι.

τὰ πολέμια] πολέμος is rare in A. On the other hand, we have *Pol.* 130 a 14, ἀπειρία τῶν πολεμικῶν, 1285 b 1: ἡγεμονία τῶν πολεμικῶν. *Ind. Ar.* C c. 3 l. 7.



τικὰ δεινὸς εἶναι καὶ δικαιοσύνη τῶν καθ' ἑαυτὸν διαφέρειν· διὸ 15  
 4 καὶ ἐχρῶντο τῷ μὲν στρατηγῷ, τῷ δὲ συμβούλῳ. τὴν μὲν οὖν τῶν  
 τειχῶν ἀνοικοδόμησιν κοινῇ διώκησαν, καίπερ διαφερόμενοι πρὸς  
 ἀλλήλους, ἐπὶ δὲ τὴν ἀπόστασιν τὴν τῶν Ἴωνων ἀπὸ τῆς τῶν  
 Λακεδαιμονίων συμμαχίας Ἀριστείδης ἦν ὁ προτρέψας, τηρήσας  
 5 τοὺς Λάκωνας διαβεβλημένους διὰ Πausανίαν. διὸ καὶ τοὺς 20  
 φόρους οὗτος ἦν ὁ τάξας ταῖς πόλεσιν τοὺς πρώτους ἔτει τρίτῳ  
 μετὰ τὴν ἐν Σαλαμῖνι ναυμαχίαν ἐπὶ Τιμοσθένους ἄρχοντος, καὶ  
 10 τοὺς ὄρκους ὤμοσεν τοῖς Ἴωσιν || ὥστε τὸν αὐτὸν ἐχθρὸν εἶναι καὶ  
 φίλον, ἐφ' οἷς καὶ τοὺς μύδρους ἐν τῷ πελάγει καθείσαν.

15 δεινὸς εἶναι B, K-W<sup>23</sup>, K<sup>4</sup>, Th.

ΜΑΧΙΑΝ :—ἀπὸ τῆς—συμμαχίας Blass, H-L, K-W, K<sup>3</sup>, Th. ἐκ τῆς Papageorgios coll. Thuc. v 81.

21 πόλεσι H-L, B<sup>4</sup>.

22 Δ(ΙΔ) Τ(ΗΝ) superscripto Μ(ΕΤΑ) manu i.

23 ὤμοσε H-L, B.

**δικαιοσύνη]** Plut. *Arist.* 3 *fin.*, and 7, τὸν δίκαιον.

**τῷ μὲν στρατηγῷ, τῷ δὲ συμβούλῳ]** In Plut. *Aristeides* c. 8, Aristeides says in his speech to Themistocles, σὺ μὲν ἄρχων καὶ στρατηγὸν, ἐγὼ δ' ὑπουργὸν καὶ συμβουλευόν. Aristotle obviously refers to the rival claims of the Themistocles and Aristeides in *Pol.* viii (v) 8, 1309 a 39, ἔχει δ' ἀπορίαν, ὅταν μὴ συμβαίη ταῦτα πάντα (φιλίαν πρὸς τὴν καθεστῶσαν πολιτείαν... δύναμιν μεγίστην τῶν ἔργων τῆς ἀρχῆς... ἀρετὴν καὶ δικαιοσύνην) περὶ τὸν αὐτὸν, πῶς χρὴ ποιεῖσθαι τὴν αἰρεσιν... ἐν στρατηγίᾳ μὲν (δεῖ βλέπειν) εἰς τὴν ἐμπειρίαν μᾶλλον τῆς ἀρετῆς... ἐν δὲ φυλακῇ καὶ ταμείᾳ τοῦναντίον. On the other hand Isocr., *Panath.* 143, strangely maintains that the best σύμβουλος will also prove the best general (*Class. Rev.* v 161 a).

**§ 4. τειχῶν ἀνοικοδόμησιν]** Thuc. i 89 § 3, τὴν πόλιν ἀνοικοδομῆν παρεσκευάζοντο καὶ τὰ τείχη. Themistocles went as envoy to Sparta to gain time while the walls were being built (*ib.* 90), while Aristeides was one of the *ξυμπρέσβεις* who afterwards announced to Themistocles ἔχειν ἱκανῶς τὸ τείχος (91 § 3). Cf. Busolt, ii 321-9<sup>1</sup>, iii 41—50<sup>2</sup>.

**ἀπόστασιν τὴν τῶν Ἴωνων]** Thuc. i 95 § 1, ἐν τῇδε τῇ ἡγεμονίᾳ ἦδη βιαλοῦντος αὐτοῦ (Pausanias) οἷ τε ἄλλοι Ἕλληνες ἤχοντο καὶ οὐχ ἦκιστα οἱ Ἴωνες... φοιτῶντές τε πρὸς τοὺς Ἀθηναίους ἤξιον αὐτοῦ ἡγεμόνας σφῶν γενέσθαι κατὰ τὸ ξυγγενές καὶ Πausανία μὴ ἐπιτρέπειν. Plut. *Arist.* 23. On the other hand Hdt. viii 3, πρόφασιν τὴν Πausανίω ὕβριν προϊσχύμενοι ἀπειλοῦντο τὴν ἡγεμονίαν τοὺς Λακεδαιμονίους. On Pausanias cf. *Pol.* 1307 a 2, 1333 b 32.

**§ 5. τοὺς φόρους]** 'tributes.' Thuc. i 96, ἔταξαν ἅς τε ἔδει παρέχειν τῶν πόλεων χρήματα πρὸς τὸν βάρβαρον καὶ ἅς ναῦς... καὶ ἑλληνοταμίαι τότε πρώτων Ἀθηναίους κατέστη ἀρχή, οἱ ἐδέχοντο τὸν φόρον· οὐτω γὰρ ὀνομάσθη τῶν χρημάτων ἡ φορά. v 18 § 4, τὰς πόλεις φερούσας τὸν φόρον τὸν ἐπ' Ἀριστείδου. Plut. *Arist.* 24. Schol. Aeschin. 3 § 258, Ἀριστείδης ὁ τοὺς φόρους τάξας τοῖς Ἕλλησι. The φόρος was fixed in the first instance at 460 talents.

**ἐπὶ Τιμοσθένους]** B.C. 478/7.

The commencement of the Athenian ascendancy is placed by Diodorus (xi 41) in the year of Adeimantus (477/6). This is the date accepted by Clinton. Ephorus appears to have placed the first payment of tribute in the spring of 476 (Busolt, *Rhein. Mus.* xxxvii 313), and accordingly this has been the date usually assigned to the formation of the Confederacy of Delos.

Dem., *Phil.* iii 23, makes the Athenian ascendancy last 73 years, and the Lacedaemonian 29. The 29 years are reckoned from the battle of Aegospotami (July 405) to the battle of Naxos (Sept. 376). As the first of these battles marked the end of the Athenian empire, it follows that Dem. reckoned the beginning of the Athenian empire from 478, the first year after the Persian wars. For further details, see Clinton's *Fasti*, Appendix, c. 6; and Busolt, ii 345<sup>1</sup>, iii 69<sup>2</sup>.

**τοὺς ὄρκους ὤμοσεν]** Plut. *Arist.* 25, ὁ δ' Ἀριστείδης ὤρκισε μὲν τοὺς Ἕλληνας καὶ ὤμοσεν ὑπὲρ τῶν Ἀθηναίων, μύδρους ἐμβαλὼν ἐπὶ ταῖς ἀραιῖς εἰς τὴν θάλατταν. The same symbol of an irrevocable oath is recorded in Hdt. i 165, οἱ Φωκαεῖες ἐποιήσαντο ἰσχυρὰς καταράς τῷ ὑπολειπο-

24. μετὰ δὲ ταῦτα θαρρούσης ἤδη τῆς πόλεως καὶ χρημάτων ἠθροισμένων πολλῶν, συνεβούλευεν ἀντιλαμβάνεσθαι τῆς ἡγεμονίας, καὶ καταβάνας ἐκ τῶν ἀγρῶν οἰκεῖν ἐν τῷ ἄστει· τροφήν γὰρ ἔσεσθαι πᾶσι, τοῖς μὲν στρατευομένοις, τοῖς δὲ φρουροῦσι, 5 τοῖς δὲ τὰ κοινὰ πράττουσι, εἴθ' οὕτω κατασχήσειν τὴν ἡγεμονίαν. πεισθέντες δὲ ταῦτα καὶ λαβόντες τὴν ἀρχὴν τοῖς τε συμμαχοῖς 2 δεσποτικωτέρως ἐχρῶντο πλὴν Χίων καὶ Λεσβίων καὶ Σαμίων·

B

Δ

XXIV 2 ΠΟΛΛΩΝΗΘΡΟΙΣΜΕΝΩΝ : ἠθροισμένων πολλῶν K, K-W<sup>3</sup>; ἠθρ. π. B<sup>4</sup>, Th; π. ἠθρ. H-L, B<sup>1-3</sup>; ἀθροιζομένων π. K-W<sup>12</sup> (Kaibel 179). 5 πράττουσιν H-L. 6 τοῖς τε : τοῖς B<sup>2-4</sup>, S<sup>1</sup>.

μένω ἐωυτῶν τοῦ στόλου· πρὸς δὲ ταύτησι καὶ μύδρον σιδήρεον κατεπόντωσαν καὶ ὤμοσαν μὴ πρὶν εἰς Φωκαίην ἦξειν, πρὶν ἢ τὸν μύδρον τοῦτον ἀναφῆναι, in Callimachus, frag. 209, and in Horace, *Erod.* 16, 25.

τὸν αὐτὸν ἐχθρὸν εἶναι καὶ φίλον] Possibly this phrase may have been due to Persian diplomatic phraseology. To the present day, the common Oriental form is: 'The friend of X's friend, and the enemy of his-enemies' (Sir Frederick Pollock).

XXIV § 1. θαρρούσης] c. 22 § 3. For the sense, cf. *Pol.* 1274 a 12, τῆς ναυαρχίας γὰρ ἐν τοῖς Μηδικοῖς ὁ δῆμος αἴτιος γενόμενος ἐφρονηματισθη, 1341 a 30, μετὰ τὰ Μηδικὰ φρονηματισθέντες ἐκ τῶν ἔργων (Kaibel, 37 f).

καταβάνας ἐκ τῶν ἀγρῶν κτλ.] In contrast to Pesistratus who encouraged agriculture with a view to preventing his subjects from living in Athens (c. 16 § 3).

§ 2. λαβόντες τὴν ἀρχὴν] The simple verb is similarly used in Isocr. 4 § 72; 5 § 61; 7 § 7; 8 §§ 30, 69, 74, 104; 16 § 103. He has παραλαβεῖν τὴν ἀρχὴν in 4 § 100; 8 § 101; κατασχέειν in 4 § 102, 8 § 126.

δεσποτικωτέρως] This comparative of the adverb is not in L and S. *Pol.* iv 10, 3, τὸ δεσποτικῶς ἀρχεῖν.

πλὴν Χίων καὶ Λεσβίων καὶ Σαμίων] Thuc. i 19, (in the interval between the Persian and Peloponnesian wars) Ἀθηναῖοι δὲ (τοὺς ξυμμαχοὺς ἡγοῦντο) ναὺς τε τῶν πόλεων τῷ χρόνῳ παραλαβόντες, πλὴν Χίων καὶ Λεσβίων, καὶ χρήματα τοῖς πᾶσι τάξαντες φέρειν. Even when (under Pericles) the confederacy of Delos was transformed into an empire on the part of Athens, with her former confederates degraded into tributary dependencies, Chios, Samos and Lesbos alone remained

on their original footing of autonomous allies.

It was after the revolt of *Samos* in 440 B.C. that that island was conquered by an armament under ten generals, including Pericles and Sophocles, and after a prolonged contest disarmed and dismantled (Thuc. i 115—117). Lesbos and Chios still remained in a privileged position (Thuc. iii 10).

Mitylene and the greater part of *Lesbos* revolted in 428 (*ib.* 2), one of the reasons being that the Mitylenaeans 'had no security that Athens would not degrade them into the condition of subject-allies like the rest' (*ib.* 10 *fin.*). The fortifications of Mitylene were razed, all her ships of war captured, and the greater part of the island allotted to Athenian settlers (*ib.* 50).

In 425 *Chios* incurred the suspicion of Athens by building a new wall, which implied an intention to revolt (Thuc. iv 51). The Athenians insisted on the destruction of the wall (52). Chios actually revolted in 412 and was much harassed by the Athenians (Thuc. viii 14—61).

It is to the result of these revolts that Aristotle refers in *Pol.* iii 13, 1284 a 39, where, after speaking of ostracism as a means of suppressing undue prominence, he adds: τὸ δ' αὐτὸ καὶ περὶ τὰς πόλεις καὶ τὰ ἔθνη ποιοῦσιν οἱ κύριοι τῆς δυνάμεως, ὅσον Ἀθηναῖοι μὲν περὶ Σαμίου καὶ Χίου καὶ Λεσβίου (ἐπεὶ γὰρ θᾶπτον ἐγκρατῶς ἔσχον τὴν ἀρχὴν, ἐταπεινώσαν αὐτοὺς παρὰ τὰς συνθήκας). But (as observed by Schlosser) the remark in the *Politics* is untrue of Lesbos, and barely true of Samos and Chios. The account in the text correctly describes the position of privilege at first enjoyed by these three islands. The passage in the *Politics* refer to a later time and is therefore not in consistent with the text (cf. W. L. New



τούτους δὲ φύλακας εἶχον τῆς ἀρχῆς, ἔωντες τὰς τε πολιτείας παρ  
 3 αὐτοῖς καὶ ἄρχειν ὧν ἔτυχον ἄρχοντες. κατέστησαν δὲ καὶ τοῖς  
 πολλοῖς εὐπορίαν τροφῆς, ὥσπερ Ἀριστείδης εἰσηγήσατο. συνέ- 10  
 βαινευ γὰρ ἀπὸ τῶν φόρων καὶ τῶν τελῶν [[καὶ τῶν συμμάχων]]

8 <τὰς> παρ', Richards, Papabasileios, κ-w. 9 ἄρχοντες <αὐτοῖς ἐπιτρέ-  
 ποντες, καὶ — —> 'dictum erat de cleruchis' κ-w, e.g. <καὶ πόλεις οὐκ ὀλίγας ἀνωσι-  
 ταμένας βία καταστρεφάμενοι κληρουχίας κατελάμβανον> Kaibel, 179 f. 10 συνέ-  
 βαινε H-L. 10—22 'idoneam sententiam non praebeant...certe ipsi auctori tribuenda  
 non videntur' H-L; idem sentit Fr. Pollock. 11 ΦΟΡΩΝ: εἰσφορῶν Whibley  
 (H-L). καὶ τῶν συμμάχων secl. κ-w<sup>1,2</sup>, tumentur B, κ-w<sup>3</sup>. καὶ del. van Leeuwen.  
 τῶν <ἀπὸ τῶν> συμμάχων Hude.

man, *Class. Rev.* v 162 b, and on *Pol.*  
 l. c.

On the relations of Athens to Chios, Lesbos and Samos, cf. Wilamowitz, *Aus Kydathen*, pp. 11, 12.

ἔωντες] The two constructions of ἔων are here combined, (1) the acc., as in *Pol.* v 7, 1307 b 16, κινήσαντας τὸν νόμον ἑάσειν τὴν ἄλλην πολιτείαν, and (2) the inf., as *ib.* 3, 1302 b 20, ἑάσαντας γενέσθαι ἰᾶσθαι ὕστερον.

ὧν ἔτυχον ἄρχοντες] For Chian possessions on the mainland, cf. *Hdt.* i 160, vi 28, viii 106; cf. the ἀκταὶ πόλεις of the Mitylenaeans, *Thuc.* iii 50, iv 52 (*Wyse*).

§ 3. ὥσπερ Ἀριστείδης εἰσηγήσατο] 'If the policy of Aristides is placed in a less favourable light than we should expect, inasmuch as he is said to have converted a citizen-body largely consisting of peasants into an urban citizen-body subsisting on pay and exercising a despotic authority over the subject states, and thus to have contributed to the establishment of an extreme democracy, we remember that we are taught in the *Politics* (iv 6, 5, 1292 b 41 *sqq.*) to connect the establishment of a τελευταία δημοκρατία with a large increase in the size of the city and with the provision of pay, and also that Theophrastus' opinion of Aristides was not an altogether favourable one (*Plut. Arist.* c. 25).' (*W. L. Newman* in *Class. Rev.* v 162 b.)

τῶν φόρων] See note on 23 § 5.  
 τῶν τελῶν] 'taxes.' With the exception of the produce of plunder in war and sale of prisoners, the φόρος was at this time the only source of revenue from foreigners. (The duty on merchandise passing to or from the Euxine was not levied until 409.) Hence the reference in τελῶν is to taxes imposed by the Athenians and levied at home, whether

(1) ordinary taxes, such as harbour-dues, market-dues, court-fees, and payments made by resident aliens, or (2) extraordinary taxes. The latter were levied for special purposes, viz. the property-tax (εἰσφορά) which was practically a war-tax, and the λητοურγίαι, or compulsory services. These last did not contribute towards the support of the citizens except by relieving them of expenses which might otherwise have fallen on the public chest. Lastly, there was the income derived from rents of public lands, and from the mines at Laurium.

In *Thuc.* vi 91, 6, Alcibiades enumerates some of these sources of revenue, viz. the mines, the public land and the law-courts and the tribute paid by the allies (τῆς ἀπὸ τῶν συμμάχων προσόδου). There is a fuller enumeration in *Aristoph. Vespr.* 656, καὶ πρῶτον μὲν λογιῶσαι φαίδως, μὴ ψήφοις, ἀλλ' ἀπὸ χειρῶν, τὸν φόρον ἡμῖν ἀπὸ τῶν πόλεων ξυλλήβδην τὸν προσίοντα· κἄξω τούτων τὰ τέλη χωρὶς καὶ τὰς πολλὰς ἑκατοστάς, πρυτανεία, μέταλλ', ἀγοράς, λιμένας, μισθοὺς καὶ δημόπρατα (making a total of nearly 2000 talents, of which the 6000 δικασταὶ received 150).

As the σύμμαχοι contribute no payment except the φόρος, it is clear that the mention of them in the text is superfluous. See, however, *Wilamowitz*, ii 206.

The text, as it stands, appears to imply that the citizens of Athens derived maintenance from the allies over and above the φόροι and the τέλη paid by them; cf. [*Xen.*] *Rep. Ath.* i 16—18. Fees paid by the allies in lawsuits may be included in the reference, for these helped to maintain the dicasts (*Gilbert*, i 382<sup>1</sup>, 4). There was also an ἐπιφορά (*ib.* 397). The visits of the citizens of the allied states to Athens would be another source of profit' (*Newman*).

πλείους ἢ δισμυρίους ἄνδρας τρέφεσθαι. δικασταὶ μὲν γὰρ ἦσαν ἑξακισχίλιοι, τοξόται δ' ἑξακόσιοι καὶ χίλιοι, καὶ πρὸς τούτοις ἵππεῖς χίλιοι καὶ διακόσιοι, βουλὴ δὲ πεντακόσιοι, καὶ φρουροὶ 15 νεωρίων πεντακόσιοι, καὶ πρὸς τούτοις ἐν τῇ πόλει φρουροὶ πεντή-

12 ΔΙΚΑΣΤΑΙ: ὄπλιται? van Leeuwen, Gennadios.

15 τῇ secl. κ-w<sup>2</sup>, B.

**πλείους ἢ δισμυρίους]** The numbers actually specified amount to 15,750. If to this we add (with Mr Kenyon) '4000 men for the 20 guard-ships at the usual rate of 200 men to each ship,' we obtain a total of 19,750, not including the orphans and other privileged persons mentioned at the end of the chapter. 20,000 is the number, mentioned at another date, in *Ar. Vesp.* 709, δύο μυριάδας, and 30,000 in *Eccl.* 1132 πολιτῶν πλείον ἢ τρισμυρίων ὄντων τὸ πλῆθος (cf. Hdt. iii 97). Koehler, *SB. Berlin Akad.* 1892, 342 f, suggests that it was only the total that the author found in his authority, and that the several items are guesses of his own. The number of the Athenian citizens in the 5th century is discussed by Östbye, *Kristiania*, 1894.

**δικασταί]** As these were not paid until the time of Pericles, this must be (as Mr Kenyon notices) an anticipation of the results of the policy initiated by Aristides. **ἑξακισχίλιοι]** i.e. 600 for each tribe. This is apparently the number of the dicasts in the times of the democracy after Cleisthenes. The *Heliastae* were instituted by Solon; but their number in his days is unknown, though it was probably not very small. 6000 dicasts appear in *Ar. Vesp.* 662. There is, however, no mention of any such number in the second part of the present treatise (cf. Macan, in *Cl. Rev.* 1896, 201).

**τοξόται]** The context shews that *citizens* serving as bowmen are meant. The figures in the text are partly borrowed from Thuc. ii 13 § 7, where Pericles, on the outbreak of the Peloponnesian war, estimates the number of the *τοξόται* at 1600, and the *ἵππεῖς* at 1200 *ξὺν ἵπποτοξόταις*. In Thuc. vi 25 Nicias requires for the Sicilian expedition *τοξοτῶν τῶν αὐτόθεν καὶ ἐκ Κρήτης*. Gilbert, *Gr. St.*, i 305<sup>1</sup>, quotes CIA i 79, *τοξόται οἱ ἀστικοί*; i 45, (κατὰ φύλας) *τοχ(σ)ταὶ δέ(κ)α*; and i 55, 433, 446; *ib.* i 79, *οἱ τόξαρχοι*. The 1600 freeborn bowmen in the text must be distinguished from the 1200 Scythian bowmen of Andocides (*de Pace*, 7) and Aeschines (*F. L.* §§ 173-4). The latter were a police force instituted in 480 B.C. when 300 were purchased for this purpose by the state (*Andoc. l. c.* 5).

**ἵππεῖς]** The same number is found in Thuc. ii 13 § 7, and in Andocides and Aeschines (*l. c.*). In 490 Athens had no cavalry (Hdt. vi 112). The number gradually rose to 1000, *Arist. Eg.* 225, Philochorus *ἐν τετάρτῳ* (B.C. 456-404) *ap. Hesych. s. v.*; and this number was maintained in the fourth century (*Xen. Hippiarch.* 9, 3; *Dem.* 14 § 13). The number 1200 in Thuc. includes the *ἵπποτοξόται*. As the latter were Scythian slaves, it was a discredit to an Athenian citizen to serve in this force (*Lys.* 15 § 6). The fact that only 1000, out of the total 1200, are really citizens is apparently overlooked in the text. Gilbert, *Gr. St.*, i 305<sup>1</sup>, n. 5, quotes Philochorus, *l. c.*, *διάφορα γὰρ ἦν ἵππέων πλῆθη κατὰ χρόνον Ἀθηναίους*, but holds that little credit can be given to any statements giving 1200 as the total number of the *ἵππεῖς* alone.

**φρουροὶ νεωρίων]** I cannot find any other passage in which these are expressly mentioned. In Thuc. ii 13 § 6 half the circuit of the Peiraeus and Munichia is described as *ἐν φυλακῇ*, and the total number of *ὄπλιται τῶν ἐν τοῖς φρουροῖς καὶ τῶν παρ' ἐπαλξιν* is 16,000 (*ib.* § 3). This number is the force employed on the outbreak of war.

**ἐν τῇ πόλει φρουροί]** The mention of the *νεώρια* in the previous clause might at first sight suggest that these *φρουροὶ* were concerned with the upper *πόλις* in contrast with the Peiraeus: but, if so, we should expect *ἐν τῷ ἄστει* as the normal term to express this contrast. It is therefore probable that *τῇ πόλει* refers to the *Acropolis*, and it is so translated by Th. Reinach (cf. K. Wernicke, in *Hermes*, 1891, 51-75). This view (as Mr Wyse suggests to me) is supported by an inscr. of the 5th cent. published in the *Bulletin de Corr. Hellénique*, 1890, 177-180, and ascribed to 447 B.C. in CIA iv 3, 26 a, [τ]ὴν πόλιν . . . ο . . . [ο]λικο[δ]ομησαι δ[ε] [π]ω[s] ἄν δραπέτης μὴ ἐ[σί]η μηδὲ λωποδύ[τ]ης] ταῦτα δὲ ξυγγρά[φ]ηαι μὲν Καλλικρά[τ]η(ν) ὅπως ἄριστα κα[ὶ] εὐτελέστατα σκ[ε]υά[σ]αι[ν] [τ]ο, μισθώσα[ι] δὲ τοὺς πωλητὰς ὅπως ἄν ἐντὸς ἐξή[κ]οντα ἡμερῶν ἐπισκ[ε]υασθῆ, φύλακας δὲ [ε]ἶναι τρεῖς μὲν τοξό[τ]ας ἐκ τῆς φυλῆς τῆς [π]ρυτανευούσης. M. Foucart understands the three *τοξόται* who



κοντα, ἀρχαὶ δ' ἔνδημοι μὲν εἰς ἑπτακοσίους ἀνδρας, ὑπερόριοι δ' εἰς † ἑπτακοσίους· πρὸς δὲ τούτοις, ἐπεὶ συνεστήσαντο τὸν πόλεμον

16 Μ(ΕΝ) ΗΣΑΝ ΕΙΣ.

putant K-W (B, K<sup>4</sup>, Th).

πόλεμον Richards; nihil mutandum putat Kaibel 181.

17 ἑπτακοσίους· numerum e v. 16 male repetitum

'an <τὰ εἰς> τὸν πόλεμον?' K-W<sup>1,2</sup>; κατέστησαν ἐς τὸν

πόλεμον Richards; nihil mutandum putat Kaibel 181.

are to act as φύλακες to be *trois Scythes*, on the ground that the police was not recruited from the citizens, but it will be observed that they belong to a φυλή and are therefore citizens. They are appointed to guard the approach to a particular part of the *Acropolis* and to prevent runaway slaves from seeking sanctuary in the temples. πόλις, or ἡ πόλις, is regularly used of the *Acropolis* in the 5th century. Thuc. ii 15 *fin.* (καλεῖται) ἡ ἀκρόπολις μέχρι τοῦδε ἐτι ὑπ' Ἀθηναίων πόλις. Cf. c. 8 l. 24.

'Aristophanes always uses ἐν πόλει (*Eg.* 267), πρὸς πόλιν (*Nub.* 69), without the article, when he means the *Acropolis*. In prose writers, however, there are places where the MSS give the article: Xen. *Anab.* vii 1, 27, ὑπαρχόντων πολλῶν χρημάτων ἐν τῇ πόλει, Aeschin. i § 97, οἰκίαν ὀπισθεν τῆς πόλεως, Antiph. 6 § 39, διηλλάγην τούτοις ἐν τῇ πόλει ἐναντίον μαρτύρων, [Xen.] *de Red.* 5 § 12, πολλὰ χρήματα εἰς τὴν πόλιν ἀνερχθέντα, Phil. *Per.* 32, ὅπως... οὐ δὲ δικάσται τὴν ψῆφον ἀπὸ τοῦ βωμοῦ φέροντες ἐν τῇ πόλει κρῖνοιεν. ἐμ πόλει is no doubt the normal form in CIA i' (Wyse).

ἀρχαί... ἔνδημοι.] The total number is large (Wilamowitz, ii 203), and there is nothing to shew that the higher officers of state are excluded. Schömann (*Anl.* p. 147, E. T.) says: 'so far as our knowledge extends, the offices of government were unpaid.' Again, on p. 402, 'official functionaries,' as contrasted with subordinates, 'served without pay' (cf. *ib.* 436). But in c. 62 the archons receive for maintenance 4 obols a day each, and in c. 29 (under the constitution of 411) the archons and *πρωτάνεις* are excepted from the rule that all offices should be without pay. The large number of the ἀρχαί ἔνδημοι (700), criticised by Köhler, is intelligible, if it includes all the minor officials, such as heralds and clerks, etc. (Kaibel, 181).

ὑπερόριοι.] In *Pol.* iii 14, 1285 b 14, we have τὰ κατὰ πόλιν καὶ τὰ ἔνδημα καὶ τὰ ὑπερόρια συνεχῶς ἦρχον, and the term ὑπερόριος occurs again in b 18. Cf. law quoted in Aeschin. c. *Timarch.* 19, μηδὲ ἀρχῆν ἀρχέτω μηδεμῶν, μήτε ἔνδημον μήτε ὑπερόριον. Mr Kenyon's translation distinguishes between magistrates 'within

the city' and 'those whose jurisdiction lay outside it'; Mr Poste's (more satisfactorily) between 'home' and 'foreign' magistrates. The latter would naturally include the officials in the Athenian κληρουχίαι. The first κληρουχία was that settled on Salamis about 508/7 (Busolt, ii 444 n. 2<sup>2</sup>); the next, near Chalkis in 506 B.C. (*ib.* 442-4). The number of cleruchs sent out between 460 and 410 amounted to 9,950, not including those sent to Lemnos, Imbros and Aegina (Gilbert, *Gr. St.* i 504<sup>2</sup>, note 3).

The cleruchs were subject to military orders, and we sometimes hear of civil magistrates being sent out by Athens, e.g. ἀρχοντες sent to Lesbos (Antiphon, *de Caede Her.* § 47). Cf. the ἐπίσκοποι of Aristoph. *Av.* 1022, 1050 (see Wilamowitz, *Aus Kydathen*, p. 75), the ἐπιμεληταὶ sent to Miletus (CIA iv I, 22<sup>a</sup>) and in later times to Delos, Haliartos and Paros (Boeckh, i 508 a, and n. 709 Fränkel), and the ἐκλογῆς.

The ἀρχαί ὑπερόριοι would also include the φρουράρχοι, as at Erythrae, CIA i 9 (Ditt. no. 2), and 10. φρουραρχία is mentioned in Xen. *Mem.* iv 4, 17, and φρουράρχοι possibly in [Xen.] *de Rep. Ath.* i 18, τοὺς ἐκπλέοντας Ἀθηναίων ἐτίμων ἂν μόνους, τοὺς τε στρατηγούς καὶ τοὺς φρουράρχους (MSS τριηράρχους) καὶ τοὺς πρέσβεις (Wilamowitz, *Aus Kydathen*, pp. 73-76). Cf. inscr. ascribed to the beginning of the Peloponnesian war (CIA iv 3, 27 c), οἵτινες Ἀθηναίων ἀρχουσι ἐν τῇ ὑπερορίᾳ.

Here, as in the case of the ἀρχαί ἔνδημοι, Wilamowitz regards the total as too high (ii 204).

συνεστήσαντο τὸν πόλεμον.] The phrase συστήσαι or συστήσασθαι πόλιν or πολιτεῖαν is found in the *Politics* and τὰ πράγματα συνίστασθαι (of tragic poets) in the *Poetics* 6, p. 1450 a 37. Again, in Thuc. i 15 § 2, we find κατὰ γῆν δὲ πόλεμος... οὐδεὶς ξυνέστη, and Hdt. vi 108 has συνεστεῶτας Βωιωτοῖσι for 'engaged in conflict with' the B. Here, if τὰ εἰς were to be inserted, it might mean 'organised,' as in Xen. *Anab.* vii 6 § 26 ἱππικὸν συνεστηκός, cf. τὸ στρατεῦμα συνεστηκός, of 'a standing army,' in Dem. p. 93 *fin.*, but this insertion is not necessary, cf.

18 ὕστερον, ὀπλίται μὲν δισχίλιοι καὶ πεντακόσιοι, νῆες δὲ φρουρίδες εἴκοσι, ἄλλαι δὲ νῆες αἱ τοὺς φρουροὺς ἄγουσαι τοὺς ἀπὸ τοῦ

19 φοροῦς κ, et (lacuna post ἄγουσαι indicata) κ-w, Wilamowitz ii 205, Kaibel 182: φρουροὺς van Leeuwen et Blass (Th), coll. 62 § 1; φόρους 'vox aperte corrupta,' H-L; μισθοφόρους? Herwerden.

Polyb. iii 25, 1, πρὸ τοῦ συστήσασθαι τοὺς Καρχηδονίους τὸν περὶ Σικελίας πόλεμον (Kaibel).

The war must be the Peloponnesian war. This is confirmed by Andocides, *De Pace* § 7, where he recounts the advantages derived by Athens from the 30 years' peace with Sparta: *τρίηρεις ἄλλας ἑκατὸν ἑναπληγησάμεθα νεωσοίκους τε ὤκοδομησάμεθα, χιλίους τε διακοσίους ἱππέας καὶ τοξότας τοσοῦτους ἐτέροους κατεστήσαμεν κτλ.* (Kaibel). Köhler, less satisfactorily, identifies it with the war of 459—452 B.C.

ὀπλίται] The number 2,500 is difficult to reconcile with the figures mentioned elsewhere. The number of Athenians who fought at Marathon was 9,000 (Pausan. x 20, 2) or 10,000 (Justin ii 9); at Plataea, 8,000. In Thuc. ii 13 § 2, Pericles estimates the number of hoplites at 13,000 fit for service in the field, and 16,000 (of the oldest and the youngest of the citizens) as fit to serve on garrison duty and to man the walls. In Thuc. ii 31 § 2, the Athenians march into Megara with a force of not less than 10,000 hoplites who were citizens, and not less than 3,000 who were μέτοικοι. Acharnae (the largest of the demes) could put into the field 3,000 hoplites. Possibly these numbers are exceptionally large and represent the maximum number of hoplites available on an emergency; but the number in the text professes to be that of the hoplites on the outbreak of war. The armament for the Sicilian expedition included not less than 4,000 hoplites (Thuc. vi 31, 2). In Thuc. vii 20 the hoplites ἐκ καταλόγου number 1,200.

It seems certain that these 2,500 hoplites (as partly implied in πρὸς τοῦτοις) are in addition to such of the citizens who were available in time of war. Most of these have already been enumerated under previous headings. Thus, if we add to the 2,500 hoplites the 6,000 dicasts and the 500 members of the βουλὴ, we obtain a total of 9,000, the exact number of Athenians who (according to Pausanias) fought at Marathon. Again, if we further add the 700 home officials, we get a total of 9,700, only 300 less than the 10,000 Athenian hoplites who marched into Me-

gara early in the Peloponnesian war.

Blass understands by ὀπλίται *qui continuo in praesidiis erant.*

νῆες—φρουρίδες] 'guard-ships.' In Thuc. iv 13 § 2 the Athenian fleet at Pylos includes τῶν φρουρίδων τινεὶ τῶν ἐκ Ναυπάκτου: the ships from Zacynthus are 50 in all; of these 35 were already at that island in c. 5, and 4 ships came from Chios, leaving eleven as the number of guard-ships from Naupactus, which had been an Athenian naval station ever since its capture in 455 B.C. (Thuc. i 103). The only other passages in which 'guard-ships' are mentioned are Xen. *Hell.* i 3, 17, where they form part of the Spartan fleet in the Hellespont, *ναῦς αἱ ἦσαν ἐν τῷ Ἐλλησπόντῳ καταλειμμέναι φρουρίδες*, and CIA iv 22 a, at Miletus, [*ἀπο*]στειλάντων [δύο] φρουρίδε. Cf. Zenobius vi 32, ... Ἀθηναῖοι γὰρ φρουραῖς διαλαβόντες τοὺς νησιώτας κτλ. See Wilamowitz, *Aus Kydathen*, p. 73 f.

The Athenian triremes were generally manned by about 200 each (Boeckh II xxii p. 376 Lamb; Gilbert, i 365<sup>2</sup>).

τοὺς—ἄγουσαι] φόρους raises a serious difficulty. It has hitherto been supposed that the 'tributaries' of Athens paid in the money themselves to the Council (Boeckh II vii, p. 177 Lewis; Gilbert, i 398<sup>2</sup>). Pollux (viii 114) inaccurately says that the ἔλληνοσταμίαι collected the tribute, but this duty (when necessary) was (after 446?) performed by the ἐκλογεῖς. It was only the collection of arrears or fines that was enforced by means of νῆες ἀργυρολόγοι (Thuc. iii 19; iv 50, 75) under the command of one or more στρατηγοί (Gilbert, i 478<sup>2</sup>, and *Beiträge*, p. 67). Further, unless we suppose a lacuna, τοὺς ἄνδρας cannot be construed. Hence the suggestion φρουροὺς, which follows naturally after φρουρίδες and enables us to take τοὺς ἄνδρας in apposition with it. In addition to the guard-ships stationed at places like Naupactus, there would be transports to take the φρουροί to the places where they were to be stationed. These φρουροί were appointed by lot by the demes. Even when changes were made in other appointments, the βουλευταὶ and the φρουροί still continued to be thus appointed (c. 62 § 1).



κνάμου δισχιλίους ἄνδρας, ἔτι δὲ πρυτανεῖον καὶ ὄρφανοὶ καὶ δεσ-  
μωτῶν φύλακες· ἅπασι γὰρ τούτοις ἀπὸ τῶν κοινῶν ἡ διοίκη-  
σις ἦν.

25. ἡ μὲν οὖν τροφή τῷ δήμῳ διὰ τούτων ἐγίγνετο. ἔτη δὲ  
ἑπτακαίδεκα μάλιστα μετὰ τὰ Μηδικὰ διέμεινε ἡ πολιτεία προ-  
εστῶτων τῶν Ἀρεοπαγιτῶν, καίπερ ὑποφερομένη κατὰ μικρόν. αὐ-  
ξανομένου δὲ τοῦ πλήθους, γενόμενος τοῦ δήμου προστάτης Ἐφιάλ-

20 'πρυτανεῖον vix verum' K-W<sup>1,2</sup>.  
H-L.

21 ἅπασιν B<sup>1</sup>.

ΔΙΟΙΚΗΤΙΣ: διασίτησις

XXV 1 εἶν (K-W).

TESTIMONIA. XXV 4 Heraclidis epitoma (Rose, Frag. 611): 'Εφιάλτης.

**δισχιλίους ἄνδρας**] In Plutarch's *Pericles*, II, we are told that 60 triremes were sent out in each year, manned for 8 months by citizens who thus obtained practice in naval affairs. It has been suggested that the text refers to these (Wilamowitz, ii 206 n. 8).

**πρυτανεῖον**] *i.e.* the persons maintained in the *prytaneum*, *e.g.* citizens who had done good service and were entertained at the public expense, either on a special occasion or for life. Among the latter were victors in the panhellenic games, distinguished generals or statesmen, and the representatives of Harmodius and Aristogiton. The archons and other officials are not included in this list, as they have already been included in the *ἀρχαὶ ἐνδημοί*; and besides, in historic times, the archons probably dined in the *Thesmothesion* and the prytanes and certain other officials in the *Tholos* (see *Dict. Ant.* s. v.). Cf. Thumser, *Staatsalt.* p. 494.

In this rapid enumeration the article is omitted before *πρυτανεῖον*, as before *ὄρφανοί* and *φύλακες*.

**ὄρφανοί**] The sons of citizens who had fallen in war were maintained during their minority at the public expense. The regular phrase for this was *δημοσίᾳ τρέφειν*. Cf. Thuc. ii 46, *τοὺς παῖδας ἀπὸ τοῦδε δημοσίᾳ ἡ πόλις μέχρι ἡβῆς θρέψει*. *Pol.* ii 8, 1268 a 8 (*τοῖς παισὶ τῶν ἐν τῷ πολέμῳ τετελευτηκότων ἐκ δημοσίου γίνεσθαι τὴν τροφήν*)...*ἔστι δὲ καὶ ἐν Ἀθήναις οὗτος ὁ νόμος νῦν*. *Plat. Menex.* 248 E. The institution is said to have gone back as far as the time of Solon (*Diog. Laërt.* i 54). Cf. Schulthess, *Vormundschaft*, pp. 13—26. 'ὄρφανοί' are mentioned in an inscr. said to be not later than 460 B.C. *CIA* i 1, and iv p. 3, 4 (*Dittenberger*, no. 384, l. 120), but the latter part is much mutilated' (Wyse). With this, and the next item, cf. [*Xen.*] *Rep. Ath.* 3, 14,

*ὄρφανούς δοκιμάσαι καὶ φύλακας δεσμωτῶν καταστήσαι*.

**δεσμωτῶν φύλακες**] The Eleven had the management of the prison and had under them subordinates, such as jailers, executioners and torturers; but as these were *δημόσιοι*, or public slaves, the reference may possibly be to the Eleven themselves, who are called *δεσμοφύλακες* in the *Schol. on Dem. Androt.* § 26, *Timocr.* § 210, and on *Aristoph. Plut.* 1108 where the term is corrupted to *θεσμοφύλακες*.

**ἅπασι—ἦν**] *i.e.* ἅπαντες ἀπὸ τῶν κοινῶν διωκοῦντο.

**διοίκησις**] lit. 'administration.' *Pol.* iii 16, 1287 a 6, *ποιεῖν ἕνα κύριον τῆς διοικήσεως*, and 1331 b 9, *περὶ γραφῶν δικῶν καὶ τὴν ἄλλην τὴν τοιαύτην διοίκησιν*. iv (vii) 10, 1330 a 7 (it is not easy for all the citizens to pay their share in the *σοσίστια*) καὶ *διοικεῖν τὴν ἄλλην οἰκίαν*. The word is often used in the *Politics*, of management or administration. The primary meaning is 'to keep house,' as in *Plato Meno* 91 A, *τάς τε οἰκίας καὶ τὰς πόλεις διοικεῖν*. *διοίκησις* means 'house-keeping' in *Dem. Steph.* 45 § 32, *τῆς καθ' ἡμέραν διοικήσεως*. In the text it includes *maintenance* (*σίτησις*) and payment of money.

XXV. *Ephialtes*.

§ 1. **διὰ τούτων**] possibly preferred to *ἀπὸ τούτων*, for the sake of avoiding hiatus, as in 6 § 2 *διὰ τῶν φίλων* (*Kaibel*, 14).

**ἔτη δὲ ἑπτακαίδεκα μάλιστα**] From 478/7 B.C., the date of the Confederacy of Delos (23 § 5), in the first year after the Persian wars, to 462/1, the archonship of Conon. Cf. *Wilamowitz*, i 26.

**προεστῶτων τῶν Ἀρεοπαγιτῶν**] See c. 23 § 1, and *Politics* there quoted. *Isocr. Areop.* 51, *ἧς ἐπιστατούσης κτλ.*

**ὑποφερομένη**] c. 36 § 1.

**Ἐφιάλτης ὁ Σοφωνίδου**] The father's name is given (*Σοφ.*) in *Aelian Var. Hist.*

5 της ὁ Σοφωνίδου, || καὶ δοκῶν ἀδωροδόκητος εἶναι καὶ δίκαιος [C] πρὸς τὴν πολιτείαν, ἐπέθετο τῇ βουλῇ. καὶ πρῶτον μὲν ἀνείλεν 2 πολλοὺς τῶν Ἀρεοπαγιτῶν, ἀγῶνας ἐπιφέρων περὶ τῶν διωκημέ- των· ἔπειτα τῆς βουλῆς ἐπὶ Κόνωνος ἄρχοντος ἅπαντα περιείλε(το)

5 καὶ δοκῶν, B<sup>1-3</sup>, Th; [[καὶ] δοκῶν H-L, K-W<sup>2,3</sup>; δοκῶν καὶ Kaibel 182, K-W<sup>3</sup>, B<sup>4</sup>, K<sup>4</sup>. 6 ἀνείλε H-L. 8 περιείλε (B<sup>2-4</sup>, Th); περιείλετο Richards, K-W, K<sup>3</sup>, B<sup>1</sup>; παρείλετο H-L.

ii 43; iii 17; xi 9 (πενέστατος ἦν). The last of these passages illustrates ἀδωροδόκητος. He declined an offer of 10 talents from his friends, saying: ταῦτά με ἀναγκάσει αἰδούμενον ὑμᾶς καταχαρίσασθαι τι τῶν δικαίων, μὴ αἰδούμενον δὲ μηδὲ χαριζόμενόν ὑμῖν ἀχάριστον δόξαι. Cf. Plut. *Cim.* 10. On Ephialtes, see Duncker, *G. d. A.* viii; Holm, *Gr. Gesch.* ii 176-7.

δικαίος πρὸς τὴν πολιτείαν] The phrase reminds us of the *Politics*; v 9 § 1, 1309 a 36, τρίτον δ' ἀρετὴν καὶ δικαιοσύνην ἐν ἐκάστη πολιτείᾳ τὴν πρὸς τὴν πολιτείαν (*Class. Rev.* v 160 a). Aelian *Var. Hist.* xiii 39, 'Ἐφ. στρατηγὸς οὐκ εἰδὼς αὐτῶ τινος πέναν 'τὸ δὲ ἕτερον' ἔφη 'διὰ τί οὐ λέγεις, ὅτι δίκαιός εἰμι;'

§ 2. ἀγῶνας ἐπιφέρων] Cf. αἰτίαν, πόλεμον, δίκην ἐπιφέρειν (Kaibel, 39). On the fact, cf. Plut. *Per.* 10 § 6, 'Ἐφιάλτην ... φοβερόν ὄντα τοῖς ὀλιγαρχικοῖς καὶ περὶ τὰς εὐθύνας καὶ διώξεις τῶν τὸν δῆμον ἀδικούντων ἀπαραίτητον. Ephialtes had made himself feared by his opposition to Cimon in particular; Cimon's party was in a minority, as may be inferred from his being ostracised, probably in the spring of 462 (Busolt, i 454<sup>1</sup> n).—Cf. Oncken, *Staatslehre*, pp. 492—505; 'Ephialtes und die Gerichtsreform.'

ἐπὶ Κόνωνος] B.C. 462/1, Diod. xi 74. Hitherto the date of this attack on the Areopagus has not been accurately known. It has sometimes been assigned to B.C. 460 (Diodorus xi 77, followed e.g. in Peter's *Zeitfabeln*) or about 458 (e.g. in Smith, *Dict. Ant.* s. v. Areopagus). Cf. Philippi, *Der Areopag.* p. 256-9.

περιείλετο] *Inf.* § 4, περιείλοντο. See note on παραιρεῖσθαι and περιαιρεῖσθαι in 27 § 1.

On the overthrow of the Areopagus by Ephialtes, cf. *Pol.* ii 12, 1274 a 7, καὶ τὴν μὲν ἐν Ἀρείῳ πάγῳ βουλὴν Ἐφιάλτης ἐκόλουσε καὶ Περικλῆς (καὶ Π. bracketed by Sauppe). It was not until a later date that Pericles deprived the Areopagus of some of its remaining privileges, c. 27 § 1. The text implies that he was not the leader of the present attack, Philo-

chonus (FHG i 407), 'Ἐφ. μόνᾳ κατέλιπε τῇ ἐξ Ἀρείου πάγου βουλῇ τὰ ὑπὲρ τοῦ σώματος. Theopompus is supposed to be the authority followed on this point by Plutarch: *Pericles* 7, (Eph.) κατέλυσε τὸ κράτος τῆς ἐξ Ἀρείου πάγου βουλῆς, πολλὴν (κατὰ τὸν Πλάτωνα, *Rep.* 562 c, D) καὶ ἄκρατον τοῖς πολίταις ἐλευθερίαν οἰνοχοῶν, and *ib.* 9, (of the Areop.) ὥστε τὴν μὲν ἀφαιρεθῆναι τὰς πλείστας κρίσεις δι' Ἐφιάλτου. *Cimon* 10, (Cimon) πρὸς Ἐφιάλτην ὕστερον χάριτι τοῦ δήμου καταλύοντα τὴν ἐξ Ἀρείου πάγου βουλὴν διηνέχθη, *ib.* 15, Ἐφιάλτου προεστῶτος ἀφείλοντο τῆς ἐξ Ἀρείου πάγου βουλῆς τὰς κρίσεις πλὴν ὀλίγων ἀπάσας, καὶ τὸν δικαστηρίου κυρίου εἰνατοὺς ποιήσαντες εἰς ἄκρατον δημοκρατίαν ἐνέβαλον τὴν πόλιν. *Praec. Ger. Reip.* 10 § 15 (II 805), βουλὴν τινες ἐπαχθῆ καὶ ὀλιγαρχικὴν κολούσαντες, ὥσπερ Ἐφιάλτης Ἀθήνησι..., δύναμις ἅμα καὶ δόξαν ἔσχον, *ib.* 15 § 18, ὡς Περικλῆς... δι' Ἐφιάλτου τὴν ἐξ Ἀρείου πάγου βουλὴν ἐταπείνωσε. Pausan. i 29, 15, Ἐφ. δὲ τὰ νόμιμα τὰ ἐν Ἀρείῳ πάγῳ μάλιστα ἐλυμήνατο. Cf. Philippi, *Der Areopag.*, pp. 256—271; Busolt, ii 460<sup>2</sup>, iii (1) 261.

In the *Eumenides* (681—706) we have a well-known defence of the jurisdiction of the Areopagus in matters of homicide, the main point which was left untouched by the reforms of Ephialtes. The date of the play is fixed by the hypothesis to the *Agamemnon* as the archonship of Philocles, Ol. 80, 2=459/8; and the list of νῆκαι Διονυσιακαὶ found on the Acropolis in 1886 describes Aeschylus as exhibiting in that year, i.e. in March, 458: CIA iv 971, quoted in Haigh's *Attic Theatre*, p. 353, ed. 1907, [ἐπὶ Φιλ]οκλέους... τραγωδῶν, Ξενοκλῆς Ἀφιδναῖ[ος] ἐχορή[γει], Αἰσχύλος ἐδίδασκεν. It was held by Meier, Boeckh and K. O. Müller that even the cognisance of cases of homicide was taken away from the Areopagus by Ephialtes and not restored until after the expulsion of the Thirty. Müller (*Dissertation on Eum.* § 36) went so far as to affirm that the motion of Ephialtes was carried after the representation of the *Eumenides*, whereas Dio-



τὰ ἐπίθετα δι' ὧν ἦν ἡ τῆς πολιτείας φυλακή, καὶ τὰ μὲν τοῖς πεντακοσίοις, τὰ δὲ τῷ δήμῳ καὶ τοῖς δικαστηρίοις ἀπέδωκεν. 10  
3 ἔπρα[ξ]ε δὲ ταῦτα συναιτίου γενομένου Θεμιστοκλέους, ὃς ἦν μὲν

11 ἐπρα-ε?, ἐπραξε B, K-W<sup>3</sup>, K<sup>4</sup>, Th; ἔπραττε K etc, Kaibel 182.

ΓΕΝ: γιν-

Richards, γιν- H-L.

TEST. 11 \*Isocr. Areop. argumentum (ed. Benseler, p. lviii; Schol. in Aeschin. etc. Dind. p. 111; Orat. Att. ed. Turicensis, ii p. 6): 'Ἐφιάλτης τις καὶ Θεμιστοκλῆς χρεωστούντες τῇ πόλει χρήματα καὶ εἰδότες ὅτι, ἐὰν δικασθῶσιν (δικάσωσιν Bens.) οἱ Ἀρεοπαγῖται, πάντως ('an πάντα?' Wentzel) ἀποδώσουσι, καταλύσαι αὐτοὺς ἔπεισαν τὴν πόλιν, οὕτως οὕτως τινὸς μέλλοντος κριθῆναι. "ὁ γὰρ Ἀρ. λέγει ἐν τῇ πολ. τῶν Ἀθ. ὅτι καὶ ὁ Θεμιστοκλῆς αἴτιος ἦν μὴ πάντα (πάντως cod. Mustoxydis) δικάζειν τοῖς Ἀρεοπαγῖταις" (Rose, Frag. 366<sup>2</sup>, 404<sup>3</sup>)· εἶτα οἱ Ἀθηναῖοι ἀσμένως ἀκούσαντες τῆς τοιαύτης συμβουλῆς κατέλυσαν αὐτούς.

dorus places it two years earlier (460) and the text four years earlier. The fact that they retained their jurisdiction in cases of homicide is clearly stated by Philochorus (*l.c.*) and has been conclusively proved by Forchhammer (1828). The very privilege that the reformers left untouched is prominently brought forward by the poet. Cf. Philippi, *Areop.* pp. 264, 290, and Grote, c. 46 (iv 112 n).

F. Cauer suggests that it was probably against the new law of 457/6, admitting the *ζευγῖται* to the archonship and eventually to the Areopagus, that Aeschylus raises a warning in *Eum.* 690-5 (*Rhein. Mus.* 1895, pt 3).

τὰ ἐπίθετα. These 'additional privileges' include almost everything except the ancient prerogatives of the Areopagus in connexion with trials for homicide. The legend of Orestes and the history of the first Messenian war (B.C. 743) alike imply that it had jurisdiction in such cases 'from of old,' Pausan. iv 5 § 2, *δικὰς τὰς φονικὰς... δικάζειν ἐκ παλαιού.* Cf. Meier and Schömann, *Att. Process*, ed. Lipsius, p. 11.

Harpocr. s. v. ἐπιθέτους ἐορτάς defines them as τὰς μὴ πατρίους (cf. c. 3, 16-18), and adds: ἐλέγετο δὲ παρ' αὐτοῖς καὶ ἄλλα ἐπιθετὰ τινα, ὅποσα μὴ πάτρια ὄντα ἢ ἐξ Ἀρείου πάγου βουλή ἐδίκασεν, ὡς σαφὲς ποιεῖ Λυσίας κτλ. (cf. Philippi, *Areop.* 157). The reference to Lysias shews that the ἐπίθετα meant by Harpocr. are after the time of the Thirty and are not the same as those meant in the text.

φυλακή] c. 4 § 4 φύλαξ, and 8 § 4, ἐπίσκοπος. Schömann's *Anl.* pp. 332 and 493, E.T. Among the privileges now taken away from the Areopagus would be the general superintendence of education and of public morals, e.g. the enforcing of the ancient νόμος ἀργίας. Grote, c. 46, iv 112; Schömann, p. 498;

Philippi, *Areop.* pp. 162-170, 268-272.

τῷ δήμῳ] Cic. *de Rep.* i 43, 'Athenienses quibusdam temporibus sublato Areopago nihil nisi populi scitis ac decretis agebant.'

τοῖς δικαστηρίοις] Thus, the jurisdiction in cases of ἀσέβεια seems in general to have been transferred to the law-courts; but certain forms of ἀσέβεια continued to be tried by the Areopagus, esp. the offence of doing damage to the sacred olive-trees (*Lys. Or.* 7). Schömann, p. 498. On the general question, cf. Philippi, *Areop.* pp. 272-289.

§ 3. συναιτίου γενομένου Θεμιστοκλέους] Hitherto, the attack on the Areopagus has been generally attributed to Ephialtes and Pericles (*Pol.* 1274 a 7); the present passage assigns a prominent part to Themistocles. The only other authority for associating Themistocles with Ephialtes on this occasion is to be found in the argument to the *Areopagiticus* of Isocrates (see *Testimonia*), probably due to a Christian writer in the sixth century (Rose, *A. P.*, p. 423). Duncker, *G. d. A.* viii 258-260, discusses the account just mentioned. He attributes the attack on the part of Themistocles to a change of policy in the Areopagus due to its now containing a large number of ex-archons who had been merely appointed by lot and not by open election.

The text implies that Themistocles was still at Athens in 462 B.C., whereas, according to the current view, he was ostracised in 471 B.C. (Diod. xi 54) and fled to Persia about 466 B.C. In his flight he passed through the Athenian fleet which was besieging Naxos (*Thuc.* i 137 § 2, and *Plut. Them.* 25 § 1). The reduction of Naxos took place (possibly in 471 or 470) before the battles at the Eurymedon (*Thuc.* i 100 § 1), which are assigned to 466. Xerxes died in 465

12 τῶν Ἀρεοπαγιτῶν, ἔμελλε δὲ κρίνεσθαι μηδισμοῦ. βουλόμενος δὲ καταλυθῆναι τὴν βουλὴν ὁ Θεμιστοκλῆς πρὸς μὲν τὸν Ἐφιάλτην

and, according to Thuc. i 137 § 3, Themistocles on his arrival at the Persian court found Artaxerxes νεωστὶ βασιλεύοντα. Besides Thucydides, Charon of Lampsacus, one of the λογογράφοι prior to Herodotus, is quoted by Plutarch, *Them.* 27 § 1, as making Themistocles reach the court after the death of Xerxes (cf. Wilamowitz, i 151). The authorities there quoted, as making him arrive before the king's death, are Ephorus, Deion, Cleitarchus and Heracleides; but the account of Thuc. is accepted as 'agreeing better with the dates, although these again have not been firmly settled beyond dispute.'

If the narrative in the text is accepted, Themistocles was at Athens in 462, awaiting his trial on the charge of Medism. This must be the first accusation, prior to his ostracism, and on this charge (according to Diod. xi 54) he was acquitted (Grote, c. 44, iv 36, 37). The second accusation, which is the only one mentioned by Thuc. (i 135 § 1), and Plut. (*Them.* 23), was not brought forward until after his banishment. We should then be compelled to place his ostracism not earlier than 461, and his flight to Persia about 460, when Artaxerxes had been on the throne for about five years. To reconcile this with νεωστὶ in Thuc., Mr Kenyon suggests that 'the fifth year of a king who ruled for forty might well be spoken of as in the beginning of his reign.' But the incident connected with the siege of Naxos makes it impossible to make the narrative in the text agree with the account in Thuc. Mr Kenyon proposes two alternatives: either (1), the story of the flight of Them. should be connected with some operations about 460 B.C. and not with the siege of Naxos; or (2), there were two inconsistent accounts of the latter years of Them., that adopted by Thuc. and that in the present text. We can hardly hesitate in choosing the second alternative, and in following the authority of Thucydides. Cf. Abbott, *Hist. Gr.* ii 386-8.

The chronology of this period has been investigated anew by Bauer, who implicitly accepts the statement in the text, and accordingly alters the date of the siege of Naxos. His dates as compared with those of Clinton are as follows:

	Clinton	Bauer
Siege of Naxos	466	460 (spring)
battle of Eurymedon	"	" (autumn)
revolt of Thasos	465	459 (spring)
third Messenian war	464	" (summer?)
defeat at Drabescus	465	" (autumn)
Thasos subdued by Cimon	463	457 (spring)
expedition to Egypt	460	456 (spring)
ostracism of Cimon	461	455 (spring)
recall of Cimon	456	452 (winter)
end of Egyptian war	455	450 (spring)
death of Cimon	449	448

These dates involve setting aside the text of Thuc. iv 102 in two points: in § 1 we are told that the defeat at Drabescus was 32 years after the failure of Aristagoras to establish himself on the Strymon, and (*ib.* § 2) 28 years before the founding of Amphipolis (in 437 B.C.), Schol. Aeschines ii 31. It is more in accordance with the narrative in Hdt. v 126 to place the failure of Aristagoras in B.C. 497 than in 491. Again, the alliance with Argos is placed late in 457, whereas the *Eumenides* of Aeschylus, which contains a clear reference to this alliance (l. 290, 757-766), was performed in March, 458, more than a year earlier (*Athenaeum*, 1891, p. 317). See also Mr E. M. Walker in *Class. Rev.* vi 95-99.

Mr J. A. R. Munro (*ib.* 333 f) shews that, for the life of Themistocles, there were two distinct systems of chronology, separated by an interval of ten years:

	A	B
(1) Themistocles' archonship	493	483
(2) His ostracism	471	461
(3) The flight from Argos	467	[457]
(4) His death	459	449

It is remarkable that in Plutarch's *Life of Themistocles* not a word is said as to his having taken any part in the attack on the Areopagus. In this connexion Plutarch mentions Ephialtes and Pericles alone (note on § 2, περιελετο). We must infer either (1), that Plutarch had no first-hand acquaintance with this treatise; or (2), that he carelessly omitted to notice this narrative; or (3), that he had no such narrative in his copy.

Against (1) we may set the fact that in 10 § 3 Plutarch quotes Aristotle as his authority for a statement found in c. 23 § 1, and also for the murder of Ephialtes mentioned at the end of this very chapter. But this makes Plutarch's silence on Themistocles all the more singular. (Cf. Abbott, *Hist. Gr.* ii 518.)

Against (2) it may be remarked that the



ἔλεγεν ὅτι συναρπάζειν αὐτὸν ἢ βουλή μέλλει, πρὸς δὲ τοὺς Ἄρεο-  
παγίτας ὅτι δείξει τινὰς συνισταμένους ἐπὶ καταλύσει τῆς πολι- 15  
τείας. ἀγαγὼν δὲ τοὺς αἰρεθέντας τῆς βουλῆς οὐ διέτριβεν ὁ

16 ΔΦΑΙΡΕΘΕΝΤΑΣ: αἰρεθέντας edd.; αἰρεθέντας ὑπὸ Richards; ἐφαίρεθέντας H-L, coll. Thuc. iv 38; ἐξ- Poland. ΟΥ: οἱ H-L.

story would have admirably illustrated the duplicity of Themistocles, and as such would naturally have been welcomed by the biographer. Mr Kenyon suggests that the omission 'can hardly be explained except on the theory that in actually writing his lives he used the notes and extracts he had previously made without having the complete work before him'; but this puts the difficulty only one stage further back, and compels us to ask how Plutarch came to omit to make any note of this narrative. He accepts the statement in Thucydides that Themistocles reached the Persian court after the death of Xerxes as in better agreement with the dates. This implies that the biographer had paid some attention to the chronology of the time. It seems possible therefore that he rejected the narrative on the ground that it did not fit in with the date of the siege of Naxos, which Plutarch, following Thucydides, mentions, in connexion with the flight of Themistocles. But even supposing he deliberately rejected the narrative, it is strange that he says nothing about it. His treatment of his authorities is, however, by no means systematic and uniform. In his *Life of Themistocles*, he quotes no less than 30 different authorities of very various degrees of importance. Even Thucydides does not command his undivided allegiance. With regard to the adventures of Themistocles in Asia, while respecting the chronology of Thucydides, Plutarch disdains to reproduce the historian's account of those adventures, following by preference the untrustworthy romance of Phanius of Eresos (Holden's *Introd.* §§ 17, 22). Such a fact detracts considerably from his authority as a judicious critic of the materials which he had before him.

As to (3), Prof. Tyrrell in the *Quarterly Review*, 1891, p. 344, infers from the silence of Plutarch that he 'never read the work before us. But he had certainly read some other treatise ascribed to Aristotle on the *Athenian Constitution*; therefore there must have been other editions of the *Athenian Constitution* circulating under the name of Aristotle.' Yet both the passages, which Plutarch in

his *Themistocles* quotes as from this treatise, are to be found in the edition which we possess. Prof. Tyrrell regards the description of this attack on the Areopagus as 'very bald and feeble.' Such a consideration might point to its not being by the same hand as the main bulk of the treatise; and suggest that, without our assuming that it was absent in Plutarch's copy, it might on this ground alone be regarded as an interpolation. But the style of the narrative does not appear to me to differ materially from that of the context, and I should therefore prefer to attribute it to the same author as the rest of the treatise. But, while the narrative may be genuine, we can hardly regard it as authentic. The celebrated story of the proposal of Themistocles to burn the Hellenic fleet at Pagasae is described by Grote (v 27, note 2) as 'probably the invention of some Greek of the Platonic age'; and the present narrative has probably no earlier origin. It was apparently unknown to Aristotle when he wrote *Pol.* ii 12, and it is rejected by Beloch, i 460 n. 1, and by Wilamowitz, i 140 f, 368.

ἦν τῶν Ἄρεοπαγιτῶν] He owed this position to the fact that he had been archon; see note on c. 22 § 7.

συναρπάζειν] The object of Themistocles perhaps was to inveigle the Areopagus into exposing itself to a charge of attempting to 'pounce upon' an influential citizen. It was one of the things remembered against the Thirty that they 'pounced on' citizens in this way, *Lys.* 12 § 96 (Newman).

ἐπὶ καταλύσει τῆς πολιτείας] 8 § 4, Plato, *Leg.* 864 D, ἐπὶ καταλύσει τῆς παροῦσης πολιτείας.

τοὺς αἰρεθέντας] τοὺς ἀφαιρεθέντας, if retained, means not 'the persons despatched by the Areopagus,' but 'members of the Council of the Areopagus selected and set apart for the purpose.' *Hist. An.* 6, 22, 576 b 23, ὅρα δ' οὐκ ἀφαιρεῖται οὐδεμία ἀφωρισμένη (*Class. Rev.* v 164 a). ἀφαιρεῖσθαι, however, is very rarely used in this sense.

'In *Lys.* 13 § 23 the *Codex Palatinus* has οἱ διαιρεθέντες τῶν βουλευτῶν, where

Ἐφιάλτης, ἵνα δείξῃ τοὺς ἀθροιζομένους, διελέγετο μετὰ σπουδῆς αὐτοῖς. ὁ δ' Ἐφιάλτης ὡς εἶδεν καταπλαγείς, καθίζει μονοχίτων 4 ἐπὶ τὸν βωμόν. θαυμασάντων δὲ πάντων τὸ γεγονός καὶ μετὰ  
20 ταῦτα συναθροισθείσης τῆς βουλῆς τῶν πεντακοσίων κατηγοροῦν τῶν Ἀρεοπαγιτῶν ὁ τ' Ἐφιάλτης καὶ (ὁ) Θεμιστοκλῆς, καὶ πάλιν ἐν τῷ δήμῳ τὸν αὐτὸν τρόπον, ἕως περιείλοντο αὐτῶν τὴν δύναμιν. καὶ (ὁ μὲν Θεμιστοκλῆς — —), ἀνηρέθη δὲ καὶ ὁ Ἐφιάλτης δολοφονηθεὶς μετ' οὐ πολὺν χρόνον δι' Ἀριστοδίκου τοῦ Ταναγραίου.

26. ἡ μὲν οὖν τῶν Ἀρεοπαγιτῶν βουλή τοῦτον τὸν τρόπον ἀπεστερήθη τῆς ἐπιμελείας. μετὰ δὲ ταῦτα συνέβαιεν ἀνίσθαι

21 <ὁ> Θεμ. edd. 22 ΠΕΡΕΙΛΟΝΤΟ: περιείλοντο K, K-W, B<sup>1-3</sup>, Th; παρείλοντο H-L; παρείλον B<sup>4</sup>. 23 καὶ <ὁ μὲν Θεμιστοκλῆς — —>, ἀνηρέθη δὲ κτλ. K-W. καὶ om. Jos. Mayor, Blass, (Kontos, H-L); lacunam indicat Th.

TESTIMONIA. XXV 23, 24 \*Plut. *Per.* 10 (infra exscriptum).

Reiske's correction *οἱ αἰρεθέντες* has been generally accepted; Weidner, however, proposes *οἱ δέκα αἰρεθέντες* (Wyse).

οὐ διέτριβεν] usually understood as 'the house of' Ephialtes. In c. 16 we have ἐν τῷ ἄστει διατρίβωσιν. It need not imply anything so definite as a 'house': it may refer to any public place, such as the precincts of a temple. Ephialtes, on receiving the hint that the Council was intending to arrest him, may well have taken the precaution of being not only in the company of his friends but also within reach of sanctuary in the neighbourhood of a βωμός.

§ 4. καθίζει—ἐπὶ τὸν βωμόν] On altars as places of refuge, cf. Thuc. viii 84, 3 (Astyochnus) καταφεύγει ἐπὶ βωμόν τινα, and Eur. *Ion*, 1257—1260, ποὶ φύγω δῆτ'; ... ποὶ δ' ἂν ἄλλοσ', ἢ πὶ βωμόν; μονοχίτων] 'wearing his tunic only,' instead of the ἱμάτιον as well. Such a guise would be appropriate to his position as a suppliant. The word is formed on the analogy of μονόπεπλος 'wearing but one robe,' 'wearing the tunic only,' Eur. *Hec.* 933 = ἀπεπλος, 'without the upper garment'; Pind. *N.* i 74. But, hitherto, it has not been found earlier than Polybius (fragm. xiv 11, 2). It was also quoted from Pythaenetus, *ap.* Athen. 589 F, Μέλισσα ἀναμπέχονος καὶ μονοχίτων ἦν. τὸν βωμόν] The article is peculiar. If the 'house' of Eph. is meant, it implies 'the family altar.' Otherwise, some notable altar may be intended, such as the 'altar of the twelve gods' (so Milchhöfer in Curtius, *Stadtgeschichte*, p. cxxi) or that of Ζεὺς ἀγοραῖος. The latter was near the στοὰ βασιλείου where meetings of the

Areopagus were sometimes held (Dem. 25 § 23). Cf. Lys. 13 § 4 καθίζουσιν ἐπὶ τὸν βωμόν Μουνιχίαςιν and § 54, ἐπὶ τοῦ βωμοῦ ἐκάθητο.

τῶν πεντακοσίων] added to contrast the βουλή of the Five Hundred with that of the Areopagus mentioned in the context.

ἀνηρέθη] Plut. *Per.* 10 *ad fin.* Ἐφιάλτην ... ἐπιβουλεύσαντες οἱ ἐχθροὶ δι' Ἀριστοδίκου τοῦ Ταναγραικοῦ (v.l. -αίου) κρυφαίως ἀνείλον, ὡς Ἀριστοτέλης εἴρηκεν. In the same chapter Plutarch quotes and rejects the account of Idomeneus, κατηγοροῦντι τοῦ Περικλέους, ὡς τὸν δημαγωγὸν Ἐφιάλτην φίλον γενόμενον καὶ κοινωνὸν ὄντα τῆς ἐν τῇ πολιτείᾳ προαιρέσεως δολοφονήσαντος διὰ ζηλοτυπίας καὶ φθόνου τῆς δόξης. Diod. xi 77, 6, τῆς νυκτὸς ἀναίρεθεις ἀδηλον ἔσχε τὴν τοῦ βλοῦ τελευτήν. [Plat.] *Axioch.* 368 D, ποῦ δ' Ἐφιάλτης (πέθνηκε); Antiph. 5 § 68, οὐδέπω νῦν εὐρηναὶ οἱ ἀποκτείναντες.

XXVI. *Cimon.*

§ 1. ἀνίσθαι—πολιτείας] The metaphorical use of ἀνίσθαι is common in Ar. e.g. *Rhet.* i 4, 1360 a 24, πολιτείας καὶ ἀνίσθαι καὶ ἐπιτενοῦμεναι φθείρονται (with Cope's note), *Pol.* v 1, 1301 b 17, ἵνα ἐπιταθῶσιν ἢ ἀνεθῶσιν αἱ πολιτείας, vi (iv) 3, 1290 a 28, πολιτείας ἀνεμέναι καὶ μαλακαί (opp. to συντονώτεραι), iv (vii) 4, 1326 a 28, πολιτεία ἀνεμένη πρὸς τὸ πλήθος. The origin of the metaphor (from the strings of a musical instrument) may be seen in *Pol.* v (viii) 7, 1342 b 22, ἀρμονίαι ἀνεμέναι opp. to σύντονοι.

For the facts, cf. Plut. *Cimon* 15, ὡς δὲ πάλιν ἐπὶ στρατείας ἐξέπλευσε, τελέως ἀνεθέντες οἱ πολλοὶ καὶ συγχέοντες τὸν καθεστῶτα τῆς πολιτείας κόσμον τά τε πάτρια νόμιμα, οἷς ἐχρῶντο πρότερον, Ἐφιάλτου



μᾶλλον τὴν πολιτείαν διὰ τοὺς προθύμως δημαγωγούντας. κατὰ γὰρ τοὺς καιροὺς τούτους συνέπεσε μῆδ' ἡγεμόνα ἔχειν τοὺς ἐπιεικεστέρους, ἀλλ' αὐτῶν προεστάναι Κίμωνα τὸν Μιλτιάδου, †νεώτερον ὄντα καὶ πρὸς τὴν πόλιν ὄψ' προσελθόντα, πρὸς δὲ τούτοις ἐφθάρθαι τοὺς πολλοὺς κατὰ πόλεμον· τῆς γὰρ στρατείας γιγνομένης ἐν τοῖς τότε χρόνοις ἐκ καταλόγου καὶ στρατηγῶν ἐφίστα-

**XXVI 4** Post ἡγεμόνα adiectivum (velut ἔμπειρον vel πολιτικόν) desiderat Richards, σπουδαῖον Gennadios; an ἡγεμόνα ἔχειν ἰκανόν? sed cf. Kaibel 183. **5** νεώτερον: νωθρότερον? Kontos, κ-w; idem mavult Herwerden qui ἀνούστερον coniecerat; 'fort. νωθρόν' B; νωθέστερον vel ἐνεώτερον Weil (*Journal des Savants*, Avril, 1891); aliquid eiusmodi desiderabat Wyse; quondam ἀβέλτερον conieci; στρατιωτικώτερον (coll. Polyb. 23, 10, 4 στρατιωτικώτερος ἢ πολιτικώτερος) vel πολεμικώτερον Richards, cf. Plut. *Praec. Ger. Reip.* c. 16 § 22 ἦν γὰρ ὁ μὲν (Περικλῆς) πρὸς πολιτείαν, ὁ δὲ (Κίμων) πρὸς πόλεμον εὐφύστερος. **6** πολιτείαν Kontos. **7** ΓΙΝ (κ-w).

προεστῶτος ἀφείλοντο τῆς ἐξ' Ἀρείου πάγου βουλῆς τὰς κρίσεις πλὴν ὀλίγων ἀπάσας, καὶ τῶν δικαστηρίων κυρίως ἑαυτοὺς ποιήσαντες εἰς ἄκρατον δημοκρατίαν ἐνέβαλον τὴν πόλιν, ἥδη καὶ Περικλέους δυναμένου καὶ τὰ τῶν πολλῶν φρονούντος. The time to which Plutarch refers is later than Cimon's subjugation of Thasos (463 Clinton; 457 Bauer). He is following those who place the beginning of the influence of Pericles at an earlier date than that assumed in the present treatise.

τοὺς—δημαγωγούντας] *Pol.* 1274 a 14, δημαγωγὸς ἔλαβε φαύλους.

νεώτερον] possibly means 'rather young' to be the leader of a great political party. But, as Cimon had fought at Salamis 18 years before (Plut. *Cim.* 5), he could hardly have been less than 36 in B.C. 462; and was probably more than 40, if we place his birth in 504 (the date given on p. 39 of Ekker's ed. of Plut. *Cim.*). His birth should probably be placed earlier, as he was στρατηγός (and therefore over 30) at Eion in 476 (Thuc. i 98). Again, Pericles, who was probably born in B.C. 493, is described as a young man (νεὸς ὢν, 27 § 1), when he made his reputation by accusing Cimon, presumably after the expedition to Thasos, 463. How then can Cimon, who was obviously older than Pericles, and who had won the battle of Eurymedon three years before, be described as 'rather young' shortly after B.C. 462? νεώτερον has therefore been generally regarded as corrupt, and various emendations have been suggested, expressive of Cimon's inadequacy for the position of a political leader. The fact that his intellectual development was somewhat tardy is implied in the story preserved by Aristides, ii 203 Dind., according to which his guardians did not allow him to manage

his own property until some time after he had come of age (μέχρι πόρρω τῆς ἡλικίας), while in Plut. *Cim.* 4 he is said to have resembled his father in εὐθῆεια. (Cf. Wyse in *Class. Rev.* v 274 b.) The combination of νεώτερον and ὄψ' προσελθόντα is in itself open to suspicion.

νωθρότερον (which has been suggested) is found in Ameipsias, frag. 16, Pollux ix 138; cf. the description of Chares in Theopompus, frag. 288, νωθοῦ τ' ὄντος καὶ βραδέος. See also Schol. to Aristides in iii 515, 8—10 and 517, 28—30 Dind., and Ar. *Rhet.* ii 15 *ull.*, ἐξίσταται τὰ στάσιμα (γένη) εἰς ἀβελτερίαν καὶ νωθρότητα, οἷον οἱ ἀπὸ Κίμωνος κτλ.

νεώτερον is, however, retained by Bauer (p. 101), who suggests that, under the influence of the Areopagus, the leaders of the political parties had generally been elderly men. Mr E. M. Walker (*Class. Rev.* vi 98) holds that the epithet is consistent with c. 25 which implies that Themistocles was at Athens in 462: 'it is only when we recognise that the author ... put the battle of Eurymedon some eight years too late, and that the interval between Tanagra and the five years' truce found no place in his historical retrospect, that we can understand how he came to apply to Cimon in the year 462 those much discussed words νεώτερον ὄντα καὶ πρὸς τὴν πόλιν ὄψ' προσελθόντα.'

πρὸς τὴν πόλιν ὄψ' προσελθόντα] 'having been rather late in entering on public life.' c. 27 § 1, πρὸς τὸ δημαγωγεῖν ἐλθόντος, Dem. *Theocrin.* 30, πρὸς τὴν πόλιν προσελθών, Isoc. *Panath.* 140, πρὸς τὰ τῆς πόλεως προσιέναι. Similarly διοικεῖν τὴν πόλιν and τὰ τῆς πόλεως (Kaibel, 183).

ἐκ καταλόγου] 'from the roll of hoplites,' as contrasted with the mercenary

μένων ἀπείρων μὲν τοῦ πολεμεῖν τιμωμένων δὲ διὰ τὰς πατρικὰς  
 10 δόξας, αἰὲ συνέβαινε τῶν ἐξιόντων ἀνὰ δισχιλίους ἢ τρισχιλίους  
 ἀπόλλυσθαι, ὥστε ἀναλίσκεσθαι τοὺς ἐπιεικεῖς καὶ τοῦ δήμου καὶ  
 τῶν εὐπόρων. τὰ μὲν οὖν ἄλλα πάντα διώκουν οὐχ ὁμοίως καὶ 2  
 πρότερον τοῖς νόμοις προσέχοντες, τὴν δὲ τῶν ἐννέα ἀρχόντων  
 αἵρεσιν οὐκ ἐκίνουν, ἀλλ' ἔκτω ἔτει μετὰ τὸν Ἐφιάλτου θάνατον  
 15 ἔγνωσαν καὶ ἐκ ζευγιδῶν προκρίνεσθαι τοὺς κληρωσομένους τῶν  
 ἐννέα ἀρχόντων, καὶ πρῶτος ἦρξεν ἐξ αὐτῶν Μνησιθείδης. οἱ δὲ

10 ΔΙΕΙ (κ, κ-w, Th).  
 Blass (H-L): ἀλλ' B<sup>1</sup> etc.

12 οὐχ quondam debebat Wyse.

14 ἀλλ' <ἦ>

troops that came into vogue at a later date, and with the θῆτες, as being ἐξω καταλόγου and serving in the fleet. The Egyptian disaster must have affected the θῆτες more than the other classes (Wyse). For κατάλογος, cf. Xen. *Mem.* iii 4, 1, ἐκ καταλόγου στρατευόμενος, Arist. *Eg.* 1369, ὀπλίτης ἐντεθεὶς ἐν καταλόγῳ, Thuc. vi 26, 2; 31, 3.

πατρικὰς] here 'ancestral.' See c. 28 § 5. Cf. [Xen.] *Resp. Ath.* i 3; Eupolis, fr. 117 Kock (Beloch, i 475).

τῶν ἐξιόντων] Pl. *Rep.* 374 A, ἐξελθόν, abs. 'to take the field.'

ἀνὰ δισχιλίους—ἀπόλλυσθαι] Isocr. *De Pace* § 87 (of the losses sustained by Athens in her pursuit of supremacy at sea), τοὺς κατὰ χιλίους καὶ δισχιλίους ἀποθνήσκοντας τίς ἂν ἀριθμήσειεν; and § 88, *Pol.* viii (v) 3, 1303 a 9, καὶ ἐν Ἀθῆναις ἀνυχούτων περὶ ἧ οἱ γινώριμοι ἐλάττους ἐγένοντο διὰ τὸ ἐκ καταλόγου στρατεύεσθαι ὑπὸ τὸν Λακωνικὸν πόλεμον.

ἀπόλλυσθαι] Between 462 and 457 B.C. the Athenians were defeated by the Corinthians at Halieis (458; Thuc. i 105, 1), and by the Lacedaemonians at Tanagra (457; *ib.* 108, 1). The operations in Egypt, which had been begun in 460, came to an unsuccessful conclusion in 455 (*ib.* 110, 1). On the other hand, they were victorious over the Peloponnesians on the sea at Kekryphaleia, and over the Aeginetans in a naval engagement in 458 (Thuc. i 105, 1—2). During the absence of the main body of the Athenian soldiers in Egypt and Aegina, Myronides defeated the Corinthians in the territory of Megara (458, i 105, 4). In 456 the Athenians defeated the Boeotians at Oenophyta, and in the same year Aegina yielded to Athens.

§ 2. οὐχ ὁμοίως—προσέχοντες] The main change was the reduction of the power of the Areopagus. But while, in this and other respects, Athens departed

from her previous constitutional arrangements, she retained the limitations under which the archons were appointed from among the first and second classes of citizens. It was not until 457 that the archonship was thrown open to members of the third class.

ἔκτω ἔτει] It was in 462 B.C. that Ephialtes overthrew the Areopagus; and 457 is the date of the change in the archonship immediately before the archonship of Mnesitheides. The latter event is 5 years (or in the sixth year) after the former. The change in the archonship is here described as happening in the sixth year 'after the death of Ephialtes.' It follows (as observed by Mr Kenyon) that Ephialtes was put to death in the year in which he overthrew the Areopagus.

ἐκ ζευγιδῶν] Originally the office of archon was open to members of the first class only (cf. c. 7 § 3 and Plut. *Arist.* 1). In course of time it became open to the second class, possibly after the Persian wars, when, according to Plut. *Arist.* 22, the archonship was made accessible to 'all the Athenians,' on the motion of Aristides, who (after the battle at Plataea) γράφει ψήφισμα κοινὴν εἶναι τὴν πολιτείαν καὶ τοὺς ἀρχοντας ἐξ Ἀθηναίων πάντων αἰρεῖσθαι (this implies election, but appointment by lot is really meant). Lastly, in 457 we here have the office open to the third class. It was never legally open to the fourth class (c. 7 *ad fin.*). Cf. Abbott, *Hist. Gr.* ii 385—6. The statement in the text ought to have been made earlier, in c. 7 § 3.

προκρίνεσθαι] 8 § 1; 22 § 5.

κληρωσομένους τῶν ἐννέα ἀρχόντων] *sc.* ἀρχῆν. Lysias 6 § 4, εἰς ἑλθὼν κληρωσόμενος τῶν ἐννέα ἀρχόντων καὶ λάχῃ βασιλεύς, and *ib.* 24 § 13, τί με κωλύει κληροῦσθαι τῶν ἐννέα ἀρχόντων;

Μνησιθείδης] B.C. 457/6.



πρὸς τούτου πάντες ἐξ ἰππέων καὶ πεντακοσιομεδίμων ἦσαν, οἱ  
(δὲ) ζευγῆται τὰς ἐγκυκλίους ἦρχον, εἰ μὴ τι παρεωράτο τῶν ἐν  
3 τοῖς νόμοις. ἔπει δὲ πέμπτῳ μετὰ ταῦτα ἐπὶ Λυσικράτους ἄρχού-  
τος οἱ τριάκοντα δικασταὶ κατέστησαν πάλιν οἱ καλούμενοι κατὰ 20  
4 δήμους· καὶ τρίτῳ μετὰ τούτου ἐπὶ Ἀντιδότου διὰ τὸ πλῆθος τῶν  
πολιτῶν, Περικλέους εἰπόντος, ἔγνωσαν μὴ μετέχειν τῆς πόλεως ὅς  
ἂν μὴ ἐξ ἀμφοῖν ἀστοῖν ἦ γεγονώς.

27. μετὰ δὲ ταῦτα πρὸς τὸ δημαγωγεῖν ἐλθόντος Περικλέους,  
καὶ πρῶτον εὐδοκίμησαντος ὅτε κατηγορήσῃ τὰς εὐθύνας Κίμωνος

18 δὲ add. κ (edd.). post παρεωράτο deletum ὑπὸ τῶν δῆμων retinent H-L, Th;  
ὑπὸ τῶν δημοτῶν Papageorgios. 21 ΜΕΤΑΥΤΟΝ ante corr. (κ<sup>1</sup>, H-L, B, Th); μετὰ  
τούτου post corr. (κ-ω, κ<sup>2</sup>). 23 HN: corr. K.

XXVII 2 πρῶτος: πρὸς τοῦ Jackson, van Leeuwen; πρῶτον F T Richards,  
Campbell, Blass (edd.).

τὰς ἐγκυκλίους] sc. ἀρχάς, 'the ordinary  
(i.e. inferior) offices.' *Pol.* i 7, 1255 b  
25, τὰ ἐγκύκλια διακονήματα, ii 5, 1263 a  
21, τὰς διακονίας τὰς ἐγκυκλίους, ii 9, 1269  
b 35, χρησίμου δ' οὐσης τῆς θρασύτητος πρὸς  
οὐδέν τῶν ἐγκυκλίων ἄλλ' εἴπερ, πρὸς τὸν  
πόλεμον. The term had already been  
similarly used by Isocr. 3 § 22, ἐν τοῖς  
ἐγκυκλίους καὶ τοῖς καθ' ἡμέραν ἐκάστην γιγ-  
νομένοις, and *de Pace*, 87. *Inf.* c. 43, l. 1.  
εἰ μὴ τι παρεωράτο] 'assuming the  
laws were strictly observed'; in other  
words, the members of the third class  
were, *strictly speaking*, eligible for the  
ordinary offices alone; but occasionally  
by an oversight they were elected to the  
office of archon. Similarly, in later times  
even members of the fourth class became  
archons, although not legally qualified.

§ 3. ἐπὶ Λυσικράτους] B.C. 453/2.

οἱ τριάκοντα] 16 § 5.

§ 4. ἐπὶ Ἀντιδότου] B.C. 451/0.

διὰ τὸ πλῆθος τῶν πολιτῶν] *Pol.* iii 5,  
1278 a 32, εὐποροῦντες ὄχλου. The reason  
is regarded as erroneous by Busolt, iii (1)  
338 n.

Περικλέους εἰπόντος—γεγονώς] *Pol.*  
iii 5, 1278 a 34, τέλος δὲ μόνον τοὺς ἐξ ἀμ-  
φοῖν ἀστῶν πολίτας ποιοῦσιν. *Plut. Peri-  
cles* 37, ἀκμάζων ὁ Περικλῆς ἐν τῇ πολιτείᾳ  
πρὸ πάντων πολλῶν χρόνων καὶ παῖδας ἔχων  
... γνησίους, νόμον ἔγραψε μόνους Ἀθηναίους  
εἶναι τοὺς ἐκ δευῖν Ἀθηναίων γεγονότας.  
*Aelian Var. Hist.* vi 10, xiii 24, frag. 68.  
Cf. *Isaeus* 8 § 19; 12 § 9; *Aeschin.* i  
§ 39. *Philippi, Bürgerrecht*, p. 69 seq.

The text places this event early in the  
public career of Pericles: Plutarch places  
it later. It had been argued that no such  
law could have been proposed by Pericles  
(see Buermann, *fahrb. f. cl. Phil. Suppl.*  
Bd ix 624-, 1878; Gilbert, *Gr. St.* i 179<sup>1</sup>;

Schenkl, *Wiener Studien*, ii 171; Duncker,  
*Bericht d. Berl. Akad.* 1883, p. 935;  
Busolt in Müller's *Handbuch* iv i, 141<sup>1</sup>).  
According to these, the 'law of Pericles'  
was really a revision of the list of citizens  
in 445/4 (*Athenaeum*, 1891, 435 c). See  
also Westermann's Introduction to *Dem.  
Eubulides*.

The text shews that the law was really  
proposed by Pericles (Busolt, *l.c.* iv i,  
203<sup>2</sup>), and *Gr. Gesch.* iii (1) 337 f.

XXVII. *Pericles*.

§ 1. κατηγορήσῃ—Κίμωνος νέος ὢν]  
Plutarch, *Cim.* 14 (probably on the  
authority of Theopompus), states that,  
on Cimon's return from the reduction of  
Thasos, he was put on his trial on the  
ground that he had been bribed not to  
follow up his success by an invasion  
of Macedonia: δίκην ἔφηνε (ἔφηνε? cf.  
*Plut. Per.* 10, ὅτε—δίκην ἔφηνε) τῶν  
ἐχθρῶν συστάτων ἐπ' αὐτόν. (Cimon's  
mother was the daughter of a Thracian  
prince.) He also quotes from Cimon's  
contemporary, Stesimbrotus, the story  
of Cimon's sister Elpinice appealing to  
Pericles (οὗτος γὰρ ἦν τῶν κατηγορῶν  
ὁ σφοδρότατος) in favour of her brother.  
The result was that Pericles ἐν γε τῇ δίκῃ  
πραότατον γενέσθαι τῷ Κίμωνι καὶ πρὸς τὴν  
κατηγορίαν ἀπαξ ἀναστήναι μόνον, ὥσπερ  
ἀφοσιούμενον. In *Plut. Pericles* 10, he is  
described as εἰς τῶν κατηγορῶν... ὑπὸ τοῦ  
δήμου προβεβλημένος, and as having done  
less than the rest of the prosecutors to  
damage the cause of Cimon. Cimon's  
expedition to Thasos has generally been  
placed in B.C. 465-3. The date sug-  
gested by Bauer for the revolt of Thasos  
is 459, and for its reduction (τρίτῳ ἔπει,  
*Thuc.* i 101) 457.

εὐθύνας] 59 § 2, στρατηγῶς εὐθύνας.

στρατηγοῦντος νέος ὦν, δημοτικωτέραν ἔτι συνέβη γενέσθαι τὴν πολιτείαν· καὶ γὰρ τῶν Ἀρεοπαγιτῶν ἕνια παρείλετο, καὶ μάλιστα  
 5 πρῶτρεψεν τὴν πόλιν ἐπὶ τὴν ναυτικὴν δύναμιν, ἐξ ἧς συνέβη θαρρήσαντας τοὺς πολλοὺς ἄπασαν τὴν πολιτείαν μᾶλλον ἄγειν εἰς αὐτούς. μετὰ δὲ τὴν ἐν Σαλαμῖνι ναυμαχίαν ἐνὸς δεῖ(ν) πεντη- 2  
 κοστῶ ἔτει ἐπὶ Πυθοδώρου ἄρχοντος ὁ πρὸς Πελοποννησίου ἐνέστη πόλεμος, ἐν ᾧ κατακλεισθεῖς ὁ δῆμος ἐν τῷ ἄστει καὶ συν-  
 10 εθισθεῖς ἐν ταῖς στρατείαις μισθοφορεῖν, τὰ μὲν ἐκὼν τὰ δὲ ἄκων προηρείτο τὴν πολιτείαν διοικεῖν αὐτός. ἐποίησε δὲ καὶ μισθοφόρα 3

4 παρείλετο (κ, Η-L, Β, Th) : περιείλετο κ-W, cf. 25 vv. 8, 22. 5 πρῶτρεψε Η-L.

.α.

6 ΠΑΣΑΝ : πᾶσαν B<sup>1</sup>, ἄπασαν B<sup>2-4</sup>, ceteri. 7 ΔΕΙ (Η-L, Β, κ-W<sup>3</sup>, Th, κ<sup>4</sup>) : δεῖν Joh. Mayor, κ-W<sup>1-2</sup>, κ<sup>3</sup>; cf. 19 § 6. 9 ΕΝΕΣΤΗ : συνέστη Η-L : confert κ c. 5 vv. 11, 22; 17 v. 15; 41 v. 2, quibus omnibus in locis Η-L συνέστη malunt. -κλεισθεῖς : -κλεισθεῖς κ, cf. 19, 32; -κλησθεῖς κ-W, Η-L, Β, Th. 10 ΣΤΡΑΤΙΑΙΣ : στρατιαῖς B<sup>2-4</sup>.

τῶν Ἀρεοπαγιτῶν ἕνια παρείλετο] Plutarch, *Pericles* 9, describes Pericles as attacking the Areopagus after he had instituted pay for the law courts at the instance of 'Damonides.' He also states that it was by the aid of Ephialtes that he deprived the Areopagus of the greatest part of its jurisdiction. In the text, which Plutarch professes to follow, by quoting Aristotle as his authority for 'Damonides,' the present attack on the Areopagus is placed *before* the account of the payment of the law courts; and Ephialtes is no longer alive (c. 25 § 4). Cf. Wilamowitz, i 68 n. 40.

παραρῆσθαι, in mid., is used of 'disfranchising persons' in *Pol.* iii 5, 1278 a 32, εὐποροῦντες δὴ ὄχλου κατὰ μικρὸν παραρῶνται τοὺς ἐκ δούλου πρῶτον ἢ δούλης, 14, 1285 b 16, τῶν ὄχλων παραρουμενῶν (of the withdrawal of royal privileges on the part of the people), viii (v) 10, 1311 b 6, γυναῖκα παρελῆσθαι, to seduce. In *Hdt.* ii 109 π. τί τινοσ is used 'in the general sense of 'taking away from,' 'stealing away from.' In c. 15 §§ 3, 4, and twice in 37 § 2, it is applied to ὄπλα.

περιαιρέσθαι is similarly used of 'stripping off' and 'taking away,' e.g. *Dem.* p. 246, 23, ἀπάντων...ἐλευθερίαν περιείλετο, *Pol.* vii (vi) 2, 1318 a 1, (τὰ τοιαῦτα δημοτικά)...ἐὰν δὲ τις καταλειφθῆ ἐξ ἀρχαίας μεταβολῆς, τότε περιαιρέσθαι τὴν δύναμιν αὐτῆς καὶ ἐξ ἀρετῶν κληρωτοὺς ποιεῖν. Both words are equally defensible and the MS reading may therefore be retained. We have περιαιρέσθαι τὰ ἐπίθετα in 25 § 2, and τὴν δύναμιν in 25 § 4; we also have περιαιρέσθαι στέφανον in c. 57 § 4.

ναυτικὴν δύναμιν] *Pol.* vii (vi) 7, 1321

a 14, ἡ δὲ ψιλὴ δύναμις καὶ ναυτικὴ δημοτικὴ πάμπαν. viii (v) 4, 1304 a 22 (immediately after mention of the influence of the Areopagus), καὶ πάλιν ὁ ναυτικὸς ὄχλος γενόμενος αἴτιος τῆς περὶ Σαλαμίνα νίκης καὶ διὰ ταύτης (ταύτην *coni.* Susemihl) τῆς ἡγεμονίας διὰ τὴν κατὰ θάλατταν δύναμιν τὴν δημοκρατίαν ἰσχυροτέραν ἐποίησεν. The inhabitants of the Peiraeus, consisting mainly of the ναυτικὸς ὄχλος, were distinctively democratical.

θαρρήσαντας] c. 22 and 24 § 1.

§ 2. δεῖν] c. 19 end.

ἐπὶ Πυθοδώρου] B.C. 432/1, 48 years after 480/79. *Thuc.* ii 2, § 1 fixes the date of the beginning of the war as the Spring of 431, Πυθοδώρου ἔτι δύο μῆνας ἄρχοντος.

ἐνέστη] συνέστη has been proposed, on the ground that ἐνέστη refers to a *bellum instans*, and συνέστη to a *bellum ortum*. *Thuc.* i 15 § 2, κατὰ γῆν δὲ πόλεμος... οὐδεὶς ξυνέστη. It is true that in *Isocr.* p. 82 Β τὸν πόλεμον τὸν ἐνστάνα...τῆ πόλει refers to an imminent war, but it is equally true that in *Dem.* 255, 10 (cf. 274, 6) the beginning of a war is expressed by ὁ τότε ἐνστάς πόλεμος. Cf. *Aeschin. F.L.* 58, ἔτι τοῦ πολέμου...ἐνεστηκότος. The latter phrase is contrasted, in the *Rhet. ad Alex.* 3, 1425 a 36, with γίνεσθαι μέλλων. *Ar. Rhet.* i 9, 1366 b 23, κατὰ τὸν ἐνεστώτα καιρὸν. *Φυσικὴ Ἀκρόασις*, iv 13, 222 b 14, ὁ χρόνος ἐγγύς τοῦ ἐνεστώτος νῦν. See also Kaibel, 62.

κατακλεισθεῖς—ἄστει] *Thuc.* ii 13 § 2, (Pericles) παρήνει τὴν πόλιν εἰσελθόντας φυλάσσειν, *ib.* 14—17.

§ 3. ἐποίησε—μισθοφόρα τὰ δικαστήρια] *Pol.* ii 12, τὰ δὲ δικαστήρια μισθοφόρα κατέστησε Περικλῆς. *Plut. Per.* 9. *Aristides*, ii 192 *Dind.* Boeckh, II xv;



τὰ δικαστήρια Περικλῆς πρῶτος, ἀντιδημαγωγῶν πρὸς τὴν Κίμωνος εὐπορίαν. ὁ γὰρ Κίμων, ἅτε τυραννικὴν ἔχων οὐσίαν, πρῶτον μὲν τὰς κοινὰς λητουργίας ἐλητούργει λαμπρῶς, ἔπειτα τῶν δημοτῶν ἔτρεφε πολλοὺς· ἐξῆν γὰρ τῷ βουλομένῳ Λακιάδων καθ' 15 ἐκάστην τὴν ἡμέραν ἐλθόντι παρ' αὐτὸν ἔχειν τὰ μέτρια, ἔτι δὲ τὰ

15 τοὺς πολλοὺς, delete τοὺς, quod retinet B<sup>4</sup>.

TESTIMONIA. 12—21 \*Plut. *Cim.* 10, *Per.* 9 (Ar. Frag. 365<sup>2</sup>, 403<sup>3</sup>), infra exscriptum.

14—18 Heraclidis epitoma (Rose, Ar. Frag. 611, 5<sup>3</sup>): τοὺς ἰδίους ἀγροὺς ὀπωρίζων παρέιχε τοὺς βουλομένους, ἐξ ὧν πολλοὺς ἐδείπνιζε.

Grote, c. 46, iv 103; Gilbert, *Gr. St.* i 385<sup>2</sup>. Plutarch, *Per.* 9, places the payment of the jurors before the attack on the Areopagus.

**τυραννικὴν—οὐσίαν**] Cimon, son of Miltiades, was (on the side of his mother, Hegesipyle) grandson of the Thracian king Olorus (Plut. *Cim.* 4). The fine of 50 talents inflicted on Miltiades was paid by Cimon.

**λητουργίας ἐλητούργει**] λητουργεῖν and λητουργός are quoted as Attic forms by ancient grammarians (Ammonius 89; Moeris 202; Bekker's *Anecd.* 277, οἱ παλαιοὶ Ἀττικοὶ διὰ τοῦ ἡ ἔλεγον λητουργεῖν); and the forms in λη- are found in inscriptions of the fourth century. In 386 B.C. we have [λη]ητουργῶν, CIA ii add. 554 b 14; in the time of Demosthenes and Aristotle, τὰς ἄλλας λη[τουργίας] καλῶς λητου[ργ]εῖ... , *ib.* 557, 5; in 340—332, λητου[ργ]ησαν, *ib.* 172, 4. Meisterhans, *Grammatik d. Attischen Inschriften*, ed. 1900, p. 37, note 198 (Intro. to Dem. *Lept.* p. iii).

**τῶν δημοτῶν ἔτρεφε πολλοὺς** κτλ.] Plut. *Cim.* 10, τῶν τε γὰρ ἀγρῶν τοὺς φραγμοὺς ἀφείλεν, ἵνα καὶ τοῖς ξένοις καὶ τῶν πολιτῶν τοῖς δεομένοις ἀδεῶς ὑπάρχη λαμβάνειν τῆς ὀπώρας, καὶ δεῖπνον οἴκοι παρ' αὐτῷ λιτὸν μὲν, ἀρκοῦν δὲ πολλοῖς, ἐποιεῖτο καθ' ἡμέραν, ἐφ' ὃ τῶν πενήτων ὁ βουλούμενος εἰσῆει καὶ διατροφήν εἶχεν ἀπράγμονα, μόνους τοῖς δημοσίοις σχολάζων. ὡς δ' Ἀριστοτέλης φησιν, οὐχ ἀπάντων Ἀθηναίων, ἀλλὰ τῶν δημοτῶν αὐτοῦ Λακιάδων παρεσκευάζετο βουλομένῳ τὸ δεῖπνον. *Pericl.* 9, ἐν ἀρχῇ... πρὸς τὴν Κίμωνος δόξαν ἀντιστατόμενος ὑπεποιεῖτο τὸν δῆμον· ἐλατούμενος δὲ πλοῦτῳ καὶ χρήμασι, ἀφ' ὧν ἐκείνος ἀνελάμβανε τοὺς πένητας δεῖπνον τε καθ' ἡμέραν τῷ δεομένῳ παρέχων Ἀθηναίων καὶ τοὺς πρεσβυτέρους ἀμφιεννύων, τῶν τε χωρίων τοὺς φραγμοὺς ἀφαιρῶν, ὅπως ὀπωρίζων οἱ βουλούμενοι, τούτοις ὁ Περικλῆς καταδημαγωγούμενος τρέπεται

πρὸς τὴν τῶν δημοσίων διανομήν. The story of Cimon's generosity appears in an exaggerated form in Theopompus, *Philippica* x (FHG ii 293, *ap.* Athen. 533 A), Κίμων ὁ Ἀθηναῖος ἐν τοῖς ἀγροῖς καὶ τοῖς κήποις οὐδένα τοῦ καρποῦ καθίστα φύλακα, ὅπως οἱ βουλούμενοι τῶν πολιτῶν εἰσιόντες ὀπωρίζωνται καὶ λαμβάνωσιν εἰ τινοσ δέοντο τῶν ἐν τοῖς χωρίοις. ἔπειτα τὴν οἰκίαν παρέιχε κοινὴν ἅπασιν· καὶ δεῖπνον αἰεὶ εὐτέλῃς παρασκευάζεσθαι πολλοῖς ἀνθρώποις, καὶ τοὺς ἀπύρους προσιώντας τῶν Ἀθηναίων εἰσιόντας δεῖπνεῖν. This exaggerated account is recorded by Plutarch to be corrected on the authority of the present passage. Aristotle's pupil, Theophrastus, was no less careful in adhering to the truth, Cic. *de Off.* ii 64, 'Theophrastus scribit Cimonem Athenis etiam in suos curiales Laciadas hospitem fuisse: ita enim instituisse et vilicis imperavisse, ut omnia praebentur, quicumque Laciades in villam suam devertisset.' The excerpts ascribed to Heraclides tell the same story of Ephialtes: Ἐφ. τοὺς ἰδίους ἀγροὺς ὀπωρίζων παρέιχε τοῖς βουλομένοις, ἐξ ὧν πολλοὺς ἐδείπνιζε. The text is apparently the authority followed by the Schol. on Aristides, iii 517 l. 30 Dind., τοὺς γὰρ φραγμοὺς ὑπενωμένων τοῖς βουλομένοις ὀπωρίζεσθαι τῶν αὐτοῦ καὶ τὴν οἰκίαν ἀριστοῦσιν αἰρεῖσθαι (?), and *ib.* p. 446 l. 18. Cf. Nepos, *Cimon* 4 § 1.

The various forms which the story of the generosity of Cimon assumed have been examined in *Mnemosyne*, ix 58; see also Sauppe's *Ausg.* Schr. 491, and Wilamowitz, ii 300.

**Λακιάδων**] The *δημόται* of Cimon, Plut. *Cim.* 4. The deme itself was also called Λακιάδαι.

**τὰ μέτρια**] 'moderate provision,' Xen. *Lac.* i 3, σίτος μετριώτατος, *Mem.* ii 6, 22, τὰ μ. κεκτήσθαι, *Cyr.* v 2, 17, μετριότης τῶν σίτων. *Supra* 16 § 3.

χωρία πάντα ἀφρακτα ἦν, ὅπως ἐξῆ τῷ βουλομένῳ τῆς ὀπώρας ἀπολαύειν. πρὸς δὴ ταύτην τὴν χορηγίαν ἐπιλειπόμενος ὁ Περι- 4 κλῆς τῆ οὐσία, συμβουλευσάντος αὐτῷ Δαμωνίδου τοῦ Οἴθθεν (ὃς 20 ἐδόκει τῶν πολλῶν εἰσηγητῆς εἶναι τῷ Περικλεῖ· διὸ καὶ ὠστράκισαν αὐτὸν ὕστερον), ἐπεὶ τοῖς ἰδίῳις ἠττάτο, δίδοναι τοῖς πολλοῖς

17 ΕΞΗΝ (κ<sup>1</sup>): ἐξῆ (κ-w, H-L, κ<sup>3</sup>, B, Th). 18 ΕΠΙΛΕΙΠ: ἀπολειπόμενος Richards (H-L); cf. 20 § 2, 34 § 3; 'an ὑπολειπόμενος?' s<sup>1</sup>. 19 <Δάμωνος> Δαμωνίδου Ὁαθεν Wyse (*Class. Rev.* v 227), cf. Wilamowitz, *Hermes* xiv 320, Kaibel 183. Οἴθθεν H-L, κ<sup>3</sup> (Meisterhans, 58<sup>3</sup>); Οἴθθεν κ-w, B, κ<sup>4</sup>. 20 ΠΟΛΛΩΝ (κ-w, κ<sup>3</sup>, B, Th): ΠΟΛΕΜΩΝ (κ<sup>1</sup>), πολιτικῶν Wyse (H-L). 22 ΔΙΚΑΣΤΑΙΣ (κ, κ-w): δικαστήριος Blass, Richards (H-L, Th), c. 23, 1 exortum: propter χειρῶν in versu proximo positum. ἀφ' οὗ Richards (H-L).

19 \*Plut. *Per.* 9 (Ar. Frag. 365<sup>2</sup>, 403<sup>3</sup>), infra exscriptum.

ὅπως ἐξῆ] This implies that Cimon caused his fences to be pulled down *in order* to allow his fellow demesmen to enter his orchards. This constr. is supported by ὅπως ὀπωρίζονται in Theopompus and ὅπως ὀπωρίζουσιν in Plut. *Per.* 9. ὅπως ἐξῆν would be quite out of place here (Goodwin, *Moods and Tenses*, § 333<sup>2</sup>).

§ 4. ἐπιλειπόμενος] ἐπιλείπεσθαι in pass. c. gen., 'to fall short of,' is found in [Plat.] *Erinomis* 978 A. ἐπιλείπειν is far more frequently used in act. in the sense of 'to fail.' In Ar. we have *Eth.* iv 3, 1121 a 34, 17, ταχὺ ἐπιλείψει αὐτοὺς τὰ ὑπάρχοντα, and there are several exx. of its intransitive use. ἀπολειπόμενος does not appear to be supported by the usage of Aristotle, as shewn in the *Index Aristotelicus*. More probable than either is ὑπολειπόμενος. Cf. *Pol.* iv (vii) 16, 1334 b 39, δεῖ οὐτε λιαν ὑπολείπεσθαι ταῖς ἡλικίας τὰ τέκνα τῶν πατέρων οὐτε λιαν πάρεγγυς εἶναι, and i 5, 1254 b 35, εἰ τοσοῦτον γένοιτο διάφοροι τὸ σῶμα ὅσον αἱ τῶν θεῶν εἰκόνες, τοὺς ὑπολειπομένους (*inferiores*) πάντες φαίεν ἂν ἀξίους εἶναι τούτοις δουλεύειν.

Δαμωνίδου] Damonides is mentioned in Plut. *Per.* 9, τρέπεται πρὸς τὴν τῶν δημοσίων διανομὴν συμβουλευσάντος αὐτῷ Δαμωνίδου τοῦ Οἴθθεν ('Οαθεν Sintenis, collato Steph. Byz. s. v. Ὁα, Δάμων Δαμωνίδου Ὁαθεν. Δημωνίδου τοῦ Ὁαθεν vulg.), ὡς Ἀριστοτέλης ἰστόρηκε. Damon, *ib.* 4, ὁ δὲ Δάμων...τῷ Περικλεῖ συνῆν καθάπερ ἀθλητῆ τῶν πολιτικῶν ἀλείπτῃς καὶ διδάσκαλος...ἀλλ' ὡς μεγαλόφρων καὶ φιλοτύρανος ἐξωστρακίσθη, *ib.* 14, *Nic.* 6, and *Arist.* i. Plat. *Alc.* i 118 c, *Lach.* 180 D, *Rep.* 400 B-C, 424 C. Duncker, *G. d. A.*, ix c. 8; Holm, ii 345, 17; Busolt, iii (1) 247 f, ed. 1897.

Δάμων and Δαμωνίδης appear to be two forms of name belonging to one person (cf. Duncker, *Gesch. des Alt.* ix p. 12, n. 1).

As other exx. of double names we have Φιλιππίδης and Φίλιππος, Κλεανδρίδης and Κλέανδρος, Φρασικλείδης and Φρασικλῆς, Εὐβουλίδης and Εὐβουλος, Τευταμίδης and Τεύταμος, Σιμιχίδης and Σίμιχος, Μαιανδρίδης and Μαιανδρος, Θεοσιάδης and Θεόσιος (Hemsterhuys on Lucian, *Timon*, p. 157), Καλλιπίδης and Κάλλιππος, Ἀγωνίδης and Ἀγων, Ἐξηκεστίδης and Ἐξήκεστος, Εὐφρονίδης and Εὐφρόνιος, Μεγακλείδης and Μεγακλῆς, Μνησαρχίδης and Μνήσαρχος, Ξανθιππίδης and Ξανθιππος (O. Crusius in *N. Jahrb.*, 1891, pp. 385—394, 'Die Anwendung von Vollnamen und Kurznamen bei derselben Person'). Cf. Wilamowitz, *Hermes*, xiv 318, and cf. Kaibel, 183 f. Plutarch, *Per.* 4 *init.*, tells us that certain persons said that the first syllable of Δάμων was pronounced short.

Mr Kenyon suggests that Plutarch confused two persons, the musician Damon, son of Damonides of Ὁα, and the politician Damonides of Οἴη, and transferred to the former some of the attributes of the latter. The demonymic of the former would be Ὁαθεν; of the latter, Οἴθθεν. This has also been suggested by Gomperz, *Deutsche Rundschau*, May 1891, p. 232, and is probably the best solution of the discrepancy. Cf. Sauppe, *Ausg. Schr.* 492 n. Damon and Damonides are, however, regarded as identical by Wilamowitz, i 134 f, and Busolt, iii (1) 247 f.

εἰσηγητῆς] apparently not found in Ar. Thuc. viii 48, τοὺς καλοὺς κάγαθους—ποριστὰς ὄντας καὶ εἰσηγητὰς τῶν κακῶν τῷ δήμῳ. *Pol.* ii 8, 1268 b 30, εἰσηγεῖσθαι (advise, propose) νόμων λύσειν, and vi (iv) 1, 1289 a 1, τοιαύτην εἰσηγεῖσθαι τάξιν, and several times in [Ar.] *Rhet. ad Alex.* Thuc. iv 76, ἐσθγουμένου (τινός), 'on his proposal.'

δίδοναι τοῖς πολλοῖς τὰ αὐτῶν] 'to offer the people what was their own'



5 τὰ αὐτῶν, κατεσκεύασε μισθοφορὰν τοῖς δικασταῖς· ἀφ' ὧν αἰτιῶν-  
ταί τινες χεῖρους γενέσθαι, κληρουμένων ἐπιμελῶς αἰὲ μᾶλλον τῶν  
τυχόντων ἢ τῶν ἐπιεικῶν ἀνθρώπων. ἤρξατο δὲ μετὰ ταῦτα καὶ  
τὸ δεκάζειν, πρώτου καταδείξαντος Ἀνύτου μετὰ τὴν ἐν Πύλῳ  
στρατηγίαν. κρινόμενος γὰρ ὑπὸ τινῶν διὰ τὸ ἀποβαλεῖν Πύλον,  
δεκάσας τὸ δικαστήριον ἀπέφυγεν.

28. ἕως μὲν οὖν Περικλῆς προειστήκει τοῦ δήμου βελτίῳ τὰ  
κατὰ τὴν πολιτείαν ἦν, τελευτήσαντος δὲ Περικλέους πολὺ χεῖρω.

23 χεῖρω (κ, H-L, Th), Kronert, *Philol.* lxi 182: χείρους Newman, Hude, κ-w;  
τὰ πράγματα τὰ κατὰ τὴν πολιτείαν, vel τὴν πόλιν, excidisse putant Jos. Mayor et  
Rutherford; τὰ κατὰ τὰ δικαστήρια desiderat Bury. 25 Ἀνύτου: ΑΥΤΟΥ corr. κ.

TEST. 25 \*Harp. δεκάζων... Ἄρ. δ' ἐν Ἀθ. πολ. Ἀνύτον φησι καταδείξει τὸ δεκάζειν  
τὰ δικαστήρια. Bekk. *An.* p. 211, 31 Ἀνυτος: οὗτος πρῶτος δικαστήριον <δεκάζειν>  
κατέδειξεν. Schol. Aeschin. i 87 ἐδέκαζεν οὖν διέφθειρεν ἀργυρίῳ τοὺς δικαστάς· ἤρξατο  
δὲ τοῦ τοιοῦτου πρῶτος Ἀνυτος. Bekk. *An.* p. 236, 6 (= *Etym. M.* p. 254, 31) πρῶτος  
δ' ἐδόκει δεκάσαι Μέλῃς (leg. Ἀνυτος) τὰς εὐθύνas διδοὺς τῆς ἐν Πύλῳ στρατηγίας ἦν  
κακῶς ἐστρατήγησεν. Cf. Rose, 371<sup>2</sup>, 409<sup>3</sup>.

—an easy piece of liberality. In epigrammatic point this phrase is somewhat of an exception to the ordinary style of the treatise and reminds one of Aristotle's manner; but the epigram is ascribed to Damon and the writer does not necessarily claim it as his own. 'The dry way in which the sarcastic counsel of Damonides of Oea, the Abithophel of his time, is repeated is not unlike Aristotle' (W. L. Newman, *Class. Rev.* v 159 b). Cf. *Andoc. de red.* 17, ὅσοι τῶν πολιτῶν... ἀργύριον ὑμῖν ἐκπορίζουσιν, ἄλλο τι ἢ τὰ ὑμέτερα ὑμῖν διδώσιν; (Kaibel, 184).

χεῖρους γενέσθαι] The writer is possibly referring to Plato's *Gorgias* 515 E, ταυτὶ γὰρ ἔγωγε ἀκούω (from the Laconizers), Περικλέα πεποιθέναι Ἀθηναίους ἀργούς καὶ δεῖλους καὶ λάλους καὶ φιλαργύρους, εἰς μισθοφορίαν πρῶτον καταστήσαντα. Aristotle often refers to Plato in the *Politics* as *tives*, i.e. in iv (vii) 7, 5, 1327 b 38 (Newman, *u. s.* 160 b).

§ 5. δεκάζειν] *Lys.* 29 § 12, δεδεκασμένοι, *Isoc.* 8 § 50, θανάτου τῆς ζημίας ἐπιεικεμένης, ἐάν τις ἀλῶ δεκάζων, *Aeschin.* i § 87, μαρτυρεῖν τὸν μὲν ὡς ἐδέκαζε τὸν δὲ ὡς ἐδεκάζετο. Cf. note on *Dem.* 46 § 26, ἐάν τις... συνδεκάξῃ τὴν ἡλιαίαν in *Select Private Orations*, ii 146, ed. 1910. *Plut. Pericl.* 9 § 3, συνδεκάσας τὸ πλήθος.

Ἀνύτου] In 409 B.C. Pylos, which had remained an Athenian post since 425, was retaken by the Lacedaemonians. The Athenians had sent to its relief 30 triremes under Anytus, who however came back without even reaching the place. On his return he was put on his trial for having betrayed the trust confided to him.

*Diodorus* xiii 64. *Plut. Coriolanus* 14, Ἀθήνησι δὲ λέγεται πρῶτος ἀργύριον δοῦναι δικασταῖς Ἀνυτος ὁ Ἀνθεμίωτος προδοσίας περὶ Πύλον κρινόμενος (*Grote* c. 63, v 465). He is mentioned in c. 34 § 3 as one of the leaders of the moderate section of the oligarchical party. He was afterwards notorious as one of the prosecutors of Socrates (*Anyti reus*). Though Anytus is spared by Plato and Xenophon, this tradition to his discredit survived in the Socratic School. It should have been noticed that it was not until half a century had elapsed, that the assigning of pay to the jury was followed by the first case of bribery,—long after the death of Pericles. *Wilamowitz* i 128 f.

XXVIII. *The successors of Pericles.*

§ 1. Περικλῆς προειστήκει τοῦ δήμου] From about B.C. 450 (c. 28 § 1) till his death in the summer of 429. The writer's praise of the policy of Pericles is so briefly expressed, that it hardly arrests our attention. The text implies that the excellence of that policy was not absolute, but relative:—βελτίῳ, as contrasted with that of his successors, which was χεῖρω. The merits of Pericles are here recognised with far less generosity than in the pages of Thucydides. In the text, Pericles is the last leader of the popular party who, owing to his high birth, was acceptable even to his opponents: the decadence begins with his successor, Cleon, who had no such advantages.

πρῶτον—οὐκ εὐδοκίμοῦντα] *Pol.* 1274 a 13—15, ὁ δήμος...δημαγωγούς ἔλαβε φαύλους ἀντιπολιτευομένων τῶν ἐπιεικῶν. οἱ ἐπιεικεῖς δημαγωγοῦντες]. *Schol.*

πρώτον γὰρ τότε προστάτην ἔλαβεν ὁ δῆμος οὐκ εὐδοκιμοῦντα  
 παρὰ τοῖς ἐπιεικέσιν· ἐν δὲ τοῖς πρότερον χρόνοις αἰεὶ διετέλουν οἱ  
 5 ἐπιεικεῖς δημαγωγοῦντες. ἐξ ἀρχῆς μὲν γὰρ καὶ πρῶτος ἐγένετο 2  
 προστάτης τοῦ δήμου Σόλων, δεύτερος δὲ Πεισίστρατος, τῶν  
 εὐγενῶν καὶ γνωρίμων· καταλυθείσης δὲ τῆς τυραννίδος Κλεισθένης,  
 τοῦ γένους ὦν τῶν Ἀλκμεωνιδῶν, καὶ τούτῳ μὲν οὐδεὶς ἦν ἀντι-  
 στασιώτης, ὡς ἐξέπεσον οἱ περὶ τὸν Ἰσαγόραν. μετὰ δὲ ταῦτα τοῦ  
 10 μὲν δήμου προειστήκει Ξάνθιππος, τῶν δὲ γνωρίμων Μιλτιάδης,  
 ἔπειτα Θεμιστοκλῆς καὶ Ἀριστείδης· μετὰ δὲ τούτους Ἐφιάλτης  
 μὲν τοῦ δήμου, Κίμων δ' ὁ Μιλτιάδου τῶν εὐπόρων· εἶτα Περικλῆς  
 μὲν τοῦ δήμου, Θουκυδίδης δὲ τῶν ἐτέρων, κηδεστῆς ὦν Κίμωνος.  
 Περικλέους δὲ τελευτήσαντος τῶν μὲν ἐπιφανῶν προειστήκει 3  
 15 Νικίας ὁ ἐν Σικελίᾳ τελευτήσας, τοῦ δὲ δήμου Κλέων ὁ Κλεαι-  
 νέτου, ὃς δοκεῖ μάλιστα διαφθεῖραι τὸν δῆμον ταῖς †όρμαῖς, καὶ

XXVIII 3 εὐδοκιμοῦντα τὰ κ<sup>1</sup>; τὰ del. Wyse etc. 6—7 τῶν εὐγενῶν καὶ γνωρίμων  
 secl. κ-w, Kaibel 184; τῶν εὐγενῶν <ὦν> κτλ. Richards (H-L, B); <ὄντες> Gomperz.

13 ἐτέρων: εὐπόρων Papabasilieios. 16 ὀρμαις, ἐκάστοτε χαριζόμενος vel aliquid

TESTIMONIA. XXVIII 15—18 \*Schol. in Luciani Timonem 30 (i p. 100 ed. Bipontinae, p. 47 Jacobitz): ὁ δὲ Κλέων δημαγωγὸς ἦν Ἀθηναίων προστάς αὐτῶν ἐπὶ τῇ  
 ἔτη, ὃς πρῶτος δημηγορῶν ἀνεκραγεν ἐπὶ τοῦ βήματος καὶ ἔλοιδορήσατο...  
 ἐπέστη δὲ καὶ τῇ πρὸς Λακεδαιμονίους εἰρήνῃ, ὡς Φιλόχορος καὶ Ἀριστοφάνης (Ἀριστο-  
 τέλης Hemsterhuis quem sequitur Rose, Frag. 368<sup>2</sup>, 406<sup>3</sup>), προσθεῖς ἄρχοντα Εὐθυνοῦν·  
 Ἀριστοτέλης δὲ καὶ περιζωσάμενον αὐτὸν λέγει δημηγορήσαι, εἰς τὴν θρασύτητα  
 αὐτοῦ ἀποσκώπτων. Schol. Aeschin. i 25...λέγεται δὲ Κλέων ὁ δημαγωγὸς παραβὰς τὸ  
 ἐξ ἔθους σχῆμα περιζωσάμενος δημηγορήσαι. Plut. Nic. 8 (ὁ Κλέων) τὸν ἐπὶ  
 τοῦ βήματος κόσμον ἀνελὼν καὶ πρῶτος ἐν τῷ δημηγορεῖν ἀνακραγῶν καὶ περισπάσας  
 τὸ ἰμάτιον καὶ τὸν μηρὸν πατάσας καὶ δρόμῳ μετὰ τοῦ λέγειν ἅμα χρῆσάμενος τὴν ὀλιγον  
 ὕστερον ἅπαντα τὰ πράγματα συγχέασαν εὐχέρειαν καὶ ὀλιγωρίαν τοῦ πρέποντος ἐνεποίησε  
 τοῖς ἀπαινεομένοις.

16 Heraclidis epitoma, 611, 6, Κλέων παραβῶν διέφθειρε τὸ πολίτευμα.

Arist. Pax 681, πρότερον δημαγωγοῦντων  
 τῶν πάνυ λαμπρῶν πολιτῶν.

§ 2. προστάτης τοῦ δήμου] a purely  
 unofficial title, applied to the leader of  
 the popular party. Cf. 2 § 2, and see  
 Whibley's *Political Parties*, p. 51.

τῶν εὐγενῶν καὶ γνωρίμων] We must  
 either insert ὦν after εὐγενῶν, or under-  
 stand the words to refer to Solon and  
 Peisistratus, or remove them from the  
 text. In any case Peisistratus, who is  
 described as δημοτικώτατος in 13 § 4 and  
 14 § 1, is to be regarded as a προστάτης  
 τοῦ δήμου and not as a προστάτης τῶν  
 εὐγενῶν καὶ γνωρίμων. Below, τῶν γνω-  
 ρίμων is contrasted with τοῦ δήμου. τῶν  
 εὐγενῶν is never used to designate a  
 political party in Athens. See also  
 Kaibel, 184 f.

ἀντιστασιώτης] Hdt. i 92, iv 164,  
 v 69. Not found in Ar.

Θεμιστοκλῆς καὶ Ἀριστείδης] joint  
 leaders of the popular party, c. 23 § 3.

Θουκυδίδης] son of Melesias, of Alopeke,  
 mentioned below (§ 5) with Nicias and  
 Theramenes. He was ostracised in 444  
 B.C., and it has been considered worthy of  
 note that the writer says nothing of this  
 fact (*Rhein. Mus.* xlvī 455), but to  
 mention it here would only impede the  
 natural course of the narrative.

τῶν ἐτέρων] 'the opposite party,' used  
 here, and below, to avoid the too frequent  
 repetition of τῶν γνωρίμων, τῶν εὐπόρων,  
 or τῶν ἐπιφανῶν.

§ 3. Νικίας—τελευτήσας] Thuc. vii  
 86 § 1.

Κλέων] Gilbert, *Beiträge*, pp. 127—  
 146, Busolt, iii (2) 988—998 (and the  
 literature there quoted).

ταῖς ὀρμαῖς] hardly 'his wild under-  
 takings' (Kenyon), or even 'his incitations'



πρῶτος ἐπὶ τοῦ βήματος ἀνέκραγε καὶ ἐλοιδορήσατο καὶ περιζω-  
σάμενος ἐδημηγόρησε, τῶν ἄλλων ἐν κόσμῳ λεγόντων. εἶτα μετὰ  
τούτους τῶν μὲν ἐτέρων Θηραμένης ὁ Ἄγνωνος, τοῦ δὲ δήμου Κλεο-  
φῶν ὁ λυροποιός, ὃς καὶ τὴν διωβελίαν ἐπόρισε πρῶτος· καὶ 20

eiusmodi desiderat Jos. Mayor. Scribendum fortasse *διανομαῖς*, coll. Plut. *Arist.* 24 (de demagogis post Periclem) τὸν δῆμον εἰς διανομὰς προαγαγόντες, *Per.* 9 μισθῶν διανομὰς, Aeschin. *F. L.* 76 Κλεοφῶν διεφθαρκῶς νομῆ χρημάτων τὸν δῆμον, *Eth.* 1130 ὁ 31 ἐν ταῖς διανομαῖς τιμῆς ἢ χρημάτων, 1131 ὁ 30 ἀπὸ χρημάτων κοινῶν ἐὰν γίγνηται ἢ διανομή, 1131 a 25; νομαῖς? Th, coll. Aeschin. *l.c.* 20 ΔΙΩΒΟΛΙΑΝ.

TEST. 20—23 Locum de pecunia theorica ad iudicium mercedem male transtulerunt interpretes antiqui. \*Schol. Arist. *Vesp.* 684 τοὺς τρεῖς ὀβολούς: τὸν φόρον λέγει, ἀφ' ὧν ἐδίδοτο τὸ τριώβολον. τοῦτο δὲ ἄλλοτε ἄλλως ἐδίδοτο, τῶν δημαγωγῶν τὰ πλήθη κολακευόντων, ὡς φησιν Ἄρ. ἐν πολιτείας (adde Schol. *Vesp.* 300, ἣν μὲν γὰρ ἄστατον τὸ τοῦ μισθοῦ ποτὲ γὰρ διωβόλου ἦν, ἐγένετο δὲ ἐπὶ Κλέωνος τριώβολον, *Vesp.* 88 ἐδίδοτο χρόνον μὲν τινα δύο ὀβολοί, ὕστερον δὲ Κλέων στρατηγήσας τριώβολον ἐποίησεν ἀκμάζοντος τοῦ πολέμου τοῦ πρὸς Λακεδαιμονίους). Cf. Rose, 421<sup>2</sup>, 461<sup>3</sup>. Ceterum Kenyon noster arbitratur schol. ad Arist. *Vesp.* 684 referre partim ad c. 62 § 1 (τὰ δικάστηρια τρεῖς ὀβολούς), partim fortasse ad locum tractatus nostri e fine deperditum ubi de iudiciis agitur.

(Poste), though the latter rendering may be preferred. Better *ses emportements* (Reinach), 'his impulsive ways.' Plut. i 1012, πρῶτερος καὶ ταῖς ὀρμαῖς φύσει μαλακώτερος, *Them.* 2, ἐν ταῖς πρώταις τῆς νεότητος ὀρμαῖς. The pl. is found in Ar. *Eth.* i 13, 1102 ὁ 21, ἐπὶ τάναντία αἱ ὀρμαὶ τῶν ἀκρατῶν, *Magn. Mor.* i 35, 1197 ὁ 39, ἀρετὰ φύσει ὀλον ὀρμαὶ τινες ἐν ἐκάστῳ. In contrast to Cleon, we read of Pericles (Plut. *Per.* 20) οὐ συνεχῶρει ταῖς ὀρμαῖς τῶν πολιτῶν. But the use of the word in the text is curious, and it is perhaps better to propose *διανομαῖς* which would obviously refer to Cleon's raising the *μισθὸς δικαστικὸς* to three obols in 425/4 (Arist. *Vesp.* 88, Gilbert, i 385<sup>2</sup>), a fact not mentioned in the text.

ἐπὶ τοῦ βήματος ἀνέκραγε] Plut. *Nic.* 8, τὸν ἐπὶ τοῦ βήματος κόσμον ἀνελὼν καὶ πρῶτος ἐν τῷ δημηγορεῖν ἀνακραγῶν καὶ περισπάσας τὸ ἱμάτιον καὶ τὸν μηρὸν πατάσας καὶ δρόμῳ μετὰ τοῦ λέγειν ἅμα χρησόμενος. Neither βῆμα nor ἀνακράζω is found in the *Index Ar.*

The Pnyx was first identified by Chandler in 1765 (*Travels in Greece*, ii 84, ed. 1825) as 'a large semicircular area or terrace, supported by stones of vast size cut into squares, nearly opposite the rock of the Areopagus,' from the centre of which it is distant about a quarter of a mile to the S.W. The excavations directed by Lord Aberdeen in 1822 disclosed a projecting cubic block, hewn out of the rock, and approached on each side by steps. This was identified

as the βῆμα of the Athenian orators. It has, however, been maintained by Ulrichs (1842), Welcker (1852), E. Curtius (1862, 1868), that this block is an altar, and the semicircular area a τέμενος of Zeus ὕψιστος. The site of the βῆμα is placed by Curtius on the slopes of the 'Museum' hill, due S. of the Areopagus. See his *Att. Studien*, i 23—, and *Stadtgeschichte*, pp. 30 and 61. See also Prof. Crow and Mr Clarke in *Papers of Amer. School*, iv 205—277, and Judeich, *Topographie von Athen*, 348 f. ἀνέκραγε] Arist. *Vesp.* 596, Κλέων ὁ κεκραξιδάμας, *Eq.* 137, Κυκλοβόρου φωνὴν ἔχων.

περιζωσάμενος] 'with his cloak girt up short about him' (Kenyon), 'with his robes fastened or tucked up, as if he were engaged in some manual labour' (Poste, n). Cf. Plut. *Nic.* 9, περισπάσας τὸ ἱμάτιον (with Holden's n), and contrast *Mor.* ii 800 (of Pericles), τὴν χεῖρα συνέχευεν ἐντὸς τῆς περιβολῆς.

Θηραμένης] *inf.* § 5.

Κλεοφῶν ὁ λυροποιός] He is so styled by Andoc. *de Myst.* § 146; Aesch. *F. L.* § 76; and the Scholiast on Aristoph. *Thesm.* 805, *Ran.* 681 (as restored by Taylor). Cf. Suidas, s. v. φιλοτιμότεραι Κλεοφῶντος. Aelian, *Var. Hist.* xii 43, says that his father's name was unknown (Mayor: similarly, Wilamowitz, i 130 n. 14). Cf. Lysias 13 §§ 8, 9, 12; 19 § 48; 30 §§ 11—13; and *inf.* 34 § 1. For further details see Holden's *Onomasticon* to Aristophanes.

τὴν διωβελίαν] *Pol.* ii 7, 1267 ὁ 1,

21 χρόνον μὲν τινα διεδίδοδο, μετὰ δὲ ταῦτα κατέλυσε Καλλικράτης Παιανιεύς πρῶτος ὑποσχόμενος ἐπιθήσειν πρὸς δυοῖν ὀβολοῖν ἄλλον ὀβολόν. τούτων μὲν οὖν ἀμφοτέρων θάνατον κατέγνωσαν

21 ΔΙΕΔΙΔΟΥ (B, Th): διεδίδοδο Wyse, Rutherford, K-W, H-L (K<sup>3</sup>). ΚΑΤΕΛΥΣΕ edd.: κατήξησε Whibley. 22 πρῶτον van Leeuwen. ὑποσχόμενος ἐπὶ τοῖν δυοῖν ὀβολοῖν ἄλλον ὀβολόν? B<sup>4</sup> appendix.

TEST. 21 \*Zenob. vi 29 (Athous iii 151 apud K-W laudatus) ὑπὲρ τὰ Καλλικράτους infra exscriptus = \*Photius et Suidas, s.v.; fere eadem habet Pseudo-Plut. *Proverbia*, 111. Cf. Boeckh II xv p. 299 Fränkel; Meineke, *Com. Gr.* IV p. 700. Macarius iv 68... ἐπὶ τῶν καθ' ὑπερβολὴν τι ποιοούντων, ἢ ἐπὶ τῶν τοὺς πρωτεύοντας ἐν τισιν ὑπεραιρόντων.

ἡ πονηρία τῶν ἀνθρώπων ἀπληστον, καὶ τὸ πρῶτον μὲν ἰκανὸν διωβολία μόνον, ὅταν δ' ἤδη τοῦτ' ἢ πάτριον, αἰεὶ δέονται τοῦ πλείονος, ἕως εἰς ἀπειρον ἔλθωσιν. This must refer to the *theoricon*, the fund for paying the price of admission to the theatre at the rate of 2 obols for each of the ordinary seats (Dem. *de Cor.* p. 234, 24, ἐν τοῖν δυοῖν ὀβολοῖν). The payment of the *theoricon* out of the treasury of the State is attributed to Pericles in Plutarch, *Pericl.* 9, ὑπ' ἐκείνου φασὶ τὸν δῆμον ἐπὶ κληρουχίας καὶ θεωρικὰ καὶ μισθὸν διανομὰς προαχθῆναι, and Ulpian on Dem. *Ol. i in it.* τὰ χρήματα ταῦτα τὰ δημόσια θεωρικὰ ἐποίησεν ἐξ ἀρχῆς ὁ Περικλῆς, ... βουλόμενος ἀρέσαι τῷ δήμῳ καὶ τοῖς πένησιν. Cf. Gilbert, *i* 383<sup>2</sup>, and Busolt in Müller's *Handbuch*, 171<sup>2</sup>.

It cannot refer to the μισθὸς δικαστικὸς, for it was long before the time of Cleophon that Cleon (about 428 B.C.) raised the dicast's fee to three obols: Schol. on Ar. *Plut.* 330; *Vesp.* 80, 300; *Eq.* 51, 255 (425 B.C.); *Vesp.* 607, 682, 688, 797, 1116 (423 B.C.); *Aves* 1540 (415 B.C.). Boeckh, II xv p. 326 Lamb. Probably it was originally one obol and never two. Again, it cannot be the μισθὸς ἐκκλησιαστικὸς as this was introduced by Agyrrhius at the rate of one obol, increased by Heracleides to two obols, and again by Agyrrhius to three (c. 41 end).

καὶ χρόνον μὲν—τῶν μὴ καλῶς ἐχόντων (l. 25)] a digression from the general subject of the chapter (Kaibel, 19).

διεδίδοδο] '(the fee) continued to be paid.' κατέλυσε] either (1) 'overthrew him,' 'ousted him' (K.), 'outbid him' (Reinach); or (2) 'abolished it' (Kaibel and Kiessling, Poland and Hausoullier). (2) is probably right; but we should have expected some notice of the subsequent restoration of the *theoricon*. This omission may, however, be only accidental. Philochorus, ap. Harp. *s.v.* θεωρικόν, says that it was restored by Agyrrhius; but this is doubtful. Agyrrhius

was certainly concerned with the μισθὸς ἐκκλησιαστικὸς (c. 42 end).

Καλλικράτης] In Zenobius vi 29, and elsewhere (Boeckh, II xv p. 327 Lamb), we read of a proverbial phrase ὑπὲρ τὰ Καλλικράτους applied to excessive wealth by the inhabitants of Carystus in Euboea. This explanation of the proverb is quoted from Clearchus. Then follows an inaccurate reminiscence of the present passage in the following form: 'Ἀριστοτέλης δὲ φησιν ἐν τῇ Ἀθηναίων πολιτείᾳ Καλλικράτην τινα πρῶτον τῶν δικαστῶν τοὺς μισθοὺς εἰς ὑπερβολὴν αὐξήσας, ὅθεν καὶ τὴν παροιμίαν εἰρήσθαι. Possibly the last clause, ὅθεν—εἰρήσθαι, has got displaced and should be placed at the end of the previous sentence, immediately after the mention of the proverb. The first part of the explanation will then run as follows: φησὶ Κλέαρχος ὅτι Καλλικράτης τις ἐγένετο ἐν Καρύστῳ πλουσιώτατος· εἰ ποτε οὖν ἐθαύμαζόν τινα οἱ Καρύστιοι ἐπὶ πλοῦτος, ὑπερβολικῶς ἔλεγον, ὑπὲρ τὰ Καλλικράτους· ὅθεν καὶ τὴν παροιμίαν εἰρήσθαι. In any case it is not absolutely necessary to suppose that the proverb was ever quoted in this treatise. Zenobius misunderstood the passage as referring to the pay of the dicasts, which had been increased to 3 obols in 425/4 B.C., whereas Cleophon, and a *fortiori* Callicrates, belong to a much later date.

ὑποσχόμενος—ἄλλον ὀβολόν] If the grant of the fee of two obols a head out of the theoretic fund was sufficient to enable all the poorer citizens to attend the theatre, it is not easy to see what object there was in increasing it. But the *theoricon* was not confined to the *Dionysia*, it was also paid at the Panathenaea and at all the great festivals (Boeckh, II xiii p. 305 Lamb). Harpocr. *s.v.* θεωρικὰ χρήματα... ἄλλοτε μέντοι ἄλλως ὤρισθη τὸ διδόμενον εἰς τε τὰς θεάς καὶ εἰς τὰς θυσίας καὶ εορτάς, ὡς ἔστι δῆλον ἐκ τοῦ α' Φιλιππικῶν Δημοσθένους (i.e. *Ol. i*).



ὑστερον· εἶωθεν γάρ, κὰν ἐξαπατηθῆ τὸ πλῆθος, ὑστερον μισεῖν  
 4 τούς τι προαγαγόντας ποιεῖν αὐτοὺς τῶν μὴ καλῶς ἐχόντων. ἀπὸ 25  
 δὲ Κλεοφῶντος ἤδη διεδέχοντο συνεχῶς τὴν δημαγωγίαν οἱ  
 μάλιστα βουλόμενοι θρασύνεσθαι καὶ χαρίζεσθαι τοῖς πολλοῖς,  
 5 πρὸς τὰ παραντικά βλέποντες. δοκοῦσι δὲ βέλτιστοι γεγονέαι  
 τῶν Ἀθήνησι πολιτευσαμένων μετὰ τοὺς ἀρχαίους Νικίας καὶ  
 Θουκυδίδης καὶ Θηραμένης. καὶ περὶ μὲν Νικίου καὶ Θουκυδίδου 30  
 πάντες σχεδὸν ὁμολογοῦσιν ἄνδρας γεγονέαι οὐ μόνον καλοὺς

24 εἶωθε H-L. ΚΑΝ: ἐὰν H-L. 28 τὰ κ, κ-w; τὸ Kontos, Gennadios (H-L, B, Th) 'lectio non omnino certa; sed videtur a esse,' K<sup>4</sup>. ΔΕ ex ΔΕΟΙ correctum. 29 ΔΘΗΝΗΣΙ, in titulis semel tantum apparet anno 302 A.C. (Meisterhans, p. 146<sup>3</sup>).

28—30 \*Plut. Nic. 2 (infra exscriptum).

θάνατον] We know nothing of the death of Callicrates. That of Cleophon is well attested. In 404 B.C., not long before the establishment of the Thirty, he was condemned and put to death on the plea of having neglected his military duty; Lys. 13 § 12, πρὸφασιν μὲν ὅτι οὐκ ἦλθεν εἰς τὰ ὄπλα ἀναπανσόμενος, τὸ δ' ἀληθὲς ὅτι ἀντίειπεν ὑπὲρ ὑμῶν μὴ καθαιρεῖν τὰ τείχη. The Council, whose temper and proceedings he had denounced, illegally constituted itself part of the tribunal that tried him (*ib.* 30 §§ 10—14). According to Xenophon, *Hell.* i 7 § 35, Callixenus and others, who had prompted the people to put to death the generals who had neglected their duty at Arginusae, made their escape before they could be put on their trial, στάσεώς τινος γενομένης, ἐν ᾗ Κλεοφῶν ἀπέθανεν (Grote, c. 65, v 552).

μισεῖν] Ar. *Rhet.* ii 4. Similarly in Xen. *Hell.* i 7 § 35 Callixenus, the proposer of the motion against the generals who fought at Arginusae, who is there included among those who τὸν δῆμον ἐξηπάτησαν, returned on the restoration of the democracy, and μισοῦμενος ὑπὸ πάντων λιμῶ ἀπέθανεν.

Mr W. L. Newman suspects a tacit reference to the death of Socrates, cf. Diod. xiv 37, and Diog. Laërt. ii 43.

τούς τι—ποιεῖν] τι would naturally have followed ποιεῖν, and perhaps owes its present position to the desire to avoid hiatus (Kaibel, 14).

§ 4: ἀπὸ δὲ Κλεοφῶντος κτλ.] Isocr. *Panath.* 132 sq.

διεδέχοντο...τὴν δημαγωγίαν] Schol. Arist. *Rax* 681, οὗτος (Ἵπέρβολος) μετὰ τὴν τοῦ Κλέωνος δυναστείαν διεδέξατο τὴν δημαγωγίαν (Wyse).

οἱ μάλιστα βουλόμενοι θρασύνεσθαι]

'who, above all, are ready to speak boldly.' Cf. Wilamowitz, i 125 n.

πρὸς τὰ παραντικά] The article is found in the singular in ἐν τῷ παραντικά, as in ἐκ τοῦ παραχρήμα, where we may supply one of the cases of χρόνος. We also find ἐς τὸ παραντικά, but this does not prevent the use of the plural in the present passage, which may be explained as referring to the several occasions of θρασύνεσθαι and χαρίζεσθαι (Kaibel, 185). παραντικά has hitherto been found only in spurious writings of Ar., esp. in the *De Plantis* and in the *Rhet. ad Alexandrum* (Eucken, *Sprachgebrauch des Ar., Prae-positionen*, p. 62, quoted in *Class. Rev.* v 160 a). It occurs (without the article) in Thuc. viii 48, 3 and iv 76, 5.

§ 5. δοκοῦσι—βέλτιστοι γεγονέαι τῶν...πολιτευσαμένων] This is somewhat carelessly paraphrased in Plut. *Nic.* 2, ἐνεστὶν οὖν περὶ Νικίου πρῶτον εἰπεῖν ὃ γέγραφεν Ἀριστοτέλης, ὅτι τρεῖς ἐγένοντο βέλτιστοι τῶν πολιτῶν καὶ πατρικὴν ἔχοντες εὐνοίαν καὶ φιλίαν πρὸς τὸν δῆμον, Νικίας ὁ Νικηράτων καὶ Θουκυδίδης ὁ Μελησίου καὶ Θηραμένης ὁ Ἀγωνος. The text describes the three as *reputed* to be the best politicians: Plutarch describes them as actually being the best citizens. The text describes Nicias and Thucydides as ruling the State in a paternal spirit; Plutarch ascribes to them a hereditary affection for it. βέλτιστοι here has a political sense; cf. οἱ ἐπιεικεῖς in § 1, and καλοὺς κάγαθούς in § 5; and see Holm, *Gr. Gesch.* ii 583.

Θουκυδίδης] Plut. *Per.* 11, (in opposition to Pericles, the aristocrats set up) Θουκυδίδην τὸν Ἀλωπεκῆθεν, ἄνδρα σώφρονα καὶ κηδεστήν Κίμωνος. Cf. Wilamowitz, i 126 n.

καγαθούς ἀλλὰ καὶ πολιτικούς καὶ τῇ πόλει πάσῃ πατρικῶς χρω-  
 μένους, περὶ δὲ Θηραμένους διὰ τὸ συμβῆναι κατ' αὐτὸν ταρα-  
 χῶδεις τὰς πολιτείας ἀμφισβήτησις τῆς κρίσεώς ἐστι. δοκεῖ  
 35 μέντοι τοῖς μὴ παρέργως ἀποφαινομένοις, οὐχ ὥσπερ αὐτὸν δια-  
 βάλλουσι πάσας τὰς πολιτείας καταλύειν, ἀλλὰ πάσας προάγειν  
 ἕως μηδὲν παρανομοῖεν, ὡς δυνάμενος πολιτεύεσθαι κατὰ πάσας,  
 ὅπερ ἐστὶν ἀγαθοῦ πολίτου ἔργον, παρανομοῦσαις δὲ οὐ συγχωρῶν  
 ἀλλ' ἀπεχθανόμενος.

29. ἕως μὲν οὖν ἰσόρροπα τὰ πράγματα κατὰ τὸν πόλεμον  
 ἦν, διεφύλαττον τὴν δημοκρατίαν. ἐπεὶ δὲ μετὰ τὴν ἐν Σικελίᾳ

ΚΑΛΩΣ

32 ΠΑΤΡΙΚΩΣ.

34 τὰς πολιτείας B, κ-W<sup>3</sup>, K<sup>2</sup>, Th; <εἶναι> τὰς πολιτείας  
 κ-W<sup>1,2</sup>, S<sup>1</sup>, sed cf. Kaibel 189: τὰς πολιτείας <εἶναι> Richards (H-L). 'an ἐδόκει?'  
 Th. 35 Μ(ΕΝ)ΤΟΙΣΜΗ: μέντοι τοῖς μὴ K<sup>1</sup> (H-L, B<sup>2,3</sup>); μέντοι μὴ κ-W, Kaibel 186;  
 δὲ τοῖς μὴ B<sup>1</sup>, Th; μὴν τοῖς μὴ B<sup>4</sup>. <τινες> διαβ. Kontos. 38 ἔργον ἀγαθοῦ  
 πολίτου hiatus vitato B<sup>2</sup>, qui ἔργον olim secludebat.

XXIX 1 πράγματα secl. H-L.

πατρικῶς] 'paternally'; not, 'they acted  
 in all their public life in a manner worthy  
 of their ancestry' (Kenyon), but 'they  
 ruled the state as a father rules his  
 household' (Poste). *Pol.* viii (v) 11, 1315  
 a 21, (δεῖ) τὰς κολάσεις πατρικῶς φαίνεσθαι  
 ποιούμενον.

Similarly Aristides, ii 161 Dind.  
 (quoted by Mr Wyse, *Class. Rev.* v 275 a),  
 describes Pericles as, in certain respects,  
 ἐν πατρὸς ὧν τάξει τῷ δήμῳ.

Cf. *Pol.* iii 14, 1285 a 19 (βασιλείαι) καὶ  
 κατὰ νόμον καὶ πατρικαί. i 2, 1253 b 10  
 and 12, 1259 a 38, (οικονομία) πατρική.

δοκεῖ μέντοι—ἀπεχθανόμενος] This  
 eulogy of Theramenes is all the more  
 welcome as the traditional opinion res-  
 pecting him is unfavourable. 'It is  
 certain that Theramenes, from the very  
 beginning, desired to organise a polity,  
 with democracy and oligarchy duly  
 mixed; his acquiescence in a temporary  
 oligarchy was a mere matter of necessity;  
 and the nickname of *Cothurnus*—the  
 loose buskin that fits either foot—given  
 to him by the oligarchs was not deserved'  
 (Bury's *History of Greece*, 1900, p. 496).  
 He is one of those who have been  
 suggested as the politician referred to in  
*Pol.* vi (iv) 11, 1296 a 38, εἰς γὰρ ἀνὴρ  
 συνεπέισθη μόνος τῶν πρότερον ἐφ' ἡγεμονία  
 γενομένων ταύτην ἀποδοῦναι τὴν τάξιν (sc.  
 τὴν μέσῃν πολιτείαν). See Newman's  
*Politics*, i p. 470. But it seems more  
 probable that Solon is meant (cf. Susemihl<sup>2</sup>  
 note 1303). Solon and Theramenes are

the only politicians specially eulogised in  
 the present treatise.

μὴ παρέργως] *Pol.* (vii) 11, 1330 b 11,  
 ἐπιμελείαν τιος ἔχειν μὴ παρέργως. ἀπο-  
 φαινομένοις] *Pol.* i ad fin. πρῶτον ἐπι-  
 σκεψώμεθα περὶ τῶν ἀποφνημαμένων περὶ  
 τῆς ἀρίστης πολιτείας. vi (iv) 1, 1288 b  
 35, οἱ πλείστοι τῶν ἀποφαινομένων περὶ  
 πολιτείας. (vii) 14, 1333 b 12, ἀπεφῆναντο  
 τὴν αὐτὴν δόξαν. *Rhet.* ii 21, 1395 a 7,  
 βραδῶς ἀποφαίνονται.

διαβάλλουσι] Critias is one of those  
 referred to, *Xen. Hell.* ii 3, 30. Cf. *Lys.*  
 12 § 78 (Newman).

παρανομοῦσαις οὐ συγχωρῶν] See  
 Meineke's notes in *Frag. Com. Gr.* ii  
 867 and 1165, where he quotes Hesych.  
 τῶν τριῶν ἐν: Θηραμένης ἐψηφίσαστο τρεῖς  
 τιμωρίας κατὰ τῶν παράνομον τι δρώντων.  
 The text dwells on the kindly feeling of  
 Theramenes towards the whole city: we  
 may contrast with this *Lys.* 13 § 10  
 (Newman).

XXIX—XXXIII. *The Revolution of  
 the Four Hundred.*

XXIX § 1. ἰσόρροπα] Compare *Eth.*  
 9, 1, 1164 b 4, τιμὴ τε ἰσόρροπος οὐκ ἀν-  
 γένοιτο, *De Part. Anim.* iv 12, 695 a 12,  
 ἰσορρόπου οὗτος τοῦ βάρους. *Thuc.* i 105,  
 6, μάχης γενομένης ἰσορρόπου.

μετὰ τὴν ἐν Σικελίᾳ—συμφορᾶν] *Thuc.*  
 viii 24, 5, μετὰ τὴν Σικελικὴν ξυμφορᾶν  
 (ib. vii 85—87), viii 106, 2, διὰ τὴν ἐν  
 Σικελίᾳ ξυμφορᾶν. *Dem. Lept.* 42, *Isocr.*  
 16 § 15.



γενομένην συμφορὰν ἰσχυρότερα τὰ τῶν Λακεδαιμονίων ἐγένετο διὰ τὴν πρὸς βασιλέα συμμαχίαν, ἠναγκάσθησαν κ[ι]ν[η]σά]ντες τὴν δημοκρατίαν καταστήσαι τὴν ἐπὶ τῶν τετρακοσίων πολιτείαν, 5 εἰπόντος τὸν μὲν πρὸ τοῦ ψηφίσματος λόγον Μηλοβίου, τὴν δὲ γνώμην γράψαντος Πυθόδωρου το[ῦ] Ἀναφλ[υ]σ[τί]ου, μάλιστα δὲ συμπεισθέντων τῶν πολλῶν διὰ τὸ νομίζειν βασιλέα μᾶλλον ἑαυτοῖς συμπολεμήσειν, ἐὰν δι' ὀλίγων ποιήσονται τὴν πολιτείαν. ||

3 Δ(ΙΑ)ΦΟΡΑΝ (Κ<sup>1</sup>, 'discrimen' B<sup>4</sup>): συμφορὰν Richards, κ-w (e Schol. Ar. *Lys.* 421), H-L (K<sup>3</sup>, B<sup>1-3</sup>, Th). ΙΣΧΥΡΟΤΑΤΑ (Κ): ἰσχυρότερα Jos. Mayor, Blass, κ-w, H-L, K<sup>4</sup>, Th. 4 με[ταστῆσα]ντες κ; με[ταβαλό]ντες Hultsch (H-L); κ[ι]ν[η]σά]ντες κ-w et B, qui in papyro recte legunt κε.....ΝΤΕΣ (= κεινήσαντες) K<sup>4</sup>, Th. 6 ΠΡΟ: περὶ Wyse. 7 Ἀναφλυστίου B<sup>2</sup>, probante Wilcken (κ-w<sup>3</sup>, Th, 'cum vestigiis congruit' K<sup>4</sup>); [Ἐπι]ζήλου κ-w<sup>1.2</sup> (B<sup>1</sup>, S<sup>1</sup>), coll. *Ath. Mit.* xiv 398; [Πολυζή]λου Poland coll. Diog. Laërt. ix 8, 5 Πυθόδωρος Πολυζήλου, εἰς τῶν τετρακοσίων (H-L, K<sup>3</sup>). 8 μᾶλλον Jos. Mayor (κ-w, K<sup>3</sup>, B, Th) quod confirmat Thuc. viii 48, 1; θάπτον H-L; μέλλειν Marchant; [ἄσμενον] κ<sup>1</sup>. 9 αὐτοῖς B<sup>4</sup>.

TESTIMONIA. XXIX 3 v. notam proximam.

**Βασιλέα]** After the Persian wars βασιλεύς, without the article, is the ordinary designation of the king of Persia (e.g. Hdt. vii 174, Thuc. viii 36). ὁ βασιλεύς is found in this sense in Hdt. i 132, 137 (L and S).

**συμμαχίαν]** in allusion to the successive treaties with Tissaphernes on behalf of Persia. For the first of these, see Thuc. viii 18: for the second, *ib.* 37; for the third, *ib.* 58 (Grote c. 62, v pp. 330, 346, 373). See also Andoc. 2 § 11—17.

**τὴν ἐπὶ τῶν τετρακοσίων πολιτείαν]** Thuc. viii 54—97, esp. 67.

**πρὸ]** either 'in favour of' (Reinach), like ὑπέρ; or, more probably, 'previous to' (Kenyon, Kaibel 186). Poste vaguely renders: 'the orator who prepared the public mind for the change.' The resolution was moved by Pythodorus; thereupon a speech was made by Melobius, immediately before the formal decree was put to the vote. Cf. Kaibel, 186.

**Μηλοβίου]** almost certainly identical with the Melobius who was afterwards one of the Thirty and who joined in the attack on Lysias and his brother Polemarchus, Lysias 12 §§ 12, 19.

**Πυθόδωρου]** Pythodorus is the name of the archon in whose year of office the Peloponnesian war began (Thuc. ii 2, 1). It is also the name of a στρατηγός (a son of Isolochus) in B.C. 426/5 etc., Thuc. iii 115, 1, 3; iv 2, 1, and 65, 3, who is described in Plat. *Parm.* 126—130 as entertaining Parmenides and Zeno (*Alc.* i 119 A): this Pythodorus had among his friends one Aristoteles τὸν τῶν τριάκοντα γενόμενον (*Parm.* 127 D): it was hence

inferred by Bergk (*Comment. de rel. Com. ant.*, p. 100) that he was identical with the archon of B.C. 404—3. The name of Pythodorus was also borne by a representative of Athens in the treaty of B.C. 421 (Thuc. v 19 and 24). Α Πυθόδωρος Ἀλαιεὺς was first ταμίης τῆς θεοῦ in B.C. 418/7 (CIA i 157). The date of the Pythodorus of Thuc. vi 105 (B.C. 414/3) makes it likely that he was identical with the Pythodorus who is mentioned in the text. This Pythodorus, the archon of B.C. 404/3, is identified as the prosecutor of Protagoras, Πυθόδωρος Πολυζήλος, εἰς τῶν τετρακοσίων (Diog. Laërt. ix 8, 54). But the name of his father was not Πολύζηλος but Ἐπίζηλος. In an inscription ascribed to the early part of the fourth century Πυθόδωρος Ἐπίζηλου ἐχορήγει (CIA ii 1250); and a pre-Euclidean inscr. at Eleusis bears the name of a ἵππαρχος who was son of Ἐπίζηλος. The confusion between Ἐπίζηλος and Πολύζηλος is paralleled by the corruption of the Ἐπίζηλος of Hdt. vi i 17 into the Πολύζηλος of Diog. Laërt. i 2, 56 and elsewhere. Cf. *Athen. Mittheil.* xiv 398.

But the son of Ἐπίζηλος belonged to the tribe *Aegeis*, whereas Anaphlystus, the deme of the Pythodorus in the text, belonged to the tribe *Antiochis*. Probably the deme is added on purpose to distinguish him from the other Pythodorus, who also belonged to the Four Hundred (Kaibel, 186).

**συμπεισθέντων—πολιτείαν]** In Thuc. viii 48, 1, Alcibiades assures the Athenian officers who had crossed over to the mainland from Samos, *Τισσαφέρην μὲν πρῶτον, ἔπειτα δὲ καὶ βασιλέα φίλον*

10 ἦν δὲ τὸ ψήφισμα τὸ Πυθοδώρου τοιόνδε· τὸν δῆμον ἐλέσθαι 2  
 μετὰ τῶν προυπαρχόντων δέκα προβούλων ἄλλους εἴκοσι ἐκ τῶν  
 ὑπὲρ τετταράκοντα ἔτη γεγονότων, οὔτινες, ὁμόσαντες ἢ μὴν  
 συγγράψειν ἂν ἠγῶνται βέλτιστα εἶναι τῇ πόλει, συγγράψουσι  
 15 γράφειν, ἵν' ἐξ ἀπάντων αἰρῶνται τὸ ἄριστον. Κλειτοφῶν δὲ τὰ 3

10 hinc incipit volumen alterum B. ΤΟΥ Κ, B<sup>1</sup>, K-W<sup>1,2</sup>, S<sup>1</sup>: τὸ B<sup>2-4</sup> coll. c. 40 § 2, K-W<sup>3</sup>, Th. 13 συγγράψουσι: συμπράξουσι Kontos; συμβουλευσουσι Rutherford (H-L).

TEST. 10—14 Schol. Arist. *Lys.* 421: πρόβουλοι δὲ πρὸς τοῖς δέκα (Schoell, τοῖσδε Schol., τοῖς οὖσι Suïd., τοῖς οὖσι δέκα H. Valesius) ἠρέθησαν ἄλλοι κ', εισηγησόμενοι τὰ δοκοῦντα βέλτιστα (om. Puteanus) τῇ πολιτείᾳ (τῇ πόλει Puteanus) μετὰ τὴν ἐν τῇ Σικελίᾳ συμφορὰν (cf. v 3).

ποιήσῃ, εἰ μὴ δημοκρατοῦντο (οὕτω γὰρ ἂν πιστεῦσαι μᾶλλον βασιλείᾳ). *Ib.* 53 § 2, Peisander asks each of his opponents at Athens εἴ τινα ἐλπίδα ἔχει σωτηρίας... εἰ μὴ τις πείσει βασιλέα μεταστῆναι παρὰ σφᾶς. On their replying in the negative, he says plainly (§ 3) that they cannot hope for any deliverance εἰ μὴ πολιτεύσομέν τε σωφρονέστερον καὶ ἐς ὀλίγους μᾶλλον τὰς ἀρχὰς ποιήσομεν, ἵνα πιστεύῃ ἡμῖν βασιλεῦς. *Pol.* viii (v) 4, 1304 b 12, (of the 400) τὸν δῆμον ἐξηπάτησαν φάσκοντες τὸν βασιλέα χρήματα παρέξειν πρὸς τὸν πόλεμον..., ψευστάμενοι δὲ κατέχειν ἐπειρώντο τὴν πολιτείαν.

§ 2. τῶν—δέκα προβούλων] Thuc. viii 1 § 3, (ἐδόκει) ἀρχὴν τινα πρεσβυτέρων ἀνδρῶν ἐλέσθαι, οὔτινες περὶ τῶν παρόντων ὡς ἂν καιρὸς ἢ προβουλεύσουσι. Cf. Grote, c. 61, v 318—9. This passage confirms Grote's observation that this 'Board was doubtless merged in the Oligarchy of Four Hundred.' Thumser, *Staatsalt.* p. 720, note 2; Curtius, ii 690<sup>b</sup> n. 162 (Germ. ed.). Hagnon, the adoptive father of Theramenes, is described as one of the πρόβουλοι in *Lysias* 12 § 65, and as joining Theramenes in favouring the establishment of the 400. It is implied in *Ar. Rhet.* iii 18, 2 that all of the πρόβουλοι lent their countenance to the change in the constitutional government of Athens (Grote c. 62, v 379 n). Cf. *Isocr. Areop.* 58; *Pol.* 1299 b 30—38.

The ten πρόβουλοι of the present passage are identical with the ten συγγραφεῖς of Thuc. viii 67, τὸν δῆμον ξυλλέξαντες εἶπον γνώμην δέκα ἀνδρας ἐλέσθαι συγγραφέας αὐτοκράτορας, τούτους δὲ συγγράψαντας γνώμην ἐσενεγκεῖν ἐς τὸν δῆμον ἐς ἡμέραν ῥητὴν καθ' ὃ τι ἄριστα ἢ πόλις οἰκῆσεται.

In Bekker's *Anecd.* p. 301, 13, no number is given, but Harpocration, *s.v.* συγγραφεῖς, describes that body as num-

bering 30, and Suïdas, *s.v.* πρόβουλοι, speaks of 20 being elected in addition to the 10 πρόβουλοι to form a body of 30 συγγραφεῖς. Hence in the above passage of Thuc. it has been suggested by C. F. Hermann, *Staatsalt.* 165, 11, to alter δέκα into τριάκοντα. The historian's account is correct so far as it goes, but is less minute than that in the text, which has been followed by Harpocration and Suïdas.

Cf. Schol. ὀν Aristoph. *Lysistr.* 421, πρόβουλοι δὲ πρὸς τοῖς δέκα (τοῖσδε schol., τοῖς οὖσι Suïdas; correxit Schoell) ἠρέθησαν ἄλλοι κ', εισηγησόμενοι τὰ δοκοῦντα βέλτιστα τῇ πολιτείᾳ μετὰ τὴν ἐν τῇ Σικελίᾳ συμφορὰν.

The account in the text is in accordance with the statement of Androtion (probably written before it) and of Philochorus (certainly written after it), as recorded by Harpocration *s.v.* συγγραφεῖς: ἦσαν δὲ οἱ μὲν πάντες συγγραφεῖς τριάκοντα οἱ τότε ἀρεθέστες, καθά φησιν Ἀνδροτίων τε καὶ Φιλόχορος, ἑκάτερος ἐν τῇ Ἀθθίδι· ὁ δὲ Θεουκυδίδης τῶν ἰ ἐμνημόνευσε μόνων τῶν προβούλων. Cf. (with Wyse) Schol. *Lysistr.* 609, τοῖς κ' τοῖς ἐκ τῆς συναρχίας, and Harpocr. *s.v.* Ἀπόληξίς· εἰς τῶν συγγραφῶν ὄν Πλάτων κωμῶδει ἐν Σοφισταῖς (where Cobet inserts ε' after τῶν, following Thuc. l. c.).

The statement in the text, that the 10 πρόβουλοι were expanded into the 30 συγγραφεῖς, is accepted by Wilamowitz, i 102, and by Rohrmoser, in *Wiener Studien*, xiv 324 f. Cf. Busolt in Müller's *Handbuch*, 173<sup>2</sup> (contrasted with 126<sup>1</sup>).

ἵν'—αἰρῶνται] This final conj. also occurs in c. 31, l. 18, but is only found twice in Attic inscriptions before the third century (Meisterhans, 253<sup>3</sup>).

§ 3. Κλειτοφῶν] mentioned with Theramenes, (1) in 34 § 3 among those who τὴν πάτριον πολιτείαν ἐζήτουν, and



μὲν ἄλλα καθάπερ Πυθόδωρος εἶπεν, προσαναζητῆσαι δὲ τοὺς αἰρεθέντας ἔγραψεν καὶ τοὺς πατρίους νόμους οὓς Κλεισθένης ἔθηκεν ὅτε καθίστη τὴν δημοκρατίαν, ὅπως ἀκούσαντες καὶ τούτων βουλευσῶνται τὸ ἄριστον, ὡς οὐ δημοτικὴν ἀλλὰ παρα-  
4 πλησίαν οὖσαν τὴν Κλεισθένους πολιτείαν τῇ Σόλωνος. οἱ δ' 20  
αἰρεθέντες πρῶτον μὲν ἔγραψαν ἐπάναγκες εἶναι τοὺς πρυτάνεις ἅπαντα τὰ λεγόμενα περὶ τῆς σωτηρίας ἐπιψηφίζειν, ἔπειτα τὰς τῶν παρανόμων γραφὰς καὶ τὰς εἰσαγγελίας καὶ τὰς προσκλήσεις

17 ἔγραψε H-L. 18 ὍΠΩΣ—ΒΟΥΛΕΥΣΩΝΤΑΙ (K): ὅπως—βουλευσονται H-L; ὅπως <ἀν>—βουλευσονται K-W, B, S<sup>1</sup>, Th. Cf. v. 24, c. 30, 20, et Meisterhans, p. 253<sup>3</sup>. 23 ΠΡΟΚΛΗΣΕΙΣ: corr. Wyse, Blass (edd.).

(2) as a 'pupil' of Euripides, in Arist. *Ran.* 967, οὐμοὶ δὲ (μαθηταὶ εἰσιν) Κλειτοφῶν τε καὶ Θηραμένης ὁ κομψός. Identified by Holden (*Onomasticon Arist.*) with Cleitophon, son of Aristonymus, who gives the title to one of Plato's dialogues and is mentioned with Thrasymachus in *Rep.* 328 B (where Stallbaum does not identify them). He is named, with Cleon, as φαῦλος in Plut. *Mor.* 805, but this is probably a mistake for Cleophon.

τὸ μὲν ἄλλα καθάπερ...εἶπεν...δὲ] This is the regular formula for introducing an amendment to a proposed decree. As examples before the archonship of Euclidean we have CIA i (l. 28), 18, 38, 41, 52<sup>5</sup>, 54, 55, 85, 95, 119, 131, 135 (?), 138, 146, 163, 186 (Hartel, *Studien über Attisches Staatsrecht*, p. 221). Swoboda, *Gr. Volksbeschlüsse*, p. 14, shews that amendments are not often found except in Athenian inscriptions. Plato refers to the customary formula in *Gorg.* 451 B, εἶπομεν ἂν ὡςπερ οἱ ἐν τῷ δήμῳ συγγραφόμενοι, ὅτι τὰ μὲν ἄλλα καθάπερ ἡ ἀριθμητικὴ ἢ λογιστικὴ ἔχει.

Κλεισθένης] cc. 21, 22.

ὡς οὐ—Σόλωνος. Isocr., *Areop.* § 16, implies (like Cleitophon) that the constitution of Cleisthenes was identical with, or closely similar to, that of Solon, cf. *Panath.* 232, 306. The text, while correcting the view of Cleitophon, is also a tacit correction of that of Isocr. (*Class. Rev.* v 161 a). For ὡς c. acc. of the participle, cf. c. 7 § 4 ὡς—σημαίνουσιν.

For the view that the constitution of Cleisthenes was not democratic, cf. Plut. *Cim.* 15, τοῦ Κίμωνος...πειρωμένου ἄνω τὰς δίκας ἀνακαλεῖσθαι καὶ τὴν ἐπὶ Κλεισθένους ἐγείρειν ἀριστοκρατίαν.

§ 4. πρῶτον μὲν ἔγραψαν—ζημιῶσαι. We here find stated in full detail what is briefly summarised in Thuc. viii 67, ἐσή-

νεγκαν οἱ ἐξηγητῆς ἄλλο μὲν οὐδέν, αὐτὸ δὲ τοῦτο, ἐξεῖναι μὲν ἀζήμιον εἰπεῖν γνώμων ἦν ἂν τις βούληται ἦν δὲ τις τὸν εἰπόντα ἢ γράψηται παρανόμων ἢ ἄλλω τῷ τρόπῳ βλάβη μεγάλας ζημίας ἐπέθεσαν. ἀζήμιον is a conjecture due to Wilamowitz, in *Hermes*, xii 336 n. 17, accepted by Classen; Ἀθηναίων ἀνειπεῖν or ἀνατρέπεν, MSS; Ἀθηναίους Suidas; Ἀθηναῖω ἀνδρὶ εἰπεῖν Stahl ed. 1874: ἀνατεῖ εἰπεῖν ed. 1883, following Sauppe. The text is in favour of the restoration of Ἀθηναίων or some similar word, instead of accepting the conjecture of Wilamowitz. Ἀθηναίων τοῖς ἐθέλουσιν εἰπεῖν would make good sense, but would involve too great a departure from the MSS. For a comparison between the account in Thucydides and that in the text, cf. Wilamowitz, i 103 f.

τοὺς πρυτάνεις—ἐπιψηφίζειν] c. 43. The members of the tribe presiding for the time being were thus compelled to put every proposition to the vote, undeterred by any risk of penalties falling on the proposer or themselves.

τὰς τῶν παρανόμων γραφὰς] The γραφὴ παρανόμων having become recognised as one of the safeguards of the democratic constitution, it was necessary to repeal it before any revolutionary changes could be introduced. Dem. *Timocr.* 24 § 154, ἀκούω...καταλυθῆναι τὴν δημοκρατίαν, παρανόμων πρῶτον γραφῶν καταλυθεισῶν καὶ τῶν δικαστηρίων ἀκύρων γενομένων. Aeschin. 3 § 121, τηρικαῦτα ὁ δῆμος κατελύθη, ἐπειδὴ τῆς τὰς γραφὰς τῶν παρανόμων ἀνεῖλον (*Att. Process*, p. 428—437 Lipsius; Hager in Smith's *Dict. Ant.* s. v.).

εἰσαγγελλας] various forms of denunciation, applied to three kinds of legal causes: (1) κατὰ καιῶν καὶ ἀγράφων ἀδικημάτων (Caecilias, in *Lex. Rhet. Cant.* p. 667, possibly referring to the times

ἀνεῖλον, ὅπως ἂν οἱ ἐθέλοντες Ἀθηναίων συμβουλευέωσι περὶ τῶν  
 25 προκειμένων· ἂν δέ τις τούτων χάριν ἢ ζημιοῖ ἢ προσκαλήται ἢ  
 εἰσάγη εἰς δικαστήριον, ἔνδειξιν αὐτοῦ εἶναι καὶ ἀπαγωγὴν πρὸς  
 τοὺς στρατηγούς, τοὺς δὲ στρατηγούς παραδοῦναι τοῖς ἔνδεκα  
 θανάτῳ ζημιῶσαι. μετὰ δὲ ταῦτα τὴν πολιτείαν διέταξαν τόνδε 5  
 (τὸν) τρόπον· τὰ μὲν χρήματα (τὰ) προσιόντα μὴ ἐξεῖναι ἄλλοσε  
 30 δαπανῆσαι ἢ εἰς τὸν πόλεμον, τὰς δ' ἀρχὰς ἀμίσθους ἄρχειν  
 ἀπάσας, ἕως ἂν ὁ πόλεμος ᾗ, πλὴν τῶν ἐννέα ἀρχόντων καὶ  
 τῶν πρυτάνεων οἳ ἂν ὦσιν· τούτους δὲ φέρειν τρεῖς ὀβολοὺς

25—26 HEICΔΓΗΗΕΙC: corr. K. 26 εἰς τὸ H-L. 29 <τὸν> cf. c. 7 v. 8.  
 χρήματα del. Richards (H-L), coll. 39, § 2: <τὰ> add. K (K-W, B, Th).

before Euclides, see 8 § 4); (2) wrongs done to orphans, heiresses and widows; (3) complaints against *δαιτηται* (c. 53 § 6). See Hager in *Dict. Ant.* s.v.; *Att. Proc.* 312 f. Lips.

**προσκλήσεις**] *inf.* προσκαλήται. 'Legal forms of summons to the defendant. *Att. Process*, p. 770—2. In the MS *προσκλήσεις* ('challenges') is a mistake for *προσκαλήσεις*. Similarly in Plat. *Leg.* 936 E, and Dem. c. *Aphob.* iii § 20, *προκαλεῖσθαι* has been wrongly suggested instead of *προσ-* (*Att. Process*, p. 884).

**οἱ ἐθέλοντες**] 'Notetur usus verbi ἐθέλειν pro βούλεσθαι, qui per haec decreta (etiam c. 30) obtinet, ad imitationem veteris linguae, qua vel Solo (c. 35 § 2; Dem. 46 § 14) vel Clisthenes usus erat' (Blass).

**τούτων χάριν**] *i.e.* for making any proposal which he thought fit. In prose inscriptions *χάριν* is not found used as a preposition until 50 B.C. (Meisterhans, 222<sup>2</sup>).

**ζημιοῖ...προσκαλήται...εἰσάγη κτλ.**] In all three cases the present here has a *tentative* sense. *ζημιοῖ* implies an attempt to get the speaker fined either by means of a *γραφὴ παρανόμων*, or an *εἰσαγγελία*. **προσκαλήται** refers to the above-mentioned *προσκαλήσεις*. **εἰσάγη κτλ.** to the fact that, under the first of the three varieties of *εἰσαγγελία*, the *βουλή* might hand the defendant over for trial by a court, instead of fining him. Cf. *Att. Proc.* p. 45 Lips.

**δικαστήριον**] articulo 'non opus in sententia condicionali' (Blass).

**ἐνδειξιν...ἀπαγωγὴν**] In neither of these forms of procedure was there any summons: hence they were suited to the present emergency, in which *προσκαλήσεις* had been abolished. *ἀπαγωγή* was a summary process, resorted to in certain cases of theft, but also applicable to mur-

derers and adulterers, and to robbers of temples. *ἐνδειξις* was a charge in writing handed over by the prosecutor to the proper authority, who was bound to arrest or hold to bail the person criminated. It was directed against state-debtors, and others who exercised rights while labouring under a disqualification (*Dict. Ant.* s. v.). The text shews that, under the Four Hundred, these forms of procedure were arbitrarily extended to the case of those who attempted to resort to the ordinary legal remedies at a time when they were in abeyance. Cf. *Att. Proc.* pp. 270—280 Lips.

**πρὸς τοὺς στρατηγούς**] In normal cases of *ἀπαγωγή* the delinquent was immediately brought before the *Eleven*; in those of *ἐνδειξις*, generally before the *Thesmothetae*. The Four Hundred departed from those principles in providing that the offender should appear before the *στρατηγοί*, whose jurisdiction was usually limited to military matters. Such a provision may be illustrated by our modern declaration of martial law in cases of emergency.

§ 5. **τὰ μὲν χρήματα κτλ.**] Thuc. viii 65, 3, *λόγος τε ἐκ τοῦ φανεροῦ προσείργαστο αὐτοῖς ὡς οὔτε μισθοφορητέον εἴη ἄλλους ἢ τοὺς στρατευομένους, οὔτε μεθεκτέον τῶν πραγμάτων πλείουσι ἢ πεντακισχιλίοις, καὶ τούτοις οἳ ἂν μάλιστα τοῖς τε χρημασι καὶ τοῖς σώμασιν ὠφελείν οἳ τε ὦσιν*, and 67, 3, *ἐνταῦθα δὴ λαμπρῶς ἐλέγετο ἤδη μῆτε ἀρχὴν ἀρχειν μηδεμίαν ἐτι ἐκ τοῦ αὐτοῦ κόσμου μῆτε μισθοφορεῖν, προέδρους τε ἐλθεῖν πέντε ἀνδρας, τούτους δὲ ἐλέσθαι ἑκατὸν ἀνδρας, καὶ τῶν ἑκατὸν ἕκαστον πρὸς ἑαυτὸν τρεῖς· ἐλθόντας δὲ αὐτοὺς τετρακοσίους ὄντας ἐς τὸ βουλευτήριον ἄρχειν ὅσην ἂν ἀρίστα γιγνώσκωσιν αὐτοκράτορας. καὶ τοὺς πεντακισχιλίους δὲ ξυλλέγειν ὅποταν αὐτοῖς δοκῇ*. Lys. 20 §§ 13, 16; 30 § 8.



ἕκαστον τῆς ἡμέρας. τὴν δ' ἄλλην πολιτείαν ἐπιτρέψαι πᾶσαν Ἀθηναίων τοῖς δυνατωτάτοις καὶ τοῖς σώμασιν καὶ τοῖς χρήμασιν λητουργεῖν μὴ ἔλαττον ἢ πεντακισχιλίους, ἕως ἂν ὁ πόλεμος ᾗ· 35 κυρίου δ' εἶναι τούτους καὶ συνθήκας συντίθεσθαι πρὸς οὓς ἂν ἐθέλωσιν· ἐλέσθαι δ' ἐκ τῆς φυλῆς ἐκάστης δέκα ἄνδρας ὑπὲρ τετταράκοντα ἔτη γεγονότας, οὔτινες καταλέξουσιν τοὺς πεντακισχιλίους ὁμόσαντες καθ' ἱερῶν τελείων.

30. οἱ μὲν οὖν αἰρεθέντες ταῦτα συνέγραψαν. κυρωθέντων δὲ τούτων εἶλοντο σφῶν αὐτῶν οἱ πεντακισχιλίοι τοὺς ἀναγράφοντας

33 ΠΑΣΙΝ (κ<sup>1</sup>): πᾶσαν Jos. Mayor, Newman, K-W, H-L, B, K<sup>4</sup>, Th. 34 σώμασι  
ΩΝ

—χρήμασι H-L, B<sup>4</sup>. 35 ΗΠΕΝΤΑΚΙΣΧΙΛΙΟΙΣ. Corrector aut ἦ non viderat aut delere neglexerat; illud existimat K (ἢ πεντακισχιλίους, H-L, B<sup>1,2</sup>, Th), hoc K-W (πεντακισχιλίων B<sup>3,4</sup>). 37 Δ(Ε)Κ(ΔΙ) Κ, K-W<sup>1,2</sup>: δ' ἐκ (confusis a librario κ et κ') H-L, B, K-W<sup>3</sup>, Th.

τοῖς δυνατωτάτοις κτλ.] The language is almost technical. Cf. (besides Thuc. viii 47, 48, οἱ δυνατώτατοι, 63, δυνάτους and 65, already quoted) Xen. *Hipparch.* I § 9, τοὺς μὲν τοῖνον ἱππέας... καθιστάναι δεῖ κατὰ τὸν νόμον τοὺς δυνατωτάτους καὶ χρήμασι καὶ σώμασιν, and Dion. Hal. *Ant. Rom.* ii 5, χρήμασι δυνάτους. Also CIG 1845, 44 (inscr. from Corcyra), ἐλέσθαι δὲ τῶν βουλῶν τοὺς χειρίζοντας τὸ ἀργύριον ἄνδρας τρεῖς εἰς ἑνιαυτὸν τοὺς δυνατωτάτους χρήμασι (Gilbert, ii 320), and the phrase ἀσθενῆς χρήμασι (Wyse).

σώμασιν... λητουργεῖν] Dem. c. *Mid.* 165, λ. τοῖς σώμασι and [10] § 28, τοῖς σώμασιν καὶ ταῖς οὐσίαις λ.

ἐλέσθαι... τῆς φυλῆς ἐκάστης δέκα κτλ.] These were the καταλογεῖς appointed to enroll the 5000 persons to whom the franchise was conceded by the Four Hundred. One of them was Polystratus who is defended in a speech ascribed to Lysias, *Or.* 20, on the 'charge of seeking to abolish the Democracy.' He claims credit for having placed as many as 9000 on the roll: § 13, ὑμῶν ψηφισαμένων πεντακισχιλίους παραδοῦναι τὰ πράγματα καταλογεὺς ὡς ἑννακισχιλίους κατέλεξεν. He served for eight days only, shortly before the overthrow of the Four Hundred (§ 14), who in the last resort found themselves compelled to take steps towards enrolling the 5000. In § 2 it is said of Polystratus: ἤρεθον ὑπὸ τῶν φυλετῶν. This is explained by the text, in which ten καταλογεῖς are described as elected by each of the tribes. It was supposed by Grote c. 62, v 413, that Polystratus had the sole responsibility of drawing up the list. It is now clear that

he was one of a hundred persons charged with this duty.

The καταλογεῖς are different from the συγγραφεῖς, although in Bekker's *Anecd.* 270 we find: καταλογεῖς: ὁ συγγραφεὺς, ὁ συγγραφόμενος κατ' ὄνομα, τίνα χρῆ τῆς πολιτείας μετέχειν.

ὁμόσαντες καθ' ἱερῶν τελείων] cf. Thuc. v 47, 10, ὁμνόντων δὲ τὸν ἐπιχώριον ὄρκον ἕκαστοι (the Athenians on the one part, and the Argives, Mantineans, Eleans and their allies on the other part) τὸν μέγιστον κατὰ ἱερῶν τελείων. Cf. Andoc. *De Myst.* § 97, and Dem. [59] § 60. Müller, *Handbuch*, v 3, 104. *supra* c. 1.

XXX § 1. κυρωθέντων] Cf. 32 l. 2, ἐπικυρωθέντων. The use of the two words in connexion with ψηφίσματα is discussed by Hartel, *Studien*, p. 207 ff, and Swoboda, *Gr. Volksbeschlüsse*, p. 18 ff. The latter has collected a large number of examples from inscriptions (Wyse).

οἱ πεντακισχιλίοι] Here, and in c. 31 l. 10, and 32 § 1, the existence of the 5000 is assumed; whereas in 32 § 3 we are told that the 5000 λόγῳ μόνον ἤρεθσαν. The latter statement is in accordance with Thuc. viii 92, 11, οἱ τετρακόσιοι... οὐκ ἠθελον τοὺς πεντακισχιλίους οὕτε εἶναι οὕτε μὴ ὄντας δήλους εἶναι. In c. 67 *ad fin.* it had been proposed by Peisander τοὺς πεντακισχιλίους ξυλλέγειν ὁπότεν αὐτοῖς δοκῆ, and this proposal was ratified by the ἐκκλησία in 69 § 1. Mr Kenyon suggests that 'all who could bear arms were provisionally entitled the Five Thousand until a body of that exact number had been drawn up by the board of 100 which was to be appointed for that purpose.' On the fall of the Four

τὴν πολιτείαν ἑκατὸν ἄνδρας. οἱ δ' αἰρεθέντες ἀνέγραψαν καὶ ἐξήνεγκαν τάδε. βουλευεῖν μὲν κατ' ἐνιαυτὸν τοὺς ὑπὲρ τριάκοντα 2  
5 ἔτη γεγονότας ἄνευ μισθοφορᾶς· τούτων δ' εἶναι τοὺς στρατηγούς  
καὶ τοὺς ἐννέα ἄρχοντας καὶ τὸν ἱερομνήμονα καὶ τοὺς ταξιάρχους  
καὶ ἰππάρχους καὶ φυλάρχους καὶ ἄρχοντας εἰς τὰ φρούρια καὶ  
ταμίαι τῶν ἱερῶν χρημάτων τῇ θε[ῶ] καὶ τοῖς ἄλλοις θεοῖς δέκα,

XXX 4 τοὺς: τετρακοσίους Niemeyer, Poland ('non recte,' Blass).

Hundred, the government was transferred to a body called the Five Thousand, consisting of all who could furnish arms (Thuc. viii 97, 1). Like the present, this would really be a body of indefinite number; whereas the body of 5000 contemplated by the oligarchical revolution, though it never came into actual existence, was limited and definite in number. Cf. Thuc. viii 86, 3, and 93, 2.

τοὺς ἀναγράφοντας, and ἀνέγραψαν] Here used in the sense of framing or drafting.

ἑκατὸν ἄνδρας] The text makes the proposal for the establishment of the 400 proceed from the 100 elected by the 5000. Thuc., viii 67, 3, makes the ξυγγραφεῖς propose, in the assembly at Colonus, the election of five, who are to appoint 100, and each of these 100 to coopt three, thus forming the 400. To reconcile these statements we must suppose that the assembly at Colonus was limited to the 5000, and that the latter elected the 100 on the proposal of the five (εἰλοντο—ἑκατὸν ἄνδρας). Thus the 100 elected on the proposal of the five in Thucydides are identical with Aristotle's 100 commissioners, who, however, were not appointed to proceed at once to coopting a sufficient number to make up the Council of 400 (as Thuc. suggests), but to draw up an oligarchical constitution (Rohrmoser, in *Wiener Studien*, xiv 329).

§ 2. τριάκοντα ἔτη] This was the age at which an Athenian citizen became capable of belonging to the Council under the regular constitution, Xen. *Mem.* i 2, 35.

ἄνευ μισθοφορᾶς] characteristic of an oligarchy. On the other hand, it is characteristic of a democracy μισθοφορεῖν μάλιστα μὲν πάντας, ἐκκλησίαν δικαστήρια ἀρχάς, εἰ δὲ μή, τὰς ἀρχάς καὶ τὰ δικαστήρια καὶ (τὴν) βουλὴν καὶ τὰς ἐκκλησίας τὰς κυρίας (Pol. vii (vi) 2, 1317 b 35). Similarly in the case of the law courts, Pol. vi (iv) 8, 1294 a 38; 13, 1297 a 37; 14, 1298 b 18; and of the assembly, 1293 a 5—10. One of the causes that led to

the fall of democracy in Rhodes was the fact that μισθοφορὰν οἱ δημαγωγοὶ ἐπὶ ῥίζον (1304 b 27).

τούτων δ' εἶναι κτλ.] Here follows a list of official members of the new βουλή. They are elected out of the βουλή for the time being. Mr T. Nicklin (*Class. Rev.* v 228 b) suggests that τούτων refers to τοὺς ὑπὲρ τριάκοντα ἔτη γεγονότας, and that these are the body from which the four councils of 400 each and the generals etc. must come; also that the ἐλληνοταμίαι must not at the same time be in the council for the year. This interpretation appears improbable; Mr Kenyon has already pointed out that it involves the insertion of καὶ before τοὺς.

στρατηγούς] c. 61 §§ 1, 2. ἄρχοντας] c. 55. ἱερομνήμονα] a recorder or notary. Pol. vii (vi) 8, 1321 b 34—40, ἑτέρα δ' ἀρχὴ πρὸς ἣν ἀναγράφεσθαι δεῖ τὰ τε ἴδια συμβόλαια καὶ τὰς κρίσεις ἐκ τῶν δικαστηρίων...καλοῦνται δὲ ἱερομνήμονες καὶ ἐπιστάται καὶ μνήμονες κτλ. For ἱερομνήμονες unconnected with Athens, cf. Gilbert, ii 334 n. The same name was given to the envoys of the Amphictyonic Council, *ib.* ii 413.

ταξιάρχους] c. 61 § 3. ἰππάρχους] c. 61 § 4. φυλάρχους] c. 61 § 5.

ἄρχοντας εἰς τὰ φρούρια] = φρουράρχοι, the commanders of Athenian garrisons. c. 24 § 3. Gilbert, *Gr. St.* i 481<sup>2</sup>.

ταμίαι τῶν ἱερῶν χρημάτων τῇ θεῶ καὶ τοῖς ἄλλοις θεοῖς δέκα] At Athens the treasures of the various temples were under the charge of officials called ταμίαι τῶν ἱερῶν χρημάτων (cf. Ar. Pol. vii (vi) 8, 1322 b 25). The most important of these treasures was that of Athene on the Acropolis. The officials in charge of this were called ταμίαι τῆς θεοῦ or τῶν τῆς θεοῦ, ταμίαι τῶν ἱερῶν χρημάτων τῆς Ἀθηναίας, ταμίαι τῶν ἱερῶν χρημάτων τῆς θεοῦ. They are first mentioned in Hdt. viii 51 at the time of the battle of Salamis, ταμίαι τοῦ ἱεροῦ; also in documents relating to the transfer of the treasure from one body of officials to their successors, from the date of the consecration of the Parthenon to 406 B.C.; in public ac-



καὶ ἑλληνοταμίαις καὶ τῶν ἄλλων ὁσίων χρημάτων ἀπάντων  
εἴκοσιν οὐ διαχειριοῦσιν, καὶ ἱεροποιοὺς καὶ ἐπιμελητὰς δέκα 10

**XXX 9** ἑλληνοταμίαις—διαχειριοῦσιν mutila censent K-W, cf. Wil. ii 117. ἑλληνοταμίαις mutat in ταμίαις Richards, omisso (ut videtur) καὶ quod subsequitur; καὶ om. Hude; καὶ ἑλληνοταμίαις et οὐ διαχειριοῦσιν, utpote e v. 13—14 exorta, quondam seclusi; sed cf. Kaibel 187. καὶ (post ἑλλ.) et οὐ διαχειριοῦσιν secludit E S Thompson, sed idem ἑλληνοταμίαις retinet (*Class. Rev.* v 277 a). ἑλλ. καὶ <ταμίαις> Papageorg. ὁσίων fortasse explicat τῶν ἄλλων, Richards, *Cl. Rev.* vii 211. 10 διαχειριοῦσι H-L, B<sup>4</sup>.

counts previous to Euclides; in Dem. *Macart.* p. 1075, 2, and Aeschin. *Timarch.* p. 127 § 110; lastly in inscriptions belonging to B.C. 385, 325 and 300. Similarly, every temple had its special treasurers who, together with its superintendents (ἐπιστάται) and sacrificers (ἱεροποιοί), had the money of the same under their care.

In 435-4 B.C. (CIA i 32) these several treasurers of the temples, with the exception of those of the temple of Athene, were all united into a single board called ταμίαι τῶν θεῶν or τῶν ἄλλων θεῶν. From this date all the sacred moneys were kept in the Acropolis, but the treasures of Athene and those of the other divinities were generally under separate officials. Dem. *Timocr.* p. 743, 1, οἱ ταμίαι ἐφ' ᾧν ὁ Ὀπισθόδομος ἐνεπρήσθη, καὶ οἱ τῶν τῆς θεοῦ καὶ οἱ τῶν ἄλλων θεῶν. Nevertheless we find that both were united for a time as one board of officers, as in the text, and in a decree quoted in Andocides *de Myst.* p. 36, τοὺς ταμίαις τῆς θεοῦ καὶ τῶν ἄλλων θεῶν. In inscriptions ascribed to B.C. 401, 400, 399—397 they are called ταμίαι τῶν ἱερῶν χρημάτων τῆς Ἀθηνᾶς καὶ τῶν ἄλλων θεῶν, and are (as here) in 411 B.C. ten in number. In 385 the treasurers of the goddess again became a separate board of Ten, who were independent of the treasurers of the other deities (see Boeckh II v, 217—220 Lamb, Hermann-Thumser, *Staatsalt.* p. 626 f, and Gilbert, *Gr. St.* i 269<sup>2</sup> f).

The ταμίαι have been mentioned in c. 4 § 2, c. 7 § 3, c. 8 § 1. They are called οἱ ταμίαι τῆς Ἀθηνᾶς in c. 47 § 1, and simply οἱ ταμίαι in c. 60 § 3.

**ἑλληνοταμίαις]** The *Hellenotamiae*, or special board for the management of the tributes, existed from the time of the formation of the confederacy of Delos and lasted to the end of the Peloponnesian war. They are frequently mentioned in inscriptions down to the time of the anarchy. On the restoration of the democracy, the office was not revived, as the ἡγεμονία of Athens, and the duty of paying tribute on the part of her allies, had come to an end.

In 410/9 we know of eleven Hellenotamiae, three of them from one tribe alone, and two others from another tribe. Two of the tribe Acamantis were Hellenotamiae in the same prytaneia, and the two of the tribe Aeantis were similarly holding office at the same time. Boeckh supposes that in their appointment no regard was paid to the tribes (II vii p. 243 Lamb). Cf. Gilbert, *Gr. St.* i 271<sup>2</sup>.

**τῶν ἄλλων ὁσίων χρημάτων]** ταμίαις, understood from ἑλληνοταμίαις, equivalent to καὶ τῶν Ἑλληνικῶν ταμίαις καὶ τῶν ἄλλων χρημάτων. Had ταμίαις been repeated the number 20 would have referred to these alone, whereas it really refers to the joint-board of the ἑλληνοταμίαις and the other treasurers. That portion of the treasures on the Acropolis which, in contrast to the ἱερὰ χρήματα, was known as δσια χρήματα, was (according to Suidas s. v. ταμίαι, art. 1) entrusted to 'the treasurers chosen by lot who had the care of the statue of Athene.' Thus the public money was ordinarily kept by the ταμίαι τῆς θεοῦ, who were often called ταμίαι alone (Boeckh l. c. p. 221-2). In the text, with a view to multiplying the official members of the 400, a separate board of 20 is mentioned.

Mr Kenyon infers from the present passage that separate ταμίαι τῶν ὁσίων χρημάτων formed part of the ordinary Athenian constitution; in the absence of evidence it is perhaps better to regard them as a special body created by the oligarchical revolution.

**οὐ διαχειριοῦσιν]** used absolutely as in CIA i 32, οἱ νῦν διαχειρίζουσιν.

**ἱεροποιοῦς]** c. 64 § 6. Gilbert, *Gr. St.* i 292<sup>2</sup>. *Pol.* vii (vi) 8, 1322 b 22—25, συμβάλειν τὴν ἐπιμελείαν ταύτην (τὴν περὶ τοῦ θεοῦ) ἐναχοῦ μὲν εἶναι μίαν...ἐναχοῦ δὲ πολλὰς καὶ κεχωρισμένας τῆς ἱεροσύνης, οἷον ἱεροποιοὺς καὶ ναοφύλακας καὶ ταμίαις τῶν ἱερῶν χρημάτων.

**ἐπιμελητὰς]** *Pol.* vii (vi) 8, 1322 b 19, ἄλλο δ' εἶδος ἐπιμελείας ἢ περὶ τοῦ θεοῦ, οἷον ἱερεῖς τε καὶ ἐπιμεληταὶ τῶν περὶ τὰ ἱερὰ τοῦ σώζεσθαι τε τὰ ὑπάρχοντα καὶ νορβοῦσθαι τὰ πίπτοντα τῶν οἰκοδομη-

ἐκατέρους· αἰρεῖσθαι δὲ πάντας τούτους ἐκ προκρίτων, ἐκ τῶν αἰεὶ βουλευόντων πλείους προκρίνοντας, τὰς δ' ἄλλας ἀρχὰς ἀπάσας κληρωτὰς εἶναι καὶ μὴ ἐκ τῆς βουλῆς· τοὺς δὲ ἑλληνοταμίας οἱ ἂν διαχειρίζωσι τὰ χρήματα μὴ συμβουλευεῖν. βουλὰς δὲ ποιῆσαι 3  
15 τέτταρας ἐκ τῆς ἡλικίας τῆς εἰρημένης εἰς τὸν λοιπὸν χρόνον, καὶ τούτων τὸ λαχὸν μέρος βουλευεῖν, νεῖμαι δὲ καὶ τοὺς ἄλλους πρὸς τὴν λῆξιν ἐκάστην· τοὺς δ' ἑκατὸν ἄνδρας διανεῖμαι σφᾶς τε

13 ΟΙΕΑΝ: ὅταν Hude; <καὶ> οἱ ἂν? Th.

16 ΛΟΥΛΕΥΕΙΝ.

TESTIMONIA. 13—14 \*Harp. ἑλληνοταμίαι:...ὅτι ἀρχή τις ἦν οἱ ἑλληνοταμίαι, οἱ διεχείριζον τὰ χρήματα, καὶ Ἄρ. δηλοῖ ἐν τῇ Ἄθ. πολ.

μάτων καὶ τῶν ἄλλων ὅσα τέτακται πρὸς τοὺς θεοὺς. The *ιεροποιοί*, the *ναοφύλακες* and the *ταμίαι τῶν ἱερῶν χρημάτων* are in *Pol. l. c.* separate officials entrusted with this ἐπιμέλεια. The term ἐπιμελητής is vague, but the context implies that the official here meant was connected with matters of public ritual.

αἰρεῖσθαι—ἐκ προκρίτων] ‘and that they (the Council, c. 31, 15) should appoint all these officials out of a number of selected candidates, choosing a larger number (than those actually required) out of the members of the Council for the time being.’ All the officials enumerated were to be members of the Council of 400, and the Council itself was (1) to nominate candidates out of its own body to succeed these officials and (2) to choose such successors out of the number so nominated.

ἑλληνοταμίας] it is probably this passage, and not the passage a few lines earlier, that is the source of Harpocration’s notice *s. v.* Mr Kenyon leaves both passages as they stand in the MS; he points out the inconsistency between them in his commentary and endeavours to remove it in the notes to his Translation:—‘If this is not to be taken as directly contradicting the statement made just above, it must be supposed that the actual handling of the money was confined to a few of the Hellenotamiae (probably in rotation), the duties of the rest being to advise and superintend.’

οἱ ἂν διαχειρίζωσι τὰ χρήματα] ‘who-soever are actually managing the finances.’ Possibly the ἑλληνοταμίαι held office by rotation, and ceased to belong to the Council while they were actually engaged in their official duties. Cf. Wilamowitz, ii 117 n. 12.

§ 3. βουλὰς—τέτταρας] *i.e.* four Councils of 400 each, each of the four holding office for one year (*εἰς ἐνιαυτὸν ἑμψ.*). The order in which they were to hold office was to be decided by lot (cf.

τὸ λαχὸν μέρος). The one hundred who had drawn up the constitution were to distribute themselves and ‘the rest,’ *i.e.* the rest of the 5000 above the age of thirty, into four divisions of 400 each. At the end of c. 31 provision is made for the future ‘in order that the 400 may be distributed over the four divisions (*εἰς τὰς τέτταρας λήξεις*),’ one hundred being assigned by lot to each of the four divisions of 400.

The total number of the officials above enumerated is as follows, if we assume that the numbers were in every case the same as usual :

στρατηγοί (10), ἄρχοντες (9), ἱερομνήμων (1), ταξίαρχοι (10), ἑππαρχοί (2; 1 in 31, 14), φύλαρχοι (10), ἄρχοντες εἰς τὰ φρούρια (?), ταμίαι τῶν ἱερῶν χρημάτων (10), ἑλληνοταμίαι καὶ ταμίαι τῶν ὁσίων χρ. (20), ἱεροποιοί (10), ἐπιμεληταί (10), making 92 out of a total of perhaps 100.

The ἄρχοντες εἰς τὰ φρούρια were possibly eight in number, in which case they may have represented the 8 tribes not represented by the 2 ἑππαρχοί. Thus  $\eta$  may have dropped out after φρούρια (l. 7). But it is more probable that there was only one ἑππαρχος under this constitution and therefore 9 ἄρχοντες εἰς τὰ φρούρια, in which case  $\theta$  may be the missing number. This is confirmed by the fact that the number of Attic φρούρια known to us is exactly nine, Eleusis, Anaphlystus, Sunium, Thoricus, Panactum, Oenoe, Phyle, Aphidna and Rhamnus (Boeckh, II x; the evidence for the last two belongs to the times of Philip).

εἰς τὸν λοιπὸν χρόνον) = εἰς τὸν μέλλοντα χρόνον c. 31 § 1.

διανεῖμαι...τέτταρα μέρη] c. 21 § 4, διένειμε...τριᾶκοντα μέρη. In *Plat. Leg.* 756 B, E, we find a βουλὴ of 360 members, 90 from each of the four *τιμήματα*; the 360 are divided afresh into four parts, each holding office for one year.

τοὺς ἄλλους] probably, not the 300



αὐτοὺς καὶ τοὺς ἄλλους τέτταρα μέρη ὡς ἰσαίτατα καὶ διακληρῶσαι,  
 4 καὶ εἰς ἐνιαυτὸν βουλευεῖν. (βουλευέσθαι) δὲ ἢ ἂν δοκῇ αὐτοῖς  
 ἄριστα ἔξειν περί τε τῶν χρημάτων, ὅπως ἂν σῶα ἢ καὶ εἰς τὸ δέον 20  
 ἀναλίσκῃται, καὶ περί τῶν ἄλλων ὡς ἂν δύνωνται ἄριστα· ἐὰν (δέ)  
 τι θέλωσιν βουλευέσθαι μετὰ πλειόνων, ἐπεισκαλεῖν ἕκαστον  
 ἐπίσκλητον ὃν ἂν ἐθέλῃ τῶν ἐκ τῆς αὐτῆς ἡλικίας· τὰς δ' ἔδρας  
 ποιεῖν τῆς βουλῆς κατὰ πενθήμερον, ἐὰν μὴ δέωνται πλειόνων.  
 κληροῦν δὲ τὴν βουλήν τοὺς ἐννέα ἄρχοντας, τὰς δὲ χειροτονίας 25

19 βουλευεῖν. <βουλευεῖν> δὲ κ<sup>1</sup>; βουλευεῖν <τοὺς λαχόντας· πράττειν> δὲ κ-W; βουλευέσθαι ἢ ἂν δοκῇ κτλ. Richards (H-L, Th). Malui βουλευεῖν. <βουλευέσθαι> δὲ scribere (κ<sup>4</sup>). βουλευεῖν <τοὺς λαχόντας· βουλευέσθαι> δὲ β<sup>1-3</sup>; βουλευεῖν <τὸ λαχόν ἀεὶ· βουλευέσθαι> δ' β<sup>4</sup>. Lacunam olim statuit K. 20 cωα; et σῶας et σῶς in titulis Atticis exstant (Meisterhans, pp. 66<sup>3</sup>, 149<sup>3</sup>): σῶα κ-W, κ<sup>4</sup>. 21—22 ΕΑΝΤΙ: κᾶν τι κ; <καὶ> ἐάν τι β<sup>4</sup>; ἐὰν <δέ> τι Jos. Mayor, κ-W, H-L, β<sup>1-3</sup>, Th.

·κ.

22 ΘΕΛΩΣΙΝ: ἐθέλωσι H-L. 23 ΕΠΕΙΣΕΚΛΗΤΟΝ corr. K. 24 τὴν βουλήν Kontos. ΠΕΝΘΗΜΗΜΕΡΟΝ corr. K. ΕΑΝ: ἂν β<sup>4</sup>. πλεόνων β<sup>4</sup>. 25 'ἀπ πληροῦν?' κ-W<sup>2</sup> et Weil, in textu κ-W<sup>3</sup>, Th. τὴν βουλήν: ἐκ τῆς βουλῆς β<sup>4</sup>, coll. vv. 26, 28.

TESTIMONIA. 23—24 Hesych. ἔδραι βουλῆς: αἱ ἐγένοντο κατὰ πενταήμερον.

co-opted by the 100 (Thuc. viii 67, 3), but the rest of the 5000.

ὡς ἰσαίτατα] Plat. *Leg.* 744 C. διακληρῶσαι, to 'assign them by lot,' Thuc. viii 30, 1, διακληρωσάμενοι, 'having drawn lots,' vi 42, τρία μέρη νεύματες ἐν ἐκάστῳ ἐκλήρωσαν. Cf. Rohrmoser in *Wiener Studien*, xiv 330—2.

§ 4. σῶα] The evidence of inscriptions shews that σῶας and σῶς were alike in use (Meisterhans, *Gr.* p. 149 ed. 1900). Cf. *Dem. Lept.* § 142 note. The codex Σ of *Dem.* has nom. masc. σῶς in *Mid.* 126, *Aristocr.* 131; neut. σῶν *Lept.* 142; acc. pl. σῶς in *Pac.* 17, *Chers.* 15; gen. sing. σῶας *F.L.* 78; pl. σῶοι in *F.L.* 57, 153, 326; acc. sing. σῶων *Mid.* 177; pl. nom. σῶοιοι *Cor.* 49, *Phil.* iii 70, *Timocr.* 106 (Voemel, *Proleg. Gramm. in Dem. Cont.* § 33).

εἰς τὸ δέον ἀναλίσκῃται] *Aristoph. Nuθ.* 859, εἰς τὸ δέον ἀπώλεσα, *Dem. Ol.* 3, 28, ἀηλῶκαμεν εἰς οὐδὲν δέον, *Plut. Per.* 23.

ἐπεισκαλεῖν (to co-opt) and ἐπίσκλητον are only found in this passage.

ἔδρας] c. 4 § 3. It is the technical term. CIA i 31, 7; 59, 41; ii 800 ὁ 15 cet. (Mayor).

κατὰ πενθήμερον] not 'for five days at a time'; but 'once every five days'; cf. κατ' ἐνιαυτὸν ('year by year), κατὰ μήνα, κατ' ἡμέραν ('daily,' Thuc. vii 8 § 1 and 50 § 3). Mr Poste extracts both senses out of the passage: 'the sessions of the council shall be for five days at a time with intervals of five days.' Under the

democracy the βουλή met daily except on public holidays (43 § 3).

πλειόνων, sc. ἐδρῶν.

κληροῦν . . τὴν βουλήν τοὺς ἐννέα ἄρχοντας] This means either that (1) the Council is to appoint the archons by lot, or (2) the archons are to superintend the sortition of the Council. (1) is followed by Kaibel and Kiessling, and also by Poland; (2) by Mr Poste and Mr Kenyon. In (1) the order is verb, subject, object, just as in § 5 κληροῦν τοὺς λαχόντας πέντε τοὺς ἐθέλοντας; and this is supported by the context. We are first told how the Council is constituted, and next what it has to do. But this view is open to a fatal objection. The Council cannot appoint the archons by lot, because under the present constitution the archons are chosen out of a select list (§ 2, l. 11). We must therefore suppose that the archons were to superintend the sortition of the Council. Those of the 5000, who were over 30 years of age, have already been divided into four groups, each group holding office in an order determined by lot (§ 3). The archons in each year have to draw lots for determining which group of 400 was to serve on the Council for the year. M. Th. Reinach regards this sentence as an interpolation.

For πληροῦν, 'to call a full meeting (of the Council),' which has been proposed in place of κληροῦν, cf. δικαστήρια πληροῦν in *Dem.* 24 § 92, 21 § 209, and *Iſæus* 6 § 37; also *Arist. Eccl.* 89, πληρουμένης ἐκκλησίας.

κρίνειν πέντε τοὺς λαχόντας ἐκ τῆς βουλῆς, καὶ ἐκ τούτων ἕνα κληροῦσθαι καθ' ἑκάστην (τὴν) ἡμέραν τὸν ἐπιψηφιοῦντα. κλη- 5  
ροῦν δὲ τοὺς λαχόντας πέντε τοὺς ἐθέλοντας προσελθεῖν ἐναντίου  
τῆς βουλῆς, πρῶτον μὲν ἱερῶν, δεύτερον δὲ κήρυξιν, τρίτον πρεσ-  
30 βείαις, τέταρτον τῶν ἄλλων· τὰ δὲ τοῦ πολέμου, ὅταν δέξῃ, ἀκληρωτὶ  
προσαγαγόντας τοὺς στρατηγούς χρηματίζεσθαι. τὸν δὲ μὴ ἰόντα 6  
εἰς τὸ βουλευτήριον τῶν βουλευόντων τὴν ὥραν τὴν προρρηθεῖσαν  
ὀφείλειν δραχμὴν τῆς ἡμέρας ἐκάστης, εἰ μὴ εὐρισκόμενος ἄφεισιν  
τῆς βουλῆς ἀπῆ. ||

31. ταύτην μὲν οὖν εἰς τὸν μέλλοντα χρόνον ἀνέγραψαν τὴν [C  
πολιτείαν, ἐν δὲ τῷ παρόντι καιρῷ τήνδε· βουλευεῖν μὲν τετρα-  
κοσίους κατὰ τὰ πάτρια, τετταράκοντα ἐξ ἐκάστης φυλῆς, ἐκ  
προκρίτων οὓς ἂν ἔλωνται οἱ φυλέται τῶν ὑπὲρ τριάκοντα ἔτη

27 ἐκάστην <τὴν> B (s<sup>1</sup>, Th), probante Kaibelio 189. 29 πρεσβείαι: πρεσβείαις  
Wyse (edd.). 31 χρηματίζεσθαι 'proponere ad agendum,' Th, al.: -ειν κ-w<sup>3</sup>, B<sup>4</sup>.  
33 εαν: ἂν B<sup>4</sup>. ΕΓΡΙΣΚΟΜΕΝΟΣ (κ, κ-w, Wil. ii 118 n. 17, B<sup>4</sup>, Th): εὐρόμενος Tyrrell  
et Richards (H-L, B<sup>1-3</sup>, s<sup>1</sup>).

XXXI 1 hinc incipit scriba alter.

3 ἐκάστης <τῆς> B, s<sup>1</sup>, Th.

χειροτονίας κρίνειν] 'decide divisions taken by show of hands.' The five functionaries act as 'tellers.' One of them is appointed by lot for each of the five days during which the Council sits, 'to put questions to the vote,' i.e. to act as president or chairman.

§ 5. κληροῦν—βουλῆς] These five persons were to determine by lot the order of precedence among those who wished to appear before the Council.

ἱερῶν... κήρυξιν... πρεσβείαις... τῶν ἄλλων] The two alternative constructions are arranged in the order of a *chiasmus* or introverted parallelism, the two nearest and the two furthest terms corresponding in construction. Apart from love of variety there is no apparent reason for this change. Exactly the same order and the same variety of expression is found in the statement of the proceedings in the ἐκκλησία in c. 43 § 6, ἱερῶν... κήρυξιν καὶ πρεσβείαις... ὀσίων. Cf. also Aeschin. *Timarch.* 23, προχειροτονεῖν κελεύει τοὺς προέδρους περὶ ἱερῶν τῶν πατρίων καὶ ὀσίων καὶ κήρυξι καὶ πρεσβείαις.

§ 6. τὴν ὥραν] not 'the hour,' but 'the time'; the use of ὥρα for 'hour' is not earlier than the Alexandrine age.

ὀφείλειν δραχμὴν] the infliction of a fine for non-attendance is characteristic of an oligarchy. *Pol.* vi (iv) 9, 1294 a 38, (of law courts) ἐν μὲν γὰρ ταῖς ὀλιγαρχίαις τοῖς εὐπόροις ζημίαν τάττουσιν, ἂν μὴ δικάζωσι, τοῖς δ' ἀπόροις οὐδένα μισθόν, cf. 1298 b 17:

It is one of the devices of aristocracies mentioned *ib.* 13, 1297 a 17, *ζημίαν ἐπι- κείσθαι τοῖς εὐπόροις, εἰ μὴ ἐκκλησιάζωσιν.* Fines for non-attendance at the βουλή in particular are apparently not mentioned in the *Politics*.

εὐρισκόμενος, 'while applying for leave of absence'; others prefer *εὐρόμενος*, 'having obtained for himself leave of absence.'

As the Council only met every five days, a member who desired leave of absence would have to apply five days beforehand. It seems more probable that he sent in his application to the Council which he was prevented from attending, and afterwards paid the fine or not, according to the Council's decision.

ἀφεισιν] not found in this sense in Ar. The corresponding adj. ἀφέσιμος occurs in c. 43 § 3.

XXXI § 1. χρόνον... καιρῷ] Ar. *Anal. Pr.* i 36 § 6, ὁ καιρὸς ἐστὶ χρόνος δέω.

ἀνέγραψαν] 'drew up,' c. 2 § 4.

κατὰ τὰ πάτρια] in allusion to the Council of 400 under the Solonian constitution, c. 8 § 4. The phrase is inserted to propitiate those who regarded Solon as the founder of the Athenian democracy.

ἐκ προκρίτων οὓς ἂν ἔλωνται οἱ φυλέται] According to this, the ten tribes were to make a preliminary selection of more than the requisite number; but we are not told how the final choice was made



γεγονότων. τούτους δὲ τὰς τε ἀρχὰς καταστήσαι καὶ περὶ τοῦ 5  
 ὄρκου ὄντινα χρῆ ὁμόσαι γράψαι, (καὶ) περὶ τῶν νόμων καὶ τῶν  
 εὐθυ[νῶ]ν καὶ τῶν ἄλλων πράττειν ἢ ἂν ἡγῶνται συμφέρειν. τοῖς  
 δὲ νόμοις οἳ ἂν τεθῶσιν περὶ τῶν πολιτικῶν χρῆσθαι, καὶ μὴ ἐξείναι  
 2 μετακινεῖν μηδ' ἐτέρους θέσθαι. τῶν δὲ στρατηγῶν τὸ νῦν εἶναι τὴν  
 αἵρεσιν ἐξ ἀπάντων ποιείσθαι τῶν πεντακισχιλίων, τὴν δὲ βουλὴν 10  
 ἐπειδὴν καταστῆ ποιήσασαν ἐξέτασιν (ἐν) ὄπλοις ἐλέσθαι δέκα  
 ἄνδρας καὶ γραμματέα τούτοις, τοὺς δὲ αἰρεθέντας ἄρχειν τὸν  
 εἰσιόντα ἐνιαυτὸν αὐτοκράτορας, κἂν τι δέωνται συμβουλευέσθαι  
 μετὰ τῆς βουλῆς. ἐλέσθαι δὲ καὶ ἵππαρχον ἓνα καὶ φυλάρχους  
 δέκα· τὸ δὲ λοιπὸν τὴν αἵρεσιν ποιείσθαι τούτων τὴν βουλὴν κατὰ 15  
 3 τὰ γεγραμμένα. τῶν δ' ἄλλων ἀρχῶν πλὴν τῆς βουλῆς καὶ τῶν

5 τοῦ manu 1 superscriptum secl. Th.  
 190. <καὶ> K (edd.). 8 ΕΑΝ. τεθῶσι H-L. 11 ΚΑΤΑΣΤΗΧΗ COG.  
 Wyse, Blass, etc. ΟΠΛΟΙΣ (K<sup>1</sup>): <ἐν> ὄπλοις Wyse, B, K-W, H-L, K<sup>2</sup>, Th; ὄπλων  
 Rutherford, K<sup>3</sup>, B<sup>4</sup>. 12 ἄνδρας secl. B<sup>4</sup>. 13 ἐξίοντα H-L. ΚΑΙ ΔΑΝ K, K-W, B<sup>1-3</sup>;  
 καὶ ἐάν H-L; κἂν S (B<sup>4</sup>, Th). ΣΥΜΒΟΥΛΕΥΕΣΘΑΙ. 14 ἵππαρχόν <θ'> ἓνα (B<sup>4</sup>).  
 <καὶ ταξίαρχους δέκα> Wil. ii 115, H-W<sup>3</sup> (B<sup>4</sup>). 15 εἰς δὲ τὸ λ.? Th. τὴν  
 βουλὴν secl. B<sup>4</sup>. 16 πλὴν: ΠΡΙΝ.

6 ὄντινα χρῆ ὁμόσαςτας ἄρχει? Kaibel  
 τεθῶσι H-L. 11 ΚΑΤΑΣΤΗΧΗ COG.  
 Wyse, B, K-W, H-L, K<sup>2</sup>, Th; ὄπλων  
 Rutherford, K<sup>3</sup>, B<sup>4</sup>. 12 ἄνδρας secl. B<sup>4</sup>. 13 ἐξίοντα H-L. ΚΑΙ ΔΑΝ K, K-W, B<sup>1-3</sup>;  
 καὶ ἐάν H-L; κἂν S (B<sup>4</sup>, Th). ΣΥΜΒΟΥΛΕΥΕΣΘΑΙ. 14 ἵππαρχόν <θ'> ἓνα (B<sup>4</sup>).  
 <καὶ ταξίαρχους δέκα> Wil. ii 115, H-W<sup>3</sup> (B<sup>4</sup>). 15 εἰς δὲ τὸ λ.? Th. τὴν  
 βουλὴν secl. B<sup>4</sup>. 16 πλὴν: ΠΡΙΝ.

out of those nominated by the tribes. According to Thuc. viii 67, 3, the proposal carried at the ἐκκλησία held at Colonus was to choose five πρόεδροι; and for these to elect 100 in all, and for each of these 100 to co-opt three others. The historian's account supplies an omission in the text by describing the process by which the requisite number was arrived at. The two accounts may be partly reconciled by supposing that the 100 were limited in their choice to selecting the additional 300 out of those preliminarily selected by the tribes. As regards the method by which the original hundred were appointed, the precise account in Thuc. seems more trustworthy than the vague description of the appointment of the 400 given in the text.

In the text there is nothing to shew that the 400 were appointed by lot (as implied in Kaibel and Kiessling's translation, *erlost*). Everything points to their having been elected. So Thuc. viii 67, 3 and 93, 2, where the 400 declare that, in future, the 400 will be elected *seriatim* out of the number of the 5000. In contrast to the revolutionary Council of 400 *electeds* members, the constitutional Council of the 500 is called, c. 32, ἡ εἰληχία πῶ κνάμω βουλή. Thuc. viii 66, βουλή ἡ ἀπὸ τοῦ κνάμου, 69, 3, οἱ ἀπὸ τοῦ κνάμου βουλευταί (Rohrmoser, in *Wiener Studien*, xiv 330).

On the assumption that each of the ten tribes chose ten of its members as its representatives on the oligarchical Committee of 100, and that these 100 became *ipso facto* members of the oligarchical Council, the account of the election of the 400 in the text is easily reconciled with that in Thuc. viii 67. Each tribe had (apart from its ten representatives on the Committee) to choose 30 members of the Council. The tribes nominated for these places a larger number, and the ten chose three each, as their colleagues on the Council. Thus each tribe was represented by 40 members on the Council of 400 (*ib.* 331).

εὐθύνῶν] 'the examination of official accounts,' c. 48 § 4. *Att. Proc.* p. 259 Lips.

§ 2. τὸ νῦν εἶναι] Plat. *Rep.* 506 E, Xen. *Cyr.* v 3 § 42.

τὴν αἵρεσιν...ποιείσθαι] *inf.* l. 15. καταστῆ] 32 § 2. Lys. 13 § 34 and 25 § 14, οἱ τριάκοντα κατέστησαν.

ἐξέτασιν ἐν ὄπλοις] Xen. *Cyrop.* ii 4, 1, ἐξέτασις ἐν τοῖς ὄπλοις. *Anab.* v 3, 3, ἐν (οἱ σὺν) τοῖς ὄπλοις. Thuc. iv 74 § 3, ἐξέτασιν ὄπλων ἐποιήσαντο, vi 45 § 2, ὄπλων ἐξέτασει καὶ ἵππων.

εἰσιόντα] during the 'ensuing' year, after the lapse of the two remaining months of the archonship of Callias.

ἵππαρχον ἓνα] The normal number was *two* (c. 61 § 4). φυλάρχους, c. 61 § 5.

στρατηγῶν μὴ ἐξεῖναι μήτε τούτοις μήτε ἄλλω μηδενὶ πλέον ἢ ἄπαξ ἄρξαι τὴν αὐτὴν ἀρχήν. εἰς δὲ τὸν ἄλλον χρόνον, ἵνα νεμηθῶσιν οἱ τετρακόσιοι εἰς τὰς τέτταρας λήξεις, ὅταν [[τοῖς]] αὐτοῖς  
20 γίνγηται μετὰ τῶν ἄλλων βουλευεῖν, διανεμάντων αὐτοὺς οἱ ἑκατὸν ἄνδρες.

32. οἱ μὲν οὖν ἑκατὸν οἱ ὑπὸ τῶν πεντακισχιλίων αἰρεθέντες ταύτην ἀνέγραψαν τὴν πολιτείαν. ἐπικυρωθέντων δὲ τούτων ὑπὸ τοῦ πλήθους, ἐπιψηφίσαντος Ἀριστομάχου, ἢ μὲν βουλή (ἢ) ἐπὶ Καλλίου πρὶν διαβουλευεῖν κατελύθη μηνὸς Θαργηλιῶνος τετράδι  
5 ἐπὶ δέκα, οἱ δὲ τετρακόσιοι εἰσήεσαν ἐνάτη φθίνοντος Θαργηλιῶνος.

17 ΠΛΕΙΟΝ (K-W, B<sup>1-3</sup>): πλέον H-L (K<sup>3,4</sup>, S<sup>1</sup>, B<sup>4</sup>, Th); cf. Meisterhans, p. 152<sup>3</sup>, n. 1310<sup>a</sup>. 18—20 ἵνα et ὅταν locum inter se mutasse putat Hude, qui etiam (cum E S Thompsono) ἐγγίγηται conicit; ὅταν νεμηθῶσιν—, ἵνα μὴ—μετὰ τῶν αὐτῶν βουλευεῖν, ἄλλως διανεμάντων nimis audacter Poste. 19 ΤΟΙΣ ΔΑΚΤΟΙΣ secl. K<sup>3</sup>, retinent K-W, B<sup>2</sup>; τοῖς αὐτοῖς Tyrrell (H-L, B<sup>1</sup>, 'fortasse legendum' K<sup>4</sup>); ἐκάστοις B<sup>3</sup>; [[τοῖς]] αὐτοῖς S<sup>1</sup>, B<sup>4</sup>, Th.

XXXII 3 <ἢ> Rutherford (omnes praeter B<sup>4</sup>). H-L; εἰσήεσαν K-W, B, K<sup>4</sup>, Th.

Β ΕΙΧΙΕΣΑΝ: εἰσήσαν K,

§ 3. μὴ ἐξεῖναι—πλέον ἢ ἄπαξ ἄρξαι] Under the normal constitution of Athens military offices might be repeatedly held by the same person, but none of the others more than once, except in the case of membership of the Council, which might be held twice (see c. 62 end, and *Pol.* 1275 a 25; 1299 a 10; 1317 b 24; there quoted).

νεμηθῶσιν...εἰς τὰς...λήξεις] c. 30 § 3, νεῖμαι...τοὺς ἄλλους πρὸς τὴν λῆξιν ἐκάστην.

'As regards the future, in order that the 400 may be distributed into the four divisions (above mentioned, 30 § 3), let the hundred make the distribution when it is possible for them (*i.e.* the 400) to sit in council with the rest.'

τῶν ἄλλων refers to the 5000, as in c. 30 § 3, twice. αὐτοῖς refers to the τετρακόσιοι aforesaid.

Kaibel and Wilamowitz explain τῶν ἄλλων as τῶν ἐν Σάμῳ, but (as observed by Mr Kenyon) 'βουλευεῖν is a technical word, and the Athenians with the fleet would not become members of the βουλή on their return, and there would be no occasion to await their return before arranging the subdivision of the Four Hundred among the four councils.' See, however, Wilamowitz, ii 121.

In διανεμάντων we have a sudden transition from the inf. of *orat. obliqua* to the imperative of *oratio recta*. Cf. νεῖμαι in c. 30 § 3.

XXXII § 1. τοῦ πλήθους] formally, or rather nominally, this is a decision on

the part of the whole people.

ἐπιψηφίσαντος] 30 § 4 end. Ἀριστομάχου, otherwise unknown.

'The absence of the name of father and deme is in accordance with the lapidary style of the 5th century, in which the decrees simply have ὁ δεῖνα ἐπεστάται, *e.g.* CIA I, 32, ἔδοξεν τῇ βουλῇ καὶ τῷ δήμῳ· Κεκροπίς ἐπρυτάνευε· Μνησίθεος ἐγραμμάτευε· Εὐπίειθης ἐπεστάται· Καλλίας εἶπε. On the other hand, the addition of the deme (c. 34 *ult.*, ἔγραψε τὸ ψήφισμα Δρακοντίδης Ἀφιδναῖος) or father (29 § 1, γράψαντος Πυθοδώρου τοῦ Ἐπιζήλου) of the proposer, is not in the manner of 5th century inscriptions' (Wyse).

ἢ βουλή (ἢ) ἐπὶ Καλλίου] B.C. 412—411. Cf. CIA ii 114, ἢ βουλή ἢ ἐπὶ Πυθοδώρου ἄρχοντος.

πρὶν διαβουλευεῖν] 'before the completion of its term of office.' The word is not found elsewhere in act. διαβουλεύεσθαι, 'to deliberate thoroughly,' is found in Andoc. 2 § 19; and in the sense of 'taking counsel' in Thuc. ii 5 and elsewhere (L and S), *e.g.* vii 50 § 4, 'to discuss.' As appears from the context, the Council was within a month of completing its year of office.

Θαργηλιῶνος τετράδι ἐπὶ δέκα, the 14th of Thargelion (May-June) or about the end of May. ἐνάτη φθίνοντος Θαργηλιῶνος, the 22nd of Thargelion, or about June 8. τετράδι ἐπὶ δέκα Σκιροφοριῶνος, the 14th of Scirophorion (June-July), or about the end of June.



ἔδει δὲ τὴν εἰληχίαν τῷ κυάμῳ βουλὴν εἰσιέναι τετράδι ἐπὶ δέκα

2 Σκιροφοριῶνος. ἡ μὲν οὖν ὀλιγαρχία τοῦτον κατέστη τὸν τρόπον ἐπὶ Καλλίου μὲν ἄρχοντος, ἔτεσι δ' ὕστερον τῆς τῶν τυράννων ἐκβολῆς μάλιστα ἑκατόν, αἰτίων μάλιστα γενομένων Πεισάνδρου καὶ Ἀντιφῶντος καὶ Θηραμένους, ἀνδρῶν καὶ γεγενημένων εὖ καὶ 10

3 συνέσει καὶ γνώμῃ δοκούντων διαφέρειν. γενομένης ἢ δὲ ταύτης τῆς πολιτείας οἱ μὲν πεντακισχίλιοι λόγῳ μόνον ἠρέθησαν, οἱ δὲ τετρακόσιοι μετὰ τῶν δέκα τῶν αὐτοκρατόρων εἰσελθόντες εἰς τὸ βουλευτήριον ἦρχον τῆς πόλεως, καὶ πρὸς Λακεδαιμονίους πρεσ-

6 ἔδει δὲ: ETIDE CORR. K. 8 ἔτεσι H-L, B<sup>4</sup>. 9 μάλιστα ante ἑκατόν temere  
ΕΡΗ

om. H-L, utpote e verbis proxime sequentibus illapsum. 12 ΗΡΕΘΗΣΑΝ ἠρέθῃ-  
ἴΔΗΘΕ. οἱ δὲ: ΟΔΕ. 14 ἦρχόν <τε> Hude (κ-ω).

ἔδει] 'was bound' in ordinary course, according to the normal constitution.

τὴν εἰληχίαν τῷ κυάμῳ βουλὴν] Thuc. viii 66 § 1, δῆμος μένουι ὄμως ἔτι καὶ βουλὴ ἡ ἀπὸ τοῦ κυάμου ξυνελέγετο, *ib.* 69 (of the attack of the Four Hundred and their emissaries on the Council of 412—411), ἐπέστησαν τοῖς ἀπὸ τοῦ κυάμου βουλευταῖς. The object of the emphatic mention of *κύαμος* is to point the contrast between the constitutional Council and that of the Revolution. The latter was *not* appointed by lot out of the general body of citizens. Cf. 31, 4, οὗς ἂν ἔλωνται.

§ 2. μάλιστα ἑκατόν] B.C. 510—to end of May 411, or 99 years; hence μάλιστα. Thuc. viii 68, 4, ἐπ' ἔτει ἑκατοστῷ μάλιστα ἐπειδὴ οἱ τύραννοι κατελύθησαν.

Πεισάνδρου] Thuc. viii 49, 53—56, 63—68, esp. 68 § 1 (of the ἐκκλήσια held at Colonus), ἦν δὲ ὁ μὲν τὴν γνώμην ταύτην εἰπὼν Πείσανδρος, καὶ τὰλλα ἐκ τοῦ προφανοῦς προθυμώτατα ξυγκαταλύσας τὸν δῆμον· ὁ μὲντοι πᾶν τὸ πρᾶγμα ξυνθεῖς ὄτω τρόπῳ κατέστη ἐς τοῦτο καὶ ἐκ πλείστον ἐπιμεληθεὶς Ἀντιφῶν ἦν, ἀνὴρ Ἀθηναίων τῶν καθ' ἑαυτὸν ἀρετῇ τε οὐδενὸς δεύτερος καὶ κράτιστος ἐνθυμηθῆναι γενομένος καὶ ἄγνοιά εἰπεῖν. In § 3 Thuc. mentions Phrynichus who παρέσχε... ἑαυτὸν πάντων διαφερόντως προθυμώτατον ἐς τὴν ὀλιγαρχίαν, and in § 4 Θηραμένους, who ἐν τοῖς ξυγκαταλύουσι τὸν δῆμον πρῶτος ἦν, ἀνὴρ οὐτε εἰπεῖν οὐτε γινῶναι ἀδύνατος, ὥστε ἀπ' ἀνδρῶν πολλῶν καὶ ξυνετῶν (cf. συνέσει) πραχθὲν τὸ ἔργον οὐκ ἀπεικόνως καίπερ μέγα ὄν προύχῳρησε. On Peisander, see also Lys. 12 § 66; 25 § 9; and Andoc. 2 §§ 12—15; on Antiphon, Lys. 12 § 67; on Theramenes, *ib.* 62—78.

§ 3. λόγῳ μόνον] Thuc. viii 92 § 11,

καὶ οἱ τετρακόσιοι διὰ τοῦτο οὐκ ἤθελον τοὺς πεντακισχιλίους οὔτε εἶναι οὔτε μὴ ὄντας δῆλους εἶναι, τὸ μὲν καταστήσαι μετόχους τοσοῦτους ἀντικρυς ἂν δῆμον ἠγούμενοι, τὸ δ' αὖ ἀφανὲς φόβος ἐς ἀλλήλους παρέξειν.

οἱ δὲ τετρακόσιοι κτλ.] Thuc. viii 70, οἱ τετρακόσιοι ἐσελθόντες ἐς τὸ βουλευτήριον... τὰ τε ἄλλα ἔνεμον κατὰ κράτος τὴν πόλιν κτλ.

τῶν δέκα] the ten στρατηγοὶ of c. 31 § 2. πρὸς Λακ. κτλ.] Thuc. *ib.* πρὸς τε Ἄγιν τὸν Λακεδαιμονίων βασιλέα ὄντα ἐν τῇ Δεκελείᾳ ἐπεκηρυκεύοντο, λέγοντες διαλλαγήναι βούλεσθαι (Grote, v p. 391). 71 § 3, μετὰ δὲ τοῦτο παρὰ τε τῶν Ἄγιν ἐπρεσβεύοντο οἱ τετρακόσιοι οὐδὲν ἦσσαν, κἀκείνων μᾶλλον ἤδη προσδεχομένου καὶ παρανοῦντος ἐκπέμπουσι καὶ ἐς τὴν Λακεδαίμονα περὶ ξυμβάσεως πρέσβεις βουλόμενοι διαλλαγήναι. 90 § 2, ἀπέστειλαν Ἀντιφῶντα καὶ Φρύνιχον καὶ ἄλλους δέκα κατὰ τάχος... ἐπιστεῖλαντες παντὶ τρόπῳ ὅστις καὶ ὅπως οὐν ἀνεκτὸς ξυναλλαγῆναι πρὸς τοὺς Λακεδαιμονίους. Lastly, 91 § 1, οἱ ἐκ τῆς Λακεδαίμονος πρέσβεις οὐδὲν πράξαντες ἀνεχώρησαν τοῖς ξύμπασιν ξυμβατικόν. 'We read with astonishment,' says Grote, v 409, 'that the (Lacedaemonians) could not be prevailed upon to contract any treaty and that they manifested nothing but backwardness in seizing the golden opportunity.' But the envoys clearly could not answer for the armament at Samos, and therefore returned without obtaining any terms that would apply to the Athenians at large. The text tells us what we do not learn from Thucydides, viz. that the reason for this failure in the negotiations was due to the envoys declining to surrender the maritime supremacy of Athens. This embassy was afterwards impeached by Theramenes (Lysias 12 §§ 66—68);

15 βενσάμενοι κατελύοντο τὸν πόλεμον ἐφ' οἷς ἐκάτεροι τυγχάνουσιν ἔχοντες. οὐχ ὑπακούοντων δ' ἐκείνων εἰ μὴ καὶ τὴν ἀρχὴν τῆς θαλάττης ἀφήσουσιν, οὕτως ἀπέστησαν.

33. μῆνας μὲν οὖν ἴσως τέτταρας διέμεινεν ἡ τῶν τετρακοσίων πολιτεία, καὶ ἦρξεν ἐξ αὐτῶν Μνησίλοχος δίμηνον ἐπὶ Θεοπόμπου ἀρχοντας, (ὅς) ἦρξε τοὺς ἐπιλοίπους δέκα μῆνας. ἡττηθέντες δὲ τῇ περὶ Ἐρέτριαν ναυμαχία καὶ τῆς Εὐβοίας ἀποστάσης ὅλης 5 πλὴν Ὠρεοῦ, χαλεπῶς ἐνεγκόντες ἐπὶ τῇ συμφορᾷ μάλιστα τῶν

16 ὑπακου[ό]ντων H-L, B<sup>2-4</sup>, K<sup>4</sup>, Th: -[σά]ντων B<sup>1</sup>, S<sup>1</sup>.

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XXXIII 2 ΜΝΑΣΙΜΑΧΟΣ; Μνασίλοχος (K, H-L): Μνησίλοχος K-W, B, S<sup>1</sup>, Th. 3 <ὅς> K (K-W, B<sup>1-3</sup>, Th): ὁ δ' H-L; ἦρξε <δὲ> B<sup>4</sup>. ἡττηθέντες δὲ <οἱ Ἀθηναῖοι>? Herwerden, Richards. 5 ὠριογ. <ταύτη> τῇ συμφορᾷ Hude, Kaibel 190; τῇ συμφορᾷ <ταύτη> Papabasil.

TESTIMONIA. 1 \*Harp. s.v. τετρακόσιοι:...οἱ τετρακόσιοι πρὸ ἐπτὰ ἐτῶν κατέστησαν τῶν τριάκοντα τυράννων παρ' Ἀθηναίους ὅτινες τέτταρας μῆνας ἦρξαν τῆς πόλεως, ὡς φησὶν Ἀρ. ἐν Ἀθ. πολ. (Frag. 372<sup>2</sup>, 410<sup>3</sup>).

Antiphon was condemned and executed (Phrynichus had been already assassinated).

κατελύοντο] tentative impf.

ἐφ' οἷς ἐκάτεροι τυγχάνουσιν ἔχοντες] Similarly in Thuc. iv 65, 1, ἀπαλλάσσεσθαι τοῦ πολέμου ἔχοντες ἅ ἕκαστοι ἔχουσι, 'the rule of *uti possidetis*' (Freeman's *Sicily*, iii 63).

τὴν ἀρχὴν τὴν θαλάττης] According to Thuc. viii 91, the extremists at Athens were ready to surrender, not merely the maritime supremacy, but even the fortifications of Athens itself.

XXXIII § 1. μῆνας...ἴσως τέτταρας] The 400 were practically in power from the end of May to the end of June, also for the two months of July and August in the civil year next ensuing (δίμηνον). This makes *three* months. Hence the oligarchical revolution began about a month earlier, *i.e.* at the end of April, while the constitutional Council was still nominally in office (Thuc. viii 66, 1), and the four months are May, June, July and August. Thuc., viii 63, 3, places the fall of the democracy a little earlier than the spring of 411. It has been assigned to March 411, soon after the *Lenaea* in which the *Lysistrata* was produced (Wattenbach, *De Quadr.* p. 29, quoted by Classen, Thuc. *l.c.*). Similarly Grote, c. 63 *init.*, describes the Four Hundred as 'installed in the Senate-House about February or March 411 B.C., and deposed about July of the same year,' and speaks of Athens undergoing 'four or five months of danger and distraction.' It

now appears that these dates are rather too early. Cf. Wilamowitz, i 101, 104 f.

Μνησίλοχος] the archon eponymus selected by the 400. Μνησίλοχος is mentioned in the list of the Thirty given in Xen. *Hell.* ii 3, 2 and there is every probability that the two are the same. Cf. CIA iv 3, 179 d 1, p. 162, [Ἀθηναῖοι ἀνῆλ[ωσαν ἐπὶ Μνησιλό]χου ἀρχο[ντος]. This expenditure was authorised not (as usual) by vote of the *δημος*, but *ψηφισαμένης τῆς βουλῆς*. At the date specified, the 21st of Hecatombaeon, the Four Hundred were still in power.

Θεοπόμπου] the archon eponymus appointed by lot on the restoration of the democracy in the third month of the civil year, B.C. 411-10.

ἐπιλοίπους] not found in the *Index Ar.* In 43 § 1 we have the ordinary word ὑπολοίπους. ἐπιλοιπος is often used by Plato, *Rep.* 540 B and *Leg.* 728 D, τὸν ἐπιλοιπον βίον, *ib.* 628 A, εἰς τὸν ἐπιλοιπον χρόνον.

τῇ περὶ Ἐρέτριαν ναυμαχία] Thuc. viii 95. In Lys. 20 § 14 one of the *καταλογεῖς* sails for Eretria after holding office under the 400 for eight days only.

τῆς Εὐβοίας ἀποστάσης πλὴν Ὠρεοῦ] Thuc. *l.c.* § 7, (the Lac.) Εὐβοίαν ἅπασαν ἀποστήσαντες πλὴν Ὠρεοῦ.

χαλεπῶς ἐνεγκόντες κτλ.] Thuc. viii 96 § 1, τοῖς δ' Ἀθηναίοις ὅς ἦλθε τὰ περὶ τὴν Εὐβοίαν γεγενημένα, ἐκπληξίς μεγίστη δὴ τῶν πρὶν παρέστη· ταύτην δ' αὐτοὶ Ἀθηναῖοι εἶχον. For the construction, cf. c. 38 § 2, χαλεπῶς φερόντων ἐπὶ τούτοις.



προγεγενημένων (πλείω γὰρ ἐκ τῆς Εὐβοίας ἢ τῆς Ἀττικῆς ἐτύγχανον ὠφελούμενοι), κατέλυσαν τοὺς τετρακοσίους καὶ τὰ πράγματα παρέδωκαν τοῖς πεντακισχιλίοις τοῖς ἐκ τῶν ὄπλων, 2 ψηφισάμενοι μηδεμίαν ἀρχὴν εἶναι μισθοφόρον. αἰτιώτατοι δ' ἐγένοντο τῆς καταλύσεως Ἀριστοκράτης καὶ Θηραμένης, οὐ συν- 10 αρεσκόμενοι τοῖς ὑπὸ τῶν τετρακοσίων γιγνομένοις· ἅπαντα γὰρ δι' αὐτῶν ἔπραττον, οὐδὲν ἐπαναφέροντες τοῖς πεντακισχιλίοις. δοκούσι δὲ καλῶς πολιτευθῆναι κατὰ τούτους τοὺς καιροὺς, πολέμου τε καθεστῶτος καὶ ἐκ τῶν ὄπλων τῆς πολιτείας οὐσης. ✕ 14

34. τούτους μὲν οὖν ἀφείλετο τὴν πολιτείαν ὁ δῆμος διὰ τάχους· ἔπει δ' ἕκτω μετὰ τὴν τῶν τετρακοσίων κατάλυσιν, ἐπὶ

9 ΜΙΣΘΟΦΟΡΩΝ: μισθοφόρον Jos. Mayor, Rutherford, Naber, Fränkel, edd.

11 ΓΕΝΟΜΕΝΟΙΣ; γιγνομένοις K-W; γιγν. H-L, K<sup>3</sup>, B, Th. 13 ἀν καίπερ πολέμου? Herwerden; πολέμου γε Bury.

XXXIV 2 ΕΒΔΟΜΩΙ (κ, κ-W<sup>1</sup>, Poland, S<sup>1</sup>); ἕκτω verum esse vidit κ (κ-W<sup>2,3</sup>, B); 'ζ' für F verschrieben, Wil. i 8. κατάστασιν K-W<sup>1</sup>.

πλείω—ὠφελούμενοι] Thuc. viii 96 § 2, (Euboea) ἐξ ἧς πλείω ἢ τῆς Ἀττικῆς ὠφελούοντο. Decelea was at this time in the occupation of Agis.

κατέλυσαν τοὺς τετρακοσίους—μισθοφόρον] Thuc. viii 97 § 1, τοὺς τετρακοσίους καταπαύσαντες τοῖς πεντακισχιλίοις ἐψηφίσαντο τὰ πράγματα παραδοῦναι· εἶναι δὲ αὐτῶν ὀπίσσοι καὶ ὄπλα παρέχονται· καὶ μισθὸν μηδένα φέρειν μηδεμιᾶ ἀρχῇ.

§ 2. Ἀριστοκράτης καὶ Θηραμένης] Thuc. viii 89, 2 (of the opposition to the extreme members of the 400), ἔχοντες ἡγεμόνας τῶν πάντων [στρατηγῶν] τῶν ἐν τῇ ὀλιγαρχίᾳ [καὶ] ἐν ἀρχαῖς ὄντων, ὅσον Θηραμένην τὸν Ἀγωνῶτα καὶ Ἀριστοκράτην τὸν Σκελλίου. Lys. 12 § 66, (Theramenes) μετέσχε τῶν Ἀριστοκράτους ἔργων.

Aristocrates had been one of the envoys who negotiated the peace of 421 B.C. (Thuc. v 19 and 24). In 414 B.C. he is represented as a typical 'aristocrat' in Arist. *Aves*, 125, ('Ἐποψ) ἀριστοκρατεῖσθαι δῆλος εἰ ζητῶν. (Εὐέλπ.) ἐγὼ; | ἦκιστα· καὶ τὸν Σκελλίου βδελύττομαι, cf. Plat. *Gorg.* 472 A. He was a ταξίαρχος under the 400 (Thuc. viii 92) and is extolled by the author of the speech against Theocrines, [Dem.] 58 § 67, for taking part in the destruction of the fortress of Eetioneia and restoring the democracy. He was one of the generals at Arginusae (406).

Theramenes and Aristocrates are, for Aristotle, convinced supporters of the new constitution, while Thucydides (viii 89) regards their loyalty to the consti-

tution as a cloak for their personal ambitions (Wilamowitz, i 100).

οὐ συναρεσκόμενοι τοῖς—γιγνομένοις] The normal construction in Attic Greek is συναρέσκει μοί τι. Herodotus' ἀρέσκεσθαι τινι has given rise to the non-Attic construction συναρέσκεσθαι τινι, for which there was formerly no earlier example than Sextus Empiricus, 488, 19 B, οἱ μὴ συναρεσκόμενοι τῷ εἶναι ταῦτα (Kaibel, 42).

οὐδὲν ἐπαναφέροντες τοῖς πεντακισχιλίοις] In Thuc. *l.c.* the opponents of the 400 insist τοῖς πεντακισχιλίοις ἔργω καὶ μὴ ὀνόματι χρῆναι ἀποδεικνύναι.

δοκούσι δὲ καλῶς πολιτευθῆναι κτλ.] Thuc. viii 97, 2, οὐχ ἦκιστα δὴ τὸν πρῶτον χρόνον ἐπὶ γ' ἐμοῦ Ἀθηναῖοι φαίνονται εὖ πολιτεύσαντες· μετρία γὰρ ἦ τε ἐς τοὺς ὀλίγους καὶ ἐς τοὺς πολλοὺς ξύγκρασις ἐγένετο καὶ ἐκ πονηρῶν τῶν πραγμάτων τοῦτο πρῶτον ἀνήνεγκε τὴν πόλιν. Grote c. 57, v 430.

ἐκ τῶν ὄπλων] c. 4 § 2, ἀπεδέδοτο ἡ πολιτεία τοῖς ὄπλοις παρεχομένοις. Pol. 1297 b 1, δεῖ δὲ τὴν πολιτείαν εἶναι μὲν ἐκ τῶν τὰ ὄπλα ἔχοντων μόνων.

XXXIV. *Arginussae* and *Aegospotami*.

§ 1. ἔπει δ' ἕκτω κτλ.] The archonship of Theopompus was in B.C. 411/0; that of Callias in 406/5. Thus, the latter was in the *sixth* year after the overthrow of the Four Hundred. ἐβδῶμω implies that 'the calculation was probably made by inadvertence from the *establishment* of the Four Hundred, which was in the official year 412—411 B.C.' (Kenyon).

3 Καλλίου τοῦ Ἀγγελῆθεν ἄρχοντος, γενομένης τῆς ἐν Ἀργινοῦσσαις ναυμαχίας, πρῶτον μὲν τοὺς δέκα στρατηγούς τοὺς τῇ ναυμαχίᾳ

CAIC

3 ΑΡΓΙΝΟΥΣΣΑΙΣ, Ἀργινοῦσσαις B etc. 4 δέκα secl. B<sup>4</sup>, sed cf. Wil. i 128. τῇ ναυμαχίᾳ Tyrrell. τοὺς—νικῶντας e margine irrepsisse putat Richards.

TESTIMON. XXXIV 3—12 \*Schol. Arist. *Ran.* 1532 Κλεοφῶν δὲ μαχέσθω: παρῶσον, ὡς Ἀρ. φησί, μετὰ τὴν Ἀργινοῦσσαις ναυμαχίαν Λακεδαιμονίων βουλομένων ἐκ Δεκελείας ἀπιέναι ἐφ' οἷς ἔχουσιν ἐκάτεροι καὶ εἰρήνην ἀγειν ἐπὶ (τοῦ secl. κ-w) Καλλίου, Κλεοφῶν ἔπεισε τὸν δῆμον μὴ προσδέξασθαι, “ ἐλθὼν εἰς τὴν ἐκκλησίαν—ἐὰν μὴ πάσας ἀγῶσι τὰς πόλεις οἱ Λακεδαιμόνιοι ” (Frag. 370<sup>2</sup>, 408<sup>3</sup>).

τοῦ Ἀγγελῆθεν] Added (as in CIA ii 22, Καλλίας Ἀγγελῆθεν ἦρχεν) to distinguish him from the Callias who was archon in B.C. 412 (c. 32 § 1). Others of the same name were archons in 456 and 377.

It was more usual to remove such ambiguities by adding the archon of the previous year, e.g. *Arg.* to Arist. *Ranae*, ἐπὶ Καλλίου τοῦ μετ' Ἀντιγενῆ (the Callias of the text); Schol. *Ach.* 10, Καλλίου τοῦ μετὰ Μνησίθεον (the Callias of 456). In Schol. *Nub.* 971 Phrynīs is said to have been victorious at the Panathenaea ἐπὶ Καλλίου ἄρχοντος, probably B.C. 406, as this was the third year of the Olympiad (Wyse).

Another method of removing ambiguity is illustrated by Dion. Hal. *de Dem.* p. 726, Καλλιμάχου τοῦ τρίτου μετὰ Θέελλον ἄρξαντος, and by Δαμασίου τοῦ δευτέρου (13 § 2 n, *supra*), CIA ii 299, ἐπὶ Νικίου ἄρχοντος ὑστερον, *ib.* b, ἐπ' Ἀπολλοδώρου ἄρχοντος δεύτερον. Cf. Hartel, *Studien über Att. Staatsrecht*, 12.

Ἀργινοῦσσαις] Xen. *Hell.* i 6, 27—38. Cf. Grote, c. 64, v 501—536; Holm, *Gr. Gesch.* ii 573 ff, 585.

τοὺς δέκα στρατηγούς] In Xen. *Hell.* i 5, 16 we have the names of the ten generals: Conon, Diomedon, Leon (also mentioned in 6 § 16, but probably a mistake for Lysias, who is mentioned in 6 § 30, and 7 § 1), Pericles, Erasinides, Aristocrates, Archedestrus, Protomachus, Thrasylus, Aristogenes. Of these Conon was blockaded in the harbour of Mitylene, and was therefore not present at the battle of Arginussae (*Hell.* 6 §§ 16 ff). Leon and Erasinides were with Cleon when he first made for Mitylene (*l.c.* § 16) and we hear no more of them until we find Erasinides among those engaged in the battle (§ 29). The other generals engaged in it were Aristocrates, Diomedon, Pericles, Protomachus, Thrasylus, Lysias, and Aristogenes. We know from Lysias 21 § 8 that Archedestra-

tus died at Mitylene, though Xenophon is silent on this point; and Erasinides probably left Mitylene on board the vessel mentioned in the passage of Lysias just quoted: ἀποθανόντος δὲ τούτου (Archedestrus) ἐν Μυτιλήνῃ Ἐρασιπίδης μετ' ἐμοῦ συνέπλει. (Bauer, p. 159, assumes that Leon is the tenth general of whom Xenophon is silent, and that he is not identical with the general who bears the name of Lysias.)

Thus only eight of the ten were engaged in the battle; after the battle, the generals were recalled. Two of them, Protomachus and Aristogenes, declined to come. 'Warned of the displeasure of the people and not confiding in their own case to meet it, they preferred to pay the price of voluntary exile' (Grote v 510, c. 64).

Only six returned to Athens. It was ultimately proposed to the Council by Callixenus (Xen. *Hell.* i 7 § 9) and carried, that the case should be decided by the public assembly voting in their tribes by ballot, and that one single vote was to decide the case of all the generals (§ 34, μὴ ψήφῳ ἅπαντας κρίνειν). In the assembly it was moved by Euryptolemus that each of the generals should be tried separately (κρίνεσθαι τοὺς ἄνδρας δίχα ἕκαστον, *ib.*). The assembly first voted by show of hands (διαχειροτονία) in favour of this motion, and then against it; thereupon they condemned all the eight generals who had taken part in the battle (κατεψηφίσαντο τῶν ναυμαχησάντων στρατηγῶν, ὀκτώ ὄντων). The six who had returned were put to death.

If we now turn from the narrative in Xenophon to the description in the text, we find several discrepancies: (1) all the ten are put on their trial, not eight alone; (2) they are tried μὴ χειροτονία, whereas it was only the vote on the rival motions (including the decision to try them collectively) that was taken by show of hands, and the final verdict was given by ballot (διαψήφισις). τοὺς μὲν οὐδὲ συν-



νικῶντας συνέβη κριθῆναι μιᾷ χειροτονίᾳ πάντας, τοὺς μὲν οὐδὲ 5  
 συνναυμαχῆσαντας, τοὺς δ' ἐπ' ἄλλοτρίας νεὼς σωθέντας, ἔξαπατη-  
 θέντος τοῦ δήμου διὰ τοὺς παροργίσαντας· ἔπειτα βουλομένον  
 Λακεδαιμονίων ἐκ Δεκελείας ἀπιέναι καὶ ἐφ' οἷς ἔχουσιν ἑκάτεροι

6 ΕΞΑΠΑΤΗΘΕΝΤΕΣ corr. K. 7—8 Λακ. βουλ. schol. Arist. 8 ΑΠΙΕΝΑΙ :  
 ἀπιέναι Jos. Mayor, A Sidgwick, Wyse, Blass, Herwerden, Naber, Gennadios, coll.  
 Schol. Arist. *Ran.* 1532 (edd.). καὶ ἐφ' οἷς ἐχοῦσιν ἱρηνῆν ἑκάτεροι ἀγειν ;  
 καὶ ἐφ' οἷς ἔχουσιν ἑκάτεροι εἰρήνην ἀγειν K (H-L, B<sup>4</sup>, Th);—εἰρήνην ἀγειν ἑκάτεροι  
 Gomperz; ἐφ' οἷς ἔχουσιν ἑκάτεροι καὶ εἰρήνην ἀγειν K-W e Schol. Arist. (et B<sup>1-3</sup>, in  
 archetypo ἐφ' οἷς ἔχουσιν ἑκάτεροι supra versum adscriptum fuisse arbitratus).

TESTIMON. 7—12 \*Schol. Arist. *Ran.* 1532; v. Testimonium in p. 138.

ναυμαχῆσαντας must refer to Conon who  
 was at Mitylene, and to Archestratus  
 who died there. τοὺς δ' ἐπ' ἄλλοτρίας  
 νεὼς σωθέντας is so far borne out by  
 Xenophon that, according to the state-  
 ment made in the speech of Euryptolemus  
 (*l.c.* § 32), one of the generals was ἐπὶ  
 καταδύσεως νεὼς διασωθῆς (cf. *Diod.* xiii  
 99).

As regards our other authorities,  
 Philochorus (*frag.* 121) speaks of six  
 generals as having been put to death;  
 Diodorus (xiii 101—2) describes six only as  
 actually condemned. According to Andro-  
 tion's *Atthis* (quoted by Pausanias vi 7, 7)  
 the decision was limited to the generals  
 who actually took part in the battle.  
*Plut. Per.* 37 says of Pericles the younger,  
 τοῦτον...ἀπέκτεινεν ὁ δήμος μετὰ τῶν  
 συστρατηγῶν. The Schol. on *Aristoph.*  
*Ran.* 698 describes four of the generals as  
 having escaped and six as having been  
 put to death. This is somewhat fanci-  
 fully regarded by Bauer (p. 161) as imply-  
 ing that the charge concerned all the ten.

The mention of the 'ten generals' in  
 the text is doubtless due to the passage,  
 where Socrates, in *Plato Apol.* 32 B,  
 says: ὅτε ὑμεῖς τοὺς δέκα στρατηγούς τοὺς  
 οὐκ ἀνελομένους τοὺς ἐκ τῆς ναυμαχίας  
 ἐβουλεύσαθε ἀθρόους κρίνειν παρανόμως,  
 τότε ἐγὼ μόνος τῶν πρυτάνεων ἠναντιώθηρ  
 ὑμῶν. [*Plat.*] *Axioch.* 368 D states that  
 all the ten στρατηγοὶ were condemned  
 to death. This account is carelessly  
 followed by *Aelian V. H.* iii 17, οὐκ  
 ἐπεψήφισεν Ἀθηναῖοις (Σωκράτης) τὸν τῶν  
 δέκα στρατηγῶν θάνατον. Cf. *Valerius*  
*Max.* iii 8, 3 and *Schol. Aristid.* iii 245,  
 24 Dind.

According to Bauer the 'dream of  
 Thrasylus' (*Diod.* xiii 97, 6) implies that  
 seven of the generals were put to death.  
 The seventh (he suggests) was Leon.  
 Diodorus (xiii 101 § 5) states that Conon  
 also was accused but acquitted. Bauer  
 considers the account in the text too defi-

nite in its terms (*zu scharf ausgedrückt*),  
 in so far as it takes no note of Conon's  
 acquittal; but he actually regards it as  
 more correct than the narrative in Xeno-  
 phon. He suggests that Xenophon  
 passes over the case of Leon who had  
 not been present at the battle, because  
 it would put the injustice of the sentence  
 in too extreme a light. In Bauer's opi-  
 nion the author can only refer to Leon  
 in the vague plural τοὺς οὐδὲ συνναυμα-  
 χῆσαντας, which Bauer admits is an ex-  
 aggeration.

ἔξαπατηθέντος τοῦ δήμου] *Xen. Hell.*  
 i 7 § 35, ὕστερον...ἐψηφίσαντο οἵτινες τὸν  
 δῆμον ἐξηπάτησαν, προβολὰς αὐτῶν εἶναι  
 καὶ ἐγγυητὰς καταστήσαι, ἕως ἂν κριθῶσιν.  
 παροργίσαντας] in act. hitherto found  
 only in N. T.

ἐκ Δεκελείας ἀπιέναι] Declea had been  
 occupied by Agis since the spring of 413  
 B.C. (*Thuc.* vii 19 § 1), and it was re-  
 tained until the end of the Peloponnesian  
 war. On the site, about 15 miles N.E.  
 of Athens, near the entrance of the defile  
 leading between Parnes and Pentelicus  
 from the plain of Athens to Oropus and  
 Tanagra, see *Leake's Demi* p. 18 and  
 plan in *Curtius, Sieben Karten*.

ἐφ' οἷς ἔχουσιν ἑκάτεροι κτλ.] These  
 overtures after the battle of Arginussae  
 are not mentioned by Xenophon or  
 Diodorus. The terms are the same as  
 those proposed, according to Diodorus  
 (xiii 52), after the battle of Cyzicus in 410  
 B.C., and opposed by Cleophon (*ib.* 53)  
 (see *Grote* c. 63, v 458—461). The  
 present overtures are in fact 'a second  
 edition' of those put forward four years  
 previously. Xenophon says nothing of  
 them on either occasion. The account  
 in Diodorus led *Grote* (c. 65 *mit.* p. 537 n)  
 to suppose that the Scholiast on *Aristoph.*  
*Ranae ult.*, who quotes the present pas-  
 sage, had confounded the two battles.  
 It now appears that the Scholiast's quo-  
 tation was correct. It is not improbable

εἰρήνην ἄγειν, ἔνιοι μὲν ἐσπούδαζον, τὸ δὲ πλῆθος || οὐχ ὑπήκουσεν [ 10 ἐξαπατηθέντες ὑπὸ Κλεοφῶντος, ὃς ἐκώλυσε γενέσθαι τὴν εἰρήνην ἔλθων εἰς τὴν ἐκκλησίαν μεθύων καὶ θώρακα ἐνδεδυκώς, οὐ φάσκων ἐπιτρέψειν, εἰ μὴ πάσας ἀφιώσι Λακεδαιμόνιοι τὰς πόλεις. οὐ 2 χρησάμενοι δὲ καλῶς τότε τοῖς πράγμασι, μετ' οὐ πολὺν χρόνον ἔγνωσαν τὴν ἀμαρτίαν. τῷ γὰρ ὕστερον ἔτει, ἐπ' Ἀλεξίου 15 ἄρχοντος, ἠτύχησαν τὴν ἐν Αἰγὸς ποταμοῖς ναυμαχίαν, ἐξ ἧς συνέβη κύριον γενόμενον τῆς πόλεως Λύσανδρον καταστήσαι τοὺς τριάκοντα τρόπῳ τοιῷδε. τῆς εἰρήνης γενομένης αὐτοῖς ἐφ' ᾧ τε 3 πολιτεύονται τὴν πάτριον πολιτείαν, οἱ μὲν δημοτικοὶ διασφύζειν

9 ὑπήκουσαν mavult Herwerden.

10 ἐξαπατηθὲν Rutherford.

12 ἀφίωσι

(K, B<sup>2-4</sup>, Th): ἀφώσι Naber, Gennadios, Richards, K-W, H-L, B<sup>1</sup>, S<sup>1</sup>, e schol. Arist.

C

18 <κατὰ> τὴν Hude, sed cf. Kaibel 191. ΔΙΑΩΖΕΙΝ; -σώσειν K<sup>1</sup>; -σῶσαι hiatus admissio Jos. Mayor et Wyse; -σφύζειν Blass, K-W, H-L, K<sup>3</sup>, Th.

that Diodorus is wrong. It is to the overtures in the text that we should refer the account in Philochorus, fragm. 117—118 Müller (ap. Schol. ad Eur. *Orest.* 371):—Λακεδαιμονίων πρεσβευσαμένων περὶ εἰρήνης ἀπιστήσαντες οἱ Ἀθηναῖοι οὐ προσήκοντο. Cf. Schol. on l. 722. Grote v 460 n.

ἐσπούδαζον] used absolutely, as in Plut. *Crass.* 12, (Πομπήϊος) ἐσπούδασε προθύμως. Similarly with ἐβούλοντο in c. 16 § 9 (Kaibel, 43).

ἐξαπατηθέντες ὑπὸ Κλεοφῶντος] In c. 28 § 4 Cleophon (and Callicrates) are described as having 'deceived the people.' Cleophon's action is described as follows in Aeschin. *F. L.* 76, Κλεοφῶν... ἀποκόψειν ἠπείλει μαχαίρα τὸν τράχηλον, εἰ τις τῆς εἰρήνης μνησθήσεται, and *Ctes.* 151, παντάπασιν ἐκφόρον ἐγένετο (with schol. on 150, where εἰ τις εἰρήνην γεννηθήσεται, printed εἰρήνης γεννητῆς ἔσται, is clearly a mistake for εἰρήνης μνησθήσεται). It is with reference to the negotiations in the following year (after the battle of *Aegospotami*) that his action is described in Lysias 13 § 8, ὅτε γὰρ ἡ πρώτη ἐκκλησία περὶ τῆς εἰρήνης ἐγένετο, καὶ οἱ παρὰ Λακεδαιμονίων ἤκοντες ἔλεγον ἐφ' οἷς ἔτοιμοι εἴεν τὴν εἰρήνην ποιῆσθαι Λακεδαιμόνιοι, εἰ κατασκαφεῖ τῶν τειχῶν τῶν μακρῶν ἐπὶ δέκα στάδια ἑκατέρου, τότε ὑμεῖς τε, ὦ ἄν. Ἀθ., οὐκ ἠνέσχεσθε ἀκούσαντες περὶ τῶν τειχῶν τῆς κατασκαφῆς, Κλεοφῶν τε ὑπὲρ ὑμῶν πάντων ἀναστὰς ἀντίειπεν ὡς οὐδενὶ τρόπῳ οἶόν τε εἴη ποιεῖν ταῦτα. Cf. Arist. *Ran.* ad fin. Κλεοφῶν δὲ μαχέσθω, and Holden's *Onomasticon* s. v.; also Wilamowitz, i 130 f.

μεθύων καὶ θώρακα ἐνδεδυκώς] It has

been suggested (by Hartman) that we should read θώρακα ἔχων and interpret the latter as a metaphorical phrase equivalent to μεθύων (coll. Aristoph. *Vesp.* 1195 etc). If so, the writer has misinterpreted a phrase borrowed from a comedy and quite out of place here. But there is nothing unreasonable in Cleophon's appearing in armour. His life was not safe, as may be inferred from the animosity with which he was regarded by members of the oligarchical party (Aristoph. *Ran.* 1504, Lys. 13 § 7 ff., 30 § 10 ff.). (H-L, note, p. 77.) The description in the text is obviously due to an eye-witness (cf. Wilamowitz, i 130 n. 15). It will be remembered that Cicero, at the time of the Catilinarian conspiracy, went down to the *Campus Martius* armed with a *lata insignisque lorica* (Cic. *pro Murena*, § 52).

§ 2. ἐπ' Ἀλεξίου] B.C. 405/4.

ἠτύχησαν τὴν—ναυμαχίαν] an exceptional, but quite intelligible, phrase for expressing 'defeat in the naval engagement.' Similarly, Isocr. *Phil.* 47, τὴν μάχην ἠττήθησαν, and Dem. *F. L.* 320, μάχην ἠττηντο.

ἐν Αἰγὸς ποταμοῖς] Xen. *Hell.* ii 1, 21—32. Plut. *Lysander*, c. 11—12. Grote c. 65, v 542—7.

Λύσανδρον] Lysias 12 §§ 72—76. Plut. *Lys.* 15, τριάκοντα μὲν ἐν ἄστει, δέκα δὲ ἐν Πειραιεὶ καταστήσας ἄρχοντας, Grote c. 65, v 559.

§ 3. πολιτεύονται — πολιτείαν] Aeschin. i 5, τοῖς τὴν ἄνισον πολιτείαν πολιτευομένοις, and, even in the passive, Plat. *Leg.* 676 c, πεπολιτευμένοι πάσας πολιτείας (Kaibel, 191).

τὴν πάτριον πολιτείαν] c. 31, l. 3.



ἐπειρῶντο τὸν δῆμον, τῶν δὲ γνωρίμων οἱ μὲν ἐν ταῖς ἑταιρείαις ὄντες καὶ τῶν φυγάδων οἱ μετὰ τὴν εἰρήνην κατελθόντες ὀλιγαρχίας<sup>20</sup> ἐπεθύμουν, οἱ δ' ἐν ἑταιρεία μὲν οὐδεμιᾷ συγκαθεστῶτες ἄλλως δὲ δοκοῦντες οὐδενὸς ἐπιλείπεσθαι τῶν πολιτῶν τὴν πάτριον πολιτείαν ἐξήτουν· ὧν ἦν μὲν καὶ Ἀρχίνος καὶ Ἄνυτος καὶ Κλειτοφῶν καὶ Φορμίσιος καὶ ἕτεροι πολλοί, προειστήκει δὲ μάλιστα Θηραμένης. Λυσάνδρου δὲ προσθεμένου τοῖς ὀλιγαρχι-<sup>25</sup> κοῖς, καταπλαγεὶς ὁ δῆμος ἠναγκάσθη χειροτονεῖν τὴν ὀλιγαρχίαν. ἔγραψε δὲ τὸ ψήφισμα Δρακοντίδης Ἀφιδναῖος. X

20 ΑΡΧΙΑΝ corr. Jos. Mayor, Rutherford, Blass, Fränkel. 22 ΕΠΙΛΙΠΕΣΘΑΙ : ἐπιλείπ. κ, β, Th, ('an λείπεσθαι?') κ-w<sup>1-3</sup>; ἀπολείπ. Richards, Gennadios, Kontos, Hultsch (H-L). 23 ΕΖΗΤΟΥΝ (κ, κ-w, β, Th): ἐξήλου H-L, sed cf. 13 § 4.

TESTIM. XXXIV 27 \*Schol. Arist. *Vesp.* 157 Δρακοντίδης:...ἔστι γὰρ οὗτος ὁ τὸ περὶ τῶν τριάκοντα ψήφισμα περὶ ὀλιγαρχίας γράψας, ὡς Ἀρ. ἐν πολιτείαις (Frag. 373<sup>2</sup>, 411<sup>3</sup>).

Xen. *Hell.* ii 3 § 2, ἔδοξε τῷ δήμῳ τριάκοντα ἄνδρας ἐλέσθαι, οἱ τοὺς πατρίους νόμους ἐγγράψωσι, καθ' οὓς πολιτεύουσι. The term (as Mr Kenyon observes) was 'sufficiently vague,' indicating generally the constitution of Solon; but, as the virtue of the constitution depended on its working, it was possible for moderate democrats, extreme oligarchs, and moderate aristocrats alike to hope that it would be modelled according to their views. Diodorus (xiv 3) recounts the arguments of the opposing parties at some length, and describes Theramenes as urging the Athenians to follow τῇ πατρίῳ πολιτείᾳ. See Wilamowitz, ii 103—125.

τῶν γνωρίμων] 2 § 1, 5 § 1, 16 § 9, 28 § 2. ἑταιρείαις] Cf. Thuc. iii 82, 8; viii 54, 4. Hermann, *Staatsalt.* 70, 2 and 10; Schömann, *Ant.* p. 363 E. T.

Ἀρχίνος] Dem. *Timocr.* p. 742 § 135, Ἀρχίνου...τοῦ καταλαβόντος Φυλῆν καὶ μετὰ γε τοὺς θεοὺς αἰτιωτάτου ὄντος τῆς καθόδου τῷ δήμῳ καὶ ἄλλα πολλὰ καὶ κατὰ πεπολιτευμένον καὶ ἐστρατηγηκότος πολλάκις. Isocr. 18 § 2, Aeschin. *c. Ctes.* 187, 195. *Inf.* c. 40 §§ 1, 2.

Ἄνυτος] In the speech made by Theramenes in his defence, in Xen. *Hell.* ii 3 § 42, Anytus is mentioned with Thrasylbulus and Alcibiades: οὐκ αὖ ἐδόκει μοι οὔτε Θρασύβουλον οὔτε Ἄνυτον οὔτε Ἀλκιβιάδην φυγαδεύειν, and *ib.* § 44, πότερον οἴεσθε Θρασύβουλον καὶ Ἄνυτον καὶ τοὺς ἄλλους φυγάδας ἢ ἐγὼ λέγω μάλλον ἢ ἐνθάδε βούλεσθαι γίγνεσθαι ἢ ἂ οὔτοι πράττουσιν; and with Thrasylbulus in Isocr. *Callim.* 18 § 23.

Κλειτοφῶν] the proposer of the rider to the proposal of Pythodorus respecting the establishment of the 400 (29 § 3). He is possibly the same as the son of

Aristonymus and pupil of Socrates who gives his name to Plato's *Cleitophon*. In Plut. *Mor.* 805 Κλειτοφῶν (mentioned with Cleon) is probably a mistake for Κλεοφῶν.

Φορμίσιος] Ὑπόθεσις τοῦ Lysias *Or.* 34, Dionys. *Halic. de Lysia*, c. 32, τοῦ γὰρ δήμου κατελθόντος ἐκ Πειραιῶς, καὶ ψηφισαμένου διαλύσασθαι πρὸς τοὺς ἐν ἄστει, καὶ μηδενὸς τῶν γεγενημένων μνησικακεῖν, θέους δὲ ὄντος, μὴ πάλιν τὸ πλῆθος εἰς τοὺς εὐπόρους ὑβρίσῃ τὴν ἀρχαίαν ἐξουσίαν κεκομισμένον, καὶ πολλῶν ὑπὲρ τοῦτου γινομένων λόγων, Φορμίσιος τις τῶν συγκατελθόντων μετὰ τοῦ δήμου γνώμην εισηγήσατο, τοὺς μὲν φεύγοντας κατιέναι, τὴν δὲ πολιτείαν μὴ πᾶσιν, ἀλλὰ τοῖς τὴν γῆν ἔχουσι παραδοῦναι, βουλομένον ταῦτα γενέσθαι καὶ Λακεδαιμονίων. Grote c. 66, vi 4. Schömann, *On Grote*, § 11, holds that it is wrong to regard Phormisius as an adherent of the oligarchical party; at the same time he was no friend to extreme democracy. Schömann's view is supported by the text.

He was sent with Epicrates and others as an envoy to Artaxerxes before the Corinthian war and accepted valuable gifts from the king. The envoys were attacked for this in the *Πρέσβεις* of Plato, ap. Athen. 229 F (*frag.* 119 with Kock's note). He is mentioned in Arist. *Ran.* 965 as an admirer (*μαθητῆς*) of Aeschylus. Didymus, in Schol. *ad loc.*, describes him as δραστηκὸς καὶ τὴν κόμην τρέφων καὶ φοβερός δοκῶν εἶναι.

Λυσάνδρου—τοῖς ὀλιγαρχικοῖς] Diodorus, xiv 3.

ψήφισμα] Isocr. 7 § 67, οἱ μὲν γὰρ ψηφίσματι παραλαβόντες τὴν πόλιν.

Δρακοντίδης] Lysias 12 § 73, Θηραμένης ἐκέλευσεν ὑμᾶς τριάκοντα ἀνδράσι ἐπιτρέψαι τὴν πόλιν, καὶ τῇ πολιτείᾳ χρῆσθαι

35. οἱ μὲν οὖν τριάκοντα τοῦτον τὸν τρόπον κατέστησαν ἐπὶ Πυθοδώρου ἄρχοντος. γενόμενοι δὲ κύριοι τῆς πόλεως τὰ μὲν ἄλλα τὰ δόξαντα περὶ τῆς πολιτείας παρεώρων, πεντακοσίους δὲ βουλευτὰς καὶ τὰς ἄλλας ἀρχὰς καταστήσαντες ἐκ προκρίτων 5 ἐκ τῶν χιλίων, καὶ προσελόμενοι σφίσιν αὐτοῖς τοῦ Πειραιέως ἄρχοντας δέκα καὶ τοῦ δεσμοτηρίου φύλακας ἕνδεκα καὶ μαστιγοφόρους τριακοσίους ὑπηρέτας, κατεῖχον τὴν πόλιν δι' ἑαυτῶν. τὸ 2 μὲν οὖν πρῶτον μέτριοι τοῖς πολίταις ἦσαν καὶ προσεποιοῦντο

XXXV 1 ΚΑΤΕΣΤΗΘΕ corr. K. 5 EK TΩN XHΛIΩN (K, S<sup>1</sup>) delent Rutherford, Marindin: ἐκ τῶν delet Herwerden (Th); πεντακισχιλίων? K-W; ἐκ τῶν <πεντακισ> χιλίων E S Thompson, H-L, Kaibel 192; ἐκ τῶν φυλῶν Hude; ἐκ τῶν <φυλῶν> ε

χιλίων Papageorgios. ΠΙΡΑΙΩΣ: Πειραιέως K, K-W, B<sup>4</sup>, Th; Πειραιῶς H-L, B<sup>1-3</sup>. 7 ὕπηρ. del. Rutherford. δι' ἑαυτῶν K etc.: δι' αὐτῶν Jos. Mayor (H-L), sed cf. c. 19 § 3, 33 § 2.

TEST. XXXV 5—6 Bekk. *Anec.*, p. 235 δέκα τινες εἰσι: δέκα ἦσαν τινες ἐν Πειραιεῖ οἱ ἄρξαντες κατὰ τὴν τυραννίδα τῶν τριάκοντα. ἀλλὰ καὶ προσέταξαν αὐτοῖς εὐθύνας τῆς ἀρχῆς δοῦναι. μὴ ἀγνοῶμεν δὲ ὅτι ἕτεροι εἰσι δέκα, οὓς Ἀθηναῖοι εἴλοντο μετὰ τὴν τῶν τριάκοντα κατάλυσιν (c. 38, 5).

ἦν Δρακοντίδης ἀπέφαιεν. Aristoph. *Vesp.* 157 with Schol. He was himself nominated as one of the Thirty (Xen. *Hell.* ii 3 § 2; Hypereid. ap. Harp. s.v.). Cf. Plat. *Com. frag.* 139 Kock.

### XXXV—XXXVII. The Rule of the Thirty.

XXXV § 1. οἱ...τριάκοντα] Diodorus (xix 32 etc) is the first writer who calls them οἱ τρ. τύραννοι. The same designation occurs in Plut. *Sull.* 5 and in later writers.

ἐπὶ Πυθοδώρου ἄρχοντος] δὲ Ἀθηναῖοι, ὅτι ἐν ὀλιγαρχίᾳ ἤρθη, οὐκ ὀνομάζουσιν, ἀλλ' ἀναρχίαν τὸν ἐνιαυτὸν καλοῦσιν, Xen. *Hell.* ii 3 § 1; cf. however *Lys.* 7 § 9.

τὰ μὲν ἄλλα—βουλευτὰς—καταστήσαντες] Xen. *Hell.* ii 3 § 11, αἰρεθέντες ἐφ' ᾧτε ξηγγράφαι νόμους, καθ' οὓσιν τὰς πολιτεῦσονται, τούτους μὲν αἰετὸν ἐμελλον ξηγγράφειν τε καὶ ἀποδεικνύναι, βουλὴν δὲ καὶ τὰς ἄλλας ἀρχὰς κατέστησαν, ὡς ἐδόκει αὐτοῖς. τὰς ἄλλας ἀρχὰς, e.g. that of King-Archon which was filled by Patrocles, Isocr. *Callim.* 18 § 5.

ἐκ προκρίτων ἐκ τῶν χιλίων] 'out of those selected beforehand, i.e. out of the 1000.' If χιλίων is right, the reference is to the Knights. Cf. Philochorus, fragm. 100, ap. Hesych. s.v. ἱππῆς, ἱππεῖς ('Ἱππεύσω Schow): ἀλλ' εἰσὶν ἱππῆς ἄνδρες ἀγαθοὶ χιλιῖαι [Aristoph. *Eg.* 225]. σύστημα πολεμικῶν ἀνδρῶν χιλίων ἵππους τρεφόντων. Φιλόχορος δὲ ἐν τετάρτῳ εἰρηκε, πότε καταστάθησαν χιλιῖαι. διάφορα γὰρ ἦν ἱππέων πλῆθος κατὰ χρόνον Ἀθηναίους. Cf. Gilbert's *Gr. St.* i 305. The Knights were generally

credited with oligarchical sympathies. Cf. Martin, *Les Cavaliers Athéniens*, 1886, pp. 472—480, *Les Cavaliers et les Trente*.

It is improbable however that the select body, out of which the 500 and the other officials were appointed, numbered only 1000. Hence it has been proposed to read πεντακισχιλίων (or ἐκ τῶν π.), but (as observed by Mr Kenyon) we know of no such body as in existence at this time, unless it is vaguely applied (as under the 400) to all capable of providing arms. Under the 400, we find the 5000 mentioned in 29 § 5, 30 § 1, 31 § 2 and 32 §§ 1, 3; and, on the overthrow of the 400 in 33 § 1, τὰ πράγματα παρέδωκαν τοῖς τετρακοσίοις τοῖς ἐκ τῶν πλῶν, who were, however, ignored by the leaders of this counter-revolution, Aristocrates and Theramenes (33 § 2).

τοῦ Πειραιέως ἄρχοντας δέκα] Plut. *Lysander* 15, δέκα δὲ ἐν Πειραιεῖ καταστήσας ἀρχοντας. Plat. *Epist.* vii p. 324 B. Scheibe, *Oligarchische Umwälzung*, p. 68.

ἕνδεκα] c. 52 § 1. Xen. *Hell.* ii 3 § 54. This new board of Eleven was under the control of Satyrus, one of the most violent partisans of the Thirty.

μαστιγοφόρους] The word occurs in Thuc. iv 47. Xen. *Hell.* ii 3 § 23 mentions certain νεανίσκοι, who carried out the orders of the Thirty, but their number is not specified.

§ 2. μέτριοι] cf. Xen. *Hell.* ii 3 § 12. The Thirty began by attacking the συκοφάνται alone. Plut. *Mor.* ii pp. 959, 998. *Inf.* l. 18.



διώκειν τὴν πάτριον πολιτείαν, καὶ τοὺς τ' Ἐφιάλτου καὶ Ἀρχεστράτου νόμους τοὺς περὶ τῶν Ἀρεοπαγιτῶν καθείλον ἐξ ἰο Ἀρείου πάγου καὶ τῶν Σόλωνος θεσμῶν ὅσοι διαμφισβητήσεις εἶχον, καὶ τὸ κύρος δ' ἦν ἐν τοῖς δικασταῖς κατέλυσαν, ὡς ἐπανορθοῦντες καὶ ποιοῦντες ἀναμφισβήτητον τὴν πολιτείαν· 16.] οἶον || περὶ τοῦ δοῦναι τὰ ἑαυτοῦ ᾧ ἂν ἐθέλη κύριον ποιήσαντες

9 ΔΙΟΙΚΕΙΝ (K coll. c. 27, 11, 'non nunc petere sed habere antiquam civitatem prae se ferebant,' K<sup>4</sup>), διοικεῖν <κατὰ> Hude; διώκειν Kontos, Gertz, K-W, H-L, V, Th, coll. c. 13, 18. 11 ΔΙΑΜΦΙΖΒΗΤ. 13 ΑΝΑΜΦΙΖΒΗΤΗΤΟΝ. Post annum 329 A.C. etiam in titulis Atticis apparet ζ aut σζ pro σ, e.g. ἐνδέξμενος (329 A.C.), ψήφισμα (paulo post 100 A.C.), Meisterhans, p. 88<sup>3</sup>. 14 οἶον <τὸν> K-W (s<sup>1</sup>). ἂν <τις> H-L. ΠΟΙΗΣΑΝΤΕΣ: ἐποίησαν 'emendatio incerta, nec praestat ποιήσαντες καθάπαξ, τὰς προσούσας δυσκολίας delete δὲ' K-W.

διώκειν τὴν πάτριον πολιτείαν] c. 13 § 4, διώκειν τὴν μέσην πολιτείαν. διώκειν, which implies general aim or policy, seems better than διοικεῖν, which implies actual administration (as in Thuc. viii 21, διώκουν τὴν πόλιν, and 70, τῆς τοῦ δήμου διοικήσεως).

Ἐφιάλτου] c. 25 § 2. Ἀρχεστράτου] Possibly the στρατηγὸς of that name in the Peloponnesian war, a son of Lycomedes (Thuc. i 57 § 4; Xen. Hell. i 5, 16; ii 2, 15). He died at Mitylene (Lys. 21 § 8). In Thuc. viii 74 § 1 we have an Arcestratus, who is described as the father of Chaereas.

Mr Kenyon conjectures that 'probably Arcestratus was one of the supporters of Ephialtes, and some of the laws curtailing the power of the Areopagus stood in his name.'

καθείλον ἐξ Ἀρείου πάγου] This implies that the laws of Ephialtes etc. limiting the powers of the Areopagites were actually preserved on the Areopagus and that the Thirty removed them from the hill of Ares and thereby virtually repealed them. The context further implies that the laws of Solon were also preserved on the Areopagus, whereas they were really preserved in the Prytaneum (note on 7 § 1, κύρβεις). Possibly we should strike out ἐξ Ἀρείου πάγου. As a milder remedy we may remove the comma after εἶχον, so as to bring the laws of Solon here referred to under the influence of the verb κατέλυσαν: but as the text stands, the laws of Solon are coupled to those of Ephialtes and Arcestratus and can only be separated from them by striking out τ' before Ἐφιάλτου.

Although the original documents were preserved in the Prytaneum, copies on

stone were kept on the Areopagus, Lys. 6 § 15, κατὰ τοὺς νόμους τοὺς ἐξ Ἀρείου πάγου, Dem. 23 § 22 τῶν φονικῶν νόμων τῶν ἐξ Ἀρείου πάγου. Cf. Lys. i § 30 and (of a law of Dracon) Dem. 47 § 71.

Σόλωνος] Schol. Aeschin. i § 39, οἱ ἄν τύραννοι... ἐλυμήναντο τοὺς Δράκοντος καὶ Σόλωνος νόμους.

θεσμῶν] c. 12 § 4 l. 45, in the Iambic lines from Solon.

διαμφισβητήσεις] In c. 9 § 2 it has been remarked that the right of appeal to a lawcourt was one of the strongest points in the democracy as constituted by Solon. In the same passage the ambiguities in the law of property and the law of 'heir-esses' are described as giving additional power to the lawcourts. Some of these ambiguities were removed by the Thirty and the power of the lawcourts (and the commons) *pro tanto* diminished.

ἀναμφισβήτητον] an epithet of κρίσις in Pol. iii 13, 1283 b 4, and coupled with φανερόν in 1332 b 20 and Categ. 5, 3 b 4. The adverb is found in Categ. 8, 11 a 2.

περὶ τοῦ δοῦναι τὰ ἑαυτοῦ ᾧ ἂν ἐθέλη] Plut. Sol. 21, εὐδοκίμησε δὲ κὰν τῷ περὶ διαθηκῶν νόμῳ· πρότερον γὰρ οὐκ ἐξῆν, ἀλλ' ἐν τῷ γένει τοῦ τεθηγκότος ἔδει τὰ χρήματα καὶ τὸν οἶκον καταμένειν, ὃ δ' ᾧ βούλεται τις ἐπιτρέψας, εἰ μὴ παῖδες ὡσι γνήσιοι, δοῦναι τὰ αὐτοῦ κτλ. οὐ μὴν ἀνέδην γε πάλιν οὐδ' ἀπλῶς τὰς δόσεις ἐφῆκεν, ἀλλ' εἰ μὴ νόμον ἔνεκεν ἢ φαρμάκων ἢ δεσμῶν ἢ ἀνάγκη κατασχεθεῖς ἢ γυναικὶ πειθόμενος. See note on Dem. Left. § 102. In Plat. Leg. 922 E, (οἱ πάλαι νομοθετοῦντες) τὸν νόμον ἐτίθεισαν τὸν ἐξ-εἶναι τὰ ἑαυτοῦ διατίθεσθαι ἀπλῶς, ὅπως ἂν τις ἐθέλη τὸ παράπαν. No such absolute right was granted by the laws of Solon.

15 καθάπαξ, τὰς δὲ προσούσας δυσκολίας 'ἐὰν μὴ μανιῶν ἢ γηρώς (ἐνεκα) ἢ γυναικὶ πιθόμενος' ἀφεῖλον, ὅπως μὴ ἢ τοῖς συκοφάνταις ἔφοδος· ὁμοίως δὲ τοῦτ' ἔδρων καὶ ἐπὶ τῶν ἄλλων. κατ' ἀρχὰς μὲν οὖν ταῦτ' ἐποίουν καὶ τοὺς συκοφάντας καὶ τοὺς 3 τῷ δήμῳ πρὸς χάριν ὁμιλοῦντας παρὰ τὸ βέλτιστον καὶ κακοπράγ-  
20 μονας ὄντας καὶ πονηροὺς ἀνῆρουν, ἐφ' οἷς ἔχαιρον ἢ πόλις γιγνομένοις, ἡγούμενοι τοῦ βελτίστου χάριν ποιεῖν αὐτούς. ἐπεὶ 4 δὲ τὴν πόλιν ἐγκρατέστερον ἔσχον, οὐδενὸς ἀπέειχοντο τῶν πολι-  
τῶν, ἀλλ' ἀπέκτεινον τοὺς καὶ ταῖς οὐσίαις καὶ τῷ γένει καὶ τοῖς

15 ΜΑΝΙΩΝΗΓΗΡΩΝ, μανιῶν ἢ γηρῶν κ, κ-ω: μανιῶν ἢ γήρωσ <ἐνεκα> Blass et Wyse, coll. [Dem.] 46 § 14; μανιῶν ἢ γήρωσ <ἢ φαρμάκων ἢ νόσου ἐνεκεν παρανοῶν> Poland; eadem (nisi quod ἐνεκα malunt et παρανοῶν non accipiunt) H-L; 'ἐνεκα Ar. ut in re notissima omisit' Th. 16 ΠΙΘΟΜΕΝΟΣ (edd.): πειθόμενος Wyse et Poland coll. [Dem.] l.c. 'sed praestat aoristus (= πεισθεῖς)' H-L, cf. 'Is. 2 § 20. 19 καὶ secl. κ-ω. 20 ἔχαιρον propter participium ἡγούμενοι retineri posse putat κ, retinent H-L, β: ἔχαιρεν Sidgwick, Rutherford (κ-ω, Th); cf. Thuc. viii 21, ὁ δῆμος... ἀπέκτεινε... ζημιώσαντες... νεμάρμενοι. 21 ΓΙΓΝ (edd.). 23 ΑΠΕΚΤΕΙΝΑΝ (κ, coll. Thuc. viii 70, 2): ἀπέκτεινον Blass, Kontos, H-L, κ-ω, s<sup>1</sup>, Th.

καθάπαξ] 'absolutely.' Under Solon's law it was only in the event of a man's having no legitimate children that he could make a will at all. Possibly the Thirty made the right absolute.

τὰς προσούσας δυσκολίας] either 'the inconvenient limitations attaching thereto' or 'the additional inconvenient limitations'; probably the former.

ἐὰν μὴ μανιῶν—πιθόμενος] [Dem.] 46 § 14, ἐὰν μὴ μανιῶν ἢ γήρωσ ἢ φαρμάκων ἢ νόσου ἐνεκα, ἢ γυναικὶ πειθόμενος, and § 16, νοσοῦντα ἢ φαρμακῶντα ἢ γυναικὶ πειθόμενον ἢ ὑπὸ γήρωσ ἢ ὑπὸ μανιῶν ἢ ὑπὸ ἀνάγκης τινὸς καταληφθέντα. 48 § 56, ἀκυρά γε ταῦτα πάντα ἐνομοθέτησεν εἶναι ὁ Σόλων, ὅ τι ἂν τις γυναικὶ πειθόμενος πράττη. Lys. frag. 74, τῆς διαθέσεως... ἦν ἐκεῖνος διέθετο οὐ παρανοῶν οὐδὲ γυναικὶ πεισθεῖς. Isaeus 6 § 9, ἐὰν μὴ ἄρα μανεῖς ἢ ὑπὸ γήρωσ κτλ., 2 § 13. Hyperides 5 (Athenog.) § 17, ἐξεῖναι τὰ ἑαυτοῦ διατιθεσθαι ὡς ἂν τις βούληται, πλὴν [ἢ γήρωσ] ἐνε[κεν] ἢ νόσου ἢ μανιῶν ἢ γυν[αικὶ] πειθόμενον].

μανιῶν ἢ γηρῶν are defended as principles by Kaibel, 192 f. γηρῶν is found in Xen. Cyr. iv 1, 15, and Ar. Eth. v 8, 3, but μανιῶν does not occur. For the pl. μανιῶν, cf. Plat. Leg. 869 A, μανιαῖς ὄργης, and 880 B, μανιαῖς ἐχόμενος.

ὅπως μὴ ἢ] The only passage in which μὴ is followed by a vowel in the historical part of the treatise. Cf. 42, 1; 52, 2; 57, 4 (Kaibel, 11).

§ 3. τοὺς συκοφάντας κτλ.] Xen. Hell.

ii 3, 12, πρῶτον μὲν οὐδὲ πάντες ἤδεσαν ἐν τῇ δημοκρατίᾳ ἀπὸ συκοφαντίας ζῶντας καὶ τοῖς καλοῖς κάγαθοῖς βαρεῖς ὄντας συλλαμβάνοντες ὑπὲρ θανάτου· καὶ ἢ τε βουλή ἡδέως αὐτῶν κατεψηφίζετο, οἱ τε ἄλλοι, ὅσοι ξυνῆδσαν ἑαυτοῖς μὴ ὄντες τοιοῦτοι, οὐδὲν ἤχθοντο. Lysias 13 § 5, (οἱ τριάκοντα) φάσκοντες χρῆναι τῶν ἀδίκων καθαρὰν ποιῆσαι τὴν πόλιν. Plato, then a young man of 24, and a nephew of Critias, was at first misled by these splendid professions, *Erist.* 324 BC (Grote, v 562).

πρὸς χάριν] (λέγειν τινὶ) Xen. *Mem.* iv 4, 4: *Hell.* vi 3, 7; *Rhet.* i 1, 1354 b 34, ἀκροῶσθαι πρὸς χάριν. *Pol.* iii 16, 1287 a 38, πολλὰ πρὸς ἐπῆρειαν καὶ χάριν πράττειν. *Eth.* 10, 2, 1173 b 33, (ὁ φίλος) πρὸς τὰ γὰθον ὁμιλεῖν δοκεῖ, (ὁ κόλαξ) πρὸς ἡδονήν.

Theramenes protested against putting people to death simply because they had enjoyed influence under the democracy: 'Even you and I (he reminded Critias) have both said and done many things for the sake of popularity' Xen. *Hell.* ii 3 § 15 (Grote, v 565).

§ 4. οὐδενὸς ἀπέειχοντο κτλ.] Xen. *Hell.* ii 3 § 14, οὐδὲ ἐβούλοντο ξυνελάμβανον, οὐκέτι τοὺς πονηροὺς τε καὶ ὀλίγον ἀξίους.

ἀπέκτεινον κτλ.] *Id.* § 15 (ὁ Κριτίας) προπετής ἦν ἐπὶ τὸ πολλοὺς ἀποκτείνειν, and § 17, ἀποθησκόντων πολλῶν καὶ ἀδίκων. Among those who were put to death were Strobichides and other officers who were attached to the democracy (Lysias 13 § 13; 30 § 14); Lycurgus who belonged to one of the most eminent sacred *gentes* in the State ([Plut.] *Vit.*



ἀξιώμασιν προέχοντας, ὑπεξαιρούμενοί τε τὸν φόβον καὶ βουλό-  
μενοι τὰς οὐσίας διαρπάζειν· καὶ χρόνου διαπεσόντος βραχέος, οὐκ 25  
ἐλάττους ἀνηγήκεσαν ἢ χιλίους πεντακοσίους.

36. οὕτως δὲ τῆς πόλεως ὑποφερομένης, Θηραμένης ἀγανακτῶν  
ἐπὶ τοῖς γιγνομένοις τῆς μὲν ἀσελγείας αὐτοῖς παρῆνει παύσασθαι,  
μεταδοῦναι δὲ τῶν πραγμάτων τοῖς βελτίστοις. οἱ δὲ πρῶτον  
ἐναντιωθέντες, ἐπεὶ διεσπάρησαν οἱ λόγοι πρὸς τὸ πλῆθος καὶ  
πρὸς τὸν Θηραμένην, οἰκείως εἶχον οἱ πολλοί, φοβηθέντες μὴ 5  
προστάτης γενόμενος τοῦ δήμου καταλύσῃ τὴν δυναστείαν κατα-  
λέγουσιν τῶν πολιτῶν τρισχιλίους ὡς μεταδώσοντες τῆς πολιτείας.  
2 Θηραμένης δὲ πάλιν ἐπιτιμᾶ καὶ τούτοις, πρῶτον μὲν ὅτι βουλό-  
μενοι μεταδοῦναι τοῖς ἐπιεικέσι τρισχιλίους μόνοις μεταδιδόασιν, ὡς  
ἐν τούτῳ τῷ πλήθει τῆς ἀρετῆς ὠρισμένης, ἔπειθ' ὅτι δύο τὰ ἐναν- 10  
τιώτατα ποιούσιν, βίαιόν τε τὴν ἀρχὴν καὶ τῶν ἀρχομένων ἥττω

24 ἀξιώμασι H-L.

25 ΔΙΑΠΕΣΟΝΤΟΣ (edd.)?: διαλιπόντος Jos. Mayor, διελ-  
θόντος Herwerden.

XXXVI 1 οὕτω H-L.

2 ΓΙΝ K-W.

3 πρῶτοι (Th coll. 5 § 3), πρῶτον K

(H-L, K-W, B<sup>1-3</sup>), <τὸ> πρῶτον B<sup>4</sup>. πρῶτον <μὲν> Sakorr. 4 ἐπεὶ <δέ> Sak-  
orr. (B<sup>4</sup>).

6 καταλέγουσι H-L. 7 ΔΙΣΧΙΛΙΟΥΣ corr. K. 8 ἐπετιμα Gennadios.

9 μεταδιδόασιν H-L. 10 ἐν secl. B<sup>4</sup>.

TEST. XXXV 26 Heraclidis epitoma, Frag. 611, 6<sup>3</sup> (locus infra exscriptus).

*Orat.* p. 838); a wealthy man named Antiphon; Leon of Salamis (*Plat. Apol.* p. 32); and even Niceratus the son, and Eucrates the brother, of Nicias, *Xen. Hell.* ii 3, 39—41; Lysias 18 §§ 5—8 (Grote, v 566).

ὑπεξαιρούμενοι—φόβον] ‘cunningly removing (making away with) all whom they had reason to fear.’ *Plat. Rep.* 567 B, and in pass. *Thuc.* viii 70 (of the Four Hundred) ἀνδρας...ἀπέκτειναν οὐ πολλοὺς οἱ ἐδόκουν ἐπιτιμήδαιο εἶναι ὑπεξαιρεθῆναι. Either τὸν φόβον, as suggested by Mr W. L. Newman (*Class. Rev.* v 164 b), is the ‘object of their fear’ (a somewhat poetic usage), or we must render the passage ‘getting quit of their own apprehension.’

χρόνου διαπεσόντος] a novel use, possibly suggested by phrases such as παραπίπτων or παραπεπτικῶς καιρὸς (*Kaibel*, 42).

χιλίους πεντακοσίους] Heraclides 9, καὶ ἀνεῖλον οὐκ ἐλάσσους χιλίων φ. *Isocr. Ateor.* 67 (of the Thirty), οἱ μὲν γὰρ ψηφίσματα παραλαβόντες τὴν πόλιν πεντακοσίους μὲν καὶ χιλίους τῶν πολιτῶν ἀκρίτους ἀπέκτειναν. *Paneg.* 113, *Aeschin. Ctes.* 23. Cf. Grote v 577 n. The Schol.

on *Aeschin.* i § 39 quotes Lysias for the number 2500.

XXXVI § 1. ὑποφερομένης] c. 25 § 1.

Θηραμένης κτλ.] *Xen. Hell.* ii 3 §§ 15—17. Aristotle is here probably quoting from a political pamphlet by Theramenes (cf. *Wilamowitz*, i 165 f).

διεσπάρησαν] δ. λόγον, *Xen. Hell.* v 1 § 25.

φοβηθέντες—πολιτείας] *Xen. Hell.* ii 3 § 18, ἐκ τούτου μέντοι Κριτίας καὶ οἱ ἄλλοι τῶν τριάκοντα, ἥδη φοβούμενοι καὶ οὐχ ἤκιστα τὸν Θηραμένην, μὴ συρρυνήσαν πρὸς αὐτὸν οἱ πολῖται, καταλέγουσι τρισχιλίους τοὺς μεθέξοντας δὴ τῶν πραγμάτων.

προστάτης τοῦ δήμου] c. 2 l. 9; c. 28 § 2.

§ 2. Θ. πάλιν ἐπιτιμᾶ] *Xen. Hell.* ii 3 § 19, ὁ δ' αὖ Θ. καὶ πρὸς ταῦτα ἔλεγεν, ὅτι ἄτοπον δοκοῖη ἑαυτῷ γε εἶναι τὸ πρῶτον μὲν βουλομένους τοὺς βελτίστους τῶν πολιτῶν κοινωνοὺς ποιήσασθαι τρισχιλίους, ὥσπερ τὸν ἀριθμὸν τούτων ἔχοντά τινα ἀνάγκην καλοὺς κάγαθοὺς εἶναι, καὶ οὐτ' ἔξω τούτων σπουδαίους οὐτ' ἐντὸς τούτων πονηροὺς οἶόν τε εἶη γενέσθαι· ἔπειτα δ', ἔφη, ὁρῶ ἔγωγε δύο ἡμᾶς τὰ ἐναντιώτατα πράττοντας, βίαιαν τε τὴν ἀρχὴν καὶ ἥττονα τῶν ἀρχομένων κατασκευαζόμενους.

κατασκευάζοντες. οἱ δὲ τούτων μὲν ὀλιγώρησαν, τὸν δὲ κατάλογον τῶν τρισχιλίων πολὺν μὲν χρόνον ὑπερεβάλλοντο καὶ παρ' αὐτοῖς ἐφύλαττον τοὺς ἐγνωσμένους, ὅτε δὲ καὶ δόξειεν αὐτοῖς ἐκφέρειν  
 15 τοὺς μὲν ἐξήλειφον τῶν (ἐγ)γεγραμμένων, τοὺς δ' ἀντεγράφον τῶν ἔξωθεν.

37. ἤδη δὲ τοῦ χειμῶνος ἐνεστῶτος, καταλαβόντος Θρασυβούλου μετὰ τῶν φυγάδων Φυλὴν, καὶ κατὰ τὴν στρατιὰν ἦν ἐξήγαγον οἱ τριάκοντα κακῶς ἀποχωρήσαντες, ἔγνωσαν τῶν μὲν ἄλλων τὰ ὄπλα παρελίσθαι, Θηραμένην δὲ διαφθεῖραι τόνδε

κα

12 ΜΕΤΑΣΚΕΥΑΖΟΝΤΕΣ. 13 ὑΠΕΡΒΑΛΛ. <ἐκφέρειν> add. Gertz, sed cf. Kaibel 194. 14 συμφέρειν van Leeuwen. 15 ΓΕΓΡΑΜΜΕΝΩΝ (κ, Β<sup>4</sup>): <ἐγ> γεγραμμένων Herwerden (H-L, K-W, B, K<sup>4</sup>, Th).

XXXVII 2 καὶ secl. K-W<sup>1,2</sup>; retinent K-W<sup>3</sup>, cf. Kaibel 195. ΣΤΡΑΤΙΑΝ κ, H-L, B, Th, cf. Kaibel 195: στρατεῖαν K-W. 3 οἱ τριάκοντα del. Richards (H-L), ante

ε

ἐγνωσαν ponit Jos. Mayor.

4 ΠΑΡΙΕΣΘΑΙ corr. K.

τὸν δὲ κατάλογον κτλ.] The narrative in Xenophon (*Hell.* ii 3 § 20) proceeds immediately with an account of the review of the 3000 in the *agora* and of the rest (τῶν ἔξω τοῦ καταλόγου) elsewhere. The κατάλογος is the list of the 3000 referred to by Theramenes in Xen. *Hell.* ii 3 § 52, ἵκετεύω...μὴ ἐπὶ Κριτία εἶναι ἐξαλείφειν...δὴν ἀν βούληται, ἀλλ' ὄνπερ νόμον οὗτοι ἔγραψαν περὶ τῶν ἐν τῷ καταλόγῳ, κατὰ τοῦτον...τὴν κρίσιν εἶναι, *ib.* 4 § 28.

τοὺς ἐγνωσμένους] 'those whom they had determined to include.'

ὅτε δόξειεν] They repeatedly fixed a date for the publication of the list, but never actually published it. On every such occasion they revised the names but did not publish the results (cf. Kaibel, 194).

ἐξήλειφον κτλ.] Isocr. 18 § 16, ἐκ μὲν τῶν μετεχόντων τῆς πολιτείας ἐξαλείψας, εἰς δὲ τὸν μετὰ Λυσάνδρον κατάλογον ἐγγράψας, and 21 § 2, and Lys. 25 § 16 (Wyse).

ἀντεγράφον] The word is used by Dem., but only in the pass.

XXXVII § 1. τοῦ χειμῶνος ἐνεστῶτος] the winter of B.C. 404/3.

καταλαβόντος — Φυλὴν] Xenophon (*Hell.* ii 3, 23—56) completes the story of the opposition of Theramenes to the proceedings of the Thirty, and his consequent death, before relating the capture of Phyle by Thrasybulus. In ii 4, 1, after the death of Theramenes, the opponents of the Thirty were compelled to withdraw, and many of them went to Megara and

Thebes. Thereupon (ἐκ τούτου § 2) Thrasybulus ὀρηθεῖς ἐκ Θηβῶν ὡς σὺν ἑβδομήκοντα Φυλὴν χωρίον καταλαμβάνει ἰσχυρόν. In the text the occupation of Phyle, and the defeat of the force sent out by the Thirty against the holders of that fort, are described as the cause of the disarmament of the general body of citizens and the execution of Theramenes.

This implies that Thrasybulus held Phyle for a longer time than has generally been supposed. It was not long after the surrender of Athens, on the 16th of Munychion (end of April), that the Thirty came into power, probably early in May, 404. Cleocritus in Xen. *Hell.* ii 4, 21, speaking immediately after the battle which ensued on the occupation of Munychia, describes the rule of the Thirty as having lasted for eight months. This brings us to the end of December, 404.

It was not until the small force which originally occupied Phyle, variously stated as 30, 60, 70 or over 100 (Grote, v 585), had increased to 1000 that Thrasybulus advanced on Athens. Mr Kenyon suggests that 'they probably remained for two or three of the winter months at Phyle.' The fact that it was during the winter that Phyle was in occupation is illustrated by the narrative of the snow-storm which thwarted the Thirty in their attempt to blockade Phyle after their first repulse (Xen. *Hell.* ii 4, 2).

τὰ ὄπλα παρελίσθαι] Xen. *Hell.* ii 3 § 20, τὰ ὄπλα πάντων πλὴν τῶν τρισχιλίων παρεῖλοντο, and *ib.* § 41. *Pol.* 1311a 8 ff.



(τὸν) τρόπον. νόμους εἰσήνεγκαν εἰς τὴν βουλὴν δύο κελεύοντες || 5  
 17.] ἐπιχειροτονεῖν, ὧν ὁ μὲν εἰς αὐτοκράτορας ἐποίει τοὺς τριάκοντα  
 τῶν πολιτῶν ἀποκτείνει τοὺς μὴ τοῦ καταλόγου μετέχοντας τῶν  
 τρισχιλίων, ὁ δ' ἕτερος ἐκόλυε κοινωνεῖν τῆς παρουσίας πολιτείας  
 ὅσοι τυγχάνουσιν (ἢ) τὸ ἐν Ἡετιωνείᾳ τεῖχος κατασκάψαντες ἢ τοῖς  
 τετρακοσίοις ἐναντίον τι πράξαντες [[ἦ]] τοῖς κατασκευάσασι τὴν 10  
 προτέραν ὀλιγαρχίαν· ὧν ἐτύγχανεν ἀμφοτέρων κεκοινωνηκῶς ὁ  
 Θηραμένης, ὥστε συνέβαινε, ἐπικυρωθέντων τῶν νόμων, ἕξω τε  
 γίνεσθαι τῆς πολιτείας αὐτὸν καὶ τοὺς τριάκοντα κυρίους εἶναι  
 2 θανατοῦντας. ἀναιρεθέντος δὲ Θηραμένουσ τά τε ὄπλα παρείλοντο  
 πάντων πλὴν τῶν τρισχιλίων καὶ ἐν τοῖς ἄλλοις πολὺ πρὸς 15

5 <τὸν> K-W, coll. c. 7, 8 (edd.).

7 τῶν τρισχιλίων delere volebat B<sup>1-2</sup>.

9 τυγχάνουσι H-L. <ἦ> τὸ B<sup>4</sup>.

10 ἦ secl. K-W, H-L, B<sup>2,3</sup>, Th, ἦ τοῖς secl. B<sup>4</sup>.

14 ΘΑΝΑΤΟΥΝΤΑΣ (edd.) defendit Kontos coll. Thuc. v 34, Plat. Leg. 878 E, Polyb. iii 85, 2 etc.: θανατοῦν Lacon, Keil (+αὐτὸν Poland), coll. Xen. Hell. ii 13, 51.

νόμους εἰσήνεγκαν] *asyndeton*.  
 αὐτοκράτορας—τρισχιλίων] Xen. Hell. ii 3 § 51 (Critias *loquitur*), ἔστι δὲ ἐν τοῖς καινοῖς νόμοις τῶν μὲν ἐν τοῖς τρισχιλίοις δυναν μηδένα ἀποθνήσκων ἀνευ τῆς ὑμετέρας ψήφου, τῶν δ' ἕξω τοῦ καταλόγου κυρίους εἶναι τοὺς τριάκοντα θανατοῦν. ἐγὼ οὖν, ἔφη, Θηραμένην τουτοῦ ἐξαλείφω ἐκ τοῦ καταλόγου ξυνδοκοῦν ἅπασιν ἡμῖν καὶ τουτόν, ἔφη, ἡμεῖς θανατοῦμεν. This implies that there were other καινοὶ νόμοι, and the second given in the text, but unrecognised by Xenophon, would be one of them. But if it had already been passed before the meeting of the Council at which Critias denounced Theramenes, the latter would obviously have withdrawn from Athens. The only alternative is to suppose, with Mr Kenyon, that Critias proposed the second law on the spot and 'forced it down the throat of the council by the threat of armed force.' This is not inconsistent with striking the name of Theramenes out of the list of the 3000, the only detail recorded by Xenophon, who omits the second law as superfluous, and as therefore marring the dramatic effect of his narrative.

Cf. Isocr. 18 § 16, οὐδένα φανήσομαι τῶν πολιτῶν οὔτε χρήμασι ζημιώσας οὔτε περὶ τοῦ σώματος εἰς κίνδυνον καταστήσας, οὐτ' ἐκ μὲν τῶν μετεχόντων τῆς πολιτείας ἐξαλείψας εἰς δὲ τὸν μετὰ Λυσάνδρου κατάλογον ἐγγράψας.

τὸ ἐν Ἡετιωνείᾳ τεῖχος κατασκάψαντες] 'the projecting mole which contracted and commanded, on the northern side, the narrow entrance of Peiraeus,' Grote c. 62,

v 403, 408, 412. See Map of Peiraeus in Curtius, *Sieben Karten*, no. 2.

Thuc. viii 90 § 1, τὸ ἐν τῇ Ἡετιωνείᾳ καλουμένη τεῖχος ἐποίουντο. *ib.* 90 § 3, ἦν δὲ τοῦ τεύχους ἡ γνώμη αὐτή, ὡς ἔφη Θηραμένης καὶ οἱ μετ' αὐτοῦ, οὐχ ἴνα τοὺς ἐν Σάμῳ, ἦν βία ἐπιπλέωσι, μὴ δέξωνται ἐς τὸν Πειραιᾶ, ἀλλ' ἴνα τοὺς πολεμίους μάλον, ὅταν βούλωνται, καὶ νασι καὶ πεζῶ δέξωνται, καὶ εἰ ἄμεινον εἶναι καθαιρεῖν. ὁ δὲ, εἴπερ καὶ ἐκείνοις δοκεῖ καθαιρεῖν, καὶ ἐαυτῶ ἔφη ξυνδοκεῖν. καὶ ἐντεῦθεν εὐθὺς ἀναβάντες οἱ τε ὄπλιται καὶ πολλοὶ τῶν ἐκ τοῦ Πειραιῶς ἀνθρώπων κατέσκαπτον τὸ τεῖχοςμα. In [Dem.] *Theocr.* § 17 p. 1343, the incident is wrongly referred to the time of the Thirty.

τοῖς τετρακοσίοις—τοῖς κατασκευάσασι τὴν προτέραν ὀλιγαρχίαν] The 400 are identical with the 'former oligarchy.' Hence ἦ must be omitted.

Cf. Lys. 12 § 65, (Theramenes) τῆς προτέρας ὀλιγαρχίας αἰτιώτατος ἐγένετο, πείσας ὡμᾶς τὴν ἐπὶ τῶν τετρακοσίων πολιτεῖαν ἐλέσθαι (Kaibel, 195).

§ 2. ὄπλα παρείλοντο] This has already been mentioned as resolved by the Thirty, in § 1. Xenophon places the actual disarmament before the execution of Theramenes, *Hell.* ii 3, 20.

πολὺ πρὸς ὠμότητα—ἐπέδοσαν] Xen. *Hell.* ii 3, 21, πολλοὺς μὲν ἐχθρας ἐνεκα ἀπέκτεινον, πολλοὺς δὲ χρημάτων. It was after the disarmament, and before the

ὠμότητα καὶ πονηρίαν ἐπέδωσαν. πρέσβεις (δὲ) πέμψαντες εἰς  
 Λακεδαίμονα τοῦ τε Θηραμένουσ καταγόρουσ καὶ βοηθεῖν αὐτοῖσ  
 ἡξίουσ· ὧσ ἀκούσαντες οἱ Λακεδαιμόνιοι Καλλίβιοσ ἀπέστειλαν  
 ἀρμοστήν καὶ στρατιώτας ὡσ ἑπτακοσίουσ, οἱ τὴν ἀκρόπολιν  
 20 ἐλθόντες ἐφρούρουσ.

38. μετὰ δὲ ταῦτα καταλαβόντων τῶν ἀπὸ Φυλῆσ τὴν  
 Μουνηχίαν καὶ νικησάντων μάχῃ τοὺσ μετὰ τῶν τριάκοντα βοη-  
 θήσαντας, ἐπαναχωρήσαντες μετὰ τὸν κίνδυνον οἱ ἐκ τοῦ ἄστεωσ  
 καὶ συναθροισθέντες εἰς τὴν ἀγορὰν τῇ ὑστεραίᾳ τοὺσ μὲν τριάκοντα  
 5 κατέλυσαν, αἰρούνται δὲ δέκα τῶν πολιτῶν αὐτοκράτορας ἐπὶ

16 'ἀνεπέδωσαν?' Th. πρέσβεις <δὲ> Jos. Mayor, Blass, Hude (H-L, κ<sup>3,4</sup>, Th):  
 ante πρέσβεις lacunam indicant κ-w; verba πρέσβεις—ἐφρούρουσ olim in fine capitis  
 36 locum habuisse censet van Leeuwen; πρέσβεις <δὲ κἀμπροσθε> B<sup>4</sup> appendix;  
 πρέσβεις—ἐφρούρουσ post τόνδε <τὸν> τρόπον, c. 37, 5, posuit Polak. 17 ΔΥΤΟΙΣ  
 (κ<sup>1</sup>, H-L): αὐτοῖσ κ-w, B<sup>4</sup>, κ<sup>4</sup>, Th, ἐαυτοῖσ B<sup>1-3</sup>.

XXXVIII 2 et 16 ΜΟΥΝΥΧΙΑΝ. Cf. c. 19, 5. 4 ΣΥΝΑΘΡΟΙΟΙΣ?

TESTIMONIA. XXXVIII 5 Bekk. An. 235—6 (cf. Testim. ad xxxv 5—6).

death of Theramenes, that, according to Xenophon, ten of the μέτοικοι became the victims of the Thirty. Among these was Polemarchus, the brother of Lysias (Lys. 12 § 17).—*Categ.* 10, 13 a 24 ἐπιδοῖα ἀν εἰσ τὸ βέλτιον εἶναι, *Eth.* 10, 5, 1175 a 35, ἐπιδιδάσων εἰσ τὸ οἰκείον ἔργον. *Μαγν. Μορ.* i 9, 1186 b 29, πρὸσ ᾧ μᾶλλον ἐπιδιδόμεν. *Isocr.* 33 B, ἐ. πρὸσ εὐδαιμονίαν.

πρέσβεις <δὲ> πέμψαντες] The asyndeton is not justifiable on the same grounds as νόμοισ εἰσῆνεγκαν in the second sentence of this chapter; and betrays some serious disturbance of the text. 'There is no connexion whatever between the first of these sentences and those that go before them, and the coming of Callibius preceded the final measures taken against Theramenes' (*Edinburgh Review*, 1891 p. 478). Besides, it is too late to accuse Theramenes when he is already executed. There is thus every reason for believing (with van Leeuwen) that this paragraph ought to be transferred to some such place as the end of c. 36. Xenophon's narrative (*Hell.* ii 3 §§ 13, 14), as noticed by Mr Kenyon, is supported by Diodorus xiv 4, and is in itself more probable than that in the text:—'It would hardly have been possible for the Thirty to have carried on their Reign of Terror without an armed force at their backs, whereas Aristotle represents it as having occurred while the whole body of Athenians was still in possession of weapons.' Part of this objection is removed by transferring the passage to the end of c.

36, but we still have the protests of Theramenes placed after, instead of before, the arrival of the Spartan garrison.

Possibly this sentence was originally a marginal memorandum, which the author afterwards included in the text owing to the subsequent passage, 38 § 2 (Kaibel, 196).

Καλλίβιοσ] Xen. *l.c.* and Plut. *Lysand.* 15 *ad fin.* In neither of these passages is the number of the garrison mentioned.

τὴν ἀκρόπολιν] The detail as to the occupation of the Acropolis, which is not in Xenophon, agrees with Lysias 12 § 94; 13 § 46 (Wyse).

XXXVIII—XL. *The Rule of the Ten.*

*The end of the oligarchical revolution and the restoration of the democracy.*

XXXVIII § 1. καταλαβόντων—Μουνηχίαν κτλ.] Xen. *Hell.* ii 4, 11—19. *Andoc. De Myst.* 80.

ἐπαναχωρήσαντες κτλ.] Xen. *l.c.* § 22, τοὺσ μεθ' ἐαυτῶν ἀπήγαγον εἰσ τὸ ἄστυ.

τοὺσ τριάκοντα κατέλυσαν κτλ.] *ib.* 23, ἐψηφίσαντο ἐκείνοισ μὲν καταπαῦσαι, ἄλλοισ δὲ ἐλέσθαι. καὶ εἴλοντο δέκα, ἕνα ἀπὸ φυλῆσ.

The appointment of the Ten is described by Lysias, c. *Eratosth.* 12 § 54, ἀρχοντας δὲ τοὺσ ἐκείνοισ ἐχθίστοισ εἴλοντο. Among them were Pheidon, formerly one of the Thirty, with Hippocles and Epichares and others who were regarded as opposed to the extreme party of Charicles and Critias (§ 55). λαβόντες... τὰς ἀρχὰσ καὶ τὴν πόλιν ἀμφοτέροισ ἐπολέμουσ, τοῖσ τε τριάκοντα πάντα κακὰ εἰργασμένοισ καὶ



τὴν τοῦ πολέμου κατάλυσιν. οἱ δὲ παραλαβόντες τὴν ἀρχὴν ἐφ' οἷς μὲν ἡρέθησαν οὐκ ἔπραττον, ἔπεμπον δ' εἰς Λακεδαίμονα 2 βοήθειαν μεταπεμπόμενοι καὶ χρήματα δανειζόμενοι. χαλεπῶς δὲ φερόντων ἐπὶ τούτοις τῶν ἐν τῇ πολιτείᾳ, φοβούμενοι μὴ καταλυθῶσιν τῆς ἀρχῆς καὶ βουλόμενοι καταπλήξαι τοὺς ἄλλους 10 (ὅπερ ἐγένετο), συλλαβόντες [Δ]ημάρετον οὐδενὸς ὄντα δευτέρου τῶν πολιτῶν ἀπέκτειναν, καὶ τὰ πράγματα βεβαίως εἶχον, συναγωνιζομένου Καλλιβίου τε καὶ τῶν Πελοποννησίων τῶν παρόντων καὶ πρὸς τούτοις ἐνίαν τῶν ἐν τοῖς ἵππευσι. τούτων γὰρ τινες μάλιστα τῶν πολιτῶν ἐσπούδαζον μὴ κατελθεῖν τοὺς ἀπὸ Φυλῆς. 15

3 ὡς δ' οἱ τὸν Πειραιέα καὶ τὴν Μουνιχίαν ἔχοντες, ἀποστάντος ἅπαντος τοῦ δήμου πρὸς αὐτούς, ἐπεκράτουν τῷ πολέμῳ, τότε καταλύσαντες τοὺς δέκα τοὺς πρώτους αἰρεθέντας ἄλλους εἴλοντο δέκα τοὺς βελτίστους εἶναι δοκοῦντας, ἐφ' ὧν συνέβη καὶ τὰς

7 ENOIC corr. K. ἐπε[μ]πο[ν] B<sup>2</sup>, K-W<sup>3</sup>, 'lectio non certa sed probabilis,' K<sup>4</sup>, Th; ἐπεψαν H-L, B<sup>1</sup>, ?Th; ἐπρέσβευ[σαν] K (K-W<sup>1,2</sup>); ἐπέ[σ]τελλον] s<sup>1</sup> coll. Thuc. viii 38 ἐπιστέλλει—ἐς τὴν Λακεδαίμονα. 9 ἐν τῇ πόλει Kontos. 10 καταλυθῶσι H-L. 11 Δημάρετον Blass (edd.); post hoc nomen ἀρετῆ fortasse recte inserit Richards. 12 βεβαίως: βιαίως Jos. Mayor. συναγωνιζομέν[ων] H-L.

ε ε

16 ΠΙΡΑΙΑ: Πειραιέα K, K-W, B, Th; Πειραιᾶ H-L: in titulis Atticis Πειραιεα saepius quam Πειραεα apparet; Πειραια nondum inveni. 17 ΑΠΑΝΤΟΣ Blass (K<sup>3</sup>, Th): ΠΑΝΤΟΣ K<sup>1</sup> (K-W, H-L). ΑΥΤΗΝ (K<sup>1</sup>): αὐτοὺς Blass al. (edd.).

ὑμῖν πάντα κακὰ πεπονθῶσι (57). ἐπεμπον κτλ.] (Pheidon) ἐλθὼν εἰς Λακεδαίμονα ἐπέθεεν αὐτοὺς στρατεύεσθαι... οὐ δυνάμενος δὲ τούτων τυχεῖν... ἐκατὸν τάλαντα ἐδανείσατο, ἵνα ἔχοι ἐπικούρους μισθοῦσθαι (58—59). They were appointed soon after the time when περὶ [τῶν] διαλλαγῶν οἱ λόγοι ἐγίνοντο (53), but their policy tended οὐ διαλλάξαι ἀλλ' ἀπολέσαι... τὴν πόλιν (60). The 100 talents are also mentioned by Xen. *Hell.* ii 4, 28. Suidas and Harp. s.v. δέκα.

§ 2. χαλεπῶς φερόντων ἐπὶ τούτοις] For the construction cf. c. 33 § 1.

τοῖς ἵππευσι] Xen. *Hell.* ii. 4, 24. Lysias *Mantith.* 16 § 3, οὐχ ἵππευον... ἐπὶ τῶν τριάκοντα. After the restoration of the democracy there was evidently a prejudice against those who had been ἵππεῖς at the time of the Thirty. Mantitheus meets this prejudice by shewing that he was not of the number, and also that many who were had subsequently become members of the βουλή or had been elected στρατηγοὶ καὶ ἵππαρχοι (*ib.* 8).

§ 3. ἄλλους εἴλοντο δέκα] These are not mentioned either by Lysias or by Xenophon. 'Xenophon's narrative not only ignores but excludes the existence

of such a body. In Xen. the government in the city (τὸ κοινόν, *Hell.* ii 4, 36 f) appears opposed to the democrats in the Peiraeus, even after the arrival of Pausanias and the despatch of the Athenian envoys to Sparta (Justin, v 10, 7). Where then are we to insert this second board favourable to the democracy? They were elected, according to Ar. "when the party in possession of the Peiraeus and Munichia was getting the best of it in the war," and one Rhinon was influential among them. But, if Isocrates, Lysias and Xenophon, all contemporary authorities, be combined, it seems that Rhinon was a member of the first board of Ten. For, according to Isocr. 18 §§ 17, 49, Rhinon was in office before the democrats proceeded to attack the fortifications of the city. According to Xen. (*H.* ii 4, 27 f), it was when the democrats grew so strong as to bring up siege-engines against the wall that the city-party (οἱ ἐν τῷ καταλόγῳ) appealed to Sparta, the result being the arrival of Lysander and Libys, and the blockade of the Peiraeus... Finally, Lysias, 12 § 54 f, states precisely that the appeal to Sparta proceeded from the Ten appointed on the overthrow of the Thirty, *i.e.* from the first

20 διαλύσεις || γενέσθαι καὶ κατελθεῖν τὸν δῆμον, συναγωνιζομένων καὶ [C  
 προθυμουμένων τούτων. προειστήκεσαν δ' αὐτῶν μάλιστα Ῥίνων  
 τε ὁ Παιανιεύς καὶ Φάυλλος ὁ Ἀχερδούσιος· οὗτοι γὰρ πρὶν τε  
 Πausανίαν [[τ'] ἀφικέσθαι διεπέμποντο πρὸς τοὺς ἐν Πειραιεῖ καὶ  
 ἀφικομένου συνεσπούδασαν τὴν κάθοδον. ἐπὶ πέρας γὰρ ἤγαγε 4  
 25 τὴν εἰρήνην καὶ τὰς διαλύσεις Πausανίας ὁ τῶν Λακεδαιμονίων  
 βασιλεὺς μετὰ τῶν δέκα διαλλακτῶν τῶν ὕστερον ἀφικομένων ἐκ  
 Λακεδαιμόνος, οὓς αὐτὸς ἐσπούδασεν ἐλθεῖν. οἱ δὲ περὶ τὸν  
 Ῥίνωνα διὰ τε τὴν εὐνοίαν τὴν εἰς τὸν δῆμον ἐπηνέθησαν, καὶ  
 λαβόντες τὴν ἐπιμέλειαν ἐν ὀλιγαρχίᾳ τὰς εὐθύνας ἔδοσαν ἐν  
 30 δημοκρατίᾳ, καὶ οὐδεὶς οὐδὲν ἐνεκάλεσεν αὐτοῖς οὔτε τῶν ἐν ἄστει

22 ἀχερδοῦσιος corr. Bywater, al. 22—23 ΠΡΙΝ Η ΠΑΥΣΑΝΙΑΝ ΤΕ  
 κτλ. (K<sup>1</sup>): πρὶν ἢ Π.—διεπέμποντό <τε> K-W<sup>1</sup>; πρὶν <τε> Π.—διεπέμποντο Richards

ε ε

(H-L, K-W<sup>2,3</sup>, B<sup>1-3</sup>, K<sup>4</sup>, Th); πρὶν Π. τε B<sup>4</sup>. 23 ΠΙΡΑΙΗ: Πειραιεῖ K, HL; Πειραιεῖ  
 K-W, B. Πειραιεῖ tituli Attici (Meisterhans, p. 32<sup>3</sup>) duodecim in locis habent,  
 e.g. Dittenberger 337, 9, 14, 36 (B.C. 320) ἐν vel ἐμ Πειραιεῖ. 24 ΑΦΙΚΝΟΜΕΝΟΥΣ  
 corr. K. συνεσπούδαζον B<sup>4</sup>. 25 Πausανίας del. H-L; ὁ—βασιλεὺς del. Richards,  
 regis nomine iam antea commemorato. 26 'fort. <πεντεκαί> δεκα e Xen. Hell.  
 II 4, 38, cf. Keil Hermae XXXII 406,' K-W<sup>3</sup> (B<sup>4</sup>, Th). 29 'post ἐπιμέλειαν, τὰς εὐθ  
 scripsisse videtur L<sup>2</sup>, sed inter scribendum delevisse' K<sup>4</sup>. 29 f ἐν δημ. Wyse, edd.;  
 ἐν τῇ δημ. conii. B; τῇ δημ. K<sup>1</sup>.

TESTIMONIA. 21 Heraclidis epitoma, 611, 6<sup>3</sup>, τούτων δὲ καταλυθέντων Θρασύβουλος  
 καὶ Ῥίνων προειστήκεσαν, ὃς ἦν ἀνὴρ καλὸς καὶ ἀγαθός.

board of Ten' (*Athenaeum*, 6 May, 1893,  
 p. 570).

συναγωνιζομένων] with the democrati-  
 cal party. τούτων probably refers to  
 the Ten.

Ῥίνων] Isocr. *Callim.* § 6, εἰς τῶν δέκα  
 γενόμενος, but Isocrates does not clearly  
 distinguish this board of ten from those  
 who were elected immediately after the  
 overthrow of the Thirty: § 5, ἤρχον μὲν  
 γὰρ οἱ δέκα οἱ μετὰ τοὺς τριάκοντα κατα-  
 στάντες.

Φάυλλος] otherwise unknown.

πρὶν] The removal of ἢ (proposed by  
 Herwerden) is justified not only by its  
 rarity in Attic Greek, but also by the fact  
 that MSS often vary between πρὶν and  
 πρὶν ἢ (Wyse).

§ 4. ἐπὶ πέρας—ἤγαγε] The phrase πέρας  
 ἔχειν = περαινέσθαι is found in Isocr. 42 B,  
 Lycurg. 155, 34 (§ 60) and elsewhere; and  
 Polybius uses πέρας λαμβάνειν (v 31, 2)  
 and π. ἐπιθεῖναι τινα (i 41, 2). Ar. *Meisior.*  
 I, 14, 353 a 18, τὸ ἔργον αὐτῶν ἔχει πέρας,  
 ὃ δὲ χρόνος οὐκ ἔχει. πέρας is a frequent  
 word in Ar., but ἐπὶ πέρας ἄγειν is not  
 recorded in the *Index Ar.*, though ἄγειν

ἐπὶ...occurs in *Pol.* 1313 a 19; 1270 a 6.  
 ἐπὶ τέλος (πέρας) ἄγειν is found before Ar.  
 in the Sophist quoted by Iamblichus,  
*Protr.* c. 20; and after, in Philo's *Synt.*  
*Mech.* iv p. 5, 29, and in Polybius  
 (Kaibel, 39).

Πausανίας] Xen. *Hell.* ii. 4, 29—39.

τῶν δέκα διαλλακτῶν κτλ.] *l.c.* § 38,  
 ἐξέπεμψαν πεντεκαίδεκα ἄνδρας εἰς τὰς  
 Ἀθήνας καὶ ἐπέταξαν ξὺν Πausανίᾳ δια-  
 λάξει ὅπη δύναντο κάλλιστα. (It will  
 be observed that Xenophon mentions 15,  
 not 10, and as the number is exceptional  
 it is more likely to be right than not.) οἱ  
 δὲ διήλλαξαν ἐφ' ᾧτε εἰρήνην μὲν ἔχειν ὡς  
 πρὸς ἀλλήλους, ἀπιέναι δὲ ἐπὶ τὰ ἑαυτῶν  
 ἕκαστον πλὴν τῶν τριάκοντα καὶ τῶν ἑνδεκά  
 καὶ τῶν ἐν τῷ Πειραιεῖ ἀρξάντων δέκα. εἰ  
 δὲ τινες φοβοῖντο τῶν ἐξ ἄστει, ἔδοξεν αὐτοῖς  
 (αὐτοὺς Hartman) Ἐλευσίνα κατοικεῖν.

οὐδεὶς οὐδὲν ἐνεκάλεσεν κτλ.] Isocr.  
 takes to himself similar credit, 15 § 27,  
 μηδένα μοι πρόποτε μήτ' ἐν ὀλιγαρχίᾳ μήτ'  
 ἐν δημοκρατίᾳ μήθ' ὕβριν μήτ' ἀδικίαν  
 ἐγκαλέσαι. Cf. Lys. 12 § 78, Andoc. *De*  
*Myst.* 99 (Kaibel, 196).



μεινάντων οὔτε τῶν ἐκ Πειραιέως κατελθόντων, ἀλλὰ διὰ ταῦτα καὶ στρατηγὸς εὐθὺς ἤρέθη Ῥίνων.

39. ἐγένοντο δ' αἱ διαλύσεις ἐπ' Εὐκλείδου ἄρχοντος κατὰ τὰς συνθήκας τάσδε. τοὺς βουλομένους Ἀθηναίων τῶν ἐν ἄστει μεινάντων ἐξοικεῖν ἔχειν Ἐλευσίνα ἐπιτίμους ὄντας καὶ κυρίους 2 καὶ αὐτοκράτορας ἑαυτῶν καὶ τὰ αὐτῶν καρπουμένους. τὸ δ' ἱερὸν εἶναι κοινὸν ἀμφοτέρων, ἐπιμελεῖσθαι δὲ Κήρυκας καὶ 5 Εὐμολπίδας κατὰ τὰ πάτρια. μὴ ἐξεῖναι δὲ μήτε τοῖς Ἐλευσινόθεν εἰς τὸ ἄστυ μήτε τοῖς ἐκ τοῦ ἄστεως Ἐλευσινάδε ἰέναι πλὴν μυστηρίους ἑκατέρους. συντελεῖν δὲ ἀπὸ τῶν προσιόντων εἰς τὸ 3 συμμαχικὸν καθάπερ τοὺς ἄλλους Ἀθηναίους. εἰάν δέ τινες τῶν ἀπιόντων οἰκίαν λαμβάνωσιν Ἐλευσίनि, συμπεῖθειν τὸν κεκτη- 10 μένον· εἰάν δὲ μὴ συμβαίνωσιν ἀλλήλοις, τιμητὰς ἐλέσθαι τρεῖς

ε

31 ΠΙΡΑΙΩΣ: Πειραιέως edd.; Πειραιῶς H-L. [Π]ε[ι]ραως CIA ii 834 b l 64 (B.C. 329).

XXXIX 2 ΑΘΗΝΑΙΩΝ, supra ΤΩΝ additum, retinet κ (post τῶν locat κ<sup>1</sup>), cf. c. 27, 15 τῷ βουλομένῳ Λακιάδων et c. 29, 24 οἱ ἐθέλοντες Ἀθηναίων: delent κ-W, H-L, Th; ante τῶν ponunt Blass et κ<sup>3</sup>. 4 ἐ[αυ]τῶν Jackson, κ-W, κ<sup>3</sup>, B, Th: ἐ[πὶ πᾶσιν] κ<sup>1</sup>; ἀπάντων Poland (H-L). 8 ἑκατέρους fortasse aut defendi aut excusari posse putat Jackson, sed mavult ἑκατέροις, 'mysteriis maioribus minoribusve'; idem mavult Hude.

XXXIX § 1. αἱ διαλύσεις] the διαλύσεις of Lys. 12 § 53 and 13 § 80. ἐπ' Εὐκλείδου] B.C. 403/2. The διαλύσεις took place near the end of the summer of 403. Xen. *L.c.* § 25 speaks of the party of the Peiraicus as foraging for ξύλα καὶ ὄπώραν, and Plut. *Mor.* p. 349 F (*de gloria Ath.*) gives the 12th of Boedromion (September) as the date of the return of the exiles.

ἐξοικεῖν] best taken with βουλομένους. ἐπιτίμους] in full possession of their rights as citizens; cf. Xen. *Hell.* ii 2, 11 (of an earlier date, when Agis was holding Decelea), τοὺς ἀτίμους ἐπιτίμους ποιήσαντες ἑκατέρου. Xenophon is referring to the ψήφισμα of Patrocleides, quoted in *Andoc. de Myst.* 77—79; *ib.* 73, ἐπεὶ γὰρ αἱ νῆες διεφθάρσαν καὶ ἡ πολιορκία ἐγένετο, ἐβουλεύσασθε περὶ ὁμονοίας καὶ ἔδοξεν ὑμῖν τοὺς ἀτίμους ἐπιτίμους ποιῆσαι. Then follows the *locus classicus* about ἀτιμία in which, among those who were under partial ἀτιμία, are mentioned (in § 75) the soldiers who ἐπέμειναν ἐπὶ τῶν τυράννων ἐν τῇ πόλει (τετρακοσίων may be suggested instead of τυράννων; this suggestion is anticipated by Dobree, and approved by Blass; in any case the Four Hundred are meant; and not the Thirty). ... κυρίους καὶ αὐτοκράτορας] 'possessing full and independent powers of self-government'

(K.).

§ 2. ἱερὸν] The temple of Demeter at Eleusis. Κήρυκας καὶ Εὐμολπίδας] c. 57 § 1.

τοῖς Ἐλευσινόθεν] *constructio praegnans*, influenced by ἰέναι; similarly below, ἐκ τοῦ ἄστεως.

ἑκατέρους] The constr. changes from the dat. to the acc. with the inf. For a similar change of constr. after ἐξεῖναι, cf. Aeschin. 3 § 2, ἵνα ἐξῆ πρῶτον μὲν τῷ πρεσβυτάτῳ τῶν πολιτῶν... ἐπὶ τὸ βῆμα παρελθόντι τὰ βέλτιστα τῇ πόλει συμβουλευεῖν, δεύτερον δ' ἤδη καὶ τῶν ἄλλων πολιτῶν τὸν βουλόμενον γνώμην ἀποφαίνεσθαι (Kühner, § 475, 2 c, Anm. 1). ἑκατέρους is possibly preferred to avoid the ambiguity arising from ἑκατέροις, which would naturally agree with μυστηρίους and has actually been proposed in this sense.

συντελεῖν... εἰς] Dem. *Lept.* 28, συντελοῦσιν εἰς τὸν πόλεμον.

τὸ συμμαχικόν] elsewhere of 'the allied forces' (Thuc. iv 77), or of a 'treaty of alliance' (iii 91, v 6): here either 'the fund for the common defence,' or, more probably, 'the fund of the Spartan confederacy.'

§ 3. συμπεῖθειν] 'the assent of the owner.'

ἐκάτερον, καὶ ἦντιν' ἂν οὔτοι τάξωσιν τιμὴν λαμβάνειν. Ἐλευσινίων δὲ συνοικεῖν οὓς ἂν αὐτοὶ βούλωνται. τὴν δ' ἀπογραφὴν 4 εἶναι τοῖς βουλομένοις ἐξοικεῖν, τοῖς μὲν ἐπιδημοῦσιν ἀφ' ἧς ἂν  
 15 ὁμόσωσιν τοὺς ὄρκους δ[έ]κα ἡμερῶν, τὴν δ' ἐξοίκησιν εἴκοσι, τοῖς δ' ἀποδημοῦσιν ἐπειδὰν ἐπιδημήσωσιν κατὰ ταῦτά. μὴ ἐξεῖναι δὲ 5 ἄρχειν μηδεμίαν ἀρχὴν τῶν ἐν τῷ ἄστει τὸν Ἐλευσίνι κατοικοῦντα, πρὶν ἂν ἀπογράψῃται πάλιν ἐν τῷ ἄστει κατοικεῖν. τὰς δὲ || δίκας [Co  
 τοῦ φόνου εἶναι κατὰ τὰ πάτρια, εἴ τις τινα αὐτόχειρ ἔκτεινεν

12 ΕΚΑΤΕΡΩΝ (B): ἐκάτερον Bury, Richards, Hude, Papabasilios (K-W, H-L, K<sup>3</sup>, Th). τάξωσι H-L. 13 ΟΥΤΟΙ (K, K-W, H-L, Th): αὐτοὶ Richards, Herwerden, B qui etiam οἱ ἂν αὐτοὶ scribendum suspicatur. 15 ὁμόσωσι H-L. δ[έ]κα K-W, cet.: δι' [ἐπτ]α K<sup>1</sup>. 16 ἀποδημοῦσι <v> K, H-L. 18 ΑΠΟΓΡΑΦΗ|ΨΗΤΑΙ: -γράφῃται K<sup>1</sup>;

ε ε ιε

-γράφῃται edd. 19 ΑΥΤΟΧΙΡΑΕΚΤΙΣΙΟΥΤΡΩΣΑΣ (deletis OT): αὐτοχειρὶ <ἀπέκτο-  
 νεν> ἐκτίσει ἱερώσας K<sup>1</sup>, ταῦτόχειρα ἐκτίσει ἱερώσας† K<sup>3</sup>—(-τρώσας Wyse); αὐτοχειρὶ  
 ἔκτεινεν ἢ ἔτρωσεν K-W, H-L, B<sup>4</sup> (ἔτρωσε); αὐτόχειρ ἀπέκτεινεν ἢ ἔτρωσεν B<sup>1-3</sup>, S<sup>1</sup>  
 (ἔκτεινεν S<sup>2</sup>); αὐτοχειρὶ ἐκτείσαιτο τρώσας Th, Berl. Phil. Woch. 1909, 703.

ἦντιν' ἂν οὔτοι τάξωσιν τιμὴν] 'whatsoever price they (i.e. the valuers) shall appoint.'

συνοικεῖν] 'of the inhabitants of Eleusis, those whom the secessionists desired should live in the same community.' Thuc. ii 68, 3, ἀπὸ τῶν Ἀμπρακιωτῶν ξυνοικησάντων. In Thuc. vi 64, 3 (the Syracusan horsemen tauntingly ask the Athenians) εἰ ξυνοική-  
 σοντες σφίσι αὐτοῖς μᾶλλον ἦκοιεν ἐν τῇ ἀλλοτρίᾳ ἢ Δεοντίνους ἐς τὴν οἰκίαν κατοικοῦντες, *ib.* ii 68, 3. The proceedings have an arbitrary air as against the ordinary inhabitants of Eleusis, but it would appear that Eleusis was, subject to certain conditions, handed over to the secessionists.

§ 4. τὴν ἀπογραφὴν εἶναι] Those who proposed to secede were required to enter their names in a list (cf. 40 § 1). ἀπογραφὴ, in Attic law, is generally applied to a register of land, property, moneys, rather than of persons. Lys. 25 § 9, εἰσὶ δὲ οἴτινες τῶν Ἐλευσινιάδε ἀπογραψαμένων, ἐξελθόντες μεθ' ὑμῶν, ἐπολιορκοῦντο μετ' αὐτῶν (Westermann, Cobet; μεθ' αὐτῶν MS; ἐπολιόρκουν τοὺς μεθ' αὐτῶν Scheibe, Frohberger, Thalheim).

τοὺς ὄρκους] 'the oath of pacification' (Poste). Xen. *Hell.* ii 4, 43 (of a slightly later time, after the commanding officers of the party at Eleusis had been put to death and a reconciliation effected with the remainder), ὁμόσαντες ὄρκους ἢ μὴν μὴ μνησικακήσειν. δέκα ἡμερῶν, 11, 5 δέκα ἔτων.

§ 5. πρὶν—ἀπογράψῃται] 'until he shall again register himself in the list with a view to residence in the city.' Lys. 25 § 9 quoted above. ἀπογράφεσθαι, mid. to register oneself (e.g. as a citizen: *Pol.* vi (iv) 13, 1297 a 24, ἐνιαχοῦ δ'

ἔξεστι μὲν πᾶσιν ἀπογραψαμένοις ἐκκλησιάζειν καὶ δικάζειν, ἐὰν δὲ ἀπογραψάμενοι μὴτ' ἐκκλησιάζωσι μήτε δικάζωσιν, ἐπικεῖνται μεγάλαι ζημίαι τούτους). Xen. *Hell.* ii 4 § 8, vi 5 § 29. The passive is found in Plat. *Leg.* 914 C, ἂν ἀπογεγραμμένοι ἢ παρὰ τοῖς ἀρχουσι τὸ κτήμα.

τὰς δὲ δίκας τοῦ φόνου—] This passage does not help us to decide the question whether the Areopagus was suspended or not by the Thirty. Lys. i § 30 (delivered after the year of Euclides) says of this tribunal, ᾧ καὶ πάτριόν ἐστι καὶ ἐφ' ἡμῶν (ὑμῶν MSS) ἀποδίδεται (ἀποδέδοται the reading of an inferior MS) τοῦ φόνου τὰς δίκας δικάζω. Grote, Rauchenstein (*Philol.* x 604 ff) and Curtius (iv 16 note) hold that it was suspended; Schömann (*Ant.* p. 549 E. T.) that it was not. Practically, however, its authority was obviously superseded by the Reign of Terror. See also Philippi's *Areop.* p. 265, 266, and Frohberger's *Lysias*, vol. ii 180.

αὐτόχειρ ἔκτεινεν] *Hdt.* i 140 etc. αὐτοχειρὶ κτείνειν, αὐτόχειρ ἔκτεινεν might be regarded as a poetic form of expression, but αὐτόχειρ itself is used in prose, as in Plat. *Leg.* 865 B and 872 B αὐτόχειρ ἀποκτείνῃ, 866 D, 867 C, 871 A αὐτόχειρ κτείνῃ, cf. 872 A, ἐὰν δὲ αὐτόχειρ μὲν μὴ, βουλευσὴ δὲ θανάτων τις ἄλλος ἐτέρω, and in Dem. p. 321, 18; 549, 5; 552, 18. τρώσας, 'by wounding,' gives less good sense than ἢ ἔτρωσεν, but might be defended by ἐάν τις φάρμακον δοὺς ἀποκτείνῃ et similia. 'Unlawful wounding' comes under the cognisance of the courts that try cases of homicide, c. 57 § 3 *fin.* κτείνειν ἢ τρώσαι τινα.



6 ἢ ἔτρωσεν. τῶν δὲ παρελληλυθότων μηδενὶ πρὸς μηδένα μνησικακεῖν 20  
 ἐξεῖναι πλὴν πρὸς τοὺς τριάκοντα καὶ τοὺς δέκα καὶ τοὺς ἕνδεκα  
 καὶ τοὺς τοῦ Πειραιέως ἄρξαντας, μηδὲ πρὸς τούτους, ἐὰν διδῶσιν  
 εὐθύνας. εὐθύνας δὲ δοῦναι τοὺς μὲν ἐν Πειραιεῖ ἄρξαντας ἐν τοῖς  
 ἐν Πειραιεῖ, τοὺς δ' ἐν τῷ ἄστει ἐν τοῖς τὰ τιμήματα παρεχομένοις  
 εἶθ' οὕτως ἐξοικεῖν τοὺς ἐθέλοντας. τὰ δὲ χρήματα, ἃ ἐδανείσαντο 25  
 εἰς τὸν πόλεμον, ἐκατέρους ἀποδοῦναι χωρὶς.

40. γενομένων δὲ τοιούτων τῶν διαλύσεων, καὶ φοβουμένων  
 ὅσοι μετὰ τῶν τριάκοντα συνεπολέμησαν, καὶ πολλῶν μὲν ἐπι-  
 νοούντων ἐξοικεῖν ἀναβαλλομένων δὲ τὴν ἀπογραφὴν εἰς τὰς ἐσχάτας

22 καὶ τοὺς <δέκα τοὺς> τοῦ? B<sup>2</sup>. Πειραιῶς: Πειραιῶς H-L. 23 ΠΙΡΑΙΗ.  
 Ε Ε

24 ΠΙΡΑΙΗ. Praestaret ἐν τοῖς <ἐν τῷ ἄστει κ et Gertz> τιμήματα (=ἀποτιμήματα)  
 παρεχομένοις, αὐτὰ τὰ <αὐτὰ Gertz> τιμήματα παρεχομένοις. Cf. c. 2, 12. τὸ

Δ  
 τίμημα? B<sup>4</sup>. 25 ΤΟΥΣ ΕΘΕΛΟΝΤΑΣ: τοὺς ἀλόντας B<sup>1</sup>, qui in archetypo litteras Θε  
 deletas, et Δ (non Δ) scriptum fuisse putat; τοὺς ἐθέλοντας K-W, B<sup>2</sup>, K<sup>4</sup>, Th; εἶθ'  
 οὕτως—τοὺς <μὴ> ἐθ. B<sup>3,4</sup>.

XL 2 μὲν ἐπινοούντων ἐξοικεῖν K, K-W<sup>3</sup>, B<sup>3,4</sup>, Th; ἐξ. μὲν ἐπινοούντων? K-W<sup>1,2</sup>;  
 ἐπινοούντων μὲν ἐξ. B<sup>1,2</sup> (H-L, S<sup>1</sup>). 3 ΑΝΑΓΡΑΦΗΝ (K<sup>1</sup>): ἀπογραφὴν Jackson, Blass  
 al (K-W, H-L, K<sup>4</sup>, Th); ἀνα-γραφὴν fortasse casu ex ἀνα-βαλλομένων ortum.

TESTIMONIA. XXXIX 21—23 Bekk. An. 235-6 (cf. Testim. ad xxxv 5—6).

§ 6. μνησικακεῖν] Xen. *Hell.* ii 4 *ult.*,  
 ὁμόσαντες ὄρκους ἢ μὴν μὴ μνησικακήσειν,  
 ἔτι καὶ νῦν ὁμοῦ τε πολιτεύονται καὶ τοῖς  
 ὄρκους ἐμμένει ὁ δῆμος. Aristoph. *Plut.*  
 1146, μὴ μνησικακήσης, εἰ σὺ Φυλὴν κατέ-  
 λαβες, ἀλλὰ ξύνοικον πρὸς θεῶν δεξασθέ  
 με, with Schol. *Andoc. de Myst.* 90, καὶ  
 οὐ μνησικακήσω τῶν πολιτῶν οὐδενὶ πλὴν  
 τῶν τριάκοντα καὶ τῶν ἕνδεκα, οὐδὲ τούτων  
 ὅς ἂν ἐθέλοι εὐθύνας διδοῦναι τῆς ἀρχῆς ἧς  
 ἤρξεν and *ib.* 81, 91. Aeschin. *F. L.* 176,  
 (Archinus and Thrasybulus) τὸ μὴ μνησι-  
 κακεῖν πρὸς ἀλλήλους ἔνορκον ἡμῶν κατα-  
 στησάντων. Justin, v 10 § 11. Cf. Luebert,  
*De Amnestia*, Kiel, 1881, and J. M. Stahl,  
 in *Rhein. Mus.* xlv 250—286 and  
 esp. 481-7.

καὶ τοὺς δέκα] Neither in Xenophon  
 (*Hell.* ii 4, 38) nor in Andocides is this  
 body of Ten described as excluded from  
 the amnesty. Xenophon mentions the  
 'Ten who ruled in Peiraeus' (c. 35 § 1);  
 Andocides does not mention even these.

ἐν τοῖς ἐν Πειραιεῖ] not 'for all matters  
 coming within the limits of Peiraeus'  
 (Kenyon), but 'before the courts held in  
 the Peiraeus.' 'To the residents in  
 Peiraeus' is Mr Poste's rendering; but  
 such a rendering of an account would be

very informal. Some lawfully constituted  
 body is clearly meant.

ἐν τοῖς τὰ τιμήματα παρεχομένοις]  
 'before a court consisting of those who  
 can produce rateable property' *i.e.* who  
 have property on which they pay taxes.  
 This limitation excludes all paupers or  
 citizens of the lowest class. παρέχεσθαι  
 is 'to have as one's own, to produce as  
 one's own,' 'to bring forward' (L and S);  
 τοῖς ὄπλα παρεχομένοις occurs in c. 4, but  
 I can find no instance of παρέχεσθαι being  
 coupled with τιμήματα.

τιμήματα is here understood of penal-  
 ties, by Poland, Kaibel and Kiessling,  
 and Haussoullier (εὐθυναί came under  
 the class of δίκαι τιμηταί, *Att. Proc.* pp. 226,  
 264 Lips.). Reinach makes τίμημα syn-  
 onymous with ἀποτίμημα, 'a security,'  
 comparing CIA ii 570, 21, [τιμή]ματι ἢ  
 ἐγγνητῇ, and Lys. ap. Harp. *s.v.* τίμημα.  
 οὕτως] after satisfying all these legal  
 requirements.

ἀποδοῦναι χωρὶς] *inf.* c. 40 § 3.

XL § 1. ἐπινοούντων ἐξοικεῖν ἀναβα-  
 λλομένων δὲ κτλ.] Cf. Plat. *Leg.* 950 C,  
 τινὰ ἀναβολὴν τῆς ἐξοικήσεως ἀξίων  
 γίνεσθαι. 1. 4. Ἀρχίνος] mentioned (with  
 Dion) as an orator in Plat. *Menex.* 234 B,

ἡμέρας, ὅπερ εἰώθασιν ποιεῖν ἅπαντες, Ἄρχινος συνιδῶν τὸ πλήθος  
 5 καὶ βουλόμενος κατασχεῖν αὐτοὺς ὑφείλε τὰς ὑπολοίπους ἡμέρας  
 τῆς ἀπογραφῆς, ὥστε συναναγκασθῆναι μένειν πολλοὺς ἄκοντας  
 ἕως ἐθάρρησαν. καὶ δοκεῖ τοῦτό τε πολιτεύσασθαι καλῶς Ἄρχινος 2  
 καὶ μετὰ ταῦτα γραψάμενος τὸ ψήφισμα τὸ Θρασυβούλου παρα-  
 νόμων, ἐν ᾧ μετεδίδου τῆς πολιτείας πᾶσι τοῖς ἐκ Πειραιέως συγ-  
 10 κατελθούσι, ὧν ἔνιοι φανερώς ἦσαν δούλοι, καὶ τρίτον, ἐπεὶ τις  
 ἤρξατο τῶν κατελληλυθῶτων μνησικακεῖν ἀπαγαγὼν τοῦτον ἐπὶ

εωσ

4 εἰώθασι H-L, B. 5 ὑφείλεν B<sup>4</sup>. 9 ΠΙΡΑΙΟΙΣ: Πειραιῶς H-L. 11 παρελλη.  
 ut c. 39 § 6? Papageorgios.

and with Cephalus in Dinarchus, 1 § 76. He was the proposer of a law to prevent *συκοφαντία* after the amnesty (Isocr. c. *Callim.* 18 § 2, ἂν τις δικάζηται παρὰ τοὺς ὄρκους, ἐξείναι τῷ φεύγοντι παραγράφασθαι κτλ.). It was on his motion that the Ionic alphabet was adopted in public documents from the archonship of Euclides onwards (Suídas s. v.). The action recorded in the text is not mentioned elsewhere. He is described as cooperating with Thrasylbulus in the restoration of the democracy, Ἄρχινον καὶ Θρασυβούλου προστάτων τοῦ δήμου, Aeschin. *F. L.* 176. It was Archinus who moved the decree on that occasion: c. *Ctes.* 187, ὁ τὸ ψήφισμα γράψας καὶ νικήσας Ἄρχινος ὁ ἐκ Κοίλης, εἰς τῶν καταγαγόντων τὸν δῆμον. On his opposition to a proposal of Thrasylbulus, see below.

συνιδῶν τὸ πλήθος] 'observing their numbers.'

τὰς ὑπολοίπους ἡμέρας] the remainder of the term of days allowed for the purposes of registration.

§ 2. γραψάμενος τὸ ψήφισμα τὸ Θρασυβούλου] This fact is well known owing to its having affected the position of Lysias, who fully deserved promotion from the position of a μέτοικος to that of a citizen for his great services towards the restoration of the democracy, and for the losses he had incurred at the hands of the Thirty, who had even put to death his brother Polemarchus (*Or.* 12).

Aeschines, c. *Ctes.* § 195, describes Archinus as having resisted the proposal to confer the distinction of a crown on some of those who had done good service in the restoration of the democracy. The scholia give us further details: Θρασύβουλος ὁ Σπειριεύς μετὰ τὸ κατελθεῖν τὸν δῆμον ἀπὸ Φυλῆς ἔγραψε ψήφισμα δοθῆναι πολιτείαν Λυσία τῷ Κεφάλου (Κεφάλω MS, correxit Wyse) τῷ ῥήτορι πολλὰ εὐεργετήσαντι τοὺς εἰς (τὴν MS) Φυλὴν καταφυ-

γόντας καὶ τοῦτο ἀπροβούλετον εἰσήνεγκεν εἰς τὸν δῆμον. οὐδέπω γὰρ ἦν καθεσταμένη βουλή μετὰ τὴν τῶν Ἄ κατάλυψιν· τοῦτο τὸ ψήφισμα ἐγράψατο παρανόμων Ἄρχινος ὁ ἐκ Κοίλης καὶ εἰλε καὶ ἐτίμησαν τῷ Θρασυβούλῳ οἱ δικασταὶ δραχμῆς μῖα. Ἄλλως· ἐπίστευον τοῖς δοκοῦσιν ἀμύνειν τοῖς νόμοις. Ἄρχινος γὰρ ὁ ἐκ Κοίλης ἐγράψατο παρανόμων ὅτε κατήλθεν ὁ δῆμος... Λυσίου τοῦ Συρακοσίου πεντακοσίας μὲν ἀσπίδας δόντος τοῖς μαχασαμένοις ἐν Φυλῇ, τριακοσίου δὲ (Συρακοσίου MS, correxit Blass) στρατιώτας μισθωσαμένου ἐξ Αἰγίνης, ἔγραψε ψήφισμα πολίτην αὐτὸν γενέσθαι Θρασύβουλος, παρανόμων δὲ αὐτὸν Ἄρχινος ὁ ἐκ Κοίλης ἐγράψατο, ὅτι οὐκω γενόμενης βουλῆς ψήφισμα ἔγραψεν καὶ (οἱ) δικασταὶ κατήνεγκαν αὐτοῦ τὰς ψήφους ὀλιγώρως πρὸ τοῦ βουλῆν ὑπάρξει (ὀλιγώρως—ὑπάρξει placed after ἔγραψεν by Schultz). ὁ δὲ ἐν τῇ τιμῇσει παρελθὼν, θανάτου, ἐφη, τιμῶμαι ὅτι ἀχαριστοὺς Ἀθηναῖος ὄντας εὐ ἐποίησα. οἱ δὲ δικασταὶ αἰδεσθέντες τῷ μὲν ἐτίμησαν τὴν καταδικὴν δραχμῆς, τὸν δὲ Λυσίαν οὐδ' οὐτος ἐποίησαντο πολίτην. Maximus Planudes, Scholia on the στάσεις of Hermogenes in Walz, *Rh. Gr.* v 343, παραπλήσιον καὶ τὸ περὶ Θρασυβούλου ἰστοροῦμενον, ὅς μετὰ τὴν τῶν τριάκοντα κατάλυψιν ἔγραψε τῷ Λυσία ψήφισμα περὶ τοῦ δεῖν αὐτὸν γενέσθαι πολίτην καὶ κατηγορηθεὶς ὡς ἀπροβούλετον ψήφισμα... εἰσενεγκῶν, οὐ γὰρ ἦν πω καταστᾶσα ἡ βουλή, κατεδικάσθη χρημάτων· ὁ δὲ, οὐ μὰ Δία, ἐφη, ἀλλὰ θανάτου· τί γὰρ τοιούτους ἔσωζον; Cf. [Plut.] 846 A. The proposal was made μετὰ τὴν κάθοδον ἐπ' ἀναρχίας τῆς πρὸ Εὐκλείδου (*ib.* 835 EF), i.e. between the return from exile and the restoration of the democracy. At that time the βουλή had not yet been constituted. See Blass *Att. Ber.* i 340<sup>2</sup>, 349<sup>2</sup>, and Jebb, *Att. Orators*, i 151; cf. Wyse in *Class. Rev.* v 335.

ἤρξατο—μνησικακεῖν] c. 39 § 6. The action of Archinus is the natural sequel



τὴν βουλὴν καὶ πείσας ἄκριτον ἀποκτείνει, λέγων ὅτι νῦν δεῖξουσιν εἰ βούλονται τὴν δημοκρατίαν σφάζειν καὶ τοῖς ὄρκοις ἐμμένειν· ἀφέντας μὲν γὰρ τοῦτον προτρέψειν καὶ τοὺς ἄλλους, εἴαν δ' ἀνέλωσιν, παράδειγμα ποιήσειν ἅπασιν. ὅπερ καὶ συνέπεσεν·<sup>15</sup>  
 3 ἀποθανόντος γὰρ οὐδεὶς πώποτε ὕστερον ἐμνησικάκησεν. ἀλλὰ δοκοῦσιν κάλλιστα δὴ καὶ πολιτικώτατα ἀπάντων καὶ ἰδία καὶ κοινῇ χρῆσασθαι ταῖς προγεγενημέναις συμφοραῖς· οὐ γὰρ μόνον τὰς περὶ τῶν προτέρων αἰτίας ἐξήλειψαν, ἀλλὰ καὶ τὰ χρήματα Λακεδαιμονίοις, ἃ οἱ τριάκοντα πρὸς τὸν πόλεμον ἔλαβον, ἀπέδωσαν<sup>20</sup> κοινῇ, κελευουσῶν τῶν συνθηκῶν ἐκατέρους ἀποδιδόναι χωρὶς τοὺς τ' ἐκ τοῦ ἄστεως καὶ τοὺς ἐκ τοῦ Πειραιέως, ἠγούμενοι τοῦτο πρῶτον ἄρχειν δεῖν τῆς ὁμοιοῦς· ἐν δὲ ταῖς ἄλλαις πόλεσιν οὐχ οἶον ἔτι προστιθέασιν τῶν οἰκείων οἱ δῆμοι κρατήσαντες, ἀλλὰ καὶ

12 δέξουσι B<sup>4</sup>. 13 CΩΖΕΙΝ. 15 συνέπεσε B<sup>4</sup>. 16 ἀλλὰ Richards (edd.): ἄμα K<sup>1</sup>. 17 δοκοῦσι H-L, B. καὶ ἰδία correctum in καὶ ἰδία. 18 προγεγενημέναις (cf. Thuc. ii 87, 3; Xen. Mem. iii 14, 6; Soph. Trach. 1173) Wyse.

21 ἀποδοῦναι Papabasilios coll. c. 39 ult. 22 ΠΙΡΑΙΩΣ: Πειραιῶς H-L. 23 ΔΕΝ correctum in ΔΕΙΝ. 23—24 ΟΥΧ ΟΙΟΝ ΕΤΙ (vel ΕΠΙ) ΠΡΟΣ: οὐχ οἶον ἔτι προσ. K, H-L, B<sup>1-3</sup>, K-W<sup>3</sup>, Th; ἐπιπροσ. Gennadios, K-W<sup>1,2</sup>; οὐχ ὅτι προστιθέασιν Jos. Mayor, ὅτι in ἔτι corruptum atque οἶον deinde per errorem insertum arbitratus (s<sup>1</sup>); οὐχ οἶον τι προσ. B<sup>4</sup>. 24 ΟΙΔΗΜΟΚΡΑΤ: οἱ δημοκρατήσαντες K et B cui 'est δημοκρατήσαντες τι μοναρχήσαντες': οἱ δῆμοι κρατήσαντες van Leeuwen, Hude (H-L, K-W, Th), quod unice verum est, — 'alibi cum vicerunt populares, spoliare solent divites, non propria etiam bona in publicum commodum absumere' (Herwerden).

of his law against *συνκοφαντία* (Isocr. c. *Callim.* §§ 2, 3). Cf. Curtius, *H. G.* iv 59. But his method of procedure was arbitrary in the extreme. Nevertheless, the author passes no condemnation on it. ἀπαγαγῶν] of summary arrest, 29 § 4.

τοῖς ὄρκοις ἐμμένειν] Xen. *Hell.* ii 4 ult., τοῖς ὄρκοις ἐμμένει ὁ δῆμος.

§ 3. κάλλιστα δὴ] According to Eucken (*De Aristotelis dicendi ratione; de particularum usu*, p. 49), δὴ is nowhere found in the writings of Aristotle after a superlative (*Class. Rev.* v 160 a).

αἰτίας ἐξήλειψαν] Andoc. *de Myst.* 76, ἐξαλείψαι πάντα τὰ ψηφίσματα, Lys. i § 48, τοὺς κειμένους νόμους ἐξαλείψαι, ἐτέρους δὲ θεῖναι, 30 § 5, τὰ μὲν ἐγγράφεις τὰ δ' ἐξαλείφεις. Here probably metaphorical, as in Dem. *Pant.* 37 § 34, τὸ γινώσκειν καὶ συνίεναι τὰ δίκαια...ἐξαλείψαι, ἐξαλείφειν is not found in the *Index Ar.*; ἀπαλείφειν occurs in c. 47 *fin.* and 48 *in it.* and προεξαλείφειν in c. 47 *ult.*

τὰ χρήματα—ὁμοιοῦς] See note on Dem. *Lept.* p. 460, esp. § 12, τοῦτο πρῶτον ὑπάρξει τῆς ὁμοιοῦς σημείον, κοινῇ διαλῦσαι

τὰ χρήματα, and Isocr. *Areop.* §§ 67, 68 there quoted.

οὐχ οἶον] οὐχ οἶον is not found in Ar. οὐχ ὅτι...ἀλλὰ καὶ occurs in *Pol.* 1331 a 11, *Poet.* 4, 1448 b 35. οὐχ ὅτι...ἀλλὰ in *De Gen. Anim.* iv 1, 765 b 19, *De Anima* ii 7, 419 a 21, *Anal.* i 41, 49 b 22.

προστιθέασιν τῶν οἰκείων] 'pay additional sums out of their own property.'

οἱ δῆμοι κρατήσαντες] *Pol.* vi (iv) 8, 1294 a 13, ἐν ὀλιγαρχίᾳ καὶ ἐν ἀριστοκρατίᾳ καὶ ἐν δήμοις. viii (v) 10, 1310 b 21, οἱ δῆμοι (opp. to αἱ ὀλιγαρχίαι). iii 11, 1282 a 28, ἄς (εὐθύνας καὶ ἀρχὰς) ἐν ἐνίαις πολιτείαις...τοῖς δήμοις ἀποδιδόασιν. vii (vi) 4, 1320 a 4, οἱ δὲ νῦν δημαγωγοὶ χαρίζομενοι τοῖς δήμοις πολλὰ δημεύουσι διὰ τῶν δικαστηρίων. 7, 1321 a 19, ταῦτη δὲ ἐπικρατούσῃ ἐν ταῖς διαστάσεσιν οἱ δῆμοι τῶν εὐπόρων. Thuc. iii 82, 1; viii 65, 1, Xen. *Cyrus*. i, 1, ἔταν ὀλιγαρχίαι ἀνήρηται ὑπὸ δήμων, Plat. *Leg.* 684 b, 684 c, δῆμοι δῆμοις, 690 e, ἐν πᾶσι δήμοις, Plut. *Phoc.* 2, οἱ δῆμοι. Cf. Isocr. 7 § 70, τὰς δημοκρατίας...προεχούσας τῷ δικαίτερας εἶναι κτλ.

25 τὴν || χώραν ἀνάδαστον ποιούσιν. διελύθησαν δὲ καὶ πρὸς τοὺς 4  
 ἐν Ἐλευσίῳ [κατοί]κῆσαντας ἔτει τρίτῳ μετὰ τὴν ἐξοίκῃσιν, ἐπὶ  
 Ξε[να]ίνετου ἄρχοντος.

41. ταῦτα μὲν οὖν ἐν τοῖς ὕστερον συνέβη γενέσθαι καιροῖς,  
 τότε δὲ κύριος ὁ δῆμος γενόμενος τῶν πραγμάτων ἐνεστήσατο τὴν  
 [νῦν] οὔσαν πολιτείαν, ἐπὶ Πυθοδώρου μὲν ἄρχοντος, δοκοῦντος  
 δὲ δικαίως τοῦ δήμου λαβεῖν τὴν πολιτείαν διὰ τὸ ποιήσασθαι τὴν  
 5 κάθοδον δι' αὐτοῦ τὸν δῆμον. ἦν δὲ τῶν μεταβολῶν ἐνδεκάτη τὸν 2

26 EN supra scriptum melius abesset (κ, coll. Cobet, *Var. Lect.*, pp. 30, 201); retinent K-W, B, delent H-L, s<sup>1</sup>. Cf. Meisterhans, p. 208<sup>3</sup>. [ἐξοί]κῆσαντας κ, κ-w<sup>1,2</sup>, H-L: [μετοί]κῆσαντας propter hiatum conicit J W Headlam; [κατοί]κῆσαντας B (κ-w<sup>3</sup>, κ<sup>4</sup>, Th), qui ἐξοικ. 'et propter hiatum et propter spatium vestigiaque' condemnat.

XLII 3 Πυθοδώρου: Εὐκλείδου exspectaret B (habet B<sup>4</sup>) coll. c. 39, 1. Post ἄρχοντος lacunam indicant K-W, 'hiat sententia; damnatae Pythodori memoriae facta erat mentio'; <καταλυθέντες>, δοκοῦντες δὲ δικαίως τότε ἀναλαβεῖν τὴν? Th, *Berl. Phil. Woch.* 1908, 928. 4—5 δήμου—δῆμον: an Θρασυβούλου—δι' αὐτὸν τὸν δῆμον? κ. 4 π[ο]λιτείαν B<sup>2-4</sup>, Wilcken, κ-w<sup>3</sup>, κ<sup>4</sup>, Th; [ἐξουσί]αν κ, κ-w<sup>1,2</sup>, B<sup>1</sup>, s<sup>1</sup>; [προστασί]αν?

κ et Kontos (H-L). 5 ΔΙΑΥΤΟΝ? δι' αὐτὸν κ (an ἐφ' αὐτοῦ? H-L): δι' αὐτοῦ B, Th; idem, seclusis τὸν δῆμον, κ-w.

τὴν χώραν ἀνάδαστον ποιούσιν] *Pol.* viii (v) 5, 1305 a 2, ὅτε μὲν γάρ, ἵνα χαρίζωνται, ἀδικούντες τοὺς γνωρίζουσιν συνιστάσιν, ἢ τὰς οὐσίας ἀναδάστους ποιούντες ἢ τὰς προσόδους ταῖς λειτουργίαις, ὅτε δὲ διαβάλλοντες, ἢ ἔχῃσι δημεύειν τὰ κτήματα τῶν πλουσίων. 7, 1307 a 1 (of the Lacedaemonians about the time of the second Messenian war), θλιβόμενοι γάρ τινες διὰ τὸν πόλεμον ἠξίουσαν ἀνάδαστον ποιεῖν τὴν χώραν. 8, 1309 a 14, δεῖ δ' ἐν μὲν ταῖς δημοκρατίαις τῶν εὐπόρων φείδεσθαι, μὴ μόνον τῶν τὰς κτήσεις μὴ ποιῶν ἀναδάστους, ἀλλὰ μηδὲ τοὺς καρπούς.

§ 4. διελύθησαν] *Xen. Hell.* ii 4, 43, ὕστερον δὲ χρόνῳ ἀκούσαντες ξένους μισθοῦσθαι τοὺς Ἐλευσίνοι, στρατευσάμενοι πανδημίῃ ἐπ' αὐτοὺς τοὺς μὲν στρατηγούς αὐτῶν εἰς λόγους ἐλθόντας ἀπέκτειναν, τοῖς δὲ ἄλλοις εἰσπέμψαντες τοὺς φίλους καὶ ἀναγκαίους ἔπεισαν συναλλαγῆναι· καὶ ὀρόσαντες ὄρκους ἢ μὴν μὴ μνησικαχῆσεν, ἔτι καὶ νῦν ὁμοῦ τε πολιτεύονται, καὶ τοῖς ὄρκους ἐμμένει ὁ δῆμος.

ἔτει τρίτῳ—ἐπὶ Ξεναίνετου] B.C. 401/0. The final reconciliation is thus placed later than has generally been inferred from Xenophon's phrase ὕστερον χρόνῳ (corresponding to ἐν τοῖς ὕστερον καιροῖς of c. 41 § 1). Grote c. 65 end, v 598-9. 'Diod. xiv 32 f relates under the year of Ξεναίνετος (c. 19) events at Athens from the occupation of Phyle to the reconciliation effected by Pausanias and

the permission to migrate to Eleusis. The origin of this confusion is now clear' (Wyse).

XLII. Recapitulation.

§ 1. ἐνεστήσατο] *Probl.* 951 a 28, ἐνεστήσασθαι τὸ πρᾶγμα. Intrans. 5 § 2, *ib. ult.*, 17 § 4, 27 § 2, 37 § 1. The intrans. parts are those generally used in Ar. On the other hand συνιστάναι (συστήσαι, συστήσασθαι) πόλιν, πολιτείαν, is found in *Pol.* 1266 a 23, 1284 b 18, 1288 a 40, 1319 b 33, also in *Oecon.* 1343 a 7.

ἐπὶ Πυθοδώρου] B.C. 404/3. In c. 39 § 1 the formal convention for the restoration of the democracy is placed in the archonship of Euclides (403/2). But the return of Thrasylbulus and the other exiles of the democratical party, and the occupation of the Peiraeus, took place about January 403, in the archonship of Pythodorus.

The text implies 'that the subsequent extension of the democracy... was justified by the fact of its having secured its own re-establishment, without the open help of any other nation, and in the face of the opposition of a powerful party at Sparta' (Kenyon). But it is difficult to resist Mr Kenyon's suggestion that the passage is corrupt, and that the position of Thrasylbulus as leader of the restored democracy was recognised in the latter part of this sentence.

δικαίως] ὀρθῶς (l. 28). Cf. Kaibel, 5.



ἀριθμὸν αὐτῆ. πρώτη μὲν γὰρ ἐγένετο μετάστασις τῶν ἐξ ἀρχῆς, Ἴωνος καὶ τῶν μετ' αὐτοῦ συνοικησάντων· τότε γὰρ πρῶτον εἰς τὰς τέτταρας συνενεμήθησαν φυλὰς καὶ τοὺς φυλοβασιλέας κατέστησαν. δευτέρα δὲ καὶ πρώτη μετὰ ταύτην ἔχουσα πολιτείας τάξιν, ἢ ἐπὶ Θησέως γενομένη, μικρὸν παρεγκλίνουσα τῆς βασιλικῆς. μετὰ δὲ ταύτην ἢ ἐπὶ Δράκοντος, ἐν ἧ καὶ νόμους ἀνέγραψαν πρῶτον. τρίτη δ' ἢ μετὰ τὴν στάσιν ἢ ἐπὶ Σόλωνος, ἀφ' ἧς ἀρχὴ δημοκρατίας ἐγένετο. τετάρτη δ' ἢ ἐπὶ Πεισιστράτου τυραννίς. πέμπτη δ' ἢ μετὰ (τὴν) τῶν τυράννων κατάλυσιν ἢ Κλεισθένους, δημοτικωτέρα τῆς Σόλωνος. ἕκτη δ' ἢ μετὰ τὰ

6 πρῶτη: πρῶτον B<sup>4</sup>. ΜΕΤΑΤΑCIC sec. Wilcken et K<sup>4</sup>, μετάστασις K-W<sup>3</sup>, B<sup>3</sup>, K<sup>4</sup>, Th; [ἢ κα]τάστασις K<sup>1</sup>, K-W<sup>1,2</sup>, B<sup>4</sup>; [κα]τάστασις B<sup>1,2</sup>, S<sup>1</sup>; [τῶν κ]ατασ[τάσεων] H-L. 7 συνοικησάντων Blass coll. frag. 381<sup>3</sup>, K-W, H-L, K<sup>4</sup>: συνοικισάντων defendebat K<sup>2</sup> coll. c. 15, 7 et Thuc. i 24, vi 5. 8 ΤΕΤΤΑΡΑC. φυλοβασιλέας K-W, H-L, B, K<sup>4</sup>, HN

Th: -εἰς K<sup>1</sup> (S<sup>1</sup>). 9 ΜΕΤΑ ΤΑΥΤΑ ΕΧΟΥCΑΙ (delete I) ΠΟΛΙΤΕΙΑΝ ΤΑΞΙΝ: μετὰ ταῦτα [ἐξ]έχουσα πολιτείας τάξις K<sup>1</sup>, —[μετ]έχουσα Jos. Mayor, —ὑπάρχουσα Richards; [παρ]έχουσα aut πολιτείαν τάξις (Rutherford) aut πολιτείας τάξιν (Wyse), νέαν ἔχουσα πολιτείας τάξιν Gertz. μετρίαν τιν' ἔχουσα πολιτείας τάξιν H-L; μετὰ ταῦτα. . ἔχουσα πολιτείας τάξιν K-W<sup>1,2</sup>; μετὰ ταύτην ἔχουσα τι πολιτείας τάξις K-W<sup>3</sup> coll. Pol. 1272 b 9 ἔχει τι πολιτείας ἢ τάξις ἀλλ' οὐ πολιτεία ἐστίν; μετὰ ταύτην ἔχουσα πολιτείας τάξιν K<sup>3</sup>, B<sup>1,2</sup>, K<sup>4</sup>, Th; μετὰ ταῦτα <μεταβολὴν> ἔχουσα πολιτείας τάξις B<sup>3</sup>; μετάστασιν ἔχουσα π. τ. B<sup>4</sup>. τάξιν <ἦν> Papageorgios. 10 παρεκκλ. Bart. 11—12 μετὰ δὲ—πρῶτον del. Dufour, Wilcken (Th). 14 <τὴν> add. K (edd.).

§ 2. πρώτη goes with τῶν ἐξ ἀρχῆς. μετάστασις... Ἴωνος] The constitution under Ion (which is, of course, prehistoric) was doubtless described in the early chapters of the treatise. Cf. fragm. 343<sup>2</sup> = 381<sup>3</sup>.

συνοικησάντων] Heraclides *init.*, συνοικησαντος δὲ Ἴωνος αὐτοῖς.

εἰς τὰς τέτταρας—φυλὰς] c. 8 § 3. συνενεμήθησαν] cf. 21 § 2, συνένειμε (*al.* δένειμε).

φυλοβασιλέας] c. 8 § 3; c. 57 *ult.* δευτέρα... καὶ πρώτη] τῇ μὲν τάξει δευτέρα, πρώτη δὲ πολιτεία οὖσα (Kaibel, 202, who understands with all these eleven items, not μεταβολή, but πολιτεία or κατάστασις πολιτείας).

πολιτείας τάξιν] c. 3 § 1, ἢ τάξις τῆς ἀρχαίας πολιτείας.

μικρὸν παρεγκλίνουσα τῆς βασιλικῆς] The prehistoric 'constitution of Theseus' was treated in an early chapter that is now lost. The lost passage is referred to in Plut. *Thes.* 25, ὅτι δὲ πρῶτος ἀπέκλινε πρὸς τὸν ὄχλον, ὡς Ἄριστοτέλης φησί, καὶ ἀφῆκε τὸ μοναρχεῖν, ἔοικε μαρτυρεῖν καὶ Ὀμηρος ἐν νεῶν καταλόγῳ μόνους Ἀθηναίους δῆμον προσαγορευέσας. παρεγκλίνειν intr. is found in *Hist. Anim.* 498 a 16, σκέλη μικρὸν εἰς τὸ πλάγιον

παρεγκλίνοντα. ἐγκλίνειν intr. in Pol. 1307 a 21, ἐφ' ὀπότερον ἂν ἐγκλίνη ἢ πολιτεία, and 1266 a 7, ἢ τῶν Λακεδαιμονίων πολιτεία μᾶλλον ἐγκλίνειν βούλεται πρὸς τὴν ὀλιγαρχίαν. ἐκκλίνειν intr. in Pol. ii 11, 1273 a 5, τὰ μὲν εἰς δῆμον ἐκκλίνει μᾶλλον τὰ δ' εἰς ὀλιγαρχίαν.

ἐν ἧ καὶ νόμους ἀνέγραψαν πρῶτον] The summary does not strictly correspond to the original account in c. 4. Nothing was there stated on the important fact that under Dracon the laws were first reduced to a written code, though it was partly implied in the words: τοὺς θεσμοὺς ἔθηκεν. On the other hand, the remarkable 'Draconic constitution,' which has justly aroused considerable suspicion, finds no recognition in the summary. This supports the view that the description of that constitution is an interpolation. Besides, in c. 3 § 4, the Thesmothetae were instituted after 683 B.C., ὅπως ἀναγράψαντες τὰ θέσμια κτλ., whereas here it was under Dracon (621 B.C.) that νόμους ἀνέγραψαν πρῶτον.

Σόλωνος] 5—12. ἀρχὴ δημοκρατίας] 9 § 1. Πεισιστράτου] 14—19. Κλεισθένους] 22. δημοτικωτέρα] 22 *init.* τῆς ἐξ Ἀρείου πάγου βουλῆς] 23.

Μηδικά, τῆς ἐξ Ἀρείου πάγου βουλῆς ἐπιστατούσης. ἐβδόμη δ' ἡ μετὰ ταύτην, ἣν Ἀριστείδης μὲν ὑπέδειξεν, Ἐφιάλτης δ' ἐπετέλεσεν καταλύσας τὴν Ἀρεοπαγίτιν βουλήν· ἐν ἣ πλείστα συνέβη τὴν πόλιν διὰ τοὺς δημαγωγοὺς ἀμαρτάνειν διὰ τὴν τῆς  
20 θαλάττης ἀρχήν. ὀγδόη δ' ἡ τῶν τετρακοσίων κατάστασις, καὶ μετὰ ταύτην, ἐνάτη δέ, δημοκρατία πάλιν. δεκάτη δ' ἡ τῶν τριάκοντα καὶ ἡ τῶν δέκα τυραννίς. ἐνδεκάτη δ' ἡ μετὰ τὴν ἀπὸ Φυλῆς καὶ ἐκ Πειραιέως κάθοδον, ἀφ' ἧς διαγεγένηται μέχρι τῆς νῦν αἰὲ προσεπιλαμβάνουσα τῷ πλήθει τὴν ἐξουσίαν. ἀπάντων

16 Δε και (κ, B<sup>1</sup> coll. vv. 9 et 20—21 : δὲ [[καὶ]] B<sup>2,3</sup>; δὲ [[καὶ μετὰ ταύτην]] B<sup>4</sup>; δ' ἡ Jos. Mayor, K-W, H-L, Th. 17 ἐπέτελεσε H-L. 18 [[Ἀρεοπαγίτιν]] B<sup>4</sup>.  
19 τὴν πόλιν hinc incipit scriba tertius. διὰ <τε> τοὺς (Papageorgios)—<καὶ> διὰ τὴν H-L. Post ἀμαρτάνειν 'deest fere θαρρήσασαν' K-W coll. Pol. 1274 a 12 (cf. 27, 6), vel ἐπαρθέσαν Heitland. 20 ΟΓΔΟΗΝΔ—ΚΑΤΑΣΤΑΚΤΑΚΙΝ. δὲ ἡ del. K-W. 20—21 [[καὶ μετὰ ταύτην]] B<sup>4</sup>. 21 δὲ secl. Jos. Mayor (K-W, H-L, B<sup>2,3</sup>, S<sup>1</sup>), retinet κ, B<sup>1</sup>, B<sup>4</sup>, Th. ἡ ante δημ. legit Wilcken, 'quod potest verum esse' K<sup>4</sup>. 22 καὶ [[ἣ]] K-W, B<sup>4</sup>. 23 ΠΕΙΡΑΙΩΣ (H-L). ΤΗΣ : τοῦ H-L. 24 προσεπιλάμβανον τὸ πλήθος τῆς ἐξουσίας Kontos; προσεπαυξάνουσα Th, Berl. Phil. Woch. 1908, 978; προσεπιβάλλουσα Papageorgios. 'corrupta' K-W<sup>1,2</sup>; μέχρι τῆς νῦν αἰὲ προσεπιλάμβανον τὸ πλήθος τῆς ἐξουσίας Kontos.

'Αριστείδης]. Aristides is here described as having traced the outline which was completed by his successor Ephialtes. The former admitted the lower classes to a larger share in public life. Though he did not actually throw the archonship open to all the citizens of Athens (as asserted in Plut. *Arist.* 22), he encouraged the rural population to resort to Athens (c. 24 § 1) and thus prompted them to take an interest in political affairs. Ephialtes carried this democratical movement still further by abolishing the supremacy of the Areopagus.

There is no justification for the criticism of Rühl (*Rhein. Mus.* 46, 432) that Aristides is here represented as cooperating with Ephialtes. The absence of the name of Themistocles is, however, worthy of note. As a constitutional reformer he is eclipsed by Aristides. It may even be doubted whether he really has any claim to have acted with Ephialtes in overthrowing the Areopagus, as narrated in c. 25 § 3.

ὑπέδειξεν] with πρῶτος in *Rhet.* iii 2, 1404 b 25, and *Poet.* 4, 1448 b 37. Cf. Hdt. i 189, Xen. *Oecon.* xi 18. The metaphor is probably derived 'from the tracing of lines underneath by a writing-master, for the pupil to follow or write over,' *Protag.* 326 D (Cope's *Introd.* to *Ar. Rhet.* p. 284).

Ἐφιάλτης] From the tenour of the

earlier part of the work we are prepared to find a prominent place assigned in the summary to Ephialtes, as compared with Pericles. The reforms in the Areopagus due to the latter were of minor importance. But it is singular that so notable a name should find no mention in the present passage. He is here regarded as one of the demagogues whose influence was detrimental to Athens. The slight notice of his policy in 28 § 1 is indeed not unfavourable; but it is certainly far from enthusiastic.

διὰ τὴν τῆς θαλάττης ἀρχήν] Isocr. *de Pace*, 79.

τῶν τετρακοσίων] 29—32. δημοκρατία] 34.

ἡ τῶν τριάκοντα—τυραννίς] more accurately described as an oligarchy in 53 *init.*

τῶν δέκα] 38 § 1.  
ἀφ' ἧς (καθόδου) διαγεγένηται μέχρι τῆς νῦν (πολιτείας).

προσεπιλαμβάνουσα τῷ πλήθει τὴν ἐξουσίαν] 'always adding power to the masses.' Schömann, *Ant.* p. 386 E. T.: 'The demagogues found it their interest to extend the activity of the popular assemblies as far as possible, and to establish the principle that the people was, in the most comprehensive sense of the term, lord over everything, and could do what it pleased (*in Neaer.* p. 1375; Xen. *Hell.* i 7, 12). On the other hand,



γὰρ αὐτὸς αὐτὸν πεποίηκεν ὁ δῆμος κύριον, καὶ πάντα διοικεῖται 25  
 ψηφίσμασιν καὶ δικαστηρίοις, ἐν οἷς ὁ δῆμός ἐστιν ὁ κρατῶν. καὶ  
 γὰρ αἱ τῆς βουλῆς κρίσεις εἰς τὸν δῆμον ἐληλύθασιν. καὶ τοῦτο  
 δοκοῦσι ποιεῖν ὀρθῶς· εὐδιαφθορώτεροι γὰρ (οἱ) ὀλίγοι τῶν πολλῶν  
 3 εἰσιν καὶ κέρδει καὶ χάρισιν. μισθοφόρον δ' ἐκκλησίαν τὸ μὲν  
 πρῶτον ἀπέγνωσαν ποιεῖν· οὐ συλληγομένων δ' εἰς τὴν ἐκκλησίαν, 30  
 ἀλλὰ πολλὰ σοφίζομένων τῶν πρυτάνεων, ὅπως προσισθῆται τὸ  
 [1.] πλήθος πρὸς τὴν ἐπί|κύρωσιν τῆς χειροτονίας, πρῶτον μὲν  
 Ἀγύρριος ὀβολὸν ἐπόρισεν, μετὰ δὲ τοῦτον Ἡρακλείδης ὁ Κλαζο-

26 ψηφίσμασι H-L. 27 ἀνεληλύθασιν Hude. 28 ΟΛΙΓΟΝ: ὀλίγοι K, B<sup>4</sup>, Th: <οί> ὀλίγοι Gennadios, Kontos, K-W, H-L, B<sup>1-3</sup>, K<sup>4</sup>. 29 εἰσι H-L. δ': δὲ <τὴν> K-W, δὲ B. 31 CO(?)ΦΙΖΟΜΕΝΩΝ Blass, Gomperz, K-W, K<sup>3</sup>, Th: ψηφίζομένων K<sup>1</sup>, ψηφίζομένων <μόνων> H-L.

TESTIMONIA. XLI 33—34 Hesych. Κλαζομένιος οὗτος· Ἡρακλείδης ὁ Κλαζομένιος (τε καὶ ὁ cod.) ὁ καὶ βασιλεὺς (βαῦς cod., ex hoc loco correx. Houtsma, Blass) καλοῦμενος.

men of keener insight complained that the State was administered by Psephismata—that is, according to the pleasure at any moment of the sovereign people—rather than according to the laws, and that there was only too often a contradiction between the laws and these Psephismata.' *Pol.* vi (iv) 4, 1292 a 4—37, ἕτερον εἶδος δημοκρατίας τᾶλλα μὲν εἶναι ταῦτά, κύριον δ' εἶναι τὸ πλήθος καὶ μὴ τὸν νόμον. τοῦτο δὲ γίνεται ὅταν τὰ ψηφίσματα κύρια ἢ ἀλλὰ μὴ ὁ νόμος. συμβαίνει δὲ τοῦτο διὰ τοὺς δημαγωγούς κτλ. *Dem. Lept.* § 92.

In an inscription of 333 B.C. (*CIG Sept.* no. 3499) the Ecclesia enjoins the Council to submit a *προβούλευμα* on a certain subject, and thus assumes to itself the right of initiative, which, under Solon's constitution, belonged to the Council alone (P. Foucart, in *Rev. des études grecques*, 1893, 1—7).

πάντα διοικεῖται ψηφίσμασιν] *Pol.* 1292 a 34, εἴπερ ἐστὶ δημοκρατία μία τῶν πολιτειῶν, φανερόν ὡς ἡ τοιαύτη κατάστασις ἐν τῇ ψηφίσμασι πάντα διοικεῖται, οὐδὲ δημοκρατία κυρίως.

εἰς τὸν δῆμον ἐληλύθασιν] In the department of judicature indictments or informations concerning breaches of the law, which could not be dealt with in the ordinary course, were in the first instance brought before the Council. If the offence were too important for the competency of that body, they passed to the popular assembly. The Council could not inflict any fine beyond 500 *drachmae*. Schömann, *Ant.* 394—5 E. T. Cf. 45 and 49 § 3; *Pol.* 1299 ὁ 38 ff. 'Is not the meaning

rather' (asks Mr Macan) 'that cases, in which the Council had once exercised jurisdiction, have been transferred to the Dikasteria?' (*Oxf. Mag.* 1893, p. 301).

καὶ τοῦτο κτλ.] This is understood by Fr. Cauer (p. 48 f) as a general eulogy of the fully developed democracy and as inconsistent with the views expressed in the *Politics*. But the eulogy is really limited to one particular point, the transfer of judicial functions from the βουλή to the ἐκκλησία, and both of these bodies are distinctly democratic. The text is in fact in perfect accord with a passage in the *Politics*, iii 15, 1286 a 30, διὰ τοῦτο καὶ κρίνει ἄμεινον ὄχλος πολλὰ ἢ εἰς ὅστισόν, ἐτι μᾶλλον ἀδιάφθορον τὸ πολὺ, καθάπερ ὕδωρ τὸ πλεῖον, οὕτω καὶ τὸ πλήθος τῶν ὀλίγων ἀδιαφθορώτερον. Cf. O. Crusius, *Philol.* 1, p. 175, Bursian's *Jahresbericht*, lxxxiii 207.

§ 3. μισθοφόρον κτλ.] The whole § is of the nature of a note.

τὸ μὲν πρῶτον] on the restoration of the democracy.

οὐ συλληγομένων δ' εἰς τὴν ἐκκλησίαν κτλ.] The six *ληξιαρχοὶ* and thirty others τοὺς μὴ ἐκκλησιάζοντας ἐξημίουν καὶ τοὺς ἐκκλησιάζοντας ἐξήταζον, καὶ σχοῖνιον μιλτώσαντες διὰ τῶν τοξοτῶν συνήλανον τοὺς ἐκ τῆς ἀγορᾶς εἰς τὴν ἐκκλησίαν, Pollux, viii 104.

Ἀγύρριος] a statesman belonging to the deme of Collytus, prominent as a financier in the early part of the fourth century. In 400 B.C. he had a dispute with Andocides about the lease of a tax (Andoc. *De Myst.* 133, with Marchant's note).

μένιος ὁ βασιλεὺς ἐπικαλούμενος διώβολον, πάλιν δ' Ἀγύρριος τριώβολον.

42. ἔχει δ' ἡ νῦν κατάστασις τῆς πολιτείας τόνδε τὸν τρόπον. μετέχουσιν μὲν τῆς πολιτείας οἱ ἐξ ἀμφοτέρων γεγονότες ἀστῶν, ἐγγράφονται δ' εἰς τοὺς δημότας ὀκτωκαίδεκα ἔτη γεγο-

XLII 2 μετέχουσι H-L.

3 ΕΝΓΡΑΦ.

TESTIMONIA. XLII 3—4 \*Schol. Arist. *Vesp.* 578 παίδων τοίνυν δοκιμαζομένων πρὸς τὸ ἔθος. Ἄρ. δέ φησιν ὅτι ψήφῳ οἱ ἐγγραφόμενοι δοκιμάζονται, μὴ νεώτεροι (οἱ νεώτεροι μὴ codd., correx. K-W) ἢ ἑτῶν εἴεν (Frag. 427<sup>2</sup>, 467<sup>3</sup>). ἴσως δ' ἂν περὶ τῶν μὴ κρινομένων παίδων εἰς τοὺς γυμνικοὺς ἀγῶνας λέγῃ (sc. ὁ Ἀριστοφάνης)· οὐχ ὡς ἐν δικαστηρίῳ κρινομένων ἀλλ' ὑπὸ τῶν πρεσβυτέρων. Cf. Wilamowitz, i 190 n. 6.

Schol. on Arist. *Eccl.* (B.C. 392) 102—5 (Ἀγύρριος...πράττει τὰ μέγιστ' ἐν τῇ πόλει): ὁ Ἄ. στρατηγὸς θηλυδριώδης, ἄρξας ἐν Λέσβῳ. καὶ τὸν μισθὸν δὲ τῶν ποιητῶν συνέτεμε (cf. Schol. on *Ran.* 367 and *Plat. Com. frag.* 133 Kock) καὶ πρῶτος ἐκκλησιαστικὸν δέδωκε. In *Eccl.* 300—310 the poet refers to the time when only one obol was allowed instead of three: ἥρικ' εἶδει λαβεῖν ἐλθόντ' ὀβολὸν μόνον, whereas now τριώβολον ζητοῦσι λαβεῖν, *ib.* 380, 392, *Plut.* (ed. 2, B.C. 389) 329 and 171 with the Schol. where, however, the μισθὸς ἐκκλησιαστικὸς is confounded with the μ. δικαστικὸς. The text shews that the Schol. on *Eccl.* 102 was right in making Agyrrhius the originator of the fee. Boeckh (ii xiv p. 316 Lamb) inferred from the mention of Myronides in *Eccl.* 305 that the fee was introduced some time after the beginning of the influence of Pericles. He was further led to ascribe its origin to one Callistratus, *Append. Vatic. Proverb.* iii, ὀβολὸν εὔρε Παρνύτης. Καλλιστρατος Ἀθήνησι πολιτευσάμενος, ἐπικαλούμενος δὲ Παρνύτης, μισθὸν ἔταξε τοῖς δικασταῖς καὶ τοῖς ἐκκλησιασταῖς. Possibly Callicrates, who added an obol to the διώβολον of the θεωρικόν, is really meant (28 § 3). The text also proves that for a short time the fee for the public assembly was two obols, though this was denied by Boeckh, *l. c.*

Agyrrhius also restored the θεωρικόν (*Philochorus ap. Harpocr. s.v.*). On the death of Thrasybulus (early in 389) he was elected στρατηγὸς (*Xen. Hell.* iv 8, 31; *Diod.* xiv 99). *Plat. Com. frag.* 185 Kock, λαβοῦ λαβοῦ τῆς χειρὸς ὡς τάχιστα μου· μέλλω στρατηγὸν χειροτονεῖν Ἀγύρριον. It was probably after 387 that he was long in prison as a debtor to the State (*Dem.* 24 § 134).

Ἡρακλείδης ὁ Κλαζομένιος] mentioned in *Plat. Ion*, 541 D (with Phanosthenes

of Andros), οὗς ἦδε ἡ πόλις ξένους ὄντας, ἐνδειξαμένους ὅτι ἄξειο λόγον εἰσί, καὶ εἰς στρατηγίας καὶ εἰς τὰς ἄλλας ἀρχὰς ἄγει. Favorinus ap. *Athen.* 506 A; Aelian, *Var. Hist.* xiv 5. The name βασιλεὺς is perhaps due to his belonging to some royal family in Asia Minor (cf. Strabo, p. 632; *CIG* 2881, 2069, 2157, 2189). Peisistratus was called βασιλεὺς in the *Δῆμος* of Eupolis (*frag.* 123 p. 291 Kock). O. Crusius in *Philol.* 1, p. 177. Heracleides is identified by Köhler (*Hermes*, xxvii 68 ff) with the person of that name mentioned in an inscr. in *Bull. Corr. Hell.* xii (1888) 163 f. Cf. Wilamowitz, i 188 n. 4; 294 n. 11.

Part II, c. XLII—LXIII. *The Existing Constitution.*

XLII § 1. *Enrolment on the list of citizens.*

§ 1. ἡ νῦν κατάστασις τῆς πολιτείας] *Plat. Leg.* 832 D, ἡ τοιαύτη κατάστασις πολιτείας.

μετέχουσιν τῆς πολιτείας] *Pol.* 1268 a 24, 27; 1275 b 31; 1290 a 4.

ἐξ ἀμφοτέρων—ἀστῶν] *Pol.* 1278 a 34, τέλος δὲ μόνον τοὺς ἐξ ἀμφοῖν ἀστῶν πολίτας ποιοῦσιν. 1275 b 21, ὀρίζονται δὲ πρὸς τὴν χρῆσιν πολλῆν τὸν ἐξ ἀμφοτέρων πολιτῶν καὶ μὴ θατέρον μόνον, οἶον πατρὸς ἢ μητρὸς. See note on 26 § 4.

ἐγγράφονται] *Pol.* iii 1, 1275 a 14, παῖδας τοὺς μήπω δι' ἡλικίας ἐγγεγραμμένους. *Dem. Euclid.* 57 § 61, ἥρικ' ἐνεγράφην ἐγὼ καὶ ὁμόσαντες οἱ δημόται δικαίως πάντες περὶ ἐμοῦ τὴν ψῆφον ἐφέρον, οὕτε κατηγορήσεν οὐτ' ἐναντίαν τὴν ψῆφον ἠνεγκεν. *Isaeus* 7 § 28, ὁμόσαντες καθ' ἱερῶν ἐνεγράψαν με (sc. εἰς τὸ ληξιαρχικὸν γραμματεῖον). *Lycurg. Leocr.* 76, ἐπειδὴν εἰς τὸ ληξιαρχικὸν γραμματεῖον ἐγγραφῶσι καὶ ἐφηβοὶ γένωνται. The earliest ephebic inscr. (B.C. 334—3) mentions οἱ ἐφηβοὶ οἱ ἐπὶ τοῦ Κτησικλέους ἀρχοντος



νοτες. ὅταν δ' ἐγγράφονται, διαψηφίζονται περὶ αὐτῶν ὁμόσαντες οἱ δημόται, πρῶτον μὲν εἰ δοκοῦσι γεγονέναι τὴν ἡλικίαν τὴν ἐκ 5 τοῦ νόμου, καὶ μὴ δόξωσι, ἀπέρχονται πάλιν εἰς παῖδας, δεύτερον δ' εἰ ἐλεύθερός ἐστι καὶ γέγονε κατὰ τοὺς νόμους. ἔπειτ' ἂν μὲν ἀποψηφίσωνται μὴ εἶναι ἐλεύθερον, ὁ μὲν ἐφήσιον εἰς τὸ δικαστήριον, οἱ δὲ δημόται κατηγοροὺς αἰροῦνται πέντε ἄνδρας ἐξ αὐτῶν,

4 Δεγραφ : δ' ἐγγράφ. Wyse, Blass (edd.). 6 δόξωσι H-L. 7 γέγονεν B<sup>4</sup>.  
ἐάν μὲν H-L. μὲν secl. Papageorgios (B<sup>2-4</sup> coll. 48 § 5). 8 ΕΠΙΨΗΦ (K<sup>1</sup>): ἀποψηφ.  
Wyse, Blass (edd.); cf. Phot. l.c.

TEST. 8 Phot. (et Etym. M.) ἔφεσις: ... ἐγένετο δὲ Ἀθήνησιν ἐπὶ τῶν ἐν τοῖς δήμοις ἀποψηφισθέντων, ἐφείσθαι, γὰρ αὐτοῖς εἰς δικαστήριον περὶ τῆς πολιτείας καὶ εἰ μὲν ἐάλωσαν, ἐπωλοῦντο ὡς ξένοι· εἰ δὲ μὴ, ἐπανήσαν εἰς τοὺς ἐξ ὧν ἀπεψηφίσθησαν δήμους.

ἐγγραφέντες. By this registration the youthful citizen entered on the duties of civil life at the same time as he was enrolled on the list of *erhebi*. This was the only list of *erhebi* kept by the demes, and such a phrase as ἐγγράφασθαι εἰς ἐφήβους (Pseudo-Plat. *Acxioch.* 366 E) is an inaccurate equivalent for ἐγγ. εἰς τοὺς δημότας (P. Girard, in Daremberg and Saglio, iii 624).

ὀκτωκαίδεκα ἔτη] Schol. Aeschin. c. *Ctes.* 122, ἀπὸ ὀκτωκαίδεκα ἐτῶν ἐνεγράφοντο εἰς τὸ ληξιαρχικόν, and I § 19. ἐπὶ διετὲς ἡβῆσαι (Aeschin. l. c.) denoted the close of the two years intervening between the ages of 16 and 18 (A. Schäfer, *Dem.* iii 2, 19—38; Lipsius in *N. Jahrb. f. Philol.*, no. 117, p. 299 ff.; Thumser, *Gr. Ant.* 458 f).

In Aristoph. *Vesp.* 578 it is regarded as a privilege of the *δικασταὶ* to take part in ascertaining the physical maturity of Athenian youths on the occasion of the *δοκιμασία*. In the present passage the preliminary enrolling belongs to the *δημόται*, while the subsequent *δοκιμασία* is now for the first time assigned to the *βουλή*, to which it was perhaps transferred after the time of Aristophanes. According to the text, the *δικασταὶ* are only concerned in the event of an appeal on the question whether the person enrolled was of citizen birth or not. (Cf. Meier and Schömann, *Att. Process*, p. 253-4 Lipsius. The doubt there suggested as to the accuracy of the Schol. on *Vesp.* 578 is now withdrawn by Lipsius, in the *Verhandlungen der k. Sächsischen Gesellschaft der Wissenschaften*, Leipzig, 1891, p. 63.) Possibly, in the event of a dispute on the question of age, the matter was similarly referred to a court, but this is not stated in the text.

διαψηφίζονται] The ordinary διαψη-

φισις here described might be followed by an appeal to a *δικαστήριον*. The procedure was the same as in the special *διαψηφίσις* described in Dem. 57 § 60, ἔπεισε διαψηφίσασθαι τοὺς Ἀλιμονσίους περὶ αὐτῶν καὶ κατηγορῶν δέκα τῶν δημοτῶν ἐξέβαλεν, οὐδ' ἅπαντας πλὴν ἐνὸς κατέδεξάτο τὸ δικαστήριον.

ἐλεύθερος] here means more than 'of free birth'; it is equivalent to 'of citizen birth.' Cf. *Pol.* 1291 b 26, τὸ μὴ ἐξ ἀμφοτέρων πολιτῶν ἐλεύθερον, and 1290 b, where οἱ ἐλεύθεροι are explained to be οἱ διαφέροντες κατ' εὐγένειαν (Newman, i 248 n). If ἐλεύθερος had here meant 'of free birth,' the text would have been incomplete. The sons of Pericles and Aspasia were of free birth, they were not *slaves*, but they could only become citizens by a special grant. So, in the fourth century, the offspring of an Athenian citizen and a *free* foreign woman only entered the deme by fraud (Wyse).

ἀποψηφίσωνται] used absolutely in Dem. 57 §§ 11, 56, 58, 59, 62; followed by μὴ in *F. L.* 174, ἀπεψηφίσαντο μὴ πέμπειν. ἐπιψηφίζεσθαι is found c. acc. in Dion. H., *Ant.* vi 71, and Diod. xix 61; but these passages do not justify the retention of ἐπιψηφίσωνται.

ἐφήσιον κτλ.] Dem. 57 § 6, ἀξίω...μηδέπω τὴν τῶν δημοτῶν ἀποψηφίσιον ποιῆσαι τεκμήριον ὑμᾶς, ὡς ἄρ' οὐχὶ προσήκει μοι τῆς πόλεως. εἰ γὰρ ἐνομιζέτε τὰ δίκαια δυνήσασθαι τοὺς δημότας διακρίναι, οὐκ ἂν ἐδώκατε τὴν εἰς ὑμᾶς ἐφεσιν. Cf. *Etym. M.* and Photius s. v. ἐφεσις, quoted in *Testim.*

πέντε ἄνδρας] We find a similar procedure in the decree of the φράσεις recorded in the Decelian inscr., CIA ii 2, p. 534-6, no. 841 b, ll. 30—34, ἐάν δέ τις βούληται ἐφείναι εἰς Δημοσιωνίδας, ὧν ἂν ἀποψηφίσωνται, ἐξεῖναι αὐτῷ, ἐλεσθαι δὲ ἐπ' αὐτοῖς συνηγόρους τὸν Δεκελεικὸν

- 10 *κἂν μὲν μὴ δόξῃ δικαίως ἐγγράφεσθαι, πωλεῖ τούτον ἢ πόλις· ἐὰν δὲ νικήσῃ, τοῖς δημόταις ἐπάναγκες ἐγγράφειν. μετὰ δὲ 2 ταῦτα δοκιμάζει τοὺς ἐγγραφέντας ἢ βουλή, κἂν τις δόξῃ νεώτερος ὀκτωκαίδεκ' ἐτῶν εἶναι, ζημιοῖ τοὺς δημότας τοὺς ἐγγράφοντας. ἐπὶ δὲ δοκιμασθῶσιν οἱ ἔφηβοι, συλλεγόντες οἱ πατέρες*
- 15 *αὐτῶν κατὰ φυλάς, ὁμόσαντες αἰροῦνται τρεῖς ἐκ τῶν φυλετῶν τῶν ὑπὲρ τετταράκοντα ἔτη γεγονότων, οὓς ἂν ἡγῶνται βελτίστους εἶναι καὶ ἐπιτηδειοτάτους ἐπιμελεῖσθαι τῶν ἐφήβων, ἐκ δὲ τούτων ὁ δῆμος ἕνα τῆς φυλῆς ἐκάστης χειροτονεῖ σωφρονιστὴν, καὶ*

N

11 Versus in fine ΕΝΓΡΑΦΕΙ ἐγγράφειν (sc. ἐπάναγκες ἐστὼν αὐτὸν ἐγγράφειν) recte

ΔΙ

van Leeuwen (H-L, B, K-W<sup>3</sup>, K<sup>4</sup>, Th): ΕΝΓΡΑΦΕΤ ἐγγράφεται K<sup>1</sup>, K-W<sup>1,2</sup>; constructio quidem utraque recte se habet; ἐπάναγκες ἐγγράφειν defendunt c. 29, 21, *Pol.* 1266 a 10, 17, 18 et 1301 b 23; ἐπάναγκες ἐγγράφεται *Pol.* 1266 a 15; sed manus tertia nunquam aut ΤΑΙ contrahit aut ΔΙ supra verbi finem scribit, N autem septies eodem in

loco ponit, c. 41, 30 εκκλησια, c. 42, 34 λαμβανουσι, c. 43, 4 χειροτονουσι, 7 πρυτανευει,

15 βουλη, 17 χειροτονει, 29 κελουουσι; quorum exemplorum sex in fine versus inventa sunt. 13 ὀκτωκαίδεκ' K-W, B, K<sup>4</sup>, Th: -δεκα K<sup>1</sup>, H-L. 14 ΕΠΑΝ: ἐπειδὴν H-L. 15 κατὰ Kontos (edd.): [ε]ς τὰς olim K.

TESTIMONIA. 18—25 Bekk. *Anecd.* 301 (infra exscriptum).

ὄκον πέντε ἄνδρας ὑπὲρ τριάκοντα ἔτη γεγονότας. Cf. *Class. Rev.* v 221 a.

πωλεῖ] Dionys. on Isaeus, 16 p. 617, ἐγράφη δὴ τις ὑπὸ τῶν Ἀθηναίων νόμος: ἐξέτασιν γενέσθαι τῶν πολιτῶν κατὰ δήμους, τὸν δὲ ἀποψηφισθέντα ὑπὸ τῶν δημοτῶν τῆς πολιτείας μὴ μετέχειν, τοῖς δὲ ἀδικῶς ἀποψηφισθεῖσιν ἔφεισιν εἰς τὸ δικαστήριον εἶναι, προσκαλεσαμένους τοὺς δημότας, καὶ ἐὰν τὸ δεύτερον ἐξελεγχθῶσι, πεπρᾶσθαι καὶ τὰ χρήματα εἶναι δημόσια (cf. Wyse's *Isaeus*, p. 714 f). Bekker, *Anecd.* (and Suidas) s. v. ἀποψηφισθέντα: εἰ τις ξένος ἔδοξεν εἶναι καὶ οὐ πολίτης, τούτου ἐν ταῖς διαψηφίσεσι τῶν δήμων ἀπεψηφίζοντο οἱ δημόται, καὶ ἐλέγγοτο ἀπεψηφισμένος. εἶτα εἰσήγγοτο εἰς τὸ δικαστήριον καὶ ἐκρίνετο ξενίας, καὶ εἰ μὲν ἄλωι, ἐπιπράσκετο ὡς ξένος· εἰ δὲ ἐκράτει, ἀνελαμβάνετο εἰς τὴν πολιτείαν. οὕτω Δημοσθένης (*de Cor.* 132). Cf. Meier and Schömann, p. 440 Lips., n. 705.

§§ 2—5. On the military training of the *Ephēbi*. On the *Ephēbi*, see Dittenberger, *De Ephēbi Atticis*, 1863; Dumont, *Essai sur l'Ephēbie Attique*, 1875—6; Grasberger, *Erziehung und Unterricht im Klass. Alterthum*, iii, 1881. Also Capes, *University Life in Ancient Athens*, 1877; Wayte on *Ephēbus* in Smith, *Dict. Ant.*; P. Girard, *l'Éducation athenienne*, 1889,

pp. 271—327; and (since the discovery of this treatise) the same scholar's article in Daremberg and Saglio, 1891, iii 621—636, P. Østbye, *Die Schrift vom Staat der Athener und die attische Ephēbie*, Christiania, 1893, and Wilamowitz, i 189—194.

§ 2. δοκιμάζει] This δοκιμασία (like that of adopted sons) probably took place at the time of the ἀρχαιεσῆαι (Isaeus 7 § 28; Dem. c. *Leoch.* 44 § 39) at the beginning of the official year (Lys. 21 § 1). Cf. Thumser, *Gr. Ant.* p. 458 n. 7.

ὑπὲρ τετταράκοντα ἔτη] Similarly any χορηγός who had boys under his superintendence had to have attained the age of 40 (56 § 3).

χειροτονεῖ] one of the few exceptions to the general rule by which appointments at Athens were made by lot. Cf. 43 § 1 and Headlam, *On the Lot*, p. 104.

σωφρονιστὴν] [Plat.] *Axioch.* 367 A, πᾶς ὁ τοῦ μειρακίσκου χρόνος (v. l. πόνος) ἐστὶν ὑπὸ σωφρονιστάς. Deinarchus, *adv. Philocl.* 15, ὁ μὲν δῆμος ἅπας οὐτ' ἀσφαλὲς οὐτε δίκαιον νομίζων εἶναι παρακαταθέσθαι τοὺς ἑαυτοῦ παῖδας, ἀπεχειροτόνησεν αὐτὸν ἀπὸ τῆς τῶν ἐφήβων ἐπιμελείας. Philocles, the στρατηγός here referred to, was a σωφρονιστής, not a κοσμητής (Gilbert, i 297; Dumont, *Essai sur l'Ephēbie*



3 κοσμητήν ἐκ τῶν ἄλλων Ἀθηναίων ἐπὶ πάντας. συλλαβόντες δ' οὗτοι τοὺς ἐφήβους, πρῶτον μὲν τὰ ἱερά περιήλθον, εἶτ' εἰς 20

19 κοσμητήν Paton (edd.): [ἐπι]μελητήν κ<sup>1</sup>. ΠΑΝΤΑ vel ΠΑΝΤΑΣ ante CΥΛΛ: πάντα. συλλ. κ<sup>1</sup>; πάντας. συλλ. κ-W, β, κ<sup>4</sup>, Th; πάντας. παραλ. H-L, cf. 49 § 2.

*Attique*, 1876, p. 169f). In Bekker *Anecd.* 301 the σωφρονισταί are defined as ἄρχοντες τινες χειροτονητοί, δέκα τὸν ἀριθμὸν, ἐκάστης φυλῆς εἰς. ἐπεμελοῦντο δὲ τῆς σωφροσύνης τῶν ἐφήβων, μισθὸν παρὰ τῆς πόλεως λαμβάνοντες ἑκαστὸς καθ' ἡμέραν δραχμὴν (similarly in Photius and Etym. M. s. v.).

They are mentioned in the earliest ephelic inscr. now extant, B.C. 334-3 (*Bull. Corr. Hell.* xiii 253, [τῷ σωφρο]ου[στί]μ[ε] πειθ[αρχοῦ]σι τῷ χειροτονηθέντι ὑπὸ τοῦ δήμου); in B.C. 333—331 (CIA iv (2) p. 262, Michel no. 1033, ...στεφανωθείς ὑπὸ τῶν ἐφήβων καὶ τῶν σωφρονιστῶν καὶ τῶν κοσμητῶν); also in B.C. 320/19 (CIA ii 581); and in B.C. 305/4. This last inscr., as restored, includes the words: [τοῦ κοσμητοῦ καὶ τῶν σωφρο]νιστῶν καὶ τῶν διδασκάλων. The κοσμητῆς also appears to be named near the beginning: [ἐπειδὴ οἱ ἐφηβοὶ ... ἐπι]μελοῦνται ἐ[... καὶ .. φίλο]τιμοῦν[ται... ] ἰτῶσι εὐτάκτως...

τε κοσμη[τ... τ]ἄλλα τὰ περὶ τῆ[ν... τοῦς διδα]σκάλοις κτλ. In the same inscr. the ἐφηβοὶ are described as ἐγγραφεύτες (Köhler, *Mittheilungen*, 1879, iv 324-7). The latest inscr. belongs to B.C. 303/2, ...σωφρονιστῆς ὑπὸ τοῦ δήμου χειροτονηθείς [τῶν] ἐφήβων τῶν ἐγγραφεύτων [τῆς] Πανδιδιοῦδος φυλῆς ἐπὶ Λεωστράτου ἄρχοντος (B.C. 303) καλῶς καὶ σωφρόνως καὶ εὐτάκτως [ἐπι]με[μ]εληται αὐτῶν καὶ ἀποφ[αίν]ουσιν αὐτὸν εἰς τὴν φυλὴν [οἱ πατέρες τῶν ἐφήβων ἐπι]μεμ[ε]λῆσθαι κατὰ τοὺς νόμους τῶν ἐφήβων κτλ. (*Bull. Corr. Hell.* 1888, xii 149). A relief published in *Rev. Arch.* 1876, ii 185, copied in Daremberg and Saglio, iii 628, represents three σωφρονισταί in their robes holding their wands of office in the presence of a divinity who cannot be identified. The office was apparently suppressed early in the third century B.C. to be restored in imperial times. See Dittenberger, *De Ephēbis Atticis*, pp. 29, 44; Dumont, *Sur l'Éphébie*, p. 200; Smith, *Dict. Ant.* i 998 b; Gilbert, i 348<sup>2</sup>; esp. Girard in Daremberg and Saglio, iii 626.

κοσμητήν] Erotianus, *Lex. Hipp.* s. v. κόσμου. κοσμηταί οἱ τῶν ἐφήβων εὐταξίας προνοοῦντες. The word is found in [Plat.] *Axioch.* 363 B (as quoted by Stobaeus), ἐπειδὴν δ' εἰς τοὺς ἐφήβους ἐγγραφεῖ, κοσμητῆς καὶ φόβος χείρων, and in a general sense in Plat. *Leg.* 372 A. The usual formula for the election of this officer is χειροτονη-

θείς κοσμητῆς ἐπὶ τοὺς ἐφήβους εἰς τὸν ἐπὶ (τοῦ δείνος) ἄρχοντος ἐνιαυτὸν, CIA ii 465, 467, 469: in 471 l. 56 the people κοσμη[τ]ήν καθίστησ[ιν ἐκ] τῶν ἄριστα βε[β]ιωκότων. Hardly any of the inscriptions in which this officer is mentioned are earlier than the second century. The earliest belongs to B.C. 305/4 (quoted in last n); the next to about B.C. 282 (CIA ii 316, 10 = Dittenberger, *Inscr.* no. 346). It is suggested by Dittenberger (*De Ephēbis*, p. 31) that the office was created soon after the time of Alexander. The inscr. of B.C. 305 (already quoted) shows that the κοσμητῆς and the σωφρονισταί existed together. This is confirmed by the text. The κοσμητῆς is also mentioned in CIA ii 316 (282/1 B.C.). Cf. Dumont, *Éphébie Attique*, p. 166 ff; Gilbert, i 348, 351<sup>2</sup>; and Girard in Daremberg and Saglio, iii 626-7.

In literature, one of the earliest passages on the κοσμητῆς is in Teles (fl. end of 3rd cent.), ap. Stob. 98, 72, ἐφηβος γέγονεν ἔμπαλιν τὸν κοσμητῆν φοβεῖται, τὸν παιδοτρίβην, τὸν ὀπλομάχον, τὸν γυμνασιάρχον, ὑπὸ πάντων τούτων μαστιγοῦται, παρατηρεῖται, τραχηλίζεται. ἐξ ἐφήβων ἐστὶ καὶ ἤδη εἰκοσιν ἐτών· ἐτι φοβεῖται καὶ παρατηρεῖ καὶ ταξίάρχον καὶ στρατηγόν.

A passage in Deinarchus, 3 § 15, καὶ ὁ μὲν δῆμος ἀπεχειροτόνησεν αὐτὸν ἀπὸ τῆς τῶν ἐφήβων ἐπιμελείας, led Boeckh to suppose that some of the officials in charge of the ἐφηβοὶ were known as ἐπιμεληταί. The above passage refers to Philocles, who was στρατηγὸς ἐπὶ Μουνυχίαν (Wilamowitz, i 193 n. 11). See also the last note on p. 162.

ἐπὶ πάντας] For ἐπὶ, of persons set over others, cf. Xen. *Cyr.* iv 5, 58, ἐπὶ τοὺς πεζοὺς καθίσταναι ἄρχοντα, and *Hell.* iii 4, 20. In this sense it is more common *c. gen.* or *dat.*

§ 3. τὰ ἱερά περιήλθον] It was probably at this stage that the ἐφηβοὶ took the oath in the cave of Aglauros (Dem. *F. L.* 303; Lycurgus, *Leocr.* 76; Stobaeus, *Flor.* 43, 49; Pollux viii 105; another clause is quoted in Plut. *Alc.* 15). Cobet, *N. L.* 223, regards the formula in Stobaeus and Pollux as a figment of the grammarians; but it can hardly be doubted that some such oath was taken, although it is not mentioned in the text.

Πειραιέα πορεύονται, καὶ φρουροῦσιν οἱ μὲν τὴν Μουνιχίαν, οἱ δὲ τὴν Ἀκτὴν. χειροτονεῖ δὲ καὶ παιδοτρίβας αὐτοῖς δύο, καὶ διδασκάλους, οὔτινες ὄπλομαχεῖν καὶ τοξεύειν καὶ ἀκοντίζειν  
24 καὶ καταπάλτην ἀφίεναι διδάξουσιν. δίδωσι δὲ καὶ εἰς τροφήν

21 Πειραιᾶ H-L. ΜΟΥΝΥΧΙΑΝ. Cf. c. 19, 5. 23 [οἱ]τινες K, H-L, B, K-W<sup>3</sup>: ΔΠΕΛΤΗΝ

τ[έτ]τ[α]ρας <οἱ> K-W<sup>1,2</sup>. 24 ΚΑΤΗΝ καταπέλτην (K<sup>1</sup>, K-W<sup>2</sup>): -πάλτην K-W<sup>1,3</sup>, H-L, K<sup>3</sup>, B, Th, cf. Meisterhans, p. 14<sup>3</sup> (καταπαλτῶν annis A.C. 330—323). διδάξουσιν Rutherford (H-L, K-W<sup>3</sup>, Kaibel 204): ΔΙΔΑΣΚΟΥCΙΝ K, B, K-W<sup>1,2</sup>, S<sup>1</sup>, Th.

(Cf. Schömann, *Ant.* p. 359 E. T.; Gilbert, i 348 n. 1.) The taking of the oath is exhibited on a vase in the Hermitage Museum, which shews us an ἔφηβος, armed with shield and spear, holding his right hand over an altar; the oath is being administered by an aged man (probably representing the βουλή) beyond it: behind the ἔφηβος we have a Νίκη holding a helmet (Daremberg and Saglio, iii 624). One of the temples visited was probably that of Nemesis at Brauron (Paus. i 33, 2).

For the aor. περιήλθον we should have expected the present περιέρχονται.

Μουνιχίαν] 19 § 2. Even in Roman times, B.C. 100, the ἐρῆβι περιέπλευσαν ...εἰς Μουνιχίαν (CIA ii 467, 22).

Ἀκτὴν] the name given to the southern peninsula of the Peiraeus, the highest point of which is about 180 feet above the sea. Harpocr. s. v. ἐπιβαλαττιδῖος τις μοῖρα τῆς Ἀττικῆς. Lycurg. *Leocr.* §§ 17, 55; Diod. xx 45; *inf.* 61 § 1. Wachsmuth, *Stadt Athen*, ii 46.

παιδοτρίβας] officials employed to train the ἐρῆβι in gymnastic exercises. In B.C. 305/4 their number was reduced to one (Köhler, *Mittheilungen*, iv 327, cf. Teles ap. Stob. *Flor.* 98, 72). In the inscriptions this officer generally takes precedence over the other instructors. Dumont, pp. 177—185; Daremberg and Saglio, iii 627 b.

διδασκάλους] Down to about B.C. 136 this term is regularly applied to the instructors of the ἐρῆβι, including the παιδοτρίβης, the ὄπλομάχος and the rest (CIA ii 341, 465, 467, 469): after that date they are usually called παιδευταί. Dumont, p. 176; Daremberg and Saglio, iii 627; Grasberger, iii 167.

The four following verbs describe the functions of the several instructors. The corresponding official titles have hitherto been known to us from the ephobic inscriptions of the 3rd century. The literary evidence of the text is earlier than the

earliest inscriptions mentioning these instructors.

ὄπλομαχεῖν] Xen. *Anab.* ii 1, 7; Plat. *Gorg.* 456 E, τοὺς παιδοτρίβας καὶ τοὺς ἐν ὄπλοις διδάσκοντας μάχεσθαι, *Euthyd.* 271 D, *Laches* 179 E, 182 B, *Leg.* 804 D, 813 D, 833 E; Teles ap. Stob. *Flor.* 98, 72; Theophr. *περὶ μικροφιλοτιμίας* (with Jebb's note on p. 65<sup>2</sup>). In the ephobic inscriptions the ὄπλομάχος, or 'drill-serjeant,' ranks next to the κοσμητής and the παιδοτρίβης (Dumont, pp. 185—9). CIA ii 467 (= Ditt. no. 347) l. 52, B.C. 100, ἐπαινεῖται δὲ καὶ τοὺς διδασκάλους, τὸν τε παιδοτρίβην—καὶ τὸν ὄπλομάχον—καὶ τὸν ἀκοντιστήν—καὶ τὸν ἀφέτην. In an inscr. of Teos, the ὄπλομάχος precedes τὸν διδάξοντα τοξεύειν καὶ ἀκοντίζειν and receives a stipend of 300 dr., as against 250 (Ditt. no. 349, 22—27). In the Attic inscriptions the usual order of precedence is ὄπλομάχος, ἀκοντιστής, τοξότης, καταπαλταφέτης, and after these the γραμματεὺς and ὑπῆρέτης (CIA ii 316, 465, 467, 469—471, 482). The drill was held in the Lyceum (Grasberger, iii 139).

τοξεύειν] On the τοξότης, see Dumont, p. 152; Daremberg and Saglio, iii 628. He was not necessarily an Athenian (CIA ii 316, ll. 29, 72). Cf. Plat. *Leg.* 813 D.

ἀκοντίζειν] On the ἀκοντιστής, see Dumont, p. 190; Daremberg and Saglio, *l.c.* The same person is repeatedly mentioned in the inscriptions as holding this office for several years (CIA ii 465, 471).

καταπάλτην ἀφίεναι] *Eth.* iii 2, 17, p. 1111 a 11, ὁ δὲ πράττει ἀγνοήσειεν ἂν τις, οἶον...δεῖξαι βουλόμενος ἀφίεναι, ὡς ὁ τὸν καταπέλτην. The instructor in charge of this department was called the ἀφέτης or the καταπαλταφέτης (*le maître de balistique*). The former title is found in B.C. 100; the latter in B.C. 282, CIA ii 316 (= Ditt. 346), 28, ἐπαινεῖται δὲ καὶ τὸν παιδοτρίβην—καὶ τὸν ἀκοντιστήν—[καὶ τὸν καταπαλ]τα[φ]έτην—καὶ τὸν γραμματέα—καὶ τὸν τοξότην (mentioned last in this case because he was not an Athenian, but



τοῖς μὲν σωφροισταῖς δραχμὴν μίαν ἐκάστω, τοῖς δ' ἐφήβοις 25  
τέτταρας ὀβολοὺς ἐκάστω· τὰ δὲ τῶν φυλετῶν τῶν αὐτοῦ λαμ-  
βάνων, ὁ σωφροιστῆς ἕκαστος ἀγοράζει τὰ ἐπιτήδεια πᾶσιν εἰς τὸ  
κοινὸν (συσσιτοῦσι γὰρ κατὰ φυλάς), καὶ τῶν ἄλλων ἐπιμελεῖται  
4 πάντων. καὶ τὸν μὲν πρῶτον ἐνιαυτὸν οὕτως διάγουσι· τὸν δ'  
ὑστερον, ἐκκλησίας ἐν τῷ θεάτρῳ γενομένης, ἀποδειξάμενοι τῷ 30

25 δραχμὴν μίαν per compendium scriptum < δ. 26 παρὰ δὲ τῶν Kontos.  
28 συσσιτοῦσιν B. 29 οὕτω H-L. 29—30 ΔΥΣΤΕΡΟΝ; δ' ὑστερον K, H-L, B:

δεύτερον K-W, coll. Harpocr. τὸν δεύτερον ἐνιαυτὸν. 30 ΓΕΝ? γενομένης Hude,  
Blass (edd.). ἀποδειξ K, K-W, B, Th; ἐπιδειξ. H-L.

TEST. § 4 \*Harp. περίπολος:... Ἀρ. ἐν Ἐθ. πολ. περὶ τῶν ἐφήβων λέγων φησὶν οὕτως·  
τὸν δεύτερον ἐνιαυτὸν ἐκκλησίας ἐν τῷ θεάτρῳ γενομένης (γιν. Epit. et G) ἀποδειξάμενοι  
(ἀποδειξάμενοι Dittenberger) τῷ δήμῳ περὶ τὰς τάξεις καὶ λαβόντες ἀσπίδα καὶ δόρυ παρὰ  
τοῦ δήμου περιπολοῦσι τὴν χώραν καὶ διατρίβουσιν ἐν τοῖς φυλακτηρίοις. παρατηρητέον οὖν  
ὅτι ὁ μὲν Ἀριστοτέλης ἕνα φησὶν ἐνιαυτὸν ἐν τοῖς περιπόλοις γίνεσθαι τοὺς ἐφήβους, ὁ δὲ  
Ἀισχίνης δύο. Frag. 428<sup>2</sup>, 468<sup>3</sup>. Schol. Aeschin. 2; 167 (infra exscriptum).

a Cretan). καταπαλαφῆτης, καταπαλα-  
φῆσια and καταπάτης occur in an inscr.  
of Ceos, Ditt. no. 348, 25, 30, 27. Cf.  
CIA ii 413 (= Ditt. 196), 15 (after B.C. 200),  
eis τοὺς καταπάτας νευρὰς ἐπέδωκεν. The  
engine used in this exercise is termed in  
the inscriptions καταπάτης, ὄργανον or  
λιθοβόλος. καταπαλτῶν is the spelling  
found in B.C. 356—348 (CIA ii 61); B.C.  
330 (CIA ii 807 b 129, 131, 132); in B.C.  
325 (*ib.* 809 e 10, 12, 13); and in B.C. 323  
(*ib.* 811 b 196, 200). Cf. Dumont, p. 191;  
Daremberg and Saglio, iii 628 a; Gras-  
berger, iii 166.

διδάξουσιν] c. 29 § 1 οἴτινες συγγράψουσιν,  
and § 5 οἴτινες καταλέξουσιν (both after  
ἐλέσθαι).

δραχμὴν μίαν κτλ.] Bekker, *Anecd.* 301,  
quoted on σωφροιστήν p. 152 a. Boeckh,  
II xvi p. 332 Lamb.

§ 4. τὸν μὲν πρῶτον ἐνιαυτὸν κτλ.  
Aeschines says of himself, *F. L.*, 2 § 167,  
περίπολος τῆς χώρας ταύτης ἐγενέμην δὺ  
ἔτη. Hence it has been supposed that  
the ἐφηβοὶ served as περίπολοι for two  
years (Schömann, *Ant.* p. 360 E. T.;  
Philippi in *Rhein. Mus.* 34, 613). The  
text describes the first year as spent in  
military exercises, and the second as de-  
voted to the duties of περίπολοι (this was  
the view already held by Dittenberger,  
*De Ephēbis*, and Gilbert, i 297<sup>3</sup>, cf. 349<sup>2</sup>).  
The discrepancy is noticed in Harpocr.  
s. v. περίπολοι... παρατηρητέον οὖν ὅτι ὁ  
μὲν Ἀριστοτέλης ἕνα φησὶν ἐνιαυτὸν ἐν τοῖς  
περίπολοις γίνεσθαι τοὺς ἐφήβους, ὁ δὲ  
Ἀισχίνης δύο (cf. Dumont, p. 28 ff.). The  
purport of the text is quoted by the Schol.  
on Aeschin. l. c., οἱ γὰρ ἐφηβοὶ τὸν δεύ-  
τερον ἐνιαυτὸν, ἐκκλησίας ἐν τῷ θεάτρῳ

γενομένης, λαβόντες ἀσπίδα καὶ δόρυ παρὰ  
τοῦ δήμου, περιεπόλουν τούτεστι περιήρ-  
χομπο τὴν χώραν καὶ διέτριβον ἐν τοῖς  
φυλακτηρίοις ἢ ἐν τοῖς φρουρίοις ἐνίοτε  
ἔτος μόνον, ἐνίοτε δύο. The context of  
the present passage shews that they acted  
as φρουροὶ for both years (§ 5), while it is  
implied that they served as περίπολοι for  
the second year alone. Girard endeavours  
to remove the discrepancy by observing  
that the author 'ne dit pas expressément,  
en effet, que les ἐφήβες n'étaient  
astreints au service de περίπολοι que la  
seconde année. Il se borne à constater  
que la première année était remplie par  
une sorte d'apprentissage du métier de  
soldat, mais cet apprentissage, qui se  
faisait au Pirée et à Munychie, avait  
déjà le caractère de ce que devait être,  
l'année suivante, la vie ἐφήβικη' (Darem-  
berg and Saglio, iii 629, note 174). It seems  
simpler to suppose that Aeschines was  
using a popular and only approximately  
accurate phrase in describing himself as  
περίπολος for two years.

ἐκκλησίας ἐν τῷ θεάτρῳ] Cf. A. Müller,  
*Bühnenalterthümer*, p. 74; and Jebb in  
Smith's *Dict. Ant.* ii 820 a. 'Juv. x 128;  
Plut. *Timol.* 34, 3; 38, 3; Nepos, *Timol.*  
4, 2. Athenian decree in Joseph. *Ant.*  
xiv 8, 5. The inscriptions bearing on  
this point are collected by Adam Reusch,  
*de diebus contionum ordinariis ap. Atheni-  
enses*, diss. phil. Argentor. sel. iii 4'  
(John Mayor).

ἀποδειξάμενοι κτλ.] i.e. 'having given  
public proof of proficiency in military  
exercises.' Harpocr. has ἀποδειξάμενοι,  
corrected by Dittenberger, *De Ephēbis*,  
p. 12, n. 10. The ἐφηβοὶ of B.C. 100

δήμῳ || τὰ περὶ τὰς τάξεις, καὶ λαβόντες ἀσπίδα καὶ δόρυ παρὰ [Col  
τῆς πόλεως, περιπολοῦσι τὴν χώραν καὶ διατρίβουσιν ἐν τοῖς  
φυλακτηρίοις. φρουροῦσι δὲ τὰ δύο ἔτη, χλαμύδας ἔχοντες, καὶ 5  
ἀτελεῖς εἰσι πάντων· καὶ δίκην οὔτε διδοᾶσιν οὔτε λαμβάνουσιν,  
35 ἵνα μὴ πρόφασις ἢ τοῦ ἀπιέναι, πλὴν περὶ κλήρου καὶ ἐπικλή-  
ρου, κἄν τινι κατὰ τὸ γένος ἱερωσύνη γένηται. διεξεληθόντων δὲ  
τῶν δυεῖν ἐτῶν, ἤδη μετὰ τῶν ἄλλων εἰσίν. τὰ μὲν οὖν περὶ τὴν  
τῶν πολιτῶν ἐγγραφὴν καὶ τοὺς ἐφήβους τοῦτον ἔχει τὸν τρόπον.

31 τὰ om. Harp.

32 τῆς πόλεως: τοῦ δήμου Harp. et Schol. Aeschin.

35 π[ρ]ό[φ]ασις ἢ τ[ο]ῦ ἀπιέναι et in ectypo et in charta feliciter agnovit Blass (κ<sup>3</sup>, κ-w<sup>3</sup>, Th); legebatur πράγμασι συμμιγεῖν τι? κ<sup>1</sup>; πρά[γ]μασι συμμιγνύονται Jos. Mayor, Hude (H-L); πράγ[μ]ασι συγγίνονται Rutherford (κ-w). 36 ΚΑΤΑΤΟΓΕΝΟΣ?, κατὰ τὸ γένος κ, H-L, B, Th; κατὰ γένος κ-w. ΙΕΡΟΣΥΝΗ; ἱερωσύνη κ, H-L, B, κ-w<sup>3</sup>, Th; ἱερωσύνη κ-w<sup>1,2</sup> (cf. Meisterhans, p. 46<sup>3</sup>). ΔΙΕ.ΕΛΘΟΙΩΝ: διελθόντ. H-L. 37 ΔΥΕΙΝ w<sup>3</sup> etc): δυῶν κ-w<sup>1,2</sup>.

similarly appeared in public, at the end of their period of service, ἐποίησαντο δὲ καὶ ἐπ' ἐξῆδφ τῆς ἐφηβείας τὴν ἀπόδειξιν τῆ βουλῆ, CIA ii 467 (= Ditt. 347, 43); cf. ii 468, 26.

ἀσπίδα καὶ δόρυ] These are exhibited on the vase representing the *ephebus* taking the oath, mentioned in note on § 3, τὰ ἱερά περιήλθον.

§ 5. φρουροῦσι] Xen. *Cyrop.* i 2, 12, χρῶνται δὲ καὶ τοῖς μένουσι τῶν ἐφήβων αἱ ἀρχαί, ἦν τι ἢ φρουρήσαι δεήσει κτλ. Plat. *Leg.* 760 C, δύο δ' ἔτη τὴν...φρουρὰν γίγνεσθαι, and *Rep.* 537 B, the γυμνάσια end at 20. The Schol. on Aeschin. *F. L.* 167 quotes the two following lines from Eupolis, οὗτος ἐν τοῖς φρουροῖς κοιτάζεται, and τοὺς περιπόλους ἀπιέναι εἰς τὰ φρούρια. The ἐφηβοὶ of B.C. 334-3 (*Bull. Corr. Hell.* xiii 253, l. 21) καλῶς καὶ φιλοτίμως ἐπιμελοῦνται τῆς φυλακῆς Ἐλευσίνος οἱ ταχθέντες ἐφηβοὶ καὶ ὁ σωφρονιστῆς αὐτῶν, and those of B.C. 100 (CIA ii 467, 22 and 87) ἐξήλθον ἐπὶ τὰ φρούρια καὶ τὰ ὄρια τῆς Ἀττικῆς πλεονάκις ἐν ὄπλοις. Among the φρούρια were Anaphlytus, Thoricus, Sunium, Rhamnus, Eleusis, Phyle, Aphidna (Gilbert i 340<sup>2</sup>).

χλαμύδας] 'short gowns or mantles.' Pollux, x 164, τὸ δὲ τῶν ἐφήβων φόρημα πέτασος καὶ χλαμύς· Φιλήμων ἐν Θυρωρῶ ἐγὼ γὰρ ἐς τὴν χλαμύδα κατεθέμην ποτὲ καὶ τὸν πέτασον.

Cf. Antidotus, ap. Athen. 240 B, ἐγγραφῆναι καὶ λαβεῖν τὸ χλαμύδιον. Meleager, in *Anth. P.* vii 468, has an epitaph on a youth whom his mother ὀκτωκαϊδεκέταν ἐστόλκεν χλαμύδι. ἐκ χλαμύδος=ἐξ ἐφήβου in Plut. ii 752 E, cf. 754 F. It appears on vases as the characteristic dress

of young men (L and S), e.g. Tischbein, *Vases*, i 14; Hamilton, *Vases*, i 2 (in Smith, *Dict. Ant.* i 416); and esp. on a *lecythus* from Eretria (Studniczka, *Jahrb. des kais. deutsch. arch. Inst.* ii 163; Daremberg and Saglio, iii 630, fig. 2680). The garb of the ἐφηβοὶ is sometimes supposed to have been 'yellow or saffron-coloured' (*Dict. Ant.* l.c.), but it was black according to Philostratus, *Vit. Soph.* ii 1, 5, μελαίνας χλαμύδας ἐνημμένοι τὰς ἐκκλησίας περιεκάθητο καὶ τὰς πομπὰς ἐπεμπον. Herodes Atticus altered it into white and himself defrayed the cost of the change (CIA iii 1132; Capes, *Univ. Life*, p. 9).

ἀτελεῖς—πάντων] This general exemption did not include the *τριηραρχία*, which was incumbent on all Athenians of a certain *census* during the time of their enrolment on the *ληξιαρχικὸν γραμματεῖον* (*Dem. Mid.* 154). Even this *λητουργία* was remitted for one year in the case of orphans, Lys. 32 § 24, οὓς ἡ πόλις οὐ μόνον παῖδας οὐκ ἀτελεῖς ἐποίησεν, ἀλλὰ καὶ ἐπειδὴν δοκιμασθῶσιν ἐναντὶν ἀφήκεν ἀπασῶν τῶν λητουργιῶν.

περὶ κλήρου] Thus Demosthenes sued his guardians as soon as he came of age, *Onet.* i 15, 17; *Mid.* 78. ἐπικλήρου] At the age of 18, the young Athenian became κύριος τῆς ἐπικλήρου, Isaeus 8 § 31, 10 § 12, *frag.* 90, Hyperid. *frag.* 223 = 194; Suidas, s. v. ληξιαρχικὸν γραμματεῖον, B; A. Schäfer, *Dem.* III 2, p. 24 f.

The list of lawsuits in the text is possibly not exhaustive. In Lys. 10 § 4 the speaker, who was 13 at the time when his father was put to death by the Thirty, instituted a prosecution against them before the Areopagus as soon as he



43. τὰς δ' ἀρχὰς τὰς περὶ τὴν ἐγκύκλιον διοίκησιν ἀπάσας ποιοῦσι κληρωτάς, πλὴν ταμίου στρατιωτικῶν καὶ τῶν ἐπὶ τὸ θεωρικὸν καὶ τοῦ τῶν κρηνῶν ἐπιμελητοῦ. ταύτας δὲ χειροτονοῦ- 3

K

XLIII 2 ΠΛΗΡΩΤΑΣ (6 ΠΛΗΡΟΥΤΑΙ).

Richards.

3 ΚΡΗΝΩΝ: κουνῶν J W

&lt;τοῦ&gt; ταμίου &lt;τῶν&gt; στρατιωτικῶν

Headlam (H-L). χειροτονοῦσι <ν> B<sup>4</sup>.

came of age, ἐπειδὴ τάχιστα ἐδοκιμάσθη (§ 31, in B.C. 399). The other alternative is to assume that the statement applies only to the time of the writer (Hager in Smith, *Dict. Ant.* ii 1066 a).

XLIII § 1. *On officials elected by show of hands.*

§ 1. τῆν ἐγκύκλιον διοίκησιν] *Pol.* 1255 b 25, ἐγκύκλια διακονήματα, 1263 a 21, ἐγκύκλιοι διακονίαι (every-day duties). 1269 b 35 (of courage), χρήσιμος πρὸς οὐδὲν τῶν ἐγκυκλίων ἀλλ' εἶπερ εἰς τὸν πόλεμον. *Oecon.* 2, 1346 a 8, πρόσδοδος ἀπὸ τῶν ἐγκυκλίων.

ποιοῦσι κληρωτάς] *Pol.* 1303 a 15, εἰς αἰρετῶν ἐποίησαν κληρωτάς, *Isocr. Panath.* 15, 4, τὰς ἀρχὰς οὐ κληρωτάς ἀλλ' αἰρετὰς ποιήσαντος (τοῦ Λυκούργου).

ταμίου—στρατιωτικῶν] The management of military finances, which, in the fifth century, had been entrusted to the ἑλληνοταμίαι, was entrusted in B.C. 338 to a new officer called the ταμίης τῶν στρατιωτικῶν. The first to hold this office was Callias, the brother-in-law of Lycurgus ([*Plut.*] *Vit. Lyc.* § 27). It was supposed by Boeckh (II vii) that it was immediately after the archonship of Euclides that the ἑλληνοταμίαι were superseded by the ταμίης τῶν στρ. and the superintendents of the theoric fund. But as late as 347 B.C. we find the ἀποδέκται described as making payments ἐκ τῶν στρατιωτικῶν χρημάτων (*Ἀθήναιον*, vi 152), which implies that the ταμίης τῶν στρ. was not yet in existence (A. Schaefer in *Rhein. Mus.* xxxiii 431, quoted by Gilbert i 274<sup>2</sup> n. 3, and *Dem. u. s. Zeit* II<sup>2</sup> 307 n. 2). In Boeckh, n. 317, Fränkel assigns 347 as the date when this office was instituted; but he is opposed by Hartel, *Studien*, p. 132 (Dürrbach, *Lycurgue*, p. 32). It is at present therefore impossible to assume any earlier date than 338 for its institution. In 334 (CIA ii 739) he makes payments to the treasurers of Athene and to the Commissioners for restoring the figures of Νίκη and the articles of plate used in processions (see further in Hartel, *Studien über att. Staatsrecht*, pp. 135-6; Gilbert, i 274<sup>2</sup>; and cf. Wilamowitz, i 196 n. 19.—The same official took part in farming

out the taxes (47 § 2) and in superintending the Panathenaic games (49 § 3).

τῶν ἐπὶ τὸ θεωρικόν] probably instituted under the administration of Eubulus (between B.C. 354 and 339). It has been a moot point whether there was only one official ἐπὶ τὸ θεωρικόν or more (Gilbert i 273<sup>2</sup>). The text implies that there were several. In B.C. 343/2, CIA ii 114 C 5, a single individual is mentioned ἐπὶ τὸ θεωρικόν, immediately after the γραμματεὺς κατὰ πρυτανείαν and ἐπὶ τὰ ψηφίσματα, and immediately before the βουλῆς ταμίαι; thus he is possibly only a βουλευτῆς charged with looking after that department of business and is not necessarily to be identified with the management of the fund. Aeschines, *c. Ctes.* § 24, mentions the archon of the year in which Dem. was elected treasurer of the θεωρικόν; hence it was inferred by Boeckh (II vii p. 248 Lamb) that the office was annual. The text shews that it was held for four years, from one Panathenaic festival to the next. Cf. 47 § 2.

κρηνῶν ἐπιμελητοῦ] κρηνῶν ἐπιμεληταὶ are mentioned in *Pol.* 1321 b 26, where Athens is doubtless in Aristotle's mind, though not expressly named. Plato, *Leg.* 758 E, refers to κρηνῶν ἐπιμελητάς. An inscr. published in the *Ἐφημερίς Ἀρχαιολογική*, 1889, pp. 13-16, no. 28 (Michel's *Recueil*, no. 105), describes the work done by one Pytheas as ἐπιμελητῆς τῶν κρηνῶν in B.C. 333. ἐπειδὴ Πυθέας αἰρεθεὶς ἐπὶ τὰς κρήνας τῶν τε ἄλλων ἐν τῇ ἀρχῇ ἐπιμελεῖται καλῶς καὶ φιλοτίμως κτλ. ἐπαίνεσαι Πυθέαν...ἀρετῆς ἔνεκα καὶ δικαιοσύνης τῆς περὶ τὴν ἐπιμέλειαν τῶν κρηνῶν, ὅπως ἂν οἱ ἄλλοι οἱ δὲ χειροτονούμενοι ἐπὶ τὰς κρήνας φιλοτιμῶνται ἕκαστοι εἰς τὸν δῆμον κτλ.

Cf. Hesych. s. v. κρηνάγη (sic)· ἀρχὴ ἐπὶ τῆς ἐπιμελείας ὕδατος, and Pollux viii 113, ἐπιμελητῆς δὲ τις...ἐγίνετο, ὃς καὶ ἐκαλεῖτο ἐφ' ὕδαρ, ἦν...καὶ κρηνοφυλάκιον ἀρχή; also Photius, κρηνοφύλαξ· ἦν δὲ καὶ ἀρχὴ τις Ἀθήνησιν. It is uncertain whether κρηνοφύλαξ was another name for this officer or the title of a subordinate official. The importance of this officer is indicated by his being elected and not

σιν, καὶ οἱ χειροτονηθέντες ἄρχουσιν ἐκ Παναθηναίων εἰς Παναθή-  
5 ναία. χειροτονοῦσι δὲ καὶ τὰς πρὸς τὸν πόλεμον ἀπάσας.

Βουλὴ δὲ κληροῦται πεντακόσιοι, πεντήκοντα ἀπὸ φυλῆς 2  
ἐκάστης. πρυτανεῦει δ' ἐν μέρει τῶν φυλῶν ἐκάστη καθ' ὃ τι ἂν  
λάχουσιν, αἱ μὲν πρῶται τέτταρες ἕξ καὶ τριάκοντα ἡμέρας ἐκάστη,

6 φ̄ n̄ (κ, κ-ω, β, θ); πεντακόσιοι, πεντήκοντα H-L. <τῆς> φυλῆς B (s<sup>1</sup>, Th).

TESTIMONIA. XLIII § 2 \*Harp. πρυτανείας: ... ἔστι δὲ ἀριθμὸς ἡμερῶν ἢ πρυτανεία  
ἦτοι λς ἢ λε, καὶ (ds Sauppe) ἐκάστη φυλὴ πρυτανεῦει. διελεκταὶ δὲ περὶ τούτων Ἄρ.  
ἐν τῇ Ἀθ. πολ. Harp. (= Bekk. An. 291, 4, Lex. Dem. Patm., Schol. Plat. p. 459)  
πρυτάνεις: ... ἐπρυτάνεον δὲ ... ἐκ διαδοχῆς ἀλλήλαις αἱ δέκα φυλαὶ κλήρω λαχοῦσαι.  
Schol. Plat. Leg. 953 C: πρυτανεία δὲ ἐστὶν ἀριθμὸς τις ἡμερῶν ἦτοι λς ἢ λε, ἃς ἐκάστη  
φυλὴ πρυτανεῦει λέγεται ... καὶ διήρηνται εἰς τὰς αἰς ἡμέρας τοῦ ἐνιαυτοῦ· κατὰ γὰρ  
σελήνην ἄγουσι τοῦτον, ὡς ἐκάστη φυλὴ τῶν δέκα ἐπιβάλλειν λε ἡμέρας, πλεονάζειν δὲ  
ὀλίγας. διὸ καὶ τὰς λοιπὰς ἀπέδωκαν οἱ Ἀθηναῖοι ταῖς πρῶταις λαχοῦσαις τέσσαρσι  
φυλαῖς, ἵνα ἐκείνων μὲν ἐκάστη τὰς λς ἡμέρας πρυτανεῦῃ, αἱ δὲ λοιπαὶ ἕξ ἀνὰ λε. Fere  
eadem Photius, πρυτανεία, inter alia ἐνιαυτῶν δὲ οἱ Ἀθηναῖοι τὸν σεληνιακὸν ἦγον (Frag.  
393<sup>2</sup>, 433<sup>3</sup>). Schol. Maximi Planudis ad Hermog. in Rhet. Gr. v p. 509, 20 Walz:  
ὥρισμένοι ἦσαν ἐκκλησίαι κατὰ πρυτανείαν ἐκάστην τέσσαρες· δέκα δὲ οὐσῶν Ἀθήνησι  
φυλῶν ἐπρυτάνεον αἱ μὲν πρῶται λαχοῦσαι φυλαὶ τέσσαρες ἀνὰ τριάκοντα ἕξ ἡμέρας, αἱ  
δὲ λοιπαὶ ἕξ ἀνὰ τριάκοντα πέντε κτλ.

appointed by lot. The office of ὑδάτων  
ἐπιστάτης was held by Themistocles (Plut.  
Them. 31 § 1). Cf. Daremberg and  
Saglio, s.v. *Epimeletes*, ii p. 668 b.

As two of the officials mentioned in the  
text are connected with finance, some  
surprise has been felt that no notice is  
taken of the important financial officer  
called the ταμίης τῆς κοινῆς προσόδου or  
ὁ ἐπὶ τῇ διοικήσει. The silence of  
Aristotle shews that this official known  
as ὁ ἐπὶ τῇ διοικήσει had not yet come  
into existence between 329 and 322 B.C.  
He belongs to the end of the fourth  
century (Gilbert, i 276<sup>2</sup>; Wilamowitz, i  
208).

ἐκ Παναθηναίων εἰς Παναθήναια] i.e.  
for four years. The phrase (with ἐς for  
εἰς) occurs in CIA i 32 A 28, B 27 (Hicks,  
no. 37); 117, 3; 121; 125; 129; 133;  
141, etc.; 170; 273 (Hicks, no. 46).  
The greater Panathenaea were held in  
every third Olympic year, in the same  
year as the Pythian games. The *loci  
classici* are collected in Michaelis, *Par-  
thenon*, Anhang II, 318—333.

The fact that the κρηνῶν ἐπιμελητῆς  
was elected at the Panathenaea (about  
23—28 Hecatombaeon, before the middle  
of August) is confirmed by the above  
decree in honour of Pytheas, which is  
dated 9 Metageitnion, eleven days after  
the close of the Panathenaea.

τὰς πρὸς τὸν πόλεμον] The offices of  
στρατηγοὶ and their subordinates, the  
ἵππαρχος, φάλαρχος and ταξίαρχος. Cf.  
Gilbert, i 256<sup>2</sup> ff., and Headlam, *On the*

*Lot*, p. 102; *inf.* 61 § 1.

§§ 2, 3. *The Council*. On the subject  
in general, see Hermann, *Staatsalt.* §§  
125—127; Schömann, *Ant.*, p. 371—9,  
E. T.; Gilbert, i 295—314<sup>2</sup>; Smith, *Dict.*  
*Ant.* i 309.

§ 2. κληροῦται] It was appointment  
by lot that made the Council consistent  
with the democratical constitution of  
Athens and prevented its becoming an  
oligarchical body of higher authority than  
the public assembly. The power of the  
old aristocracy had centred in a Council,  
and this power was broken down by the  
introduction of the lot. The Council of  
400 under the ' Draconic constitution '  
is described as appointed by lot (4 § 3).  
The earliest documentary evidence bear-  
ing on this subject is an inscr. of Erythrae,  
the constitution of which was modelled  
on that of Athens in B.C. 455—450. It  
is there ordained for Erythrae (as for  
Athens) ἀπὸ κνάμων βουλὴν εἶναι (CIA i 9  
= Hicks, no. 23). Cf. Headlam, *On the  
Lot*, pp. 41—56, 86.

πρυτανεῦει] 'presides,' i.e. sits as a  
superintending sub-committee of the Council.  
Cf. Harpocr. s. v. πρυτάνεις, Schol.  
Aeschin. 3 § 3; also Schömann, p. 376,  
and Gilbert, i 255. Even the order in  
which the πρυτάνεις held office is deter-  
mined by lot (cf. Headlam, *l. c.*, p. 51).  
This fact had already been ascertained by  
Clinton, *Fasti*, ii 344—6 = 415—8.

αἱ μὲν πρῶται κτλ.] The normal Attic  
year consisting of 354 days, the tenth  
part would be 35 days, and 4 over. It



αἱ δὲ ἕξ αἱ ὕστεραι πέντε καὶ τριάκοντα ἡμέρας ἐκάστη· κατὰ  
3 σελήνην γὰρ ἄγουσιν τὸν ἐνιαυτόν. οἱ δὲ πρυτανεύοντες αὐτῶν 10  
πρῶτον μὲν συσσιτοῦσιν ἐν τῇ θόλῳ, λαμβάνοντες ἀργύριον παρὰ

9—10 κατὰ σελήνην—ἐνιαυτόν del. Lipsius, Herwerden: agn. Schol. in Platonem, et Photius. 10 ἄγουσι H-I.

TEST. §§ 3, 4, 6 Pollux viii 95, πρυτάνεις: οἱ τοὶ τὴν βουλὴν συνάγουσιν ὀσημέραι, πλὴν ἂν τις ἄφετος ἦ, “τὸν δὲ δῆμον τετράκις” ἐκάστης πρυτανείας· καὶ προγράφοισι πρὸ τῆς βουλῆς καὶ πρὸ τῆς ἐκκλησίας ὑπὲρ ὧν “δεῖ χρηματίζειν.” τῶν δ’ ἐκκλησιῶν ἡ μὲν κυρία, ἐν ᾗ τὰς ἀρχὰς ἐπιχειροτονοῦσιν, εἴπερ καλῶς ἀρχοῦσιν, ἢ ἀποχειροτονοῦσιν· ἐν ᾗ καὶ τὰς ἐισαγγέλλας ὁ βουλλόμενος εἰσαγγέλλει, “καὶ τὰς ἀπογραφὰς τῶν δημομένων” ἀναγιγνώσκουσιν οἱ πρὸς ταῖς δίκαις, “καὶ τὰς λήξεις τῶν κλήρων.” 96, ἡ δὲ δευτέρα ἐκκλησία ἀνεῖται τοῖς βουλομένοις ἰκετηρίαν θεμενίους λέγειν ἀδεῶς περὶ τε τῶν ἰδίων καὶ τῶν δημοσίων· ἡ δὲ τρίτη “κῆρυξι καὶ πρεσβείαις” ἀξιοὶ χρηματίζειν, οὐδ’ ἐν πρῶτον τοῖς πρυτάνευσιν ἀποδοῦναι τὰ γράμματα, ἢ δὲ τετάρτη περὶ ἱερῶν καὶ ὀσίων (Frag. 394<sup>2</sup>, 434<sup>3</sup>). Cf. Schol. in Aeschin. I § 104.

§§ 3, 4. \*Harp. κυρία ἐκκλησία... τινες δὲ αἱ κύριαι ἐκκλησῖαι Ἄρ. δεδήλωκεν ἐν τῇ Ἄθ. πολ. λέγων τοὺς πρυτάνεις συνάγειν “τὴν βουλὴν καὶ τὸν δῆμον,” ἢ τὴν (leg. “τὴν μὲν” vel καὶ “τὴν μὲν”) “βουλὴν” ὀσημέραι, “πλὴν—ἐκάστης.” προγράφοισι δὲ φησι καὶ κυρίαν ἐκκλησίαν, ἐν ᾗ δεῖ τὰς ἀρχὰς ἀποχειροτονεῖν οἱ δοκοῦσι μὴ καλῶς ἀρχεῖν· “καὶ περὶ φυλακῆς τῆς χώρας.” “καὶ τὰς εἰσαγγέλλας—ποιεῖσθαι” φησι καὶ τὰ ἐξῆς (Frag. 395<sup>2</sup>, 435<sup>3</sup>).

has been supposed by Gilbert, i 255<sup>t</sup>, that these four days were assigned to the several prytanies by lot. The text states that they were assigned to the first four prytanies, which thus lasted for 36 days, the remaining six lasting for 35 only. This fact was already known to us through Photius, Suidas and the Schol. in Hermogenem, v p. 509; but their authority was set aside on the evidence of the Choiseul Marble, CIA i 188 (Ditt. no. 44), ll. 25—50, B.C. 410/9, where we have express mention of the 36th day of the 8th, 9th, and 10th prytanies. Hence it was inferred by Clinton, *Fasti*, ii 346—418, that the four supernumerary days were assigned to the *last* tribes and not to the *first*. While this was clearly the case in B.C. 410, the text shews that, in the writer's time, the latter plan was adopted instead.

The duration of the πρυτανείαι is discussed by Unger, *Philol.* 38 p. 425 ff., Usener, *Rhein. Mus.* 34 p. 392 ff., and A. Schmidt, *Gr. Chronologie*, pp. 241, 423 etc.

In the imaginary constitution of Plat. *Leg.* 758 D one twelfth of the βουλὴ is in full office for one twelfth of the year.

κατὰ σελήνην—ἐνιαυτόν] This explanation is introduced quite as naturally as that in the corresponding passage of Schömann's *Ant.*, p. 376 E. T., where, immediately after defining the duration of a prytany, the writer continues: ‘The Athenians, it may be explained, had a legal lunar year consisting of 12 months of 29 and 30 days alternately, and therefore of 354 days altogether.’ The phrase re-

minds one of Arist. *Nub.* 626, κατὰ σελήνην ὡς ἄγειν χρὴ τοῦ βίου τὰς ἡμέρας, and Diog. Laert. i 59 (of Solon), ἤξιωσε τε Ἀθηναίων τὰς ἡμέρας κατὰ σελήνην ἄγειν. The explanation (like many others in this treatise) would not be needed by Athenian readers; but it does not necessarily follow that it is an interpolation, as suggested by Lipsius, *Leipzig Verhandl.*, 1891, p. 47 n. It is also found in the Schol. Plat. *Leg.* quoted in the *Testimonia*.

So far as we are aware, the lunar year alone was recognised in Greece. Hence the above clause is not intended as a statement of a noteworthy fact. It is rather the writer's own apology for referring to so erroneous a year as one of 354 days, the true length of the year having long been known. Eudoxus had endeavoured to bring into public use the solar year of the Egyptians; but the lunar year alone was recognised in the laws of Solon (cf. Wilamowitz, i 4).

§ 3. συσσιτοῦσιν ἐν τῇ θόλῳ] Dem. *F. L.* § 190, οἱ πρυτάνεις θύουσιν ἐκάστοτε κοινῇ καὶ συνδειπνοῦσιν ἀλλήλους καὶ συσπένδουσιν. Ammonius ap. Harpocr. s. v. θόλος,—ὁ δὲ τόπος ὅπου ἐστὶν ὡνται οἱ πρυτάνεις καλεῖται θόλος. Cf. Pollux viii 155; Bekker, *Anecd.* 264. On a special emergency the βουλὴ even passed the night there, Andoc. *de Myst.* 45. It was also called the σκιάς (Gilbert, i 256, n. 4). It was near the βουλευτήριον (Paus. i 5, 1), to the north of the east end of the Areopagus (Curtius, *Stadgeschichte*, p. xciii and 171). Thus the πρυτάνεις could readily leave the θόλος to attend the

τῆς πόλεως, ἔπειτα συνάγουσιν καὶ τὴν βουλὴν καὶ τὸν δῆμον· τὴν μὲν [[οὖν]] βουλὴν ὅσαι ἡμέραι, πλὴν ἐάν τις ἀφέσιμος ᾖ, τὸν δὲ δῆμον τετράκις τῆς πρυτανείας ἐκάστης. καὶ ὅσα δεῖ χρηματί-  
 15 ζειν τὴν βουλὴν καὶ ὃ τι ἐν ἐκάστη τῇ ἡμέρᾳ καὶ ὅπου καθίζειν, οὗτοι προγράφουσι. προγράφουσι δὲ καὶ τὰς ἐκκλησίας οὗτοι· 4 μίαν μὲν κυρίαν, ἐν ᾗ δεῖ τὰς ἀρχὰς ἐπιχειροτονεῖν εἰ δοκοῦσι καλῶς ἄρχειν, καὶ περὶ σίτου καὶ περὶ φυλακῆς τῆς χώρας χρημα-

12 καὶ (vel εἰ?): καὶ τὴν κ<sup>3</sup>, κ-w, B, Th: εἰς τὴν κ<sup>1</sup>, τὴν H-L. 13 ΟΥΝ om. Harp. (κ-w, H-L, B, Th): retinet k coll. Ar. *Poet.* 1458 a 25 etc (*Ind. Ar.* p. 540 b 42, μὲν οὖν saepe usurpatur, ubi notio modo pronunciata amplius explicatur'). ΠΛΗΝΕΝΑΝ corr. κ. 14 ΧΡΗΜΑΤΙΖΕΙ corr. κ. 15 ΚΑΙΟΤΙ (corr. e ΚΑΙΟΥ) secl. B<sup>1</sup> (s<sup>1</sup>); defendit Kaibel 205. ΟΤΙΟΥΚΑΘ..ΕΙ: ὃ τι οὐ καθήκει? κ<sup>1</sup>; ΟΤΙΟΥΚΑΘΕΙΖΕΙ? ὅπου καθίζειν egégie κ-w (edd.); etiam Herwerden verbum καθίζει hic latere suspicabatur.

TEST. § 4 \*Lex. rhet. Cantab. κυρία ἐκκλησία:...ἄμεινον οὖν Ἀριστοτέλει <πέθεσθαι>· τὰς γὰρ ἀρχὰς ἐν ταῖς κυρίαις ἐκκλησίαις ἔφησε χειροτονεῖσθαι καὶ τὰς εἰσαγγελίαις <τὸν βουλομένον εἰσαγγέλλειν addidit Meier> καὶ τὰ ἄλλα (τὰς ἄλλας cod., corr. Meier) τῶν ἀναγκαίων χρηματίζειν "καὶ περὶ σίτου <καὶ περὶ add. Meier> φυλακῆς τῆς χώρας, καὶ τὰς ἀπογραφὰς—κλήρων."

meetings of the whole body of the Council in the neighbouring βουλευτήριον. Cf. Wachsmuth, *Stadt Athen*, ii 315.

συνάγουσιν κτλ.] CIA ii 417, 459 and elsewhere (of the πρυτάνεις), ἐπεμελήθησαν δὲ καὶ τῆς συλλογῆς τῆς τε βουλῆς καὶ τοῦ δήμου καὶ τῶν ἄλλων ὧν αὐτοῖς προσέταττον οἱ νόμοι.

ὅσαι ἡμέραι] The manuscript reading has been retained, 'as it facilitates the following τις' (Jos. Mayor). Hitherto our earliest authority for this equivalent to ὁσήμεραι has been Themistius (A.D. 355), who also has ὅσαι ὥραι in p. 192 D. ὅσοι μῆνες occurs in Dem. 744, 25 (L and S).

ἀφέσιμος] Aristides, i 344 Jebb. The large number of such holidays is noticed in [Xen.] *de Rep. Ath.* 3, 2. Among them were the *Ἀραυρία* (Athen. 171 E), the *Thesmophoria* (Arist. *Thesm.* 79), the *Kronia* (Dem. 24 § 26), and the ἀποφράδες ἡμέραι (Plut. *Alc.* 34). Gilbert, i 307<sup>2</sup>, n. 1.

τετράκις] Elsewhere (Photius, s. v. κυρία ἐκκλησία, Schol. Arist. *Ach.* 19 and Schol. Dem. 24 § 20) we are told of three meetings in each month, all of them termed κυρίαί ἐκκλησίαι. But the text shews that there was only one κυρία ἐκκλησία in each month (§ 4), as already held by Gilbert, i 269, n. 1 (318<sup>2</sup>, n. 3).

ὅπου καθίζειν] The sessions of the βουλή, though ordinarily held in the βουλευτήριον, were occasionally transferred to the Eleusinion, the Theseum or the Panathenaic Stadium, or even to the Acropolis (Gilbert, i 307<sup>2</sup>, n. 2).

προγράφουσι] CIA ii 61, ἐπειδὴν δὲ ταῦτα παρασκευασθῆ, τοὺς πρυτάνεις προγράψαι περὶ τούτων ἐν βουλευτηρίῳ ὅταν οἴον τε ᾖ.

§§ 4—6. *The Public Assembly.*

§ 4. προγράφουσι—ἐκκλησίας] Five days notice was given; Bekker, *Anecd.* 296, 8, πρόπεμπτα (Gilbert, i 320<sup>2</sup> n. 3).

μίαν μὲν κυρίαν] see note on τετράκις, § 3. The *agenda* for the κυρία ἐκκλησία were already known through citations of this passage in Harpocr. and Pollux, viii 25 (Gilbert, i 318<sup>2</sup> f). The κυρία ἐκκλησία was not necessarily the earliest of the four. In B.C. 332 and 330 it was held on the 32nd day of the prytany (CIA ii 177, 183).

ἐπιχειροτονεῖν] 'confirm the election of.' Harpocr. s. v. καταχειροτονία· ἔθος ἦν Ἀθήνῃσι κατὰ τῶν ἀρχόντων καὶ κατὰ τῶν συκοφαντῶν προβολὰς ἐν τῷ δήμῳ τίθεσθαι· εἰ δὲ τις καταχειροτονηθῆι, οὗτος εἰσῆγετο εἰς τὸ δικαστήριον. For this καταχειροτονία he refers to Theophrastus, ἐν δ' Νόμων. Cf. Schömann, *De Comititiis*, p. 231; *Ant.* 391 E. T. The term προβολή is inaccurately applied to the ἐπιχειροτονία (Meier and Schömann, note 389 Lips.; and Smith, *Dict. Ant.* ii 492 b).

περὶ σίτου] Xen. *Mem.* iii 6, 13, πόσον χρόνον ἱκανός ἐστιν ὁ ἐκ τῆς χώρας γιγνώμενος σίτος διατρέφειν τὴν πόλιν, καὶ πόσον εἰς τὸν ἐνιαυτὸν προσδέται.

περὶ φυλακῆς] *ib.* § 10, περὶ γε φυλακῆς τῆς χώρας οἷδ' ὅτι ἦδη σοι μεμέληκε, καὶ οἶσθα, ὅπως τε φυλακαὶ ἐπίκαιροὶ εἰσι καὶ ὅπως μὴ, καὶ ὅπως τε φρουροὶ ἱκανοὶ εἰσι κτλ. This topic of deliberation is



τίξειν, καὶ τὰς εἰσαγγελίας ἐν ταύτῃ τῇ ἡμέρᾳ τοὺς βουλομένους ποιείσθαι, καὶ τὰς ἀπογραφὰς τῶν δημευομένων ἀναγιγνώσκειν καὶ τὰς λήξεις τῶν κλήρων καὶ τῶν ἐπικλήρων [[ἀναγιγνώσκειν]], ὅπως μὴδὲνα λάθῃ μὴδὲν ἔρημον γενόμενον. ἐπὶ δὲ τῆς ἕκτης πρυτανείας πρὸς τοῖς εἰρημένοις καὶ περὶ τῆς ὄστρακοφορίας ἐπιχειροτομίαν διδῶσιν, εἰ δοκεῖ ποιεῖν ἢ μὴ, καὶ συκοφαντῶν προβολὰς τῶν

20, 21 ἀναγιγνώσκειν (bis) κ<sup>3</sup>, H-L (Meisterhans, n. 1479<sup>3</sup>): ΔΝΑΓΙΝ (κ<sup>1</sup>, κ-W); verbum in v. 21 secl. κ-W, β, κ<sup>4</sup>, Th. 23 ΗΡΗΜΕΝΟΙΣ. ἐπιχειροτομίαν; idem habet lexicī rhet. Cantabrig. codex a Dobreo exscriptus (κ, H-L, β): προχειροτομίαν κ-W quod ibidem a Meiero ex coniectura scriptum est. 24 ΔΙΔΟΑΣΙ. προβολὰς > παρα> δίδοασι Papageorgios. τῶν secl. Thalheim; Ἀθηναίων caret articulo in sermone publico.

TEST. § 5 *ib.* “ἐπὶ δὲ τῆς ἕκτης—ἐπιχειροτομίαν” (προχειροτομίαν edd.) διδοῦσθαι εἰ δοκεῖ ἢ μὴ (Frag. 396<sup>2</sup>, 436<sup>3</sup>). Hesych. κυρία ἐκκλ.: μία κυρία ἐκκλησία ἤγετο Ἀθήνησιν, ἐν ἣ τὰς ἀρχὰς ἐπιχειροτονεῖν εἶδε.

mentioned in Ar. *Rhet.* i 4 § 10, περὶ φυλακῆς τῆς χώρας μὴ λαμβάνειν πῶς φυλάττεται κτλ.: in *Pol.* 1298 a 3 it is omitted. Cf. CIA ii 225 and 334, εἰς φυλακῆς τῆς χώρας (Gilbert i 319<sup>2</sup> n. 1).

τὰς εἰσαγγελίας] Such information might either be brought before the βουλή, through the πρυτάνεις; or (as here) before the ἐκκλησία, through the θεσμοθέται (c. 59). Cf. Hager in Smith, *Dict. Ant.* i 709, ii 1067.

τὰς ἀπογραφὰς τῶν δημευομένων] ‘inventories of confiscated property.’ *Pol.* 1298 a 3, περὶ...δημεύσεως. On ἀπογραφὴ see Meier and Schömann, pp. 304–6 Lips., and *Dict. Ant.* s. v.

τὰς λήξεις τῶν κλήρων καὶ τῶν ἐπικλήρων] i.e. the legal claims (or ‘lists of suits’) for the right of succession to inheritances, and for that of marrying the daughter of a citizen who has left no son to inherit his estate (56 § 6, κλήρων καὶ ἐπικλήρων ἐπιδικασίαι). [Dem.] 46 § 22, lex, κληροῦν δὲ τὸν ἀρχοντα κλήρων καὶ ἐπικλήρων. Meier and Schömann, pp. 791–4, 606–8, 616 Lips.; *Dict. Ant.* s. v. *Heres*, i 947 a, and *Epiclerus*, p. 747 a.

ὅπως—ἔρημον γενόμενον] ‘that all may have cognisance of any vacancy in an estate.’ This clause refers only to the suits concerning κλήροι and ἐπικλήροι. ἔρημος is a specially appropriate epithet for an estate deprived of its owner, or for children bereft of their father: Plat. *Leg.* 925 c, ἐξηρημωμένον οἶκον, 927 c, τοῖς εἰς ὄρφανὰ καὶ ἔρημα ὑβρίζουσι. The object of this public recital was partly to draw attention to any claims on the estate; partly to give due notice to all who were interested in establishing a right of succession.

§ 5. ἕκτης πρυτανείας] In B.C. 410/9, when the Attic year began on July 14, the sixth πρυτανεία began on Jan. 5, B.C. 409 (Clinton, *Fasti*, ii 347=418). Philochorus, ap. *Lex. Cant.* s. v. ὄστρακισμός, says that the preliminary vote was taken before the eighth πρυτανεία.

ὄστρακοφορίας] On this occasion the point to be determined was whether there was a case for having recourse to ostracism; if so, a day was fixed for the final voting in the eighth πρυτανεία (*Lex. Cant.* s. v. ὄστρακισμός; Schol. Arist. *Eq.* 851, and *fragm. Lex. Dem. Aristocr.*; cf. Blass in *Hermes*, 1882, p. 152; Kaibel, 206; Wilamowitz, ii 256).

“A. Schmidt, *Gr. Chronologie*, p. 259, seeks to reconcile Aristotle and Philochorus. The date of the ὄστρακοφορία is explained by the desire to settle a dangerous political struggle before the opening of spring, i.e. before the end of Anthesterion. The 6th prytany in an ordinary year is equivalent in general to Gamelion 1—Anthesterion 5. But Philochorus wished to embrace the case of an intercalary year in which the 7th prytany is equivalent in general to Gamelion 22—end of Anthesterion: ‘before the eighth prytany’ means either in the 6th or 7th, for if the principle was that the ostracism was to be proposed in Gamelion or Anthesterion, it might fall in the 7th prytany of an intercalary year. The hypothesis is absurd, for absolutely no reason is suggested why the Athenians should have ostracised men later in the year if it chanced to be intercalary,—to say nothing of other obvious objections” (Wyse).

συκοφαντῶν προβολὰς] A προβολή was a preliminary criminal information brought before the public assembly; if the people

25 Ἀθηναίων καὶ τῶν μετοίκων μέχρι τριῶν ἐκατέρων, ἄν τις ὑποσχόμενος τι μὴ ποιήσῃ τῷ δήμῳ. ἑτέραν δὲ ταῖς ἰκετηρίαις, 6 ἐν ᾗ θεὸς ὁ βουλόμενος ἰκετηρίαν, [ὑπὲρ] ὧν ἂν βούληται || καὶ ἰδίων [C] καὶ δημοσίων διαλέξεται πρὸς τὸν δῆμον. αἱ δὲ δύο περὶ τῶν ἄλλων

25 ἐκατεραν? ἄν τις B<sup>1-3</sup> (H-L, K<sup>3</sup>, K-W<sup>3</sup>, Th), καὶ ἂν τις B<sup>4</sup>; ἔάν τις K<sup>1</sup>; καὶ ἔάν τις K-W<sup>1.2</sup>. 26 ἑτέραν δὲ K, K-W, B, Th; ἑτέρα δ' ἐστὶ H-L, quod 'spatium non capit,' K<sup>3</sup>. 27 ΟΥΒΟΛΟ corr. K. ΩΝ K<sup>1</sup>: περὶ ὧν Kontos, Lipsius, Gertz, K-W, sed spatium vix duarum litterarum capax vacuum relictum; ὑπὲρ (Υ) ὧν H-L (B, K<sup>4</sup>, Th). 28 ΔΙΑΔΕΞΕΤΑΙ: διαλέξεται K (K-W, B, Th); διαλέγεται H-L. αἱ δὲ: ἑτραὶ δὲ maluit Foucart.

approved, a trial before an ordinary law-court ensued. This procedure was applied in the case of those who had accused the generals concerned in the battle of Arginussae (Xen. *Hell.* i 7 § 34). The case against Midias began with a *προβολή*. Cf. Schömann, *De Comitibus*, p. 321 ff., Meier and Schömann, p. 335 Lips., *Dict. Ant.* ii 492 a, 732 a.

For its application in the case of *συκοφάνται*, cf. Isocr. *Antid.* 314, κατὰ δὲ τούτων (sc. τῶν *συκοφαντῶν ἐποίησαν*) γραφὰς μὲν πρὸς τοὺς θεσμοθέτας, εἰσαγγελίας δ' εἰς τὴν βουλὴν, *προβολὰς δ' ἐν τῷ δήμῳ*, and Aeschin. *F. L.* 145, τῶν *συκοφαντῶν ὡς κακούργων δημοσίᾳ προβολὰς ποιούμεθα*, also Pollux viii 46, *προβολαὶ δὲ ἦσαν καὶ αἱ τῆς συκοφαντίας γραφαί*.

The parallel passages (Dem. 50 § 57, Plat. *Ion* 541 E, Ar. *Thesm.* 344) shew that these *προβολαὶ* must be separated from the *εἰσαγγελία* which forms the subject of the next sentence (Kaibel, 206).

τῶν μετοίκων] This implies that a *μέτοικος* could be charged with *συκοφάντια*. Hence it follows that he was entitled to give information against public offenders. Ordinarily this right was confined to citizens (Plut. *Sol.* 18, *ἐξῆν τῷ δυναμένῳ καὶ βουλομένῳ κτλ.*). A foreigner, who desired to accuse a person of any offence against the people, was required to obtain special permission for that purpose, *ἀδεια*, Andoc. *De Myst.* § 15. Cf. Meier and Schömann, p. 330 Lips.

μέχρι τριῶν] Plat. *Leg.* 756 B, *μέχρι δυοῖν*.

ἄν τις ὑποσχόμενος κτλ.] Dem. *Lept.* 100, *ἔστι δὲ δήπου νόμος ὑμῖν, ἔάν τις ὑποσχόμενος τι τὸν δῆμον ἢ βουλὴν ἢ δικαστήριον ἐξαπατήσῃ, τὰ ἔσχατα πάσχειν*, and *ib.* 135 (where it is called a *νόμος ἀρχαῖος* and death is named as the penalty). For the antiquity of the law, cf. the case of Miltiades in Hdt. vi 136. The procedure began either with a *προ-*

*βολή* (as in Xen. *Hell.* i 7 § 35) or an *εἰσαγγελία*, [Dem.] c. *Timoth.* 49 § 67.

§ 6. ἑτέραν δὲ] *προγράφουσαν ἐκκλησίαν. ἰκετηρίαις* 'supplications,' 'formal petitions.' For *θεὸς... ἰκετηρίαν* cf. Dem. *de Cor.* 107, *οὐχ ἰκετηρίαν ἔθηκε τριήραρχος οὐδεὶς πώποθ' ὡς ἀδικούμενος παρ' ὑμῖν*, c. *Timocr.* 12, *ἔβησαν τὴν ἰκ. ὧν ἦσαν τὰ χρήματα ἄνθρωποι, ib.* 53; Aeschin. *F. L.* 15, *ικ. θέντες οἱ οὐκ οἰκτιροῦντο ὑμῶν*; Dittenberger, *Sylloge*, no. 393, *ὑπὲρ ὧν ὁ ἱερεὺς τῆς Ἰσίδος ἔθετο τὴν ἰκετηρίαν ἐν τῇ βουλῇ*. The *ἰκετηρία* (*βάβδος*) was an olive-branch bound with wool (Aesch. *Suppl.* 22, 192), which the 'suppliant,' or petitioner, held in his hand before depositing it on the altar in the place of public assembly. Such an application for the right of petition might also be laid before the *βουλή*, Aeschin. c. *Timarch.* 104. In Andoc. *De Myst.* 110—116, it is laid before the *βουλή* on the occasion of its session in the Ἐλευσίνιον, although presenting a petition in that place was forbidden, *ib.* 116. Such petitions might include applications for the recovery of civil rights, or for the remission of sentences; and, in general, for exemption from legal penalties. Cf. Dem. c. *Timocr.* 46, *τῆς ἀδείας δοθείσης*, and see Schömann, *Ant.* p. 397 E. T.; Gilbert, i 344<sup>2</sup> f; *Dict. Ant.* i 24 b, 702 a.

Cf. Pollux, viii 96, *τοῖς βουλομένοις ἰκετηρίαν θεμένους λέγειν ἀδεῶς περὶ τῶν ἰδίων καὶ τῶν δημοσίων*.

αἱ δὲ δύο κτλ.] Pollux, who gives in viii 96 a paraphrase of the present passage and its context, describes the hearing of heralds and embassies as the business of the third *ἐκκλησία*, while that of the fourth is *περὶ ἱερῶν καὶ ὄσιων*. This distinction is not in accordance with the text. The latter is confirmed by Aeschines i § 23, *πῶς δὲ κελεύει τοὺς προέδρους χρηματίζειν;—προχειροτονεῖν—περὶ ἱερῶν τῶν πατρῶν καὶ κήρυξι καὶ πρεσβείαις καὶ ὄσιων*, and by CIA ii 50 and Add. 52 c, where



είσιν, ἐν αἷς κελεύουσιν οἱ νόμοι τρία μὲν ἱερῶν χρηματίζουσιν, τρία δὲ κήρυξιν καὶ πρεσβείαις, τρία δὲ ὀσίων· χρηματίζουσιν δ' ἐνίοτε 30

29 <προχειροτονία> τρία μὲν Papageorgios. *χρηματίζουσιν* : προχειροτονεῖν? coll. Aeschin. I, 23, Th. 30 κήρυξι H-L (B<sup>4</sup>). ΤΡΙΑΔΟCΙΩΝ suprascripto CΥΡΑΚΟCΙΩΝ 'corruptumne ex CΑΡΑ Δ ΟCΙΩΝ ut Ag. τέτταρα δ' ὀσίων scripserit?' K-W. <χρηματίζουσι δ' οἱ πρυτάνεις περὶ τούτων προχειροτονίαν διδόντες> χρηματίζουσιν δ' Sakellarios. *χρηματίζουσι* H-L.

embassies form part of the business of two ἐκκλησίαι during the same prytany. The statement in Pollux may have originated in some confused and fragmentary reminiscence of the constitution in c. 30 § 5, where, in the order of business before the βουλή, the third place is assigned πρεσβείαις, after which they deliberate περὶ τῶν ἄλλων (= ὀσίων).

τρία] This implies that only three questions under each of the several headings were allowed to be discussed in each πρυτανεία. Similarly in § 5 only three συκοφαντῶν προβολαὶ could be brought against Athenians, and three against resident aliens. These limitations have been hitherto unknown.

Hartel, *Studien über Urkundenwesen*, cites, as examples of business connected with ritual etc, being brought before the people ἐν ἱεροῖς, CIA II 325, 352 b, 373 b, and (a decree of the Κήρυκες and Εὐμόλπιδοι) 605. On p. 173 ff. he cites the following inscriptions: Ἀθήναιον νῆ 152 (= Ditt. no. 101, Hicks no. 111) l. 55 (B.C. 347/6 on the πρέσβεις from the sons of Leucon), *χρηματῖαις τοὺς προέδρους οἱ ἂν λάχωσι προεδρεύειν ἐν τῷ δήμῳ τῆ ὑγδότη ἐπὶ δέκα πρώτον μετὰ τὰ ἱερά*. The privilege of access to the βουλή (and in most cases to the δήμος) μετὰ τὰ ἱερά was granted to Aretus of Colophon (CIA I 36), to the Neοπολίται (*ib.* 51 *Suppl.* p. 17), to the communities of Mytilene, Colophon and Cythnus (CIA II 52 c, 164, 233), and to certain individuals named in I b, 34, 206, 209, 289, 316. Cf. Dem. 24 § 25 ff.

ἱερῶν... ὀσίων] 'things sacred and profane.' ὄσια, when contrasted with ἱερά, includes all that is untouched by divine law. Thus, in things concrete, ἱερά would include temples and their treasures; ὄσια, civic buildings and money belonging to the state. Dem. 24 § 9, τῶν ἱερῶν μὲν χρημάτων τοὺς θεοὺς, τῶν ὀσίων δὲ τὴν πόλιν ἀποστερεῖ. The same terms are used to contrast religious and civil privileges, Dem. 23 § 65; 39 § 35; as well as the corresponding legal enactments, as in Lys. 30 § 25, τῶν ὀσίων καὶ τῶν ἱερῶν ἀντιγραφεὺς (see Frohberger's *Lysias*, III p. 172, and Ruhnken, *Timaecus*, s.v. ὄσια·

τὰ ἰδιωτικά, καὶ μὴ ἱερά).

κήρυξιν καὶ πρεσβείαις] The construction changes from gen. to dat., as in Aeschin. I § 23, where the order in which the four kinds of business are mentioned is the same as in the text. Foreign envoys were usually introduced to the ἐκκλησία by the βουλή (Aeschin. *F. L.* § 58). Dem. 24 § 150, καὶ κήρυκος καὶ πρεσβείας, *F. L.* 185 ὅταν ἦ κήρυξι καὶ πρεσβείαις προγεγραμμένον. Cf. c. 30 § 5.

χρηματίζουσιν—ἀνε προχειροτονίας] 'Sometimes the members of the ἐκκλησία take the initiative in bringing forward public business, without a preliminary vote (on the question whether it will discuss a proposal on the part of the βουλή, or 'accept it without discussion).' Cf. Harpocr. s.v. προχειροτονία: ... ὅπῳταν τῆς βουλῆς προβουλευσάσης εἰσφέρηται εἰς τὸν δῆμον ἢ γνώμη πρότερον γίνεται χειροτονία ἐν τῇ ἐκκλησίᾳ πρότερον δοκεῖ περὶ τῶν προβουλευθέντων σκέψασθαι τὸν δῆμον, ἢ ἄρκει τὸ προβούλευμα. In Dem. 24 § 12 (after a προβούλευμα) γενομένης ἐκκλησίας προὔχειροτόνησεν ὁ δῆμος. Cf. Aeschin. I § 23, and see Gilbert, I 327<sup>2</sup> n. 4.

The course described in the text would involve a departure from the principle laid down by Solon, μηδὲν ἔαν ἀπροβούλευτον εἰς ἐκκλησίαν εἰσφέρεισθαι (Plut. *Sol.* 19). This principle was also virtually set aside when the βουλή, without arriving at any conclusion on its own part, referred a question to the ἐκκλησία direct. Thus, on the memorable evening when the messenger arrived with news of Philip's capture of Elateia, the ἐκκλησία had already begun to assemble before the βουλή had had time to draw up a preliminary decree; and, the business being urgent, the πρυτάνεις brought it immediately before the assembly (Dem. *de Cor.* 170). It was also open to any member of the ἐκκλησία to take the initiative by moving to refer any question to the βουλή with a view to a προβούλευμα being drawn up by the latter (Gilbert, I 330<sup>2</sup> n. 1).

Ὦν προχειροτονία cf. Wilamowitz, II 254-6.

καὶ ἄνευ προχειροτονίας. προσέρχονται δὲ καὶ οἱ κήρυκες καὶ οἱ πρέσβεις τοῖς πρυτάνεσιν πρῶτον, καὶ οἱ τὰς ἐπιστολὰς φέροντες τούτοις ἀποδίδoασι.

44. ἔστι δ' ἐπιστάτης τῶν πρυτάνεων εἰς ὃ λαχῶν· οὗτος δ' ἐπιστατεῖ νύκτα καὶ ἡμέραν, καὶ οὐκ ἔστιν οὔτε πλείω χρόνον οὔτε δις τὸν αὐτὸν γενέσθαι. τηρεῖ δ' οὗτος τὰς τε κλείς

32 πρυτάνεσι H-L, B.

33 ἀποδίδoασιν H-L.

K

XLIV 3 f ΠΛΕΙΣΤΑC; κλείς τὰς K-W, K<sup>3</sup>, B, Th (cf. Meisterhans, p. 36<sup>3</sup>): κλῆς K<sup>1</sup>, H-L.

TESTIMONIA. XLIV §§ 1, 2\* Harp. ἐπιστάτης: ... δύο εἰσὶν οἱ καθιστάμενοι ἐπιστάται, ὁ μὲν ἐκ πρυτάνεων κληρούμενος, ὁ δὲ ἐκ τῶν προέδρων, ὧν ἐκάτερος τίνα διοίκησιν διοικεῖ δεδήλωκεν Ἄρ. ἐν Ἀθ. πολ. Lex. Dem. Patm. p. 13 Sakkelion, ἐπιστάτης: οὗτος ἐκ τῶν πρυτάνεων ἐκληροῦτο καὶ ἐπεστάτει "νύκτα καὶ ἡμέραν" μόνον, καὶ οὐκ ἐξῆν δεῦτερον (leg. dis) τὸν αὐτὸν γίνεσθαι (leg. γενέσθαι). τὰς δὲ κλείς τῶν "ιερώων ἐν οἷς" ἀπέκειτο τὰ χρήματα καὶ τὰ γράμματα τῆς πόλεως... Suídas (e lexico Photiano) ἐπιστάτης: "τῶν πρυτάνεων εἰς ὃ λαχῶν" ἐπιστάτης ἐλέγετο. δις δὲ τὸν αὐτὸν ἐπιστατῆσαι οὐκ ἐξῆν. φυλάσσει δὲ τοῦ ἱεροῦ τὰς κλείς ἐν ᾧ τὰ δημόσια χρήματα, ἔτι μὴν καὶ τὴν δημοσίαν σφραγίδα (φυλάσσει—σφραγίδα Etym. M. p. 364, 41). ἐπεὶ δ' ἂν δὲ οἱ πρυτάνεαι " συναγάγῃσι τὴν βουλὴν ἢ τὸν δῆμον," ὁ ἐπιστάτης " κληροῖ προέδρους ἐννέα," ἀπὸ "φυλῆς ἐκάστης" ἕνα "πλὴν τῆς πρυτανευούσης. καὶ πάλιν" ἐκ τῶν ἐννέα τούτων ἐπιστάτην ἕνα καὶ τὸ πρᾶγμα (sic) παραδίδωσιν. Telephus ap. Eustath. in Od. p. 455... γίνεται γὰρ φησὶν Ἀθήνησιν ἐκ τῶν πρυτάνεων εἰς δς "ἐπιστατεῖ νύκτα καὶ ἡμέραν" μίαν, καὶ πλείω χρόνον οὐκ ἔξεστιν οὐδὲ "δις τὸν αὐτὸν γενέσθαι, τὰς τε κλείς <τῶν ἱερώων> ἐν οἷς τὰ χρηματὰ εἰσι φυλάττει καὶ τὰ γράμματα τῆς πόλεως καὶ τὴν δημοσίαν σφραγίδα. κληροῖ δὲ καὶ προέδρους ἐξ ἐκάστης φυλῆς ἕνα "πλὴν τῆς πρυτανευούσης καὶ πάλιν ἐκ τούτων ἐπιστάτην ἕνα" (Frag. 397<sup>2</sup>, 437<sup>3</sup>). Pollux viii 96: ὁ δ' ἐπιστάτης καλούμενος ἐστὶν εἰς τῶν πρυτάνεων, ὁ κληρῶ λαχῶν, δις δ' οὐκ ἔξεστι γενέσθαι τὸν αὐτὸν ἐπιστάτην. ἔχει δὲ οὗτος τὰς κλείς τῶν ἱερώων, ἐν οἷς τὰ χρήματα καὶ τὰ γράμματα. καὶ ὅταν οἱ πρυτάνεαι τὸν δῆμον ἢ τὴν βουλὴν συναγάγῃσιν, οὗτος ἐξ ἐκάστης φυλῆς πρόεδρον ἕνα κληροῖ, μόνην τὴν πρυτανεύουσαν ἀφίεῖς (Frag. 394<sup>2</sup>, 434<sup>3</sup>).

προσέρχονται—τοῖς πρυτάνεσιν πρῶτον] Aeschin. F. L. 58, (the βουλῆ) ταῖς ξενικαῖς πρεσβείαις τὰς εἰς τὸν δῆμον προσόδους προβουλεύει. On the capture of Elateia, the messenger brought the news ὡς τοὺς πρυτάνεις (de Cor. 169). Cf. Arist. Thesm. 654, ταῦτα τοῖς πρυτάνεσιν ἀγγελάω.

XLIV. The Public Assembly, continued.

§ 1. ἐπιστάτης τῶν πρυτάνεων] In the fifth century the ἐπιστάτης τῶν πρυτάνεων actually presided at the meetings of the βουλῆ and ἐκκλησία, and took the sense of the meeting. Thus, in 415 B.C., we find Nicias addressing the President at the Assembly in the words καὶ σὺ, ὦ πρῶτανι, ταῦτα... ἐπιψήφισε (Thuc. vi 14). Again, in 406, in the memorable occasion when Socrates refused to put the illegal proposal that the generals concerned with the battle of Arginussae should have judgment passed upon them collectively, his own tribe was the φυλὴ πρυτανεύουσα (Plat. Apol. 32 B), and he

was ἐπιστάτης for the day (Xen. Mem. i 1, 18, ἐπιστάτης ἐν τῷ δήμῳ γενόμενος). Cf. Gilbert, i 302-62.

In the fourth century, on the institution of πρόεδροι with an ἐπιστάτης of their own, the duty of presiding in public was transferred to the ἐπ. τῶν προέδρων (Gilbert i 305<sup>2</sup>), while the ἐπ. τῶν πρυτάνεων discharged the duties stated in the text. As the latter remained in the θόλος for the day and night during which he was in office, he was necessarily precluded from presiding over the ἐκκλησία or the βουλῆ. On the institution of the πρόεδροι, see § 2.

τὰς τε κλείς κτλ.] The keys of the public treasure kept in the ὀπισθόδομος on the Acropolis (Boeckh, III xx). The custody of the keys did not involve any responsibility for the actual management of the fund. The Arg. to Dem. Androt. p. 590 applies to the ἐπιστάτης language of less precision than that in the text: αὐτὸς τὰς κλείς τῆς ἀκροπόλεως ἐπιστεύετο καὶ πάντα τὰ χρήματα τῆς πόλεως. It



τὰς τῶν ἱερῶν, ἐν οἷς τὰ χρήματ' ἔστιν καὶ (τὰ) γράμματα τῇ πόλει, καὶ τὴν δημοσίαν σφραγίδα, καὶ μένειν ἀναγκαῖον ἐν τῇ 5 θόλῳ τοῦτόν (τ') ἔστιν καὶ τριττὸν τῶν πρυτάνεων ἢν ἂν οὗτος 2 κελεύῃ. καὶ ἐπειδὰν συναγάγῃσιν οἱ πρυτάνεις τὴν βουλήν ἢ τὸν δῆμον, οὗτος κληροῖ προέδρους ἑνέα, ἕνα ἐκ τῆς φυλῆς ἐκάστης

4 γράμματα κ<sup>1</sup>: <τὰ> γράμματα e gramm. κ-W (edd.). 4 f τῇ πόλει del. Rutherford. 6 τοῦτόν <τ'> κ-W; <καὶ> τοῦτον Papageorgios.

TEST. §§ 2, 3 \*Harp. πρόεδροι ἐκκληροῦντο τῶν πρυτάνεων καθ' ἐκάστην πρυτανεῖαν εἰς ἕξ ἐκάστης φυλῆς πλὴν τῆς πρυτανευούσης, οἵτινες τὰ περὶ τὴν ἐκκλησίαν (τὰς ἐκκλησίας Epit.) διώκουν... ὅτι δ' ὁ καλοῦμενος ἐπιστάτης κληροῖ αὐτοῦς, εἴρηκεν Ἄρ. ἐν Ἄθ. πολ. (= Suid. s.v.). Photius (Bekk. An. 290) πρόεδροι: οἱ τὰ περὶ τὰς ἐκκλησίας Ἀθήνησι διοικοῦντες <καὶ τῆς εὐταξίας ἐπιμελοῦμενοι add. Lex. Dem. Patm. p. 12>. εἰς ἐκκληροῦτο ὑπὸ τῶν πρυτάνεων καθ' ἐκάστην ἐκκλησίαν ἕξ ἐκάστης φυλῆς. Cf. Schol. Aeschin. iii 4.

adds: ἢν οὖν μὴ ἐραστοῦ τυραννίδος, διὰ τοῦτο μίαν ἡμέραν ἐποίουν αὐτὸν ἄρξαι.

τῶν ἱερῶν does not necessarily imply that the public treasure was kept in more than one temple. Hence the pl. throws no light on the obscure question whether the ὀπισθόδομος of the 'old temple' of Athene between the Erechtheum and Parthenon was at this time still in use, as well as the Parthenon (see Miss Harrison's *Mythology &c of Athens*, p. 505-8). The 'old temple' was burnt in 406 B.C. (Xen. *Hell.* i 6), and the burning of the ὀπισθόδομος mentioned in Dem. 24 § 136 may refer to the same event. In B.C. 353 the priestess transferred to the ἐπιστάται (probably the ἐπ. δημοσίων ἔργων) in the archonship of Thudemus certain 'gold ornaments' which were removed from the 'old temple' to the Parthenon (CIA ii 758 II 7). The public records (γράμματα) were preserved in the Μητρόφῳ near the βουλευτήριον (Aeschin. 3 § 187; Paus. i 3, 5; Lycurg. *Leocr.* 66). Cf. Curtius, *das Metroon*, Gotha, 1868.

δημοσίαν σφραγίδα [Xen.] *de Vect.* 4, 21, ἀνδράποδα σεσημασμένα τῷ δημοσίῳ σημάντρῳ. The seal probably represented an owl or a Gorgon's head. Cf. Curtius, *Abh. d. Berlin. Akad.* 1874, p. 88 (Gilbert, i 303<sup>2</sup> n. 2 ult.). Both the badges above mentioned may be seen on the extant examples of δικαστῶν πινάκια (c. 63 § 4).

§ 2. πρόεδρους] In the fifth century it was the πρυτάνεις who presided over the βουλή καὶ ἐκκλησία in the person of one of their own body who was the ἐπιστάτης τῶν πρυτάνεων and was necessarily a member of the πρυτανεύουσα φυλή. Thus, in CIA ii i δ, we have two decrees of the year of Euclides, B.C. 403-2. (1) was passed in the prytany of the tribe Pandionis, and the ἐπιστάτης was of the deme of

Ἦα, which belonged to that tribe; (2) in the prytany of the tribe Erechtheis, and the ἐπιστάτης was of the deme of Κηδαί belonging to that tribe. As a general rule the deme of the ἐπ. τῶν πρυτάνεων is not specified; it necessarily belongs to the presiding tribe.

In the fourth century the πρόεδροι came into existence. The ἐπιστάτης τῶν πρυτάνεων was deprived of his preeminence and obtained in its place the privilege of appointing by lot nine πρόεδροι, one from each of the tribes except his own, and of drawing lots among those nine for one of them to act as the ἐπιστάτης τῶν προέδρων. Under this system, the ἐπ. τῶν προέδρων was necessarily a member of some other than the πρυτανεύουσα φυλή. In CIA ii 17 δ (Ditt. no. 64), in the archonship of Nausinicus, B.C. 378/7, though the πρόεδροι are mentioned, the deme of the ἐπιστάτης is uncertain; but in CIA ii 17 (Ditt. no. 63), in the same year, in the prytany of the tribe Hippothontis, the ἐπιστάτης is of the deme Ἀθμονον which belongs to a different tribe, Cecropis. In ii 50 (Ditt. 75), B.C. 368/7, in the prytany of the tribe Aeantis, the ἐπιστάτης belongs to a deme of the tribe Aegeis. In ii 116 (Ditt. 107), B.C. 341/0, in the prytany of the tribe Pandionis, the ἐπιστάτης belongs to another tribe. Between the years 378 and 320 we have in all 24 decrees giving the name of the prytany and the president, and in no case does the deme of the president belong to the φυλή πρυτανεύουσα. For the years between Euclides and Nausinicus (403-378) there is at present no evidence; but it is probable that the change came into force in the latter year, a date of special importance in the financial history of Athens. The aim of the change was

πλήν τῆς πρυτανευούσης, καὶ πάλιν ἐκ τούτων ἐπιστάτην ἓνα, καὶ  
 10 παραδίδωσι τὸ πρόγραμμα αὐτοῖς· οἱ δὲ παραλαβόντες τῆς τ' 3  
 εὐκοσμίας ἐπιμελοῦνται, καὶ ὑπὲρ ὧν δεῖ χρηματίζειν προτιθέασιν,

10 πρόγραμμα corrupte mutatum in πρᾶγμα habet Suidas s. v. ἐπιστάτης. οἱ κ-ω, ΔΕΙΚ(ΔΙ).

V: οἱ κ, Η-Λ, Th.  
 τίζειν δεῖ κ-ω.

11 ΔΕΙΧΡΗΜΑΤΙΖΕΙΝ: δεῖ χρηματίζειν κ, Η-Λ, Β, Th: χρημα-

clearly to give all the tribes a concurrent share in the superintendence of the βουλὴ and ἐκκλησία, instead of each tribe having in turn the sole superintendence for the duration of its own prytany. (See esp. Prof. W. W. Goodwin's paper in *Trans. of the American Philol. Association*, 1885, vol. xvi 165—175.)

In the fifth century the formula for describing the president was ὁ δεῖνα ἐπεσάτει. From 378 to 347 the same formula is used to denote the ἐπιστάτης τῶν προέδρων, side by side with a new formula, τῶν προέδρων ἐπεψήφισεν ὁ δεῖνα. From 347 onwards the last alone is found (Gilbert, i 305<sup>2</sup> n. 4).

It was once supposed that the 50 πρυτάνεις were divided into five groups of ten πρόεδροι holding office for one-fifth of a prytany (generally for seven days) and appointing one of their number to serve as ἐπιστάτης for each day. This supposition rested on the Scholia to Aeschin. c. *Ctes.* 39 and Dem. p. 594, 5, and on the 2nd Arg. to Dem. *Androt.* p. 590. It was accepted in an early work of Schömann (*De Comitibus Ath.*, 1819), where, in the endeavour to reconcile the conflict of evidence, it was suggested that there were two sets of πρόεδροι in existence at the same time, (1) the *proedri contribules*, belonging to the same tribe as the πρυτάνεις, and forming a subdivision of that body; and (2) the *proedri non-contribules*, belonging to a different tribe to that of the πρυτάνεις.

Nearly three centuries earlier it was held by Sigonius (1529—1584) in his *De Atheniensium Republica*, that, wherever the πρόεδροι were mentioned, they were the nine who were not of the same tribe. This opinion was accepted by K. F. Hermann (1843), who noticed further that the πρόεδροι are never mentioned until after the time when one of the πρυτάνεις used to preside in the Assembly. Hence the πρόεδροι (*non-contribules*) were a later institution, and the *proedri contribules* were a merely imaginary body. Schömann's earlier view survived in Grote, c. 31, iii 118, but it had meanwhile been abandoned by Schömann himself, in favour of Hermann's

view which is conclusively confirmed by the text. See Schömann, *Ant.* p. 377 E. T.

Some confusion has arisen from the fact that ΗΓΡΟΚΡΑΤΙΑ, s. v. πρόεδροι, implies that the πρόεδροι held office during the whole of each prytany, whereas the text, which he professes to follow, really describes them as appointed by lot for each meeting of the βουλὴ or ἐκκλησία. The most accurate citation of the text is that preserved by Telephus ap. Eustath. on *Od.* 17. 455, and by Suidas, s. v. ἐπιστάτης, art. 2. On the general question see Goodwin l. c., and Gilbert, i 305<sup>2</sup> (with the authorities there quoted); also Caillemer on *Boule* in Daremberg and Saglio, i 740—1, and Chavannes on *Epi-states*, *ib.* iii 700; and Wayte in Smith's *Dict. Ant.* i 320—1, and on Dem. *Timocr.* § 21.

ἐπιστάτην] s. τῶν προέδρων. He is mentioned as presiding (1) at the βουλὴ in Aeschin. c. *Timarch.* 104, βουλευτῆς ὧν καὶ προεδρεύων, and in CIA ii 168 (B. C. 333) τῶν προέδρων ἐπεψήφισεν, and similarly in ii 179 (B. C. 325) about the time when this treatise was written; (2) at the ἐκκλησία, *id.* c. *Ctes.* 39, τὸν δ' ἐπιστάτην τῶν προέδρων διαχειροτονίαν δίδουσι τῷ δήμῳ, *F. L.* 82, (Demosthenes) λαγχάνει προεδρεύων, and (84) ἀνασθάνε ἐκ τῶν προέδρων οὐκ ἔφη τὸ ψήφισμ' ἐπιψηφίειν, cf. *ib.* 68.

τὸ πρόγραμμα] 43 § 3, προγράφουσι.  
 § 3. εὐκοσμίας ἐπιμελοῦνται] In the previous century the same duties had been performed by the πρυτάνεις with the aid of the τοξῆται: Arist. *Thesm.* 923, 929—946, and esp. 854, εἰ μὴ κοσμῶς ἕξεις ἕως ἂν τῶν πρυτάνεων τις φανῇ. The πρόεδροι as well as the πρυτάνεις are named in Aeschin. c. *Ctes.* 4, τῆς τῶν ῥητόρων ἀκοσμίας οὐκέτι κρατεῖν δύνανται οὐθ' οἱ νόμοι οὐθ' οἱ πρυτάνεις οὐθ' οἱ πρόεδροι οὐθ' ἡ προεδρεύουσα φυλὴ.

The phrase ἐπιμελεῖσθαι εὐκοσμίας is found in *Pol.* 1299 b 16 and 19 (cf. 1321 b 14 and 20); also in Isocr. *Areop.* 37.

προτιθέασιν] 48 § 2; Xen. *Mem.* iv 2, 3, τῆς πόλεως λόγον προτιθείσης. In Aeschin. *F. L.* 65 we have the exceptional proposal that, at the first of two ἐκκλησίαι, there should be a debate; and that, at the second, the πρόεδροι should



καὶ τὰς χειροτονίας κρίνουσιν, καὶ τὰ (τ') ἄλλα πάντα διοικοῦσιν, καὶ τοῦ [[τ']] ἀφείναι κύριοί εἰσιν. καὶ ἐπιστατῆσαι μὲν οὐκ ἔξεστιν πλέον ἢ ἅπαξ ἐν τῷ ἐνιαυτῷ, προεδρεύειν δ' ἔξεστιν ἅπαξ ἐπὶ τῆς πρυτανείας ἐκάστης.

15

4 ποιούσι δὲ καὶ ἀρχαιρεσίας στρατηγῶν καὶ ἱππάρχων καὶ τῶν ἄλλων τῶν πρὸς τὸν πόλεμον ἀρχῶν ἐν τῇ ἐκκλησίᾳ, καθ' ὃ τι ἂν τῷ δήμῳ δοκῇ· ποιούσι δ' οἱ μετὰ τὴν ἕκτην πρυτανεύοντες ἐφ' ὧν

12 τὰ <τ'> K-W. 13 τ' delent Richards, edd.; in δ' mutat Hude, in γ' Piccolomini; τὴν ἐκκλησίαν Rutherford (H-L). τοῦ τ' ἀφείναι <καὶ τοῦ λῦσαι> Parggeorgios. 14 ἔξεστι H-L; alterum ἔξεστιν delet Gennadios. ΠΛΕΙΟΝ (K-W, B): πλέον H-L, K<sup>3</sup>, Th, Meisterhans, p. 152<sup>3</sup>. 16 ΔΕΚ(ΔΙ)ΔΕΚΑΡΧ K<sup>1</sup>: delevi ΔΕΚ e ΔΕΚ(ΔΙ) male iterato exortum, idem fecerunt Blass, Fränkel, K-W, H-L, K<sup>3</sup>; etiam in versu propinquo (18) dittographiae vitium denuo apparet ΜΕΤΑΤΑΤΗΝ (μετὰ τὴν).

put the question to the vote, λόγον δὲ μὴ προτιθέναι. In the fifth century this was the duty of the πρυτάνεις. Thuc. vi 14, ὡ πρῶτανι... γνώμας προτιθεὶ αὐθις, iii 36, 4; 42, 1.

**χειροτονίας]** Aeschin. c. Ctes. 3, ἂν δὲ τις τῶν ἄλλων βουλευτῶν ὄντως λαχῆ κληρούμενος προεδρεύειν καὶ τὰς ὑμετέρας χειροτονίας ὀρθῶς ἀναγορεύῃ κτλ.

**ἀφείναι]** Arist. Ach. 173, οἱ γὰρ πρυτάνεις λύουσι τὴν ἐκκλησίαν. Dem. Timocr. § 26 (during the Κρόνια), ἀφειμένης τῆς βουλῆς.

**ἐπιστατῆσαι]** sc. τῶν προέδρων. In Dittenberger, *Inscr.* nos. 98 and 101, we have two decrees in the same prytany of B.C. 347-6, in both of which Θεόφιλος Ἀλμυόσιος ἐπεστάται. It was rightly inferred by A. Schaefer that both were passed at the same meeting of the ἐκκλησία. The text shews that no one could be ἐπιστάτης τῶν προέδρων more than once in each year.

§ 4. **στρατηγῶν]** 61 § 1. **ἱππάρχων,** 61 § 4. **τῶν ἄλλων,** 61 §§ 3, 5. Cf. Aeschin. c. Ctes. 13, (ἀρχάς) ἄς ὁ δῆμος εἴωθε χειροτονεῖν ἐν ἀρχαιρεσίαις, στρατηγούσι καὶ ἱππάρχουσιν καὶ τὰς μετὰ τούτων ἀρχάς, also Xen. *Mem.* iii 4, 1; Dem. 23 § 171; Plut. *Phoc.* 8.

**οἱ μετὰ τὴν ἕκτην πρυτανεύοντες]** The author of the 2nd Arg. to Dem. *Anárot.* p. 590 erroneously states that the ἀρχαιρεσίαι fell on the last four days of the Attic lunar year of 354 days. But, as observed by Schömann, *Ant.* 390 E.T., they could not possibly have been held so late in the year: they must necessarily have taken place much earlier, so as to allow time for the δοκιμασία. It has been inferred by Köhler (*Monatsb. d. Akad. d. W.*, Berlin, 1866, p. 343) that they were held in the first ἐκκλησία

of the ninth prytany. This inference is drawn from an inscription of the time of the 12 tribes (after B.C. 307), CIA ii 416, in which the ἀρχαιρεσίαι are fixed κατὰ τὴν μαντεῖαν for the 22nd day of Munichion (early in May), corresponding (in the time of the 10 tribes) to the beginning of the ninth prytany (see also Gilbert's *Beiträge*, pp. 5—13, and Busolt in Müller's *Handbuch*, IV i 221<sup>2</sup>). The text shews that the election might be held in the seventh prytany. This would begin three days before the end of Gamelion (the first six prytanies containing 214 and the first seven months 217 days), and would mainly correspond to the month Anthesterion (middle of February to middle of March).

This statement has a direct bearing on the story of Sophocles being appointed στρατηγός against Samos etc. owing to the success of his *Antigone* (on the authorities for the story, see Jebb's *Introd.* p. xliii). If the play was produced at the Great Dionysia (10—15 Elaphebolion = March—April), i.e. late in March, B.C. 441, the ordinary election of στρατηγοὶ for the ensuing official year had already taken place a month before. We must therefore either infer that the story is false; or that the date of the election was exceptionally delayed in that year owing to inauspicious weather; or that, at that time, the ἀρχαιρεσίαι fell later than was the case in B.C. 325. If the election of Sophocles took place a month before the Great Dionysia, and was prompted by the success of the *Antigone*, the play must have been performed at the Great Dionysia of the previous year, in which case eleven months must have elapsed before the election. But by that time the impression produced by the play would

ἀν εὐσημία γένηται. δεῖ δὲ προβούλευμα γενέσθαι καὶ περὶ  
20 τούτων.

45. ἡ δὲ βουλή πρότερον μὲν ἦν κυρία καὶ χρήμασιν ζημιῶσαι  
καὶ δῆσαι καὶ ἀποκτείνειαι. — καὶ Λυσίμαχον αὐτῆς ἀγαγούσης  
ὡς τὸν δῆμιον, καθήμενον ἤδη μέλλοντα ἀποθνήσκειν, Εὐμη-

19 ΓΕΝΕΣΘΑΙ edd.: γίνεσθαι K-W.

XLV 1 χρήμασι H-L. 2 post ἀποκτείνειαι lacunam indicant K-W. <Λυσίμ. δ'>  
deleto καὶ Papageorgios. αὐτῆς <ποτ' ἀπ> ἀγαγούσης B<sup>4</sup> appendix. 3 καθήμενον  
ἤδη K, K-W, H-L, Th; καθ. ἤδη <καὶ> Jos. Mayor (B); \*καὶ αὐθημερὸν\* ἤδη s<sup>1</sup>, coll.  
Aeschin. 1 § 16 (lex) παραδοθεὶς τοῖς ἔνδεκα τεθνάτω αὐθημερὸν. 3, 5 ΑΠΟΘΝΗΣΚΕΙΝ:  
ἀποθνήσκειν edd., cf. Meisterhans, p. 177<sup>3</sup>, n. 1475.

have become appreciably weaker, and the story would have lost its point. On the bearing of the date of election on the 'deposition of Pericles,' see *Class. Rev.* v 165, viii 78 f; Swoboda in *Hermes* xxviii part 4; Beloch, i 529 n. 1.

εὐσημία] 'on whatsoever days there are signs of fair weather.' εὐσημία is found in Hippocr. 1170; εὐσημος in *Meteor.* p. 363 a 27, γέγραπται τοῦ μάλλον εὐσημῶς ἔχειν ὁ τοῦ ὀρίζοντος κύκλος.

The proviso is one of practical importance in the case of a large meeting on an open hill-side like that of the Pnyx. Even when the ordinary ἐκκλησίαι came to be held in the theatre of Dionysus (e.g. in 290 B.C.), the Pnyx continued to be the scene of the ἀρχαιρεσίαι (Pollux viii 133).

When the δῆμος was desiring to elect Cleon as στρατηγός, there was thunder and lightning, an eclipse of the moon and afterwards one of the sun, Arist. *Nub.* 581-6 (and Schol.). Presumably amid all these portents the election was deferred. In Thuc. v 45 ult. an ἐκκλησία is adjourned because of an earthquake. Even a drop of rain was sufficient to be regarded as a 'sign from heaven,' διοσημία 'στι καὶ βάνις βέβληκή με (*Ach.* 171). Cf. *Suidas*, s.v.

προβούλευμα κτλ.] In accordance with the general principle ordained by Solon, Plut. *Sol.* 19, μηδὲν εἶαν ἀπροβουλευτον εἰς ἐκκλησίαν εἰσφέρεισθαι.

XLV—XLIX. *The functions of the Council.*

XLV § 1. κυρία—ζημιῶσαι] The βουλή was not competent to inflict a higher fine than 500 dr., Dem. c. *Eueg.* p. 1152 § 43, (after an εἰσαγγελία) ἐν τῷ παραχειροτονεῖν ἦν ἡ βουλή πρότερα δικαστηρίῳ παραδοίῃ ἢ ζημιώσειε ταῖς πεντακοσίαις, ὅσου ἦν κυρία κατὰ τὸν νόμον. In a decree drawn up about 446 B.C. any encroachment on the Πελαργικὸν is punished by a

fine of 500 dr., to be inflicted after an εἰσαγγελία has been brought before the βουλή by the archon βασιλεύς (Ditt. no. 13, 59).

δῆσαι] Arist. *Thesm.* 943, ἔδοξε τῇ βουλῇ σε δεῖν. A limitation to this right is mentioned in the oath taken by the Council in Dem. c. *Timocr.* 144, οὐδὲ δῆσω Ἀθηναίων οὐδένα, ὅς ἂν ἐγγυητὰς τρεῖς καθστῆ τὸ αὐτὸ τέλος τελοῦντας· πλὴν εἰαν τις ἐπὶ προδοσίᾳ τῆς πόλεως ἢ ἐπὶ καταλύσει τοῦ δῆμου συνίων ἀλφῆ ἢ τέλος τι πριάμενος ἢ ἐγγυησάμενος ἢ ἐκλέγων μὴ καταβάλλῃ. It is there stated that this oath was in the interest of untried persons to give them every opportunity for preparing for their defence. In § 148 we are told that 'Solon' made the Council ἀκυρον τοῦ δῆσαι, i.e. did not grant them an absolute right of imprisonment, but a limited right subject to proper bail being found. In certain cases, however, bail was not allowed, and in these the Council's right was not barred. See also 22 § 2 and 48 § 1.

Cleophon was imprisoned by the Council and then handed over to the dicastery (Lys. 30 § 10); he was condemned to death by a court consisting of the Council and a dicastery, *ib.* 11, and 13 § 12 (Newman).

Λυσίμαχον] possibly the person of that name mentioned in Xen. *Hell.* ii 4, 8, (the Thirty) Λυσίμαχον τὸν ἵππαρχον ἐκέλευον ἀγαγόντα παραδοῦναι αὐτοὺς τοῖς ἔνδεκα. On the restoration of the democracy his services to the Thirty may well have been remembered against him.

καθήμενον ἤδη μέλλοντα ἀποθνήσκειν] The culprit is described as seated, ready to receive the fatal blow. The double participle is awkward, but no satisfactory improvement of the text has been suggested. Cf. Kaibel, 208.

One Sosias had a similarly narrow escape: Antiphon 5 § 70, ὁ ἀνὴρ ἀπήχθη (MSS, ἀνήχθη Dobree, ἀπελύθη Kayser,



λίδης ὁ Ἄλωπεκῆθεν ἀφείλετο, οὐ φάσκων δεῖν ἄνευ δικαστηρίου γνώσεως οὐδένα τῶν πολιτῶν ἀποθνήσκειν· καὶ κρίσεως ἐν δικαστηρίῳ γενομένης, ὁ μὲν Λυσίμαχος ἀπέφυγεν, καὶ ἐπωνυμίαν ἔσχευ ὁ ἀπὸ τοῦ τυπάνου, ὁ δὲ δῆμος ἀφείλετο τῆς βουλῆς τὸ θανατοῦν καὶ δεῖν καὶ χρήμασιν ζημιοῦν, καὶ νόμον ἔθετο, ἂν τινος ἀδικεῖν ἢ βουλή καταγνῶ ἢ ζημιώσῃ, τὰς καταγνώσεις καὶ τὰς ἐπιζημιώσεις εἰσάγειν τοὺς θεσμοθέτας εἰς τὸ δικαστήριον, καὶ ὃ τι ἂν οἱ 10 δικασταὶ ψηφίσωνται, τοῦτο κύριον εἶναι.

12 κρίνει δὲ || τὰς ἀρχὰς ἢ βουλή τὰς πλείστας, καὶ μάλισθ' ὅσαι χρήματα διαχειρίζουσιν· οὐ κυρία δ' ἢ κρίσις, ἀλλ' ἐφέσιμος εἰς τὸ δικαστήριον. ἔξεστι δὲ καὶ τοῖς ιδιώταις εἰσαγγέλλειν ἢν ἂν βούλωνται τῶν ἀρχῶν μὴ χρῆσθαι τοῖς νόμοις· ἔφεσις δὲ καὶ 15 τούτοις ἐστὶν εἰς τὸ δικαστήριον, ἐὰν αὐτῶν ἢ βουλή καταγνῶ.

3 ΕΥΜΗΛΕΙΔΗΣ (B<sup>1</sup> coll. Φιλομηλείδης Od. ρ 134): Εὐμηλίδης K-W, H-L, K<sup>3</sup>, B<sup>2-4</sup>, Th. 4 ΑΛΩΠΕΘΗΚΕΝ COIG. K. 5 <τῶ> δικαστηρίῳ K-W<sup>1,2</sup> (τῶ om. K-W<sup>3</sup>), idem in c. 46, 10 et c. 55, 7 τῶ non inserunt. 6 ἀπέφυγε H-L. ΕΣΧΕΝ (K-W, H-L, K<sup>4</sup>, Th): ἔσχε B, εἶχεν K<sup>1</sup>. 8 ἐάν H-L. 9 ἐπιζημιώσεις (nusquam alibi inventum) K, K-W, B, Th: ζημιώσεις Wyse, H-L. 12 καὶ suprascriptum agn. Sakellarios (K<sup>4</sup>, Th). 13 ἐτ' ἐφέσιμος H-L.

ἀπὸ ἀλλάθῃ Baiter; ἀφείλετο, in the text, suggests ἀφῆρηθῆ ὑπὸ τοῦ δήμου τοῦ ἡμετέρου παραδεδομένος ἤδη τοῖς ἔνδεκα.

Εὐμηλίδης] The only passage where the name is found, as that of an Athenian, is [Dem.] 49 § 11, τῶ παιδί τοῦ Εὐμηλίδου. The date of the speech is B.C. 362.

ἀφείλετο] here 'rescued him.' It is used below in another sense: 'deprived of the power of.'

δικαστηρίῳ] without the art. in 46 § 2 and 55 § 2; but with the art. in 47 § 3, 49 § 3, 55 § 4 and 56 § 1. The article is omitted only where the court is contrasted with another (Kaibel, 208f). βουλή always has the article.

ὁ ἀπὸ τοῦ τυπάνου] 'the man who escaped the bastinado.' Schol. Arist. *Rhet.* 476, τύπανα...ξύλα, δι' ὧν τὸς καταδίκους ἐτυπτον, and Photius, s. v. τύπανον. Cf. Lys. 13 § 56, ὡς ἀνδροφόνον ὄντα—τῶ δημῷ παρέδote καὶ ἀπετυπανίσθη, ib. 67, 68; and Dem. 9 § 61. This form of punishment was inflicted on κακοῦργοι, including ἀνδροφόνιοι. This confirms the conjecture that Lysimachus was arraigned for taking part in causing citizens to be put to death under the Thirty (Xen. *I. c.*). The restriction in the powers of the βουλή mentioned in this chapter has already been noticed in more general terms in c. 41, αἰ τῆς βουλῆς κρίσεις εἰς τὸν δῆμον ἐλλόβασιν, a passage referring to the time subsequent to the archonship

of Euclides. Even before that time the βουλή did not necessarily enforce its right of inflicting penalties, but sometimes exercised the option of referring the case to a law-court, cf. CIA i 59, (τὴν βουλήν) κολάζειν τῶν δωροδοκῶντων καταψηφισομένην, καὶ εἰς δικαστήριον αὐτοῖς εἰσάγειν, καθότι ἂν δοκῇ αὐτῇ.

ἐπιζημιώσεις] not found elsewhere. τὰ ἐπιζημία is used of 'penalties' in Dem. and Plato; ἐπιζημιοῦν, in Xen. *Hell.* v 2 § 22; ἐπιζημιώμα, in Pollux viii 149. We also have ἐπιβάλλειν ζημίαν and ἐπιτιμᾶν.

θεσμοθέτας] 59. § 2. κρίνει τὰς ἀρχὰς] Antiphon, 6 § 49, πυθόμενοι αὐτοὺς (the πορισταί, πωληταί, πρακτορες and ὑπογραμματεῖς) δεῖνὰ καὶ σχέτλια ἐργάζεσθαι, εἰσῆγον εἰς τὴν βουλήν.

ἐφέσιμος] [Dem.] 7 § 9, ταῦτα δὲ κύρια ἔσεσθαι οὐκ ἐπειδὴν ἐν τῷ δικαστηρίῳ τῷ παρ' ἡμῶν κυρωθῆ...ἀλλ' ἐπειδὴν ὡς ἑαυτὸν ἐπανενεχθῆ, ἐφέσιμον τὴν παρ' ἡμῶν γενομένην γνώσιν ὡς ἑαυτὸν ποιούμενος. Lucian, *pro Imaginibus* 15, ἐφέσιμον...δίκην Pollux viii 125, (κρίσιν) ἐφέσιμον.

εἰσαγγέλλειν] probably here used in the general sense of bringing to the knowledge of the Council, without reference to the special process called εἰσαγγελία. The procedure in the latter case is described by Dr Hager in *Dict. Ant. s. v.*, i 709 a.

δοκιμάζει δὲ καὶ τοὺς βουλευτὰς τοὺς τὸν ὕστερον ἐνιαυτὸν 3  
βουλευσοντας καὶ τοὺς ἐννέα ἄρχοντας. καὶ πρότερον μὲν ἦν  
ἀποδοκιμάσαι κυρία, νῦν δὲ {καὶ} τούτοις ἔφεσις ἐστὶν εἰς τὸ  
20 δικαστήριον.

τούτων μὲν οὖν ἄκυρός ἐστὶν ἡ βουλή· προβουλεύει δ' εἰς τὸν  
δῆμον, καὶ οὐκ ἔξεστιν οὐδὲν ἀπροβούλευτον, οὐδ' ὅ τι ἂν μὴ  
προγράψωσιν οἱ πρυτάνεις, ψηφίσασθαι τῷ δήμῳ· κατ' αὐτὰ γὰρ  
ταῦτα ἔνοχος ἐστὶν ὁ νικήσας γραφῇ παρανόμων.

46. ἐπιμελεῖται δὲ καὶ τῶν πεποιημένων τριήρων καὶ τῶν  
σκευῶν καὶ τῶν νεωσοίκων, καὶ ποιεῖται καινὰς [[δὲ]] τριήρεις ἢ

19 <καὶ> τούτοις K-W, B. 23 τὸν δῆμον Papageorgios. κατὰ γὰρ ταῦτα  
Kontos, H-L; v. Dem. 20 § 96.

XLVI 2 δὲ secl. κ (edd.); 'an δέκα?' Th.

§ 3. δοκιμάζει—βουλευτὰς] Dem. *Mid.*  
III, βουλεύειν μου λαχόντος δοκιμαζομένου  
κατηγορεῖ, *Neaer.* 3, λαγχάνει βουλεύειν  
Ἀπολλόδωρος· δοκιμασθεὶς δὲ καὶ ὄμσας  
τὸν νόμιμον ὄρκον κτλ. Two of the  
speeches of Lysias are concerned with  
the δοκιμασία of a βουλευτής: *Or.* 31,  
κατὰ Φίλωνος, is a speech for the prosecu-  
tion; *Or.* 16, ὑπὲρ Μαντιθέου, for the  
defence. § 9 of the latter speech shews  
the wide scope of the scrutiny in such  
cases: ἐν δὲ ταῖς δοκιμασίαις δίκαιον εἶναι  
παντὸς τοῦ βλοῦ λόγον διδόναι.

ἄρχοντας] *Lys. Or.* 26, κατ' Εὐάνδρου,  
is a speech in accusation of one who was  
appointed by lot to be First Archon in  
reserve. The case was heard on the last  
day but one of the preceding official year  
(midsummer, B.C. 382). The next day  
was a public holiday, and, in the event  
of his rejection, an appeal was impos-  
sible: § 6, δικαστήριον...οὐ δυνατόν  
πληρωθῆναι. Dem. *Lept.* 90 asserts that  
the junior archons underwent a double  
δοκιμασία:—τοὺς θεσμοθέτας δις δοκιμασ-  
θέντας ἄρχειν ἐν τε τῇ βουλῇ καὶ παρ' ὑμῶν  
ἐν τῷ δικαστηρίῳ. The δοκιμασία before  
the βουλή is called an ἀνάκρισις in Dem.  
*Eubul.* 66; it is described as affecting all  
the archons (*ib.* 70). Cf. c. 55 § 2.

ἔφεσις] c. 55 § 2.

§ 4. οὐδὲν ἀπροβούλευτον] *Plut. Sol.*  
19, quoted on c. 44 *ult.*

προγράψωσιν] 43 § 3 *ult.*

γραφῇ παρανόμων] Here the illegality  
turns on a point of form. Among cases  
in point are the motion of Androtion to  
award a crown to the outgoing βουλή  
(Dem. *Androt.* 5); and that of Thrasyl-  
bulus to grant Lysias the citizenship of  
Athens (note on 40 § 2).

XLVI § 1. τῶν τριήρων] Gilbert,

i 310<sup>2</sup> n. 2.

τῶν σκευῶν] esp. of 'naval stores and  
engines,' and 'the tackling of ships.'  
[Dem.] 47, c. *Euerg.* § 19, σκευή τριηρικὰ.  
*Xen. Oec.* viii 12, διὰ πολλῶν...ξυλίων  
σκευῶν ('oars,' 'rudders,' 'masts,'  
'yards') καὶ πλεκτῶν ('cables') ὀρμίζεται  
ναῦς καὶ ἀνάγεται, διὰ πολλῶν δὲ τῶν  
κρεμαστῶν ('sails' and 'rigging') καλου-  
μένων πλεῖ. The specifications of the  
famous σκευοθήκη in the Peiraeus, designed  
by the architect Philon under the ad-  
ministration of Lycurgus (published by  
Fabricius in *Hermes* and by Foucart in  
*Bull. Corresp. Hell.*, both in 1882), are  
still extant (CIA ii 1054=Ditt. no. 352).  
This σκευοθήκη was intended τοῖς κρεμα-  
στοῖς σκεύουσιν, and (though not finished)  
was probably already in use in B.C. 329,  
a few years before the text was written.  
Cf. Dürrbach, *Lycurgue*, pp. 64—73.

τῶν νεωσοίκων] Strictly speaking, the  
νεώσοικοι are the sheds in which the  
ships are laid up, and νεώρια the dock-  
yards; but the terms are sometimes inter-  
changed (cf. *Dict. Ant.* ii 206 a, and  
Dürrbach, *l.c.* p. 65, n. 3). In [*Xen.*]  
*de Rep. Ath.* iii 2, among the duties of  
the βουλή we find νεωρίων ἐπιμεληθῆναι.  
From B.C. 347 to 323 an annual property  
tax amounting to ten talents was raised  
for the building τῶν νεωσοίκων καὶ τῆς  
σκευοθήκης (CIA ii 270).

καινὰς τριήρεις] Twenty, according to  
Diod. xi 43. In B.C. 356/5 the Council  
failed to build the requisite number of  
new triremes; Androtion nevertheless  
moved that they should receive the cus-  
tomary compliment of a golden crown;  
and for this he was attacked under a  
γραφῇ παρανόμων (Dem. *Androt.* 8).



τετρήρεις, ὁποτέρας ἂν ὁ δῆμος χειροτονήσῃ, καὶ σκεύη ταύταις  
καὶ νεωσοίκους· χειροτονεῖ δ' ἀρχιτέκτονας ὁ δῆμος ἐπὶ τὰς ναῦς.  
ἂν δὲ μὴ παραδώσιν ἐξεργασμένα ταῦτα τῇ νέᾳ βουλῇ, τὴν 5  
δωρεὰν οὐκ ἔστιν αὐτοῖς λαβεῖν· ἐπὶ γὰρ τῆς ὕστερον βουλῆς  
5.] λαμβάνουσιν. || ποιεῖται δὲ τὰς τριήρεις, δέκα ἄνδρας ἐξ αὐ[τῆς]  
2 ἔλομένη τριηροποιούς. ἐξετάζει δὲ καὶ τὰ οἰκοδομήματα τὰ δημό-  
σια πάντα, κἄν τις ἀδικεῖν αὐτῇ δόξῃ, τῷ τε δήμῳ τοῦτον ἀποφαίνει  
καὶ καταγνοῦσα παραδίδωσι δικαστηρίῳ.

10

5 εἰν H-L. 7 incipit scriba quartus. αὐ[τῆς]. Wilcken (κ-w<sup>3</sup>, B<sup>3,4</sup>, κ<sup>4</sup>, Th),  
ἐαυτῆς olim Wayte; α[ὐτῶν] κ-w<sup>1,2</sup>, B<sup>1,2</sup> coll. 48, 13; ἀ[πάντων] κ<sup>1</sup>, H-L, S<sup>1</sup>.  
10 ΚΑΤΑΓΝΟΥΣΑ κ<sup>1</sup>, H-L, Th; καταγνότος κ-w, B, S<sup>1</sup>, κ<sup>4</sup>. <τῷ> δικαστηρίῳ  
Gennadios, Naber (H-L, idem τῷ non addunt in c. 45, 5); sed cf. Kaibel 208.

ῆ τετρήρεις] In the list of the fleet for B.C. 330/29 eighteen quadriremes are mentioned: CIA ii 807 b 76—79, τετρήρεις δ' ἐμὴν μὲν τοῖς νεωροῖς παρέδομεν Γ'ΙΙΙ, ἐμὴν πλῶ δὲ Δ. For the three years between B.C. 334/3 (*ib.* 804) and the above date the lists are missing. The earliest notice of quinqueremes is in B.C. 325/4, when seven are mentioned, *ib.* 809 d 90, the list for the previous year (*ib.* 808 d 36) giving quadriremes, as well as triremes, but no quinqueremes (Boeckh, *Seeurkunden*, p. 76). The archonship of Cephisophon, B.C. 329/8, is mentioned in c. 54 § 7. Hence the date of the treatise falls after B.C. 328, and before 325, the year in which quinqueremes appear for the first time (C. Torr in *Athenaeum*, Feb. 7, 1891; and Lipsius in *Leipzig Verhandlungen*, 1891, p. 45; also Wilamowitz, i 211 n. 43).

ἀρχιτέκτονας] 'naval architects,' or 'master ship-builders.' These are not mentioned elsewhere, but the names of 35 such persons are known to us from inscriptions (Boeckh, *Seeurkunden*, pp. 93—100). The ἀρχιτέκτων of Dem. *de Cor.* § 28 is a different kind of official,—the manager of the Theatre of Dionysus.

παραδώσιν] οἱ βουλευταί.

τὴν δωρεάν] Dem. *Androt.* § 8, (νόμου) οὐκ ἔωντος ἐξεῖναι μὴ ποιησαμένη τῇ βουλῇ τὰς τριήρεις αἰτῆσαι τὴν δωρεάν (= τὸν στέφανον, *ib.* 36). At that time the βουλή asked for the crown while it was still in office; but the text shows that, by a change in the law, the question was now decided by the next βουλή (Wilamowitz, i 211 n. 44).

τριηροποιούς] In Dem. *Androt.* 17 the treasurer of this body is mentioned: οὐχ ἡ βουλή γέγονεν αἰτία τοῦ μὴ πεποιθῆσθαι τὰς ναῦς, ἀλλ' ὁ τῶν τριηροποιῶν ταμίης ἀποδράς ᾤχετο ἔχων πένθ' ἡμιτάλαντα.

The reference to the τριηροποιοὶ in Aeschin. *c. Ctes.* 30 is concerned with an exceptional case: οὐδ' αἱ φυλαὶ καὶ αἱ τριττύες καὶ οἱ δῆμοι ἐξ ἑαυτῶν αἰροῦνται τὰ δημόσια χρήματα διαχειρίζεσθαι. In this case, they were chosen by the tribes out of candidates nominated by the demes. The text, in its present revised form, shews that the βουλή elected them out of its own body. Among commissioners elected by the tribes, may be mentioned the τειχοποιοὶ and the ταφροποιοὶ; the ἀποστολοεῖαι were certainly elected ἐξ Ἀθηναίων ἀπάντων (Gilbert, i 294<sup>2</sup>).

§ 2. οἰκοδομήματα] The inspection of public buildings has not hitherto been known to be one of the functions of the βουλή. But it is naturally connected with their duty of letting τεμενῆ καὶ ἱερὰ καὶ οἰκίας, [Xen.] *de Vect.* iv 19.

ἀποφαίνει] 'formally denounces,' 'reports.' Ant. *de Chor.* 9, ἀποφῆνασι καὶ ἐξελέγασιν, Lys. 20 § 7 (οἱ κατηγοροὶ) ἀδικούντας ἀποφαίνουσι, and Dinarch. *c. Dem.* 48, κάμου κατέγνω πρότερον ἢ βουλή (the Areopagus), and *ib.* 49, ἀπέφηνεν ἢ βουλή.

καταγνοῦσα] The proposal καταγνότος is attacked by Foucart on the ground that we have no precedent for a person condemned by the Assembly being sent by the Council for trial by a law-court. Again, a double reference (1) from the Council to the Assembly and (2) from the Assembly to the Council would be a novelty in the public law of Athens.

In defence of the text καταγνοῦσα, he suggests that, as the Council had lost the right of pronouncing a definitive condemnation (c. 45 § 1), its sentence was brought before a law-court for final confirmation. Cf. Aeschin. i 111, εἰν μὲν ἢ βουλή καταγνοῦσα τουτοῦ ἀδικεῖν.. δικαστηρίῳ παραδῶ. Possibly the

47. συνδιοικεῖ δὲ καὶ ταῖς ἄλλαις ἀρχαῖς τὰ πλείστα. πρῶτον μὲν γὰρ οἱ ταμίαι τῆς Ἀθηναῖς εἰσὶ μὲν δέκα, κλη[ροῦτα]ι δ' εἰς ἓκ τῆς φυλῆς, ἓκ πεντακοσιομεδίμων κατὰ τὸν Σόλωνος νόμου (ἔτι γὰρ ὁ νόμος κύριός ἐστιν), ἀρχει δ' ὁ λαχὼν κἂν πάνυ πένης 5 ἦ. παραλαμβάνουσι δὲ τό τε ἄγαλμα τῆς Ἀθηναῖς καὶ τὰς Νίκας καὶ τὸν ἄλλον κόσμον καὶ τὰ χρ[ήματ]α ἐναντίον τῆς βουλῆς.

XLVII 2 κληροῦται δ' Gertz (edd.): κληρωτοὶ κ<sup>1</sup>. 2, 7 κληροῦνται δ' εἰς ἔξ ἐκάστης φυλῆς Wyse coll. 61, 2;—ἐκ τῆς φυλῆς <ἐκάστης> Bury.

TESTIM. §1 \*Harp. ταμίαι:.. ἀρχὴ τίς παρ' Ἀθηναίους ἦν οἱ ταμίαι, δέκα τὸν ἀριθμὸν. παραλαμβάνουσι δ' οὐτα "τό τε ἄγαλμα—βουλῆς," ὡς φησιν Ἀρ. ἐν Ἀθ. πολ. Phot. (Bekk. An. 306, 7): ἀρχοντές εἰσιν Ἀθήνησι κληρωτοὶ ἀπὸ τῶν πεντακοσιομεδίμων, οἱ τὰ ἐν τῷ ἱερῷ τῆς Ἀθηναῖς ἐν ἀκροπόλει χρήματα ἱερά τε καὶ δημόσια φυλάττουσιν, ἀλλὰ καὶ αὐτὸ τὸ ἄγαλμα τῆς Ἀθηναῖς <καὶ τὸν κόσμον add. Bekk. An. l. c.>. Pollux viii 97: ταμίαι τῆς θεοῦ κληρωτοὶ μὲν ἓκ πεντακοσιομεδίμων ἦσαν, τὰ δὲ χρήματα παρελάμβανον τῆς βουλῆς παρούσης.

reason why the Assembly reported to the Council was to give the latter the option of taking extraordinary action, if necessary (*Journ. de Philologie*, 1894, 247 f). The text is also defended by Lipsius, *Das Attische Recht*, 197.

παραδίδωσι δικαστηρίῳ CIA i 59 (B.C. 410), [τὴν βουλὴν βουλευσῶ]αι ἐν τῇ πρώτῃ ἐδ[ρα] ἐν τῷ βουλευτηρίῳ καὶ κολλάζειν τῶν δωροδοκῶντων καταψ[η]φισομένην, καὶ εἰς δικαστήριον αὐτοῦς εἰσάγειν, καθότι ἂν δοκῇ αὐτῇ τῶν δὲ δικαστῶν τοὺς παρόντας ἀποφαίνειν, κτλ.

XLVII § 1. οἱ ταμίαι τῆς Ἀθηναῖς] The full title is ταμίαι τῶν ἱερῶν χρημάτων τῆς Ἀθηναίας. This is found in the inventories of the treasures in the Parthenon, the Hecatompedos and the Pronaos (CIA i 117—175), and in the records of payments from the treasure of Athena for public purposes (*ib.* 179, 180, 188). Cf. Hicks, *Hist. Inscr.* nos. 50; 51, 53, 54. The short title, ταμίαι τῶν τῆς θεοῦ, is found in inscr. of 325 (Boeckh, *Seeurkunden*, p. 465). See Boeckh II v; Schömann, p. 418; Gilbert, i 269<sup>2</sup>; and cf. note on 30 § 2, ταμίαι τῶν ἱερῶν χρημάτων κτλ.; also Panske, *de Magistratibus Atticis*, 1890, i pp. 13—46. The ταμίαι τῶν ἄλλων θεῶν are last mentioned in 343 B.C., if CIA ii 702 has been correctly restored (Gilbert, i 270<sup>2</sup> n. 3; Wilamowitz, i 212 n. 45).

εἰς ἓκ τῆς φυλῆς] Cf. Xen. *Hell.* ii 4, 23, εἰλοντο δέκα, ἓνα ἀπὸ φυλῆς.

Σόλωνος νόμον] 8 § 1, κληροῦν τοὺς ταμίαις ἓκ πεντακοσιομεδίμων.

ἀρχει δ' ὁ λαχὼν κτλ.] Solon's law regulating the qualification was practically obsolete. Cf. c. 7 *ult.*

παραλαμβάνουσι κτλ.] The accounts

of the treasures transferred in each year were annually audited; they were also inscribed on blocks of stone once in four years (ἐκ Παναθηναίων ἐς Παναθηναία).

τὸ ἄγαλμα] The statue is not mentioned in our inventories; but from B.C. 385 there is proof of the existence of a separate specification respecting it. This was kept in the temple and the treasurers certified in each year that the statue and its appurtenances were all safe κατὰ τὴν στήλην (Köhler in *Mittheilungen*, 1879, p. 89, quoted by Hicks, p. 89). The ἄγαλμα is incidentally named in CIA ii 652, 42 (B.C. 398).

τὰς Νίκας καὶ τὸν ἄλλον κόσμον] About 435/4 B.C. the treasures of the Parthenon included golden figures of Νίκη, CIA i 32, B 2, τὰς Νί[κ]ας τὰς χρυ[σ]αῖς καὶ τὰ π[ρο]μπεῖα]. The number was probably ten. About 407/6 eight of these were melted down and made into gold coin, the καινὸν χρυσιον of Arist. *Ran.* 720 (see Schol.). Seven of the pedestals of these figures were still in existence between 377 and 367 (CIA ii 678, 47). In the earliest inventory after the archonship of Euclides a χρυσοῦ Νίκη is mentioned (CIA ii 642). This Νίκη, which was nearly two talents (52 kilogr. = 115 lb.) in weight, was probably made out of the proceeds of the confiscated property of the Thirty (Michaelis, *Parthenon*, p. 301). The same Νίκη is entered in an inventory of the ταμίαι τῶν ἱερῶν χρημάτων τῆς Ἀθηναίας καὶ τῶν ἄλλων θεῶν, who existed as a joint body from about 403 to 389 B.C., to be separated again in 385. It is also named in CIA ii 677, B.C. 367.

Under the financial administration of



2 ἔπειθ' οἱ πωληταὶ δέκα μὲν εἰσι, κληροῦται δ' εἰς ἓκ τῆς φυλῆς. μισθοῦσι δὲ τὰ μισθώματα πάντα, καὶ τὰ μέταλλα πωλοῦσι καὶ τὰ τέλη μετὰ τοῦ ταμίου τῶν στρατιωτικῶν καὶ τῶν ἐπὶ τὸ θεωρικὸν ἡρημένων ἐναντίον τῆς [βουλῆς], καὶ κυροῦσιν,<sup>10</sup> ὅτῳ ἂν ἡ βουλή χειροτονήσῃ, καὶ τὰ πραθέντα μέταλλα τὰ τ' ἐργάσιμα τὰ εἰς τρία ἔτη πεπραμένα καὶ τὰ συγκεχωρημένα τὰ

10 καὶ κυροῦσιν Parageorgios papyro confirmatus (κ<sup>4</sup>, Th); κατακυροῦσιν κ<sup>1</sup>, κ-w<sup>1-2</sup>, β<sup>1</sup>, s<sup>1</sup>; καὶ κατακυροῦσιν κ-w<sup>3</sup>, β<sup>2-4</sup>. 11 f καὶ τὰ πραθέντα—πεπραμένα post ἀρχοντες (v. 15) transtulit Sakellarios. 11 τὰ τ' κ-w, Wilcken, β, 'lectio incerta,' κ<sup>4</sup>, Th: ὅσα κ<sup>1</sup>. 12 τὰ εἰς τρία ἔτη πεπραμένα secl. κ-w. συγκεχωρημένα Poland, Busolt.

TEST. §§ 2, 3 \*Harp. πωληταὶ καὶ πωλητήριον: οἱ μὲν πωληταὶ ἀρχῆ τίς ἐστίν Ἀθήνησι, δέκα τὸν ἀριθμὸν ἄνδρες, εἰς ἓκ τῆς φυλῆς ἐκάστης. διοικοῦσι δὲ τὰ πιπρασκόμενα ὑπὸ τῆς πόλεως πάντα, τέλη καὶ μέταλλα καὶ μισθώσεις καὶ τὰ δημευόμενα... διελεκταὶ δὲ περὶ αὐτῶν καὶ Ἄρ. ἐν Ἀθ. πολ. Fere eadem in Bekk. An. 291, 17 et Lex. Dem. Patm. p. 14. Pollux viii 90: πωληταὶ τὰ τέλη πιπράσκουσι "μετὰ τῶν ἐπὶ τὸ θεωρικὸν ἡρημένων," καὶ τὰς "τῶν ἐξ Ἄρελου πάγου" μετὰ τὸν πρότερον λόγον φυγόντων οὐσίας καὶ τὰ δεδημευμένα (Frag. 401<sup>2</sup>, 441<sup>3</sup>).

Lycurgus (B.C. 338/7—326/5) part of the surplus of the public revenues was spent on preparing a number of golden Νίκαι, which were set apart among the treasures on the Acropolis. The decree of Strato-cles, preserved in [Plut.] ii 852, recites that Lycurgus αἰρεθεὶς ὑπὸ τοῦ δήμου χρήματα πολλὰ συνήγαγεν εἰς τὴν ἀκρό-πολιν καὶ παρασκευάσας τῇ θεῷ κόσμον Νίκας τε ὀλοχρύσους πομπεῖά τε χρυσᾶ καὶ ἀργυρᾶ καὶ κόσμον χρυσοῦν εἰς ἑκατὸν κανηφόρους (cf. *ib. vit. Lycurg.* § 5, πομπεῖα τε χρυσᾶ καὶ ἀργυρᾶ τῇ πόλει κατεσκεύασε καὶ Νίκας χρυσᾶς, and Paus. i 29, 16, κατεσκεύασε δὲ πομπεῖα τῇ θεῷ καὶ Νίκας χρυσᾶς καὶ παρθένοισ κόσμον ἑκατόν). It was in B.C. 334 that, according to the λόγος ταμιῶν τῆς θεοῦ and a special commission acting with them, part of the surplus handed over by the ταμίαι τῶν στρατιωτικῶν was spent εἰς τὰς Νίκας [αὶ καὶ τὰ π[ομ]πεῖα (CIA ii 739)]. These may be identified with certainty as the Νίκαι of the text. κόσμος refers in part to the κόσμος κανηφορικός (CIA ii 162, frag. c 10), including δέφροι, ὑποδερίδες (necklaces), ἀμφιδέαι (bracelets), and στέφανοι (ii 741 B c 3—5). Cf. Michaelis, *Parthenon*, p. 292; Boeckh, note 719 Fränkel; Foucart, *Les Votives en or de l'Acropole*, *Bull. de corr. hellén.* xii, 1888, 283—; and Dürrbach, *Lycurgue*, pp. 80—91. τὰ χρήματα, the actual money, contrasted with the works of art previously mentioned.

§ 2. πωληταὶ] Thumser, *Staatsalt.* p. 619; Schömann, p. 417 E.T.; Gilbert,

i 266<sup>2</sup>; Panske, *de Magistratibus Atticis*, i p. 10.

μισθοῦσι—τὰ μισθώματα] 'farm out the public contracts.' Thus the contracts for setting up tablets inscribed with public documents (στήλαι) were let out by the πωληταὶ (Ditt. no. 13, 51; 43, 35; 45, 8). The contract for building the walls in Athens in 334—326 is let out by the same body (CIA ii 167).

τὰ μέταλλα πωλοῦσι] By the 'sale of the mines' is meant the sale of the right of working them. The 'purchaser,' who may be more correctly described as the lessee, paid a fixed price together with one twenty-fourth part of the net produce as a perpetual tax. The ordinary price of a share was one talent. See Boeckh, *On the Silver Mines of Laurium*, Appendix to *Publ. Econ.*, ed. Lewis. In CIA ii 780—783, and 782 b (p. 513), we have fragments of διαγραφαὶ μετᾶλλον drawn up by the πωληταὶ, and in *Eph. Arch.*, 1890, p. 222, πωληταὶ οἱ ἐπὶ Ἀναξικράτους ἀρχοντος μέταλλα τὰδε ἀπεδόντο.

τὰ τέλη] Most of the tolls, customs and taxes were farmed by τελώναι (Boeckh, III viii; Gilbert, i 394<sup>2</sup>; *Dict. Ant.* s.v.).

τοῦ ταμίου τῶν στρατιωτικῶν] See c. 43 § 1.

τῶν ἐπὶ τὸ θεωρικὸν] See c. 43 § 1.

ἐργάσιμα] The adj. is contrasted with ἀργός in Plat. *Leg.* 824 B.

τρία ἔτη] It has hitherto been supposed that the state never let the mines for a

εἰς (δέκα) ἔ[τη] πεπραμένα. καὶ τὰς οὐσίας τῶν ἐξ Ἀρείου  
 πάγου φευγόντων καὶ τῶν ἄλλων ἕναυ[τίον τῆς] βουλῆς πωλοῦσιν,  
 15 κατακυροῦσι δ' οἱ ἐννέα ἄρχοντες, καὶ τὰ τέλη τὰ εἰς ἐνιαυτὸν  
 πεπραμένα, ἀναγράφαντες εἰς λελευκωμένα γραμματεῖα τὸν  
 τε πριάμενον καὶ [ἴσους] ἂν πρίηται, τῇ βουλῇ παραδιδόασιν.  
 ἀναγράφουσιν δὲ χωρὶς μὲν οὖς δεῖ κατὰ πρυτανείαν ἐκάστην

13 *eis* . ἔτη K<sup>3</sup>, K-W, B, Th; 'numerus aut γ aut ι esse videtur,' K<sup>4</sup>; [*eis* ἀεὶ] H-L; *eis* <δέκα> S<sup>2</sup>. 14 ἄλλων ἕναυ[τίον τῆς] conl. Kaibel (B<sup>2-4</sup>, K<sup>4</sup>, Th); [ἀλλοθεν ἐν[αντίον τῆς] B<sup>1</sup>]; [ὀφείλε] τῶν? K<sup>3</sup> (S<sup>1</sup>); [ἐξ ἔφε] τῶν dubitanter K-W<sup>1,2</sup>; ...ἐπὶ K-W<sup>3</sup>; ἀπίμων (quod quondam conieci) acceperunt H-L. 17 [ἴσους] Tyrrell, H-L; ἴσους spatio aptius K-W, K<sup>3</sup>, B<sup>1</sup>, K<sup>4</sup>, Th; [ἴσ]a fortasse L, quod retinet B<sup>2-4</sup>. 18 τὴν ante πρυτανείαν ins. B, Th.

term of years, but only granted them on perpetual leases (Boeckh's *Silver Mines of Laurium*, § 7, p. 645).

We have already been told that the πωληταὶ 'sell the mines.' We are now told that they lease for a term of three years, not only the mines that are still workable, but also those that are the subject of special concessions. It is observed by Boeckh, *l. c.* p. 646, that it could 'scarcely have been compulsory upon a tenant to pay to the state the purchase money of a new mine, if, after having expended his trouble and capital, he was unsuccessful in finding any ore.' It may therefore be here suggested that a term of three years was fixed for a provisional letting of the lease, and that the annual payment of  $\frac{1}{2}$  was not due until the three years had elapsed. Possibly the original purchase money was in the first instance paid conditionally, and was recovered in the event of no ore being found. In the other event, at the end of the three years the provisional lease would be 'confirmed' in the presence of the βουλή.

In connexion with the mines, a period of 'three years' is mentioned in Hylarides, *Eux.* col. xlv, and [Dinarchus] fragm. in Baier and Sauppe, *Oratores Attici*, ii 325 b 4; but it seems to have no bearing on the present passage.

τὰ συγκεχωρημένα] possibly mines 'let under a special agreement' without the previous payment of purchase money, or abandoned by the first lessees as unproductive. Foucart (*Journ. de Philol.* 1894, 250) refers it to sites which have not yet been worked, but which the lessee obtains as a *concession*, taking the risk of making a profit on it. It has been suggested, however, that some word contrasted with ἐργάσιμα is needed, such as συγκεχωρημένα, exhausted mines with heaps of scoriae accumulated near them. Such

mines, if they had reverted in any way to the state, would have to be 'sold' for a very much smaller sum. In CIA ii 782, shortly after the time of Lycurgus, we find mention of a (μέταλλον) παλαιὸν ἀνασάξιμον, 'an old mine reopened and worked afresh,' which is sold in the second πρυτανεία (*ib.* 780) for the small sum of 150 dr.

τὰ εἰς <δέκα> ἔ[τη] πεπραμένα] The numeral in the lacuna resembles γ' or ι'. The term of three years is out of the question as, in that case, the sentence would have run:—τά τ' ἐργάσιμα καὶ τὰ συγκεχωρημένα εἰς τρία ἔτη πεπραμένα ἀμφοτέρω. Hence we accept the term of ten years, which is also more probable in itself, the longer term being natural in the case of mines of small value. Cf. Kaibel, p. 210.

τῶν ἐξ Ἀρείου πάγου φευγόντων] In trials before the Areopagus a person accused of wilful murder might (except in cases of parricide) withdraw from Attica 'after delivering his first speech' (Dem. 23 § 60) and thus avoid the penalty of death (Pollux, viii 117). Such a person was never allowed to return; and, when any decree was passed to sanction the restoration of exiles, there was a special clause excluding οἱ ἐξ Ἀρείου πάγου φεύγοντες, Plat. *Leg.* 871 D. Their property was confiscated, Dem. 23 § 45, τῶν ἀνδροφόνων τῶν ἐξελληνισθέντων, ὧν τὰ χρήματα ἐπίτιμα.

τῶν ἄλλων] all other persons whose property was confiscated.

λελευκωμένα γρ.] [Dem.] 46 § 11, (γρ.) λελευκωμένον. Lys. 9 § 6, (of a fine) γράψαντες εἰς λεύκωμα τοῖς ταμίαις παρέδωσαν. Dem. 24 *Timocr.* 23, (of a new law) ἀναγράφας εἰς λεύκωμα. Bekker, *Anecd.* p. 277, λεύκωμά ἐστι πίναξ γύψω ἀηλιμμένος, πρὸς γραφὴν πολιτικῶν γραμμάτων ἐπιτήδειος.



καταβάλλειν εἰς δέκα γραμματεῖα, χωρὶς δὲ οὐς τρεῖς τοῦ ἐνιαυτοῦ, γραμματεῖον κατὰ τὴν καταβολὴν ἐκάστην ποιήσαντες, χωρὶς δὲ 20 οὐς ἐπὶ τῆς ἐνάτης πρυτανείας. ἀναγράφουσι δὲ καὶ τὰ χωρία καὶ τὰς οἰκίας, τὰ[πο]γρα[φ]έντα καὶ πραθέντα ἐν τῷ δικαστηρίῳ· καὶ γὰρ ταῦθ' οὗτοι πωλ[ο]ύσιν. ἐστὶ δὲ τῶν μὲν οἰκιῶν ἐν πέντε ἔτεσι ἀνάγκη τὴν τιμὴν ἀποδοῦναι, τῶν δὲ χωρίων ἐν δέκα· 4 καταβάλλουσιν δὲ ταῦτα ἐπὶ τῆς ἐνάτης πρυτανείας. εἰσφέρει 25 δὲ καὶ ὁ βασιλεὺς τὰς μισθώσεις τῶν τεμενῶν, ἀναγράφας ἐν

19 τρεῖς τοῦ K-W, B, K<sup>4</sup>, Th; τ[ελοῦντος] K<sup>1</sup>, τ[έλει τοῦ] K<sup>3</sup>, πρὸ τέλους H-L.

22 [τὰ ἀπογραφ]έντα Wyse, K-W, H-L, K<sup>3</sup>, B<sup>4</sup>; τάπογρ. B<sup>1-3</sup> (K<sup>4</sup>); τ[ἀ μισθωθ]έντα K<sup>1</sup>. 23 [ἔστι] δὲ K-W (edd.): καὶ H-L. 25 καταβάλλουσι H-L. εἰσφέρει K-W (edd.): παραδίδωσι quondam Paton (H-L). 26 Τ(ΩΝ) Μ(ΕΝ)ΩΝ: τῶν τεμενῶν Wyse, Blass, edd.

§ 3. καταβάλλειν... καταβολὴν] of payment by instalments, as in [Dem.] c. *Neaer*. 27, ἑωνημένους τὴν πεντηκοστὴν τοῦ σίτου... καὶ δέον αὐτὸν καταβάλλειν τὰς καταβολὰς εἰς τὸ βουλευτήριον κατὰ πρυτανείαν, c. *Timocr.* 98, αἱ τῶν τελῶν καταβολαί.

ἐνάτης πρυτανείας] The time when the purchase money for the τέλη was paid: Dem. *Timocr.* 93, 98.

ἀπογραφέντα] In CIA i 274—281 we have the accounts rendered by the πωληταὶ for property (probably that of the Ἐρμοκοπίδαι) which had been confiscated and sold by the state. See also CIA ii 777, and 779 (τάδ' ἐπράθη ἐδάφη ἀτίμητα δντα); also 811 col. c 183—195, κατεβλήθη ἐξ ἀπογραφῆς, ἧς ἀπέγραψεν—τοῦτο κατεβλήθη πρὸς πωλητὰς τοὺς ἐφ' Ἡγησιου ἄρχοντος, B.C. 324/3; cf. Boeckh, *Seerunden*, p. 543.

πέντε...δέκα] These details have been hitherto unknown. The only definite statement about the rent of a house is in Isaeus, 11 § 42, where a house in Melite worth 30 minas, and another at Eleusis worth 5, jointly produce an annual rent of 3 minas; so that in less than 12 years the occupant would have paid the value of the houses. In the same passage an estate at Thria, worth 150 minas, produces 12 minas per annum; so that in 12½ years the occupant would have paid the value of the estate.

§ 4. ὁ βασιλεὺς] The functions of this archon being mainly religious, he is here described as responsible for bringing the leases of sacred enclosures to the knowledge of the Council. Cf. CIA iv fasc. 2, 53 a (quoted by Wyse, *Class. Rev.* v 275 a): (418/7 B.C.) v. 3 sgg. Ἀδοῦσιο[s] εἶπε· εἶρξαι τὸ ἱερόν τὸ Κόδρου καὶ τὸ Νηλέως καὶ τῆς Βασιλῆς (Plat. *Charm.*

153 A) κ[α]ὶ μισθῶσαι τὸ τέμενος κατὰ τὰς συγγραφάς, οἱ δὲ πωληταὶ τὴν εἶρξ[ε]ν ἀπομισθωσάντων, τὸ δὲ τέμενος ὁ βασιλεὺς ἀπομισθωσάτω κατὰ [τ]ὰς συγγραφάς... τὸ δὲ ἀργύριον ἐς τὴν εἶρξην ἀπὸ τοῦ τεμένους εἶναι, πράξει δὲ ταῦτα πρὶν ἢ ἐξίνααι τῆνδε τὴν βουλὴν ἢ εὐθύνεσθαι χιλιάσι δραχμῆσι ἕκαστον κατὰ τὰ εἰρημένα. v. 11 sgg.: Ἀδοῦσιο[s] εἶπε· τὰ μὲν ἄλλα καθάπερ τῇ βουλῇ· ὁ δὲ βασιλεὺς μ[ι]σθωσάτω καὶ οἱ πωληταὶ τὸ τέμενος τὸ Νηλέως καὶ τῆς Βασιλῆς κα[τ]ὰ τὰς συγγραφάς εἴκοσι ἔτη. τὸν δὲ μισθωσάμενον εἶρξαι τὸ ἱερόν τὸ Κόδρου καὶ τὸ Νηλέως καὶ τῆς Βασιλῆς τοῖς ἐαυτοῦ τέλεσι. ὅ[σ]οι σ[υ]ν δ' ἂν ἀλφῆ μισ[θ]ωσῶσι τὸ τέμενος κατὰ τὸν ἐνιαυτὸν ἕκαστον, καταβαλλέτω τὸ ἀργύριον ἐπὶ τῆς ἐνάτης πρυτανείας τοῖς ἀποδέκται[s], οἱ δὲ ἀποδέκται τοῖς ταμίαισι τῶν ἄλλων θεῶν παραδιδόντων κατὰ τὸν νόμον. ὁ δὲ βασιλεὺς ἐὰν μὴ ποιῆσῃ τὰ ἐψηφισμένα ἢ ἄλλος τις οἷς προστέτακται περὶ τούτων, ἐπὶ τῆς Αἰγιδίδος πρυτανείας, εὐθυνέσθω μυρήσι δραχμῆσιν. τὸν δὲ εἰ[ω]νημένον τὴν ἰλὴν ἐκκομισσασθαι ἐκ τῆς τάφρου ἐπὶ τῆσδε τῆς βουλῆς ἀποδόντα τὸ ἀργύριον τῷ Νηλεῖ ὅσον ἐπρίατο. ὁ δὲ βασιλεὺς ἐξαλει[ψ]άτω τὸν πρῶτον τὴν ἰλὴν ἐπειδὴν ἀποδῶ τῆμ μισθωσῶσιν. τὸν δὲ μισθωσάμενον τὸ τέμενος καὶ ὅσπου ἂν μισθώσῃται ἀνετηγραφάτω ὁ βασιλεὺς ἐς τὸν τόχον καὶ τοὺς ἐγγυητὰς κατὰ τὸν νόμον ὅσπερ κεῖται (περὶ τῶν τεμενῶν. Cf. J. R. Wheeler in *American Journal of Archaeology*, iii, nos. 1 and 2, and literature quoted in Michel's *Recueil*, no. 77.

The βασιλεὺς is associated with other officials in an inscr. of B.C. 329, Ἐφ. Ἀρχ. iii, 1883, p. 110 B 29, [τῶν τεμενῶν] ἀ ἐμισθωσαν ὁ βασιλεὺς καὶ οἱ πάρεδροι καὶ οἱ ἐ[πι]στάται[ι] οἱ Ἐ[λε]υσινῶθεν καὶ οἱ ἐπιμηληταὶ τῶν μυστηρίων.

τὰς μισθώσεις τῶν τεμενῶν] [Dem.] 43

γραμματεῖ[οις λε]λε[υ]κωμένοις. ἐστὶ δὲ καὶ τούτων ἢ μὲν μίσθωσις εἰς ἔτη δέκα, καταβάλλεται δ' ἐπὶ τῆς [ἐνάτης] πρυτανείας· διὸ καὶ πλείστα χρήματα ἐπὶ ταύτης συλλέγεται τῆς πρυτανείας.  
 30 εἰσφέρεται μὲν οὖν εἰς τὴν βουλήν τὰ γραμματεῖα κ[ατὰ] τὰς κατα-  
 βολὰς ἀναγεγραμμένα, τηρεῖ δ' ὁ δημόσιος· ὅταν δ' ἢ χρημάτων  
 [κατα]βολή, παραδίδωσι τοῖς ἀποδέκταις αὐτὰ ταῦτα καθελ[ὼν] ἀπ[ὸ]  
 τῶν] ἐπιστυλίων, ὧν ἐν ταύτῃ τῇ ἡμέρᾳ δεῖ τὰ χρήματα καταβλη-  
 θ[ῆν]αι κ[αὶ ἂ] παλειφθῆναι· τὰ δ' ἄλλα ἀπόκειται χωρὶς, ἵνα μὴ  
 35 προεξαλει[φθῆ].

27 *suppleverunt* Jackson, van Leeuwen (edd.). 30 ΚΤΑΣ, κατὰ τὰς B<sup>2-4</sup>, K<sup>4</sup>, Th; τὰ τὰς K-W, B<sup>1</sup>, S<sup>1</sup>; πάντων τὰς H-L sed spatium non sinit. 31 ἀναγεγραμμένα: διατεταγμένα? Th. 32 καθελ[ὼν] ἀπ[ὸ] τῶν van Leeuwen (H-L, K<sup>3</sup>, B, K-W<sup>3</sup>, Th): καθελ[ὼν] ἐκ [τῶν] K-W<sup>1,2</sup> sed ἐκ valde dubium putat K. 34 ἀπαλειφέναι corr. K. 35 προεξα[λειφῆται] H-L.

§ 58, τοὺς μὴ ἀποδίδοντας τὰς μισθώσεις τῶν τεμενῶν. Didymus ap. Harpocr. s.v. ἀπὸ μισθωμάτων (Isocr. *Areop.* II)... ἐκ τῶν τεμενικῶν προσόδων. [Xen.] *de Vect.* iv 19, μισθοῦνται γούν καὶ τεμένη καὶ ἱερά καὶ οἰκίας, καὶ τέλη ὠνοῦνται παρὰ τῆς πόλεως. Plat. *Leg.* 759 E; CIA ii 1059, quoted in next note.

ἔτη δέκα] CIA ii 1059 (= *Inscr. Brit. Mus.* p. 24 xiii), in B.C. 321, μισθοῦσι Πειραιεῖς Παραλίαν καὶ Ἀλμυρίδα καὶ τὰλλα τεμένη ἅπαντα for a term of ten years. The same term of years is recorded in a lease granted by a φρατρία in B.C. 300 (*ib.* 600), and also in an Attic inscr. relating to some land in Delos and Rheneia belonging to the Delian temple CIA i 283 (B.C. 434). Wyse (*Class. Rev.* v 275 b) quotes a Delian inscr. of B.C. 250: ἐμισθώσαμεν δὲ καὶ τὰ τεμένη τὰ τοῦ θεοῦ εἰς ἑτὴ δέκα κατὰ τὴν ἱερὴν συγγραφὴν (Homolle, *Les Archives de l'Intendance Sacrée à Délos*, p. 19 n. 1).

πλείστα—πρυτανείας] It may further be noticed that all who had not paid their debts to the treasury by this date (the penultimate prytany of the Attic year) had their property sold by the state.

§ 5. τὰ γραμματεῖα κατὰ τὰς καταβολὰς ἀναγεγραμμένα] 47 § 3, ἀναγράφουσι..., γραμματεῖον κατὰ τὴν καταβολὴν ἐκάστην ποιήσαντες.

ὁ δημόσιος] 'the public clerk'; slaves were employed as ἀντιγραφεῖς or 'checking-clerks.' *Dict. Ant.* s.v., and Gilbert, i 382 n. 2.

ἀποδέκταις] 48 § 1. αὐτὰ ταῦτα, sc. τὰ γραμματεῖα.

ἐπιστυλίω] It has been suggested that this term is metaphorically applied to the 'columns' in the list of accounts

(*Class. Rev.* v. 181 b); but obviously it cannot mean 'columns' at all, but something that rests upon them. In architecture the ἐπιστύλιον is generally the 'architrave' (Plut. *Per.* 13 § 5; Vitruv. iv 3 § 4, 'supra epistylum conlocandi sunt triglyphi cum suis metopis'; CIG 4608 (A.D. 151), παραστάδας καὶ κίονια καὶ τὰ ἐπάνω αὐτῶν ἐπιστύλια καὶ ψαλιδας): it is even said to be sometimes used of the whole of the entablature (Smith, *Dict. Ant.* s.v. *ad fin.*), but I know of no authority for this statement.

In the present passage I should understand it to mean a shelf supporting a series of 'pigeon-holes,' and itself supported by wooden pedestals, in the office of the public clerk. The entablature in Doric architecture, with its originally open metopes alternating between the triglyphs, may well have suggested a metaphorical term for a shelf of 'pigeon-holes' used for the preservation of public documents. ('May there not have been pillars in the structure of the building? If so, may not the tablets have rested in a row on nails or hooks in the architrave, or perhaps on a flange of the architrave designed as a shelf for this very purpose? Might not the shelf run from capital to capital level with the lower face of the architrave?'—W. E. Heitland.) K-W translate it *repositorium* or *loculi*. Haus-soullier suggests a modern parallel in 'certain bureaux turcs (bureaux de douane ou de santé) où les papiers sont serrés dans les sacs que l'on accroche aux poutres et que l'on décroche au moyen d'un long bâton.'

προεξαλειφθῆ] not found elsewhere. ἐξαλειφειν, however, is found as a synonym of ἀπαλειφειν, being applied to



48. [εἰσι] δ' ἀποδέκται δέκα, κεκληρωμένοι κατὰ φυλάς· οὔτοι δὲ παραλαβόντες τὰ γραμματεῖα, ἀπαλείφουσι τὰ καταβαλλόμενα χρήματα ἐναντίον τ[ῆς βουλῆς] ἐν τῷ βουλευτηρίῳ, καὶ πάλιν ἀποδιδόασιν τὰ γραμματεῖα τ[ῷ δη]μοσίῳ· κἄν τις ἑλλίπη καταβολήν, ἐνταῦθ' ἐγγέγραπται, καὶ διπλά[σιον ἀ]νάγκη τὸ [ἐλλ]ειφθὲν καταβάλλειν ἢ δεδέσθαι, καὶ ταῦτα εἰσπράτ[τειν ἢ β]ουλή καὶ δῆσαι [κυ]ρία κατὰ τοὺς νόμους ἐστίν. τῇ μὲν οὖν προτεραία δέχονται τὰς [καταβολὰς] καὶ μερίζουσι ταῖς ἀρχαῖς, τῇ

**XLVIII 4** ἀποδιδόασι H-L. **5** ΕΝΤΕΥΘΕΝΓΕ, ἐντεῦθεν γέγραπται κ<sup>1</sup>: ἐνταῦθ' ἐγγέγραπται Herwerden, Kontos, Gertz (edd.). διπλά[σιον] B<sup>2-4</sup>, K-W<sup>3</sup>, K<sup>4</sup>, Th; διπλ[οῦν] olim van Leeuwen (K-W<sup>1,2</sup>, H-L, K<sup>3</sup>, B<sup>1</sup>, S<sup>1</sup>). **8** post τὰς legit τ vel κ Blass, unde καταβολὰς Kaibel 213 (B<sup>3,4</sup>, Th); τ vel π Wilcken, unde idem Kaibel π[άσα]s, 'quod potest verum esse' K<sup>4</sup>; τὰ χρ[ήματα] olim K<sup>1</sup>, B<sup>2</sup>, S<sup>1</sup>.

**TESTIMONIA.** **XLVIII** §§ 1, 2 \*Harp. ἀποδέκται:...' Ἀρ. δ' ἐν τῇ Ἀθ. πολ. δεδήλωκεν ὡς δέκα τε ἦσαν (Erit.; εἶησαν codd.) καὶ ὡς "παραλαβόντες—χρήματα" τῆς βουλῆς ἐναντίον "ἐν τῷ—δημοσίῳ." καὶ ἀπλῶς ἂ πράττουσι διασαφεῖ. Bekk. An. 198, 1 (Etym. M. 124, 41; Zonaras 234; Bekk. An. 427, 13): ἀρχοντες κληρωτοί, δέκα τὸν ἀριθμὸν κατὰ φυλὴν εἰσιν, οἵτινες παρελάμβανον καὶ ἀπεδέχοντο τὰ γραμματεῖα τῶν ὀφειλόντων τῷ δημοσίῳ... εἴτα ἐξήταζον τὰ τε ὀφειλόμενα καὶ τὰ ἀποδιδόμενα χρήματα σὺν τῇ βουλῇ καὶ ἐμέριζον εἰς ἂ χρῆ ἀναλίσκειν (Frag. 400<sup>2</sup>, 440<sup>3</sup>). Schol. in Aeschin. 3 § 25 ἀποδέκται ἦσαν οἱ δεχόμενοι τὰ χρήματα τῶν καταβολῶν κτλ.

annulling laws and decrees (in Lys. 1 § 48, and Andoc. *De Myst.* 76), and to cancelling debts (in Dem. 25 § 70, ἐξαλήπται τὸ ὄφλημα, and CIA i 32, 10, ἀποδόντων τὰ χρήματα καὶ ἐξαλειφόντων). Cf. CIA iv fasc. 2, 53 a, ἐξαλειψάτω contrasted with ἀντενγραψάτω.

**XLVIII § 1. ἀποδέκται** 'general receivers.' These officials were instituted by Cleisthenes to take over most of the duties previously performed by the κωλακρέται (Androtion ap. Harpocr. s.v.). They are mentioned in Dem. c. *Timocr.* §§ 162, 197, Aesch. c. *Ctes.* 25, *Pol.* 1321 b 31, ἄλλη δ' ἀρχὴ πρὸς ἣν αἱ πρόσοδοι τῶν κοινῶν ἀναφέρονται, παρ' ὧν φυλατῶντων μερίζονται (cf. l. 8 μερίζουσι) πρὸς ἐκάστην διοίκησιν· καλοῦσι δ' ἀποδέκτας τούτους καὶ ταμίαις, also in an inscr. of 418/7 B.C. quoted in note on § 4, ὁ βασιλεύς. See Boeckh, II iv; Schömann, p. 417; Gilbert, i 264<sup>2</sup>; and *Dict. Ant.* s.v.; also Panske, *de Magistratibus Atticis*, i 46—60.

**τὰ καταβαλλόμενα χρήματα** CIA ii 807 col. b 15, τοῦτο κατεβάλομεν ἀποδέκταις in B.C. 330/29; b 30, in B.C. 329/8; 803 col. d 93 and 138, δ εἰς βουλευτηρίον κατεβάλομεν, B.C. 360 and 363.

**ἑλλίπη καταβολήν** 'fail to pay an instalment.' Polyb. iv 60, 2, ἐλλελοιπέναι τινὰ τῶν ὀφωνίων.

**ἐνταῦθ' ἐγγέγραπται** 'there stands his

name already entered' (while the rest are wiped out); this seems preferable to ἐντεῦθεν γέγραπται, 'a note is made of it from this record' (K.). ἐντεῦθεν ἐγγέγραπται is preferred by Foucart: 'à partir de ce moment il est inscrit comme débiteur public' (*Journal de Philologie*, xix, 1895, 24). ἐγγράφειν is specially applied to entering the names of state-debtors, Dem. 25 § 70 (cf. L and S, II 3).

**διπλάσιον—καταβάλλειν** διπλοῦν is more frequent, but διπλάσιον is found in Andoc. *De Myst.* 73 (Kaibel, 213).

**δῆσαι κυρία** In Dem. c. *Timocr.* 98 the speaker argues that, owing to the law proposed by Timocrates, allowing debtors to the treasury to find securities instead of making prompt payments, the βουλή (as well as the δικαστήρια) ceases to be κυρία δῆσαι. Cf. 45 § 1.

**§ 2. μερίζουσι** CIA ii 38, 18 (not later than Ol. 100 = B.C. 380-), μερίσαι δὲ τὸ ἀργύριον—τοὺς ἀποδέκτας ἐκ τῶν καταβαλλόμενων χρημάτων ἐπειδὴν τὰ ἐκ τῶν νημιῶν μερίσωσι. *Ib.* 181, τοὺς δὲ ἀποδέκτας μερίσαι τῷ ἀρκ[ε]θεῶρω δὲ ἂν αἰεὶ ἀρκ[ε]-θ[εωρήσῃ τὸ] ἀργύριον. 115 b 44, [τὸ ἀργύριον τοῦτο μερίζειν τ[οὺς ἀποδέκτας τῷ ταμίᾳ τοῦ δήμου εἰς τὸν] ἐνιαυτὸν ἕκαστον. 834 b (B.C. 329/8) col. ii 3, τὸ μερισθὲν εἰς τὰ ἔργα παρ' ἀποδεκτῶν ἐπιστάταις Ἐλευσίνοθεν. *Pol.* 1321 b 31, quoted above. Cf. Boeckh, i 210 n. a, Fränkel.

δ' ὑπεραία τόν τε μερισμὸν εἰσ[φέρου]σι γράψαντες ἐν σανίδι καὶ  
 10 καταλέγουσιν ἐν τῷ βουλευτηρίῳ, καὶ προ[τιθ]έασιν ἐν τῇ βουλῇ,  
 εἴ τις τινὰ οἶδεν ἀδικοῦντα περὶ τὸν μερισμ[ὸν ἢ ἄρ]χοντα ἢ  
 ἰδιώτην, καὶ γνώμας ἐπιψηφίζουσιν, εἴαν τις τι δοκῇ ἀδικεῖν.

κληροῦσι δὲ καὶ λογιστὰς ἐξ αὐτῶν οἱ βουλευταὶ δέκα τοὺς 3  
 λογιουμένους τ[αῖς ἀρ]χαῖς κατὰ τὴν πρυτανείαν ἐκάστην. κλη- 4  
 15 ροῦσι δὲ καὶ εὐθύνοους ἓνα τῆς φυλῆς ἐκάστης, καὶ παρέδρους

9 εἰσ[φέρου]σι van Leeuwen (edd.); εἰσ[άγου]σι olim K.  
 conieci (edd.). 12 ΔΟΚΗ: δόξη B<sup>1</sup> coll. 46 § 2.

10 προτιθέασιν olim

TESTIMONIA. § 3 \*Harp. λογιστὰ καὶ λογιστήρια: ...εἰσὶ δὲ τὸν ἀριθμὸν δέκα  
 (ἐκάστης φυλῆς εἰς Schol. in Aeschin. 3 § 15; cf. ib. § 9), οἱ τὰς εὐθύνas τῶν διωκημένων  
 ἐκλογίζονται ἐν ἡμέραις λ', ὅταν τὰς ἀρχὰς ἀποθῶνται οἱ ἀρχοντες...διελέκται περὶ τούτων  
 Ἄρ. ἐν τῇ Ἀθ. πολ., ἐνθα δείκνυται ὅτι διαφέρουσι τῶν εὐθύνων. Pollux viii 99: καὶ  
 τούτους ἢ βουλῇ κληροῖ κατ' ἀρχὴν ὡς παρακολουθεῖν τοῖς διοικοῦσιν.

§ 4 \*Harp. εὐθῆνοι:—δέκα τὸν ἀριθμὸν ἀνδρες ἦσαν, παρ' οἷς ἐδίδοσαν οἱ πρεσβεύ-  
 σαντες ἢ ἀρχαντες ἢ διοικήσαντες τι τῶν δημοσίων τὰς εὐθύνas. διελέκται περὶ αὐτῶν  
 Ἄρ. ἐν τῇ Ἀθ. πολ. Phot. εὐθῆνος: ἀρχὴ ἦν τις. ἐξ ἐκάστης δὲ φυλῆς ἓνα κληροῦσι.  
 τούτῳ δὲ δύο παρέδρους (Frag. 405<sup>2</sup>, 445<sup>3</sup>).

μερισμὸν] 'the apportionment'; rarely  
 found in this sense. For exx. see Ditten-  
 berger, no. 344, 18, 21, 23.

σανίδι] rare in sing. Dem. 25 § 70  
 (of the record of a debt) ἢ σανὶς ἢ παρὰ  
 τῇ θεῷ κειμένη.

προτιθέασιν] 44 § 3.

§ 3. λογιστὰς] These are identical in  
 name and number with those mentioned  
 in 54 § 2. Both bodies are appointed by  
 lot; but the λογιστὰι in the text are a  
 committee of the Council. They are  
 therefore to be distinguished from the  
 board of λογιστὰι, who, with their συν-  
 ἡγόροι, audit the accounts of all officials at  
 the close of their term of office. The  
 officials appointed by lot are enumerated  
 in c. 50—64; c. 54, in § 2 of which the  
 λογιστὰι are named, is introduced with  
 the words: κληροῦσι δὲ καὶ τάσδε τὰς  
 ἀρχὰς. This implies that the officials in  
 question have not been mentioned before.  
 The existence of a committee of the  
 Council, side by side with a board of the  
 same name, appears to be supported by  
 the analogy of the committee entitled οἱ  
 ἐπὶ τὸ θεωρικὸν ἡρημέοι (CIA ii 739),  
 and the βουλευτῆς described as ἐπὶ τὸ  
 θεωρικὸν (CIA ii 114 c 5), existing by the  
 side of the official board οἱ ἐπὶ τῷ θεωρικῷ.  
 The double sense of λογιστὰι is con-  
 firmed by Pollux viii 99, λογιστὰι δύο  
 ἦσαν ὁ μὲν τῆς βουλῆς ὁ δὲ τῆς διοικήσεως,  
 καὶ τούτους ἢ βουλῇ κληροῖ κατ' ἀρχὴν  
 ὡς παρακολουθεῖν τοῖς διοικοῦσιν (Lipsius,  
*Leipzig Verhandl.*, pp. 64—67). λογιστὰι  
 δύο is the reading in Bekker's best MS;

the rest have δύο δ', making it refer to the  
 ἀντιγραφεὺς (see 54 § 3).

The λογιστὰι of the text are also dis-  
 tinguished from those of c. 54 by Gilbert  
 (i 248, 250<sup>2</sup>) and by Busolt. But they  
 are identified by Thumser, p. 652 n. 4.  
 If they are identical, the mention of the  
 same officials in two passages implies a  
 certain carelessness in the composition of  
 the treatise.

τοὺς λογιουμένους—πρυτανείαν ἐκάσ-  
 την] Lys. 30 § 5, οἱ μὲν ἄλλοι τῆς αὐτῶν  
 ἀρχῆς κατὰ πρυτανείαν λόγον ἀποφέρουσι  
 (ἀναφέρουσι MSS). The text shews that  
 this passage was rightly understood by  
 Schömann, as referring to the accounts  
 which had to be presented to the λογισ-  
 τὰι, and not to the ἐπιχειροτομία τῶν  
 ἀρχῶν (43 § 4). 'ἀναφέρειν nihil aliud  
 esse potest quam quod alibi dicitur λόγον  
 ἐγγράφειν, hoc est perscriptam rationem  
 ad eos, quibus ea examinanda est, deferre,  
 quemadmodum ipsum Lysiam mox hoc  
 verbo ἐγγράφαι uti videmus, et Aeschines  
 quoque ἀποφέρειν λόγον πρὸς τοὺς λογισ-  
 τὰς dicit, in Ctesiph. § 22, eodem sensu  
 quo paulo ante, § 20, λόγον ἐγγράφειν  
 πρὸς τοὺς λογιστὰς dixerat' (*Opusc. Acad.*  
 i 295).

§ 4. εὐθύνους] 'Examiners of accounts.'  
 Harp. in *Testim.* At the audit of ac-  
 counts by the board of λογιστὰι, the εὐ-  
 θῆνοι were entitled to bring charges  
 against the ὑπεύθυνος. The assessors of  
 the εὐθῆνοι are mentioned in Andoc. *De*  
*Mysl.* 78, ὅσων εὐθῆναὶ τινές εἰσι κατε-  
 γνωσμένοι ἐν τοῖς λογιστηρίοις ὑπὸ τῶν



δύο ἐκάστῳ τῶν εὐθύνων, οἷς ἀναγκαῖόν ἐστι ταῖς ἀ[γορ]αῖς κατὰ τὸν ἐπώνυμον τὸν τῆς φυλῆς ἐκάστης καθῆσθαι· κἄν τις βούληταί τινι τῶν τὰς εὐθύνας ἐν τῷ δικαστηρίῳ δεδωκότων, ἐντὸς τριῶν ἡ[μερῶν ἀφ'] ἧς ἔδωκε τὰς εὐθύνας εὐθυναν, ἂν τ' ἰδίαν ἂν τε δ[η]μο[σ]τ[ι]α[ν] ἐμβαλέσθαι, γράψας εἰς πινάκιον λελευκωμένον τοῦ- 20 νομα τό [θ' αὐτο]ῦ καὶ τὸ τοῦ φεύγοντος, καὶ τὸ ἀδίκημ' ὅ τι ἂν ἐγκαλῆ, καὶ τίμημα ἐ[πι]γραψ[ι]μένος ὅ τι ἂν αὐτῷ δοκῆ, δίδωσιν 5 τῷ εὐθύνῳ. ὁ δὲ λαβὼν τοῦτο καὶ ἀν[ακρίνα]ς, εἰ μὲν καταγνῶ,

16 ταῖς ἀ[γορ]αῖς κ (κ-w<sup>1,2</sup>), 'ante ais fortasse λ; sed ρ quoque nonnumquam habet ligaturam, unde ἀγοραῖς conieci; fortasse autem longius quid desideratur? κ<sup>4</sup>: ταῖς εὐθύναις H-L et B<sup>1</sup> invita papyro; ταῖς α... αἰς B<sup>2-4</sup>, κ-w<sup>3</sup>, κ<sup>4</sup>, Th. ΚΑΤΑ (κ, β, κ-w<sup>3</sup>, Th): παρὰ H-L, κ-w<sup>1,2</sup>. 17 ἐκάστης κ, κ-w, B<sup>2-4</sup>, Th; ἕκαστον H-L; ἐκάστο[ι]ς B<sup>1</sup>, post τ prior tantum pars litterae η vel ο dispici potest. 18 τῷ λογιστηρίῳ Photiades. ΕΝΤΟΣ ᾤ (sc. ἐντὸς τριῶν) κ, κ-w, β, Th; 'potest etiam ᾠ legi' (non ᾤ), κ<sup>4</sup>, quod praefert Lipsius. 19 ἂν τ' ἰδίαν ἂν τε δημοσίαν optime Gertz (edd., εἰ μὲν τ'—εἰ μὲν τ'—H-L). 20 δημοσίαν Gertz, κ-w. 21 τὸ αὐτοῦ B<sup>1</sup>, Richards, H-L, κ<sup>3</sup>; τό τε αὐτοῦ κ-w; τό θ' αὐτοῦ B<sup>2-4</sup>, κ<sup>4</sup>, Th. 22 [ἐπι]γραφόμενος Wyse, Lipsius (κ<sup>3</sup>); [ἐπι]γραψ[ι]μένος H-L, β, κ<sup>4</sup>, Th; ὑ[πο]γραφόμενος κ-w, sed υ valde incertum putat κ. 23 ἀ[νακρίνας] Wayte, Lipsius, B<sup>4</sup>, Th: ἀ[ναγνοῦς] B<sup>1-3</sup>, κ-w, H-L, κ<sup>3,4</sup>, quamquam vel propter proximum καταγνῶ suspectum; dubitat Kaibel 214; ἀ[κούσας] κ<sup>1</sup>. μὲν secl. κ-w, β.

εὐθύνων καὶ (ἢ MSS) τῶν παρέδρων, and in CIA 809 ὁ, ὀφειλέτω ὁ μὴ ποιήσας μυριάς δραχμὰς ἰερὰς τῇ Ἀθηναῖ καὶ ὁ εὐθύνος καὶ οἱ πάρεδροι ἐπ' ἀναγκῆς αὐτῶν καταγιγνωσκόντων ἢ αὐτοὶ ὀφειλόντων. In CIA ii 571 (B.C. 368), the εὐθύνος (of a deme) is mentioned together with his πάρεδροι; and *ib.* 578, the εὐθύνος (of another deme) with the λογιστής and the συνήγοροι. Cf. Plat. *Leg.* 761 E, ἀνυπεύθυνον οὐδένα δικάζειν καὶ ἀρχευ.

The text shews that, even after the audit had been passed, officials were liable to be prosecuted by private persons in respect to the manner in which they had discharged their duties. Cf. Lipsius in *Leipzig Verhandl.* (1891) 66, 67; also Wilamowitz, ii 231 ff., on λόγος and εὐθυνα.

ἀναγκαῖόν ἐστι] ἀνάγκη is avoided here, and in 53 § 5, *propter hiatum* (Kaibel, 10, 15).

ταῖς ἀγοραῖς] hitherto understood to mean 'at the regular meetings held by the several tribes for the transaction of tribal business.' CIA ii 555, τῇ κυρία ἀγορᾷ κρύβδην ψηφισαμένων τῶν φυλετῶν ἐν τῇ ἀκροπόλει, 554 ὁ, ἐν τῇ ἀγορᾷ (of the tribe Pandionis), 564, ὅταν ἀγορὰν ποιῶσιν (Gilbert, i 224<sup>2</sup> n. 4). Wilamowitz, however (ii 235 n. 15), prefers making ἀγοραῖς 'the ordinary market-hours.' If action had to be taken 'within three days,' this could not admit of

waiting for the next 'meeting for the transaction of tribal business.'

κατὰ τὸν ἐπώνυμον τὸν τῆς φυλῆς ἐκάστης] 'opposite the statue of the eponymous hero of each of the several tribes.' The statues of the ten Attic heroes from whom the ten tribes derived their names (21 § 6) were a little beyond the θόλος and the βουλευτήριον (Paus. i 5, 1), in a conspicuous position on the northern slope of the Areopagus. Cf. Judeich, *Topogr. von Athen*, p. 310.

ἂν τ'... ἂν τε] Kühner, § 541. ἐμβαλέσθαι] of formally 'putting in' a document, Dem. p. 1014, 25, ἐμβεβλημένος οὐδεμίαν μαρτυρίαν, 1104, 6; 1203, 26, ἐμβαλομένου γὰρ ἐμοῦ τὸν ὄρκον εἰς τὸν ἐχθρὸν.

τίμημα ἐπιγραψόμενος] Arist. *Plut.* 480, τί δὴτά σοι τίμημ' ἐπεγράψω τῇ δίκῃ; Lex ap. Aeschin. i § 16, τίμημα ἐπιγραψόμενος. Dem. 29 § 8, τῶν ἐπιγεγραμμένων ('the damages claimed') ἐτίμησαν. Pollux (viii 47, of φάσις), ἐδίδουσαν ἐν γραμματεῖῳ γράψαντες τὴν φάσιν τὰ θ' ἑαυτῶν καὶ τὸ τοῦ κρινόμενου ὄνομα προσγράψαντες καὶ τίμημα ἐπιγραψόμενοι.

§ 5. ἀνακρίνας—καταγνῶ] The examination of the accounts by the λογισταὶ and συνήγοροι is described as an ἀνάκρισις. Ar. ap. *Lex. Rhet. Cant.* s.v. λογισταί, (συνήγοροι) συνακρίνουσι τοῦτοις (sc. τοῖς λογισταῖς). For the general use of ἀνα-

25 παραδίδωσιν τὰ μὲν ἴδια τοῖς δικασταῖς τοῖς κατὰ δῆμ[ους τοῖς] τὴν φυλὴν ταύτην εἰσάγουσιν, τὰ δὲ δημόσια τοῖς θεσμοθέτα[ις ἀ]ναγράφει. οἱ δὲ θεσμοθέται, ἐὰν παραλάβωσιν, πάλιν εἰσάγουσιν [ταύτην τὴν] εὐθυναν εἰς τὸ δικαστήριον, καὶ ὅ τι ἂν γνῶσιν οἱ δικαστ[αί, τοῦτο κύ]ριόν ἐστιν.

49. δοκιμάζει δὲ καὶ τοὺς ἵππους ἢ βουλή, κὰν μὲν τις καλ[ὸν ἵππον ἔχ]ων κακῶς δοκῆ τρέφειν, ζημιοῖ τῷ σίτῳ, τοῖς δὲ μὴ δυναμ[ένοις ἀ]κολουθεῖν ἢ μὴ ἔλθουσι μένειν ἀναγ[ώγοις] οὖσι,

24 legendum fortasse τὰ μὲν ἴδια παραδίδωσιν, alioqui in altero membro verbum languet. [τοῖς] τὴν B, K-W<sup>3</sup>, K<sup>4</sup>, Th; οὐ τὴν olim K (H-L). 25 ΕΙΣΑΓΟΥΣΙΝ K, H-L, B, Th; δικάζουσιν coni. Richards, E S Thompson (K-W). ἀναγράφει K, H-L, spatium ante relicto B<sup>2-4</sup>, Th; [ἀνα]γράφει K<sup>1</sup>, Th; [ἐγ]γράφει Lipsius; [ἐπι]γράφει B<sup>1</sup> (S<sup>1</sup>); [τίμημα δ' ὑπο]γράφει K-W<sup>1-2</sup>, sed spatium non sinit; K<sup>1</sup> non sinit; Wilcken (K-W<sup>3</sup>), 'sed συν non video' K<sup>4</sup>. 26 ἐὰν; ἐπὶ ἀν Kontos, ἐπειδὴν Sakellarios. 27 [ταύτην τὴν] spatii causa B<sup>2-4</sup>, K<sup>4</sup>, Th; [τὴν] legebatur. 28 τοῦτο κύριόν ἐστιν van Leeuwen (edd.).

XLIX 1—2 καλ[ὸν ἵππον ἔχ]ων K-W (K<sup>3</sup>, B<sup>1</sup>, Th); καλ[ῶς ἔχων] K<sup>1</sup>; κατάστασιν Wyse (H-L); καλ[ὸν] [πλούσιος] ὦν B<sup>2</sup>; καλ[ὸν] [δυνατὸς] ὦν B<sup>2-4</sup> ('ante ω, χ vel σ vel μ' K<sup>4</sup>). 3 ἀκολουθεῖν Wyse (K<sup>3</sup>, B, K-W<sup>3</sup>, Th); τρέφειν K<sup>1</sup>, τρέχειν Campbell, K-W<sup>1-2</sup>, H-L. ΛΛ  
θέλουσι K, K-W, B, Th. ΔΝΑΓΟΥΣΙ, ἀλλ' ἀνάγουσι B<sup>1-3</sup>, K<sup>4</sup>; ἀνάγουσι K-W<sup>3</sup>, Th; 'an ἀναβαλῶσιν?' Th; ἀναγ<ώγοις> οὖσι van Leeuwen (H-L, K<sup>3</sup>, S<sup>1</sup>, B<sup>4</sup>); (post θέλουσιν) σημεῖον ἐπιβάλλουσι K-W<sup>1-2</sup>.

κρίνω, as applied to the official conducting an *ἀνάκρισις*, cf. Dem. *Olymp.* 31, ὁ ἀρχων ἀνέκρινε πᾶσιν ἡμῖν τοῖς ἀμφισβητοῦσιν, and Isaeus, *Dicaeog.* 32, ἀνακρίναντες ἡμᾶς πολλακίς οἱ διαιτηταί. Cf. 56 § 6 (γραφαὶ and δίκαι) ἄς ἀνακρίνας εἰς τὸ δικαστήριον εἰσάγει. The statement that the *ἀνάκρισις* was also called an *ἀνάγνωσις* rests on a wrong reading in Dem. 53 § 22. The object of an *ἀνάκρισις* was to determine by a preliminary examination, εἰ ὅλως εἰσάγειν χρῆ (Harp. s.v.).

δικασταῖς...κατὰ δῆμους] 16 § 5; 26 § 3; 53.

τὴν φυλὴν ταύτην εἰσάγουσιν] 53 § 2, παραδίδωσιν...τοῖς τὴν φυλὴν τοῦ φεύγοντος δικάζουσιν, 58 § 2, τοὺς τὴν φυλὴν δικάζοντας, Lys. *Pancl.* 2, τοὺς τῇ Ἴπποθωντίδι δικάζοντας, and Isaeus frag. 1, ὅτι πρὸς τὴν φυλὴν τοῦ κεκτημένου αἰ πρὸς δούλους λαγχάνονται δίκαι (Meier and Schömann, p. 90 n. Lips.).

ἀναγράφει] here 'to report,' lit. 'to hand in a written statement,' as in *Pol.* 1321 b 34, ἑτέρα δ' ἀρχή, πρὸς ἣν ἀναγράφεται δεῖ τὰ τε ἴδια συμβόλαια καὶ τὰς κρίσεις ἐκ τῶν δικαστηρίων.

Of the other suggestions, ἐγγράφει has been supported by Aeschin. 3 § 20, Lys. 30 § 5, Dem. 24 § 199, Arist. *Vesp.* 996 (Lipsius); and ἐπιγράφει by the doubtful passage in Aeschin. 1 § 35.

The construction is slightly irregular, as a principal verb is not wanted, παραδίδωσιν being the verb to both clauses—μὲν and δέ. The irregularity is removed by striking out μὲν, but this involves a needless hiatus and is not absolutely necessary.

ὅ τι ἂν—κύριόν ἐστι] Cf. c. 45, l. 10.

XLIX § 1. δοκιμάζει—τοὺς ἵππους] Xen. *Oec.* ix 15, ἢ βουλή ἵππους καὶ ἱππέας δοκιμάζει, *Hipparch.* i 8, (ἢ πόλις) προσέταξε τῇ βουλῇ συναπιμελεῖσθαι τοῦ ἱππικοῦ, and iii 9—14, *Anab.* iii 3, 20 (not of Athens) ἵπποι καὶ ἱππεῖς ἐδοκιμάσθησαν. A *patra* from Orvieto, now in the Berlin Museum, represents three horsemen in *chlamys* and *petasus* leading their horses by the bridle past two standing figures who examine them as they pass. A third figure is seated and is entering memoranda on a scroll resting on his knees. In the centre is a *ἵπποτοξότης* standing beside his horse. The subject is doubtless a ἵππων δοκιμασία (*Archaeol. Zeitung*, 37, 1880, pl. 15; Duruy, *Hist. d. Grecs*, ii p. 177; Daremberg and Saglio, s.v. *Dokimasia*, p. 327; Schreiber's *Bilderatlas*, i 40, 7). On the *δοκιμασία* of the ἱππεῖς and their horses, see Martin, *Les Cavaliers Athéniens*, pp. 328—334.

τοῖς μὴ δυναμένοις ἀκολουθεῖν κτλ.]



τροχὸν ἐπὶ τὴν γνάθον [ἐπιβ]άλλει, καὶ ὁ τοῦτο παθὼν ἀδόκιμός  
6.] ἐστι. δοκιμάζει δὲ καὶ τοὺς προ[δ]ρ[όμους, οἷ]τινες ἂν αὐτῇ δοκῶ||σιν 5  
ἐπιτήδειοι προδρομεύειν εἶναι, κἂν τιν' ἀποχειροτονήσῃ, καταβέ-  
βηκεν οὗτος. δοκιμάζει δὲ καὶ τοὺς ἀμίππους, κἂν τιν' ἀποχειρο-

4 γν[άθον] R D Hicks coll. Hesych. s. v. *τροσίππιον*; ἐπιβάλλουσι post μένειν posuit Hicks, post γνάθον H-L (K<sup>3</sup>), sed (ut videtur) novem tantum litteris locus relictus; praestat igitur ἐπιβάλλει (B, S<sup>1</sup>, fragmento novo ΔΛΛΕΙΚΟΤ huc allato K<sup>4</sup>, Th); χαράττει K-W<sup>3</sup>. [καὶ ὁ τ]οῦτο K, H-L, B, K-W<sup>3</sup>, Th: [καὶ ὁ ἵππος ὁ τ]οῦτο K-W<sup>1,2</sup>. 5 [οἷ]τινες ἂν fragmento novo ΤΙΝΕΣΑΝΑ huc allato K<sup>4</sup>, Th; [οἷ]τινες] K<sup>1</sup>; [οἷ] ἂν] K<sup>2</sup> (H-L); [κρίνουσα, οἷ] ἂν <αὐ>τῇ K-W<sup>1,2</sup>, sed spatium non sufficit: [ἄσοι ἂν] K<sup>3</sup>, B, K-W<sup>3</sup>, S<sup>1</sup>. 6 ΤΙΝΑΠ[ΡΟ]Χ (ut infra, v. 7): τιν' ἀποχ. Jos. Mayor, Campbell, Wyse, edd. 7 ΔΝΙΠΠΟΥΣ: ἀμίππους Newman, Wyse, edd. ΤΙΝΑΠΡΟΧ (ut supra, v. 6).

TESTIMONIA. XLIX 4 Hesych. *τροσίππιον* et *ἵππου τροχός*, infra exscriptus. Phot. *ἵππου τροχός*: τὸ *τροσίππιον* διὰ τὸ τοῖς διὰ γῆρας ἐκτροχθεῖσιν ἵπποις ἐκτυποῦσθαι τροχόν, ἀπολεγόντων αὐτοῦς τῶν στρατηγῶν.

Xen. *Mem.* iii 3, 4, ἐὰν οὖν...παρέχωνται σοι τοὺς ἵππους οἱ μὲν οὕτω κακόποδας ἢ κακοσκελεῖς ἢ ἀσθενεῖς [οἷ]τε οὕτως] ἢ ἀτρόφους ὥστε μὴ δύνασθαι ἀκολουθεῖν, οἱ δὲ οὕτως ἀναγώγους ὥστε μὴ μένειν ὅπου ἂν σὺ τάξης, οἱ δὲ οὕτω λακτιστὰς ὥστε μὴδὲ τάξει δύνατον εἶναι, τί σοι τοῦ ἱππικοῦ ὄφελος ἔσται; *Hipparch.* i 13, τοὺς...ἱππέας ἢ βουλή ἂν μοι δοκεῖ προειπούσα ὡς...τὸν μὴ δυνάμενον ἵππον ἀκολουθεῖν ἀποδοκιμάσει, ἐπιτεῖναι ἂν πρόφειν τε ἄμενον καὶ ἐπιμελεῖσθαι μάλλον τῶν ἵππων. ἀνάγωγος is also an epithet of 'unmanageable' dogs in *Mem.* iv 1, 3. ἀναγ<ώγοις> οὖσι] 'being unmanageable,' ill-broken and therefore unsteady. This conjecture is suggested by Xen. *Mem.* quoted in the preceding note. It makes better sense than ἀλλ' ἀναγουσι, 'but draw back' (cf. Xen. *Cyr.* iii 3, 69, ἐπὶ πόδα ἀνάγειν, vii 1, 45, ἀναγαγών, *Arist. An.* 383, 400, 1720), though the latter seems to represent the probably erroneous reading of the copyist. Cf. Kaibel, p. 217.

τροχόν—ἐπιβάλλει] Hesych. s. v. *τροσίππιον* τὸν χαρακτήρα τὸν ὑπὸ τῆς βουλῆς ἐν ταῖς δοκιμασίαις τοῖς ἀδυνάτοις καὶ τετρυμμένοις <τῶν ἵππων ἐπιβαλλόμενον addidit Petitus>, ἵνα μηκέτι στρατεύονται, τὸ παλαιὸν ἐκάλονον *τροσίππιον* τροχός δ' ἦν ὁ ἐπιβαλλόμενος χαρακτήρ τῇ γνάθῳ τῶν ἵππων. Hesych. ἵππου τροχός: τοῖς γεγρακόσιν ἵπποις ἐχάραττον ἐπὶ τὴν γνάθον σημεῖον, τροχὸς σχῆμα ἔχον. ἐκαλεῖτο δὲ καὶ *τροσίππιον*. Aelius Dionys. apud Eustath. ad *Od.* iv 562, p. 1517, 8, *τροσίππιον*: ἔγκανμα ἵππου γεγρακότος ἐπὶ τῆς γνάθου, ὅμοιον τροχῷ. Crates, *frag.* 30 (Kock i 140), ἵππῳ γηράσκοντι τὰ μεῖονα κύκλ' ἐπίβαλλε, quoted by Zenob. iv 41, ...μετῆκται δὲ ἀπὸ στρατιωτικῶν ἵππων, οἷς γηράσκουσιν ἐπέβαλλον

τὸ καλούμενον *τροσίππιον*. ἐστὶ δὲ τοῦτο σιδηροῦς τροχίσκος...ἂν ἐκτυροῦντες ἐπέβαλλον ταῖς σιαγῶσι τῶν ἵππων. Eupolis 318 (Kock i 343) ἀλλ' ὥσπερ ἵππῳ μοι πιβαλεῖς *τροσίππιον*; Cf. Photius s. v. *τροσίππιον* and *ἵππου τροχός*, and Pollux vii 186. As suggested by Kaibel and Wilamowitz, most of the above explanations probably rest ultimately on a scholium on the *Taxiarchi* of Eupolis founded on the present passage.

προδρόμους] 'mounted skirmishers.' The term is applied by Hdt. to 'horsemen in advance of an army.' Xen., *Hipparch.* i 25, uses it of 'javelin-men' under the command of a cavalry officer; εἰ τοὺς ἀμφὶ σὲ προδρόμους κοσμήσῃς μὲν ὄπλοις ὡς κάλλιστα, ἀκοντίζειν δὲ μελετᾶν ἐξαναγκάσαις ὡς μάλιστα, κτλ. In the march of Alexander to the Granicus, the Paeonians formed a special corps of *πρόδρομοι* for purposes of reconnoitring (*Arr. An.* i 12, 7; Droysen, *Kriegsalterthümer*, p. 117, 3).

προδρομεύειν] not found elsewhere. καταβέβηκεν 'dismounts' (as disqualified), 'is dismounted at once'; used differently in [Dem.] 42 § 24 of giving up riding, καταβέβηκεν ἀπὸ τῶν ἵππων.

ἀμίππους] 'infantry fighting in the ranks of the cavalry.' Thuc. v 57, 2, (of the Boeotians at Delium) ὄπλιται, ψιλοί, ἱππῆς and ἄμπποι. Xen. *Hell.* vii 5, 24 (Epameinondas) ἀμίππους πεζοῦς συνέταξεν αὐτοῖς (= τῷ ἱππικῷ); the opposite side was ἔρημον πεζῶν ἀμίππων (23); the MSS have in both cases ἀνίππ., corrected by Morus. Xenophon recommends their use: *Hipparch.* v 13, ἀσθενεῖς τὸ πεζῶν ἔρημον ἱππικὸν πρὸς τὸ ἀμίππους πεζοῦς ἔχον. Harpocr. s. v. ...οἱ σὺν ἵπποις στρατεύεμενοι...μήποτε (perhaps) πρόδρομαί τινές εἰσιν οἱ ἅμα τοῖς ἱππεῦσι

τονήση, πέπανται μισθοφορῶν οὗτος. τοὺς δ' ἰππέας καταλέγου-  
 σι μὲν οἱ καταλογεῖς, οὓς ἂν ὁ δῆμος χειροτονήση δέκα ἄνδρας· οὓς δ'  
 10 ἂν καταλέξωσι, παραδιδόασι τοῖς ἰππάρχοις καὶ φυλάρχοις, οὗτοι  
 δὲ παραλαβόντες εἰσφέρουσι τὸν κατάλογον εἰς τὴν βουλὴν, καὶ  
 τὸν πίνακ' ἀνοίξαντες, ἐν ᾧ κατασημασμένα τὰ ὀνόματα τῶν  
 ἰππέων ἐστί, τοὺς μὲν ἐξομνυμένους τῶν πρότερον ἐγγεγραμμένων  
 15 κατειλεγμένους καλοῦσι, κὰν μὲν τις ἐξομώσῃται μὴ δύνασθαι τῷ  
 σώματι ἰππεύειν ἢ τῇ οὐσίᾳ, τοῦτον ἀφίᾳσιν, τὸν δὲ μὴ ἐξομνύμενον  
 διαχειροτονοῦσιν οἱ βουλευταί, πότερον ἐπιτήδειός ἐστιν ἰππεύειν

12 κ(ΑΤΑ)ΣΕΧΗΜ(ΕΝ)ΔΣΜ(ΕΝ)Δ.  
 Papageorgios, sed cf. Kaibel 219.  
 νύηται K-W (B, Th).

13 ΕΝΓΕΓΡ. 14 σώμασιν < ἢ ταῖς οὐσίαις >  
 15 ΕΞΟΜΗΧΗΤΑΙ: ἐξομώσῃται K, H-L; ἐξομ-

τεταγμένοι· Φιλόχορος γοῦν ἐν τῇ 15' φησὶ  
 καὶ προδρόμους. Ar., in *Pol.* 1321 a 17,  
 speaks of generals οἱ συνδύαζουσι πρὸς  
 τὴν ἰππικὴν δύναμιν καὶ ὀπλιτικὴν τὴν  
 ἀρμόττουσαν τῶν ψιλῶν. Cf. Martin, *Les*  
*Cavaliers Athéniens*, p. 410.

§ 2. οἱ καταλογεῖς] These officials (who  
 bear the same name as the καταλογεῖς under  
 the Four Hundred, *Lys.* 30 § 13, but are  
 not mentioned elsewhere) are described  
 as employed in drawing up the roll of the  
 newly enlisted members of the cavalry;  
 they hand it over to the Hipparchi and  
 Phylarchi, to be brought by them before  
 the Council. The fact that the βουλὴ  
 conducted the δοκιμασία of the ἰππεῖς  
 was already known (*Xen. Oec.* ix 15).  
 In *Lys.* 14 § 10, Ἀλκιβιάδης ἐτόλμησεν  
 ἀναβῆναι... οὕτε ὑφ' ἡμῶν δοκιμασθεῖς,  
 the pronoun loosely identifies the δικασ-  
 ται with the βουλευταί (§ 8, τοῦ νόμου  
 κελεύοντος, ἐάν τις ἀδοκίμαστος ἰππεύῃ,  
 ἄτιμον εἶναι). The text shews that no  
 proceedings before a law-court were in-  
 volved in a δοκιμασία ἰππέων.

The term κατάλογος is applied to the  
 official list of the ἰππεῖς in *Lys.* 16 § 13  
 (of Mantitheus), κατειλεγμένους ἰππεύειν  
 προσελθῶν ἔφην τῷ Ὀρθοβούλῳ (doubtless  
 his Phylarchus) ἐξαλείψαι με ἐκ τοῦ κατα-  
 λόγου, *ib.* § 6, τοὺς φυλάρχους ἀπενεγκεῖν  
 τοὺς ἰππεύσαντας. The Hipparchi, as  
 well as the Phylarchi, were responsible  
 for the κατάλογος, as had already been  
 pointed out by Bake, *Scholica Hyeronime-*  
*mata*, v 150, 170: the text shews that  
 it was drawn up in the first instance by  
 the καταλογεῖς.

τὸν κατάλογον... τὸν πίνακ'] A dis-  
 tinction must be drawn between the κατά-

λογος, which is the roll of the newly  
 enlisted cavalry-soldiers, and the πίναξ,  
 which is the tablet bearing the names of  
 all who had enrolled in previous years  
 (Kaibel, 219).

(The κατάλογος of the ἰππεῖς under the  
 Thirty is described as drawn up on a  
 σανίδιον (*Lys.* 16 § 6) or σανίδες, *Lys.* 26  
 § 10, ὡς ἰππευκτός αὐτοῦ ἐπὶ τῶν τριά-  
 κοντα τοῦνομα ἐν ταῖς σανίσιν ἐνεγέ-  
 γραπτο.)

κατασημασμένα] *Plat. Leg.* 756 E,  
 (in the scheme proposed for the appoint-  
 ment of the βουλή) τὰ κατασημανθέντα  
 ὀνόματα ἐξενεγκεῖν τοὺς ἀρχοντας ἰδεῖν  
 πᾶσι τοῖς πολίταις.

ἐξομνυμένους] *Pollux* viii 55 (ἐξωμοσία)  
 ἔταν τις ἢ πρεσβευτῆς αἰρεθεῖς ἢ ἐπ' ἄλλην  
 τιὰ δημοσίαν ὑπηρεσίαν, ἀρρωστὴν ἢ ἀδύ-  
 νατεῖν φάσκων ἐξομνύηται αὐτὸς ἢ δι' ἐτέρου.  
*Schol. on Arist. Eccl.* 1026. In the case  
 of one already in the cavalry, the plea of  
 physical disability is practically the only  
 one seriously urged. It would only be  
 in the event of his having lost his original  
 property that the other plea of insufficient  
 means would arise.

ἐγγεγραμμένων] *Lys.* 26 § 10, quoted  
 above, and 16 § 6 (as emended by Mark-  
 land). *Arist. Eg.* 1371, ὀπλίτης ἐντεθεῖς  
 ἐν καταλόγῳ ἐγγεγράφεται, *Pax* 1179,  
 ἐγγράφειν ὀπλίτας, contrasted with ἐξα-  
 λείφειν.

ἐξαλείφουσι] *Lys.* 16 § 7, ἐκ τούτων  
 (the lists of ἰππεῖς under the Thirty)  
 ῥάδιον ἢ ἐξαλειφθῆναι τῷ βουλομένῳ.

τοὺς κατειλεγμένους] 'those newly en-  
 listed' who may plead either want of  
 strength or want of means.



ἢ οὐ· κὰν μὲν χειροτονήσωσιν, ἐγγράφουσιν εἰς τὸν πίνακα, εἰ δὲ μή, καὶ τοῦτον ἀφιάσιν.

3 ἔκριεν δέ ποτε καὶ τὰ παραδείγματα καὶ τὸν πέπλον ἢ βουλή, 20  
 νῦν δὲ τὸ δικαστήριον τὸ λαχόν· ἐδόκουν γὰρ οὗτοι καταχαρίζεσθαι  
 τὴν κρίσιν. καὶ τῆς ποιήσεως τῶν Νικῶν καὶ τῶν ἄθλων τῶν εἰς

20 ἔκριεν H-L. κ(ΔΙ) ΤΟΝ Κ, Κ-W, H-L, Th: τὰ εἰς τὸν Β, cf. Kaibel 220.  
 22 ΔΘΛΩΝ: ἄλλων (sc. τῶν πομπῶν κτλ.) Foucart, *Rev. de Philol.* 1895, 26—27, coll.  
 c. 47 § 1.

πίνακα] the comparatively permanent tablet, contrasted with the κατάλογος or roll which was confined to those who had recently been provisionally enlisted.

§ 3. παραδείγματα] Of the architect's plan for the temple at Delphi, Hdt. v 62. The construction of such a παράδειγμα is illustrated by an inscr. cited by Homolle, *Les Archives de l'Intendance Sacrée à Délos*, p. 13, n. 4: εἰς τὸ παράδειγμα τοῦ προπύλου πίνακα ἠγοράσαμεν παρὰ Χρησίμου ΔΗ. ἐπισκενύσαντι τὸν πίνακα Θεοδήμω Η. λευκώσαντι τὸν πίνακα ἀμφοτέρωθεν ΗΗ. The wood used for the πίναξ is also mentioned: τοῦ φοίνικος τοῦ περιγενομένου ἀπὸ τοῦ παραδείγματος (Wyse, *Class. Rev.* v 275 b). Cf. CIA i 329, τὰ παραδείγματα τῶν χαλκῶν, ii 807 b 101 (B.C. 330), παραδείγματα τῶν κεραμίδων τῶν ἐπὶ τὴν σκευοθήκην and *ib.* 126, π. ξύλινον τῆς τριγλύφου τῆς ἐνκαύσεως. The last item recurs in B.C. 325, *ib.* 809 col. e 8, and in B.C. 324, *ib.* 811 col. b 193.

This interpretation is approved by Wilamowitz (i 213 n. 50), but Kaibel (220), following Diels, understands it of 'patterns for the peplus' (τὰ εἰς τὸν πέπλον). The same is the view of Foucart in *Journal de Phil.* xix 1895, 25.

τὸν πέπλον] woven by ἐργαστίαι, under the superintendence of two ἀρρηφόροι and certain priestesses. In CIA ii 477 we have an inscr., ascribed to B.C. 98, referring to a proposal to dedicate to Athene a silver φιάλη with 100 dr. on the part τῶν παρθένων τῶν ἠργασμένων τῇ Ἀθηνᾷ τὰ ἔρια τὰ εἰς τὸν πέπλον. These were the ἐργαστίαι αἱ τὸν πέπλον ὑφαινοῦσαι (Hesych.). In CIA ii 956, 957, 957 b, we have lists of ἐργαστίαι (one of them containing more than 100 names) arranged under their respective tribes, many of them belonging to the Εὐπατρίδαι (*Bull. Corr. Hellén.* xiii 170; *Mittheil.* viii 65). A new peplus was made every year (Schol. Arist. *Eq.* 566). The loci classici are collected in Michaelis, *Parthenon*, Anhang II §§ 151—164, 171—3, p. 328—9. Suidas, s. v. ἐπίψατο, describes the ἀρρηφόροι as se-

lected by the archon βασιλεύς, while Harpocr., s. v. ἀρρηφορεῖν, states that four ἀρρηφόροι ἐχειροτονοῦντο δι' εὐγένειαν, and two of these ἐκρίνοντο to superintend the πέπλος. The text shews that the appointment was ultimately transferred to a law-court to secure an impartial selection.

νῦν δὲ τὸ δικαστήριον] The date of this transfer to a law-court of duties formerly entrusted to the Council is uncertain. The παράδειγμα of the σκευοθήκη designed by Philo was expounded in public by the architect himself:—Cic. *de Or.* i 62, 'Philonem illum architectum, qui Atheniensibus armamentarium fecit, constat perdiserte *porulo* rationem operis sui reddidisse'; Val. Max. viii 12, 2, 'Philonem...rationem institutionis suae in *theatro* reddidisse constat.' It was constructed between B.C. 347/6 and 330/29.

The fact that the exposition took place before the 'people,' 'in the theatre,' is suggestive of a meeting of the ἐκκλησία rather than one of the βουλή. It is certainly inconsistent with an appearance before a δικαστήριον. There is more evidence for the theatre being used for meetings of the ἐκκλησία (Müller's *Bühnenalterthümer*, p. 73) than for those of the βουλή. The only evidence for the latter is CIA ii 482, B.C. 39—32.

Thus, the above passages respecting Philo suggest that the duty of deciding on παραδείγματα was in his time not yet transferred to a law-court: on the other hand, they do not refer to any hearing before the Council.

Νικῶν] 47 § 1.

τῶν ἄθλων] This was previously taken as a gen. after *συνεπιμελεῖται*, and understood to refer to the musical, gymnastic, and equestrian contests. It is more probable, however, that ἄθλων means prizes. Cf. 60 § 1 (οἱ ἀθλοθέται) τοὺς ἀμφορεῖς ποιοῦνται μετὰ τῆς βουλῆς (Wyse). Thus ἄθλων refers mainly to the Panathenaic *amphorae*, which usually bore the inscription, τῶν Ἀθηναίων ἄθλων (see note on 60 § 1, ἀμφορεῖς).

τὰ Παναθήναια συνεπιμελείται μετὰ τοῦ ταμίου τῶν στρατιω-  
τικῶν.

- 25 δοκιμάζει δὲ καὶ τοὺς ἀδυνάτους ἢ βουλή· νόμος γάρ ἐστιν ὃς 4  
κελεύει τοὺς ἐντὸς τριῶν μῶν κεκτημένους, καὶ τὸ σῶμα πεπηρω-  
μένους ὥστε μὴ δύνασθαι μηδὲν ἔργον ἐργάζεσθαι, δοκιμάζειν μὲν  
τὴν βουλήν, δίδουσι δὲ δημοσίᾳ τροφήν δύο ὀβολοὺς ἐκάστῳ τῆς  
ἡμέρας. καὶ ταμίας ἐστὶν αὐτοῖς κληρωτός.
- 30 συνδιοικεῖ δὲ καὶ ταῖς ἄλλαις ἀρχαῖς τὰ πλεῖσθ', ὡς ἔπος 5  
εἰπεῖν.

28 δὴ ὀβολοὺς κ-w<sup>1,2</sup>, B: δύο ὀβολοὺς cum pap. K, H-L, K-w<sup>3</sup>, Th. 29 καὶ  
ταμίας—κληρωτός paragraphum novum fecerant κ-w<sup>1,2</sup> (s<sup>1</sup>). 30 συνδιοικεῖ—εἰπεῖν  
delet Herwerden utpote 'ex capitis 47 initio maximam partem repetita, hic autem  
incommoda,' secl. B<sup>4</sup>; eadem recte idcirco retinet κ, quod talia Senatus officia nondum  
omnia sint commemorata.

TESTIM. § 4 \*Harp. ἀδύνατοι: ... οἱ ἐντὸς τριῶν μῶν κεκτημένοι <καὶ> τὸ σῶμα  
πεπηρωμένοι (Epit.; -μένον codd.). ἐλάμβανον δὲ οὗτοι δοκιμασθέντες ὑπὸ τῆς βουλῆς  
δύο ὀβολοὺς τῆς ἡμέρας ἐκάστης [τῆ ὀβολόν], ὡς φησιν Ἄρ. ἐν Ἄθ. πολ. Bekk. An. 345, 15  
(cf. 200, 3): οἱ μέρος τι βεβλαμμένοι τοῦ σώματος ὡς μηδὲ ἐργάζεσθαι· οἱ καὶ ἐχορη-  
γοῦντο τὰ πρὸς τὸ ζῆν παρὰ τῆς πόλεως, μισθοφορούντων αὐτῶν (αὐτοῖς cod.) ὡς (τῶν cod.)  
ἐντὸς τριῶν <μῶν> περιουσίαν κεκτημένων. ἐδοκιμάζοντο δὲ οἱ ἀδύνατοι ὑπὸ τῆς τῶν  
πεντακοσίων βουλῆς καὶ ἐλάμβανον τῆς ἡμέρας, ὡς μὲν Λυσίας λέγει, ὀβολὸν ἕνα, ὡς δὲ  
Φιλόχορος, πέντε, Ἄρ. δὲ δύο ἔφη. Hesych. οἱ ἐντὸς κεκτημένοι τριῶν <μῶν> παρὰ  
Ἄττικοῖς. ἐλάμβανον δὲ παρὰ τῆς βουλῆς δύο ὀβολοὺς (Frag. 430<sup>2</sup>, 470<sup>3</sup>).

ταμίου τῶν στρατιωτικῶν] 43 § 1.

§ 4. τοὺς ἀδυνάτους] Schol. Aeschin. i 103, κατὰ μήνα (πρυτανεῖαν?) ἐκ τοῦ δημο-  
σίου δίδουσι τοῖς ἀδυνάτοις πολῖταις μισ-  
θός· ἀδυνάτους δὲ πάντας λέγουσι τοὺς ὀπωσ-  
δηποτοῦν ἢ χειρωμένους πρὸς ἐπικουρίαν ἐαυ-  
τῶν. At first it was only citizens who  
were disabled in war that received relief  
from the State. This institution is ascribed  
to Peisistratus in Plut. Sol. 31, ὁ νόμος ὁ  
τοὺς πηρωθέντας ἐν πολέμῳ δημοσίᾳ τρέ-  
φειν κελεύων. This limitation was after-  
wards removed. It is clear that the  
speaker in Lys. 24, ὑπὲρ τοῦ ἀδυνάτου,  
had never seen any service in the field;  
otherwise he would have mentioned the  
fact (Gilbert, i 388<sup>2</sup>). The speech is ad-  
dressed to the βουλή on the occasion of  
an εἰσαγγελία. The βουλή are there de-  
scribed as having given the grant (§ 7,  
ἔδοτε, and in more general terms § 22,  
πάλαι κοινῇ πάντες ἔδοτέ μοι). The grant  
had to be confirmed by each successive  
βουλή, as implied in § 26, τὴν αὐτὴν  
ψῆφον θέσθε περὶ ἐμοῦ ταῖς ἄλλαις βουλαῖς.  
It rested ultimately on a decree of the  
people, § 22, ἡ πόλις ἡμῶν ἐψηφίσαστο τοῦτο  
τὸ ἀργύριον, but it does not follow that  
the case of each recipient was settled by  
decree.

μὴ δύνασθαι μηδὲν ἔργον ἐργάζεσθαι]  
Lys. 24 § 6, τέχνην κέκτημαι βραχέα δυνα-

μένη ὠφελεῖν ἢν αὐτὸς μὲν ἤδη χαλεπὸς  
ἐργάζομαι.

δοκιμάζειν] The fact is stated by  
Harpocr., Bekker's *Anecd. Gr.* 345, 18,  
and Suidas.

δύο ὀβολοὺς] Hence in Harpocr. s.v.  
ἀδύνατοι the words ἢ ὀβολόν must be  
struck out (as was suggested by Hulle-  
man, *Quaestiones Graecae*, p. 5). The  
text is correctly quoted in Bekker's  
*Anecd. Gr.* 345, 21. In the time of  
Lys. 24, the grant was one obol a day.  
This grant was doubtless raised owing to  
the increased cost of living (Beloch, i  
468 n. 2).

ταμίας] In B.C. 343/2, CIA ii 114,  
there were two βουλῆς ταμίαι. They su-  
perintended τὰ κατὰ ψηφίσματα ἀναλισκό-  
μενα τῇ βουλῇ (114 B 61). Early in the  
third century we have an inscr. mention-  
ing only one; CIA ii 329 Νικοκράτης βου-  
λεύειν λαχῶν—καὶ ταμίας αἰρεθεῖς ὑπὸ  
τῆς βουλῆς εἰς τε τὰς θυσίας τοῖς.....  
ἀπάντων ὧν ᾤκονόμηκεν ἀπολελθίσται τῇ  
βουλῇ ὀρθῶς καὶ δικαίως (Gilbert i 302<sup>2</sup>  
n. 2); cf. CIA ii 431, 36. This assumes  
that αὐτοῖς refers to the βουλή (so Wil-  
amowitz, i 214). Kaibel, however (25 f),  
and Blass and Thalheim refer it to the  
ἀδύνατοι of the immediately previous  
context; and with this view I now agree.

§ 5. συνδιοικεῖ—πλεῖσθ'] 47 init.; 57



50. τὰ μὲν οὖν ὑπὸ τῆς βουλῆς διοικούμενα ταῦτ' ἐστίν. κληροῦνται δὲ καὶ ἱερῶν ἐπισκευασταί, δέκα ἄνδρες, οἱ λαμβάνοντες τριάκοντα μνᾶς παρὰ τῶν ἀποδεκτῶν, ἐπισκευάζουσιν τὰ 2 μάλιστα δεόμενα τῶν ἱερῶν· καὶ ἀστυνόμοι δέκα· τούτων δὲ πέντε μὲν ἄρχουσιν ἐν Πειραιεῖ, πέντε δ' ἐν ἄστει, καὶ τὰς τε 5 αὐλητρίδας καὶ τὰς ψαλτρίας καὶ τὰς κιθαριστρίας οὗτοι σκοποῦσιν, ὅπως μὴ πλείονος ἢ δυεῖν δραχμαῖν μισθωθῆσονται, κἂν πλείους τὴν αὐτὴν σπουδάσωσι λαβεῖν, οὗτοι διακληροῦσι καὶ τῷ

L 3 ἐπισκευάζουσι H-L. 5 πειραεὶ (K-W, B): Πειραιεῖ K, H-L, Th. 7 ΔΥΕΙΝ ΔΙC

ΔΡΑΧΜ... (fortasse δραχμαῖν scriptum erat); δυεῖν δραχμαῖς idcirco retinet K quod in titulis Atticis δυεῖν cum plurali tantum iunctum sit, Meisterhans, p. 201<sup>3</sup>; δυεῖν δραχμαῖν K-W<sup>1,3</sup>, B, Th; δυοῖν δραχμαῖν H-L, K-W<sup>2</sup>; cf. δυοῖν φυλαῖν c. 52 § 2; δυοῖν usque ad 329 A.C., δυεῖν ab 329 usque ad 229, habent tituli (ib. p. 157<sup>3</sup>). 8 CΠΟΥ-ΔΔCΩCΙ K: σπουδάσωσι B<sup>2-4</sup>, K-W<sup>3</sup>, Th.

TESTIMONIA. L § 2 \*Harp. ἀσύννομος:...δέκα φησὶν εἶναι τοὺς ἀστυνόμους Ἄρ. ἐν τῇ Ἀθ. πολ., “πέντε μὲν ἐν Πειραιεῖ, πέντε δ' ἐν ἄστει.” τούτοις δὲ φησὶ μέλειν περὶ τε τῶν αὐλητρίδων καὶ ψαλτρῶν καὶ τῶν κοπρολόγων καὶ τῶν τοιούτων (Frag. 408<sup>2</sup>, 448<sup>3</sup>). Heraclidis epitom. Rose, Frag. 611, 8, καὶ τῶν ὁδῶν ἐπιμελοῦνται ὅπως μὴ τινες κατοικοδομῶσιν αὐτὰς ἢ δρυφάκτους ὑπερτείνωσιν.

§ 1, ὡς δ' ἔπος εἰπεῖν—διοικεῖ οὗτος πάσας. Kaibel (26) regards the phrase in c. 47 as an afterthought, and that in the text as a survival from some subsequently rejected draft. For Wilamowitz (i 214 f) it is here a phrase of apology for the omission of many unimportant details.

ὡς ἔπος εἰπεῖν] c. 2 ult., ὡς εἰπεῖν, 57 § 1, ὡς ἔπος εἰπεῖν.

L—LIII. On minor officials appointed by lot.

L § 1. ἱερῶν ἐπισκευασταί] ‘repairers of temples’; not mentioned elsewhere. The small sum allowed for this department (30 minae) implies that their duties were unimportant. They are probably identical with the *ναοποιοὶ* of *Rhet.* i 14, 1, who, similarly, are not mentioned elsewhere, and who dealt with small sums, being described as having been once defrauded of ‘three consecrated half-obols.’ The word is used in an unofficial sense in Dem. *Androt.* 69. Cf. Wilamowitz, i 215 n. 55.

ἀποδεκτῶν] 48 §§ 1, 2.

§ 2. ἀστυνόμοι] *Pol.* 132i b 18, ἔτερα δ' ἐπιμέλεια... ἢ τῶν περὶ τὸ ἀστὺ δημοσίων καὶ ἰδίων, ὅπως εὐκόσμη ἦ, καὶ τῶν πιπτόντων οἰκοδομημάτων· καὶ ὁδῶν σωτηρία καὶ διόρθωσις καὶ τῶν ὁρίων τῶν πρὸς ἀλλήλους... καλοῦσι δ' ἀστυνομίαν οἱ πλείστοι τὴν τοιαύτην ἀρχήν, ib. 133i b 9

τὴν καλουμένην ἀστυνομίαν. Schol. Dem. *Timocr.* 735, 16, ἀστυνόμος ὁ τῶν δημοσίων ἐπιμελούμενος καὶ τοῦ καθαρῶν εἶναι τὴν πόλιν. They insisted on decent dress being worn in the streets, Diog. Laërt. vi 5, 90, (Crates) ὑπὸ τῶν Ἀθήνησιν ἀστυνόμων ἐπιτιμηθεῖς, ὅτι καθόνα ἡμφέστο. The fact that the ἀστυνόμοι were appointed by lot is stated in Dem. 24 § 112. See also Plat. *Leg.* 779 c, τοὺς δὲ ἀστυνόμους...πάντων δὴ κατὰ τὸ ἀστὺ καθαρότητός τ' ἐπιμελεῖσθαι κτλ., 759 a, 763 c. Cf. Gilbert, i 287<sup>2</sup>, and Häderli, *die Astynomen und Agoranomen* (Teubner) 1886.

αὐλητρίδας] Hyperides, *pro Euxen.* (soon after 330 B.C.) § 3, εἰσαγγέλλονται ὡς πλέονος μισθοῦντες τὰς αὐλητρίδας ἢ ὁ νόμος κελεύει. Cf. Plato, *Protag.* 347 D (of the συμπόσια τῶν φαύλων καὶ ἀγοραίων ἀνθρώπων), οὗτοι τιμίας ποιοῦσι τὰς αὐλητρίδας, πολλοὺ μισθοῦμενοι ἀλλοτρῶν φωνῆν τὴν τῶν αὐλῶν.—ὅπου δὲ καλοὶ κἀγαθοὶ συμπόται καὶ πεπαιδευμένοι εἰσιν, οὐκ ἂν ἴδοις οὔτε αὐλητρίδας οὔτε ὄρχηστρίδας οὔτε ψαλτρίας. The αὐλητρίς (as well as the κιθάρα) is to be seen at the symposium, in Schreiber's *Bilderatlas*, i 76, 2 and 4; and the κιθαρίστρια and the ψαλτρία in the mural paintings from the Farnesina garden in Baumeister's *Denkmäler*, figs. 1605, 1609. Cf. Wilamowitz, i 216 n. 56.

λαχόντι μισθοῦσιν. καὶ ὅπως τῶν κοπρολόγων μηδεὶς ἐντὸς δέκα  
 10 σταδίων τοῦ τείχους καταβαλεῖ κόπρον ἐπιμελοῦνται· καὶ τὰς  
 ὁδοὺς κωλύουσι κατοικοδομεῖν, καὶ δρυφάκτους ὑπὲρ τῶν ὁδῶν  
 ὑπερτείνειν, καὶ ὄχετους μετεώρους εἰς τὴν ὁδὸν ἔκρουν ἔχοντας  
 ποιεῖν, καὶ τὰς θυρίδας εἰς τὴν ὁδὸν ἀνοίγειν· καὶ τοὺς ἐν

ΣΤΑ

9 ENTOCIΔΙΩΝ: ἐντὸς ἰ σταδίων Joh. Mayor (edd.), ἐντὸς ἰ σταδίων <ἀπὸ>  
 malebat van Leeuwen. 10 ΕΠΙΜΕΛΟΝΤΑΙ.

κοπρολόγων κτλ.] Arist. Frag. 662 Kock, κοπρολογεῖ κόφρον λαβῶν. The κοπρολόγοι were not in the employ of the State, but did their work by contract. Cf. Wachsmuth, *Stadt Athen*, ii 282, and Wilamowitz, i 217 n. 57.

ἐντὸς δέκα σταδίων τοῦ τείχους] For the gen., cf. Thuc. ii 77, 5, ἐντὸς γὰρ πολλοῦ [χωρίου] τῆς πόλεως οὐκ ἦν πελάσαι.

τὰς ὁδοὺς] A decree relating to the Peiraeus which was proposed by Demades in B.C. 320 (Ditt. no. 337) assigns to the ἀγορανόμοι some of the duties of the ἀστυνόμοι—requiring them ἐπιμελεσθῆναι τῶν ὁδῶν τῶν πλατειῶν... ἐπαναγκαζόντων δὲ καὶ τοὺς τὸν χοῦν (rubbish) καταβεβληκῶτας εἰς τὰς ὁδοὺς πάντας ἀναεῖν τρόπῳ ὅτῳ ἂν ἐπίστωνται... μὴ ἐξέιναι μηδὲν μήτε χοῦν καταβάλλειν μήτε ἄλλο μηδὲν μήτε κόπρον μήτε ἐν τῇ ἀγορᾷ μήτ' ἐν ταῖς ὁδοῖς μηδαμοῦ. Cf. Meier and Schömann, p. 105-8 Lipsius.

κατοικοδομεῖν] [Xen.] *de Rep. Ath.* iii 4, δεῖ δὲ... διαδικάζειν εἰ τις... κατοικοδομεῖ τι δημόσιον. The general superintendence of buildings has been ascribed to the ἀστυνόμοι on the analogy of the provisions suggested in Plat. *Leg.* 763 C, τῶν τε ὁδῶν ἐπιμελούμενοι... καὶ τῶν οἰκοδομῶν. Cf. Polyæn. iii 9, 30, Ἴφικράτης ἐν ἀπορία χρημάτων ἔπεισεν Ἀθηναίους τὰ ὑπερέχοντα τῶν οἰκοδομημάτων εἰς τὰς δημοσίας ὁδοὺς ἀποκόπτειν ἢ πιπράσκειν κτλ.

δρυφάκτους] Balconies projecting from the fronts of houses. (Lat. *maeniana*, like that of the *casa del balcone pensile* at Pompeii; forbidden at Rome in A.D. 368 and again by Honorius and Theodosius.) Schol. Arist. *Vesp.* 386 δρυφάκτοι τὰ νῦν ταβλιωτὰ (ταβλιώματα Schol. *Eq.* 675) καλούμενα, τὰ τῶν οἰκοδομημάτων ἐξέχοντα ξύλα, cf. 349 and 830 with Schol.

ὄχετους κτλ.] the λαύραι of Arist. *Pax* 99; cf. Wachsmuth, *Stadt Athen*, ii 284-5.

θυρίδας εἰς τὴν ὁδὸν ἀνοίγειν] *thyris* is usually a 'window,' as in *de Anima* 404 a 4 and *Probl.* 913 a 10, αἱ διὰ τῶν θυρίδων ἀκτῖνες, also in Arist. *Vesp.* 379 and *Thesm.* 797, ἐκ θυρίδος παρακίπτωμεν, Plat. *Dion.* 57, πρὸς ταῖς θύραις τοῦ οἴκου καὶ ταῖς θυρίσιν, and *Mor.* 522 (*de Curiositi-*

*tate* 13). The same meaning can be retained in Plat. *Rep.* 359 D, ἵππον χαλκοῦν, κοῖλον, θυρίδας ἔχοντα, καθ' ἃς ἐγκύψαντα ἰδεῖν ἐνόητα νεκρόν, cf. Lucian, *Hermotimus*, 26, τὸν ἀρχιτέκτονα ἐπέπληξε τὸν Ἡφαιστον, διότι μὴ καὶ θυρίδας ἐποίησεν αὐτῷ κατὰ τὸ στέρνον, ὡς ἀναπετασθεῖσιν κτλ., and Plut. *Mor.* 2, 273 B, διὰ τί πύλην μίαν θυρίδα καλοῦσι (τὴν γὰρ φαινέστραν τοῦτο σημαίνειν) and *id.* διὰ θυρίδος προκύψασα. I can find no passage in which *thyris* means the same as *θύρα*. In L and S *thyris* is defined as a diminutive of *θύρα*; but of the two passages quoted, the first (Plato, *l.c.*) is inconclusive, and in the second (Plutarch *l.c.*) it certainly means a 'window.' In a Greek house the principal windows were in the *peristyle*, and any that looked into the street were on the upper storey. We must suppose that windows with shutters opening outwards on to the street were prohibited. Possibly such shutters were considered dangerous in the event of their being loosened by the wind and falling into the street. 'C'est surtout aux étages supérieurs que les murs des habitations étaient percés d'un certain nombre de fenêtres' (Chipiez, in Daremberg et Saglio, s.v. *fenestra* p. 1032 b).

The author of the *Oeconomica*, 2, 1347 a 6, says of Hippias, τὰ ὑπερέχοντα τῶν ὑπερώων εἰς τὰς δημοσίας ὁδοὺς καὶ τοὺς ἀναβαθμοὺς καὶ τὰ προφράγματα, καὶ τὰς θύρας τὰς ἀνοιγομένας ἔξω, ἐπώλησεν (taxed, cf. Wachsmuth, *Stadt Athen*, ii 286); and Plutarch, *Poplic.* 20, infers from the comic poets that in former days the doors of Greek houses usually opened outwards. Mr Kenyon, who regards *thyris* as synonymous with *θύρα*, supposes that the ἀστυνόμοι prohibited this. If so, it must have been in defiance of the ἀστυνόμοι that the doors of Athenian houses, in the time of the Attic comedy, 'habitually opened outwards.' The fact is far from certain, but it does not concern us here, unless *thyris* is to mean the same as *θύρα*, an opinion which, in the light of the general usage of Greek authors, we can hardly accept.—*thyridas* and *θύρας* are, however, sometimes confounded in MSS



ταῖς ὁδοῖς ἀπογιγνομένοις ἀναιρουσίν, ἔχοντες δημοσίους ὑπη- 14  
ρέτας.

51. κληροῦνται δὲ καὶ ἀγορανόμοι (δέκα), πέντε μὲν εἰς Πειραιέα, πέντε δ' εἰς ἄστυ. τούτοις δὲ ὑπὸ τῶν νόμων προστέτακται τῶν ὀνίων ἐπιμελεῖσθαι πάντων, ὅπως καθαρὰ καὶ ἀκίβδηλα πωλήσεται.

2 κληροῦνται δὲ καὶ μετρονόμοι (δέκα), πέντε μὲν εἰς ἄστυ, 5 πέντε δὲ εἰς Πειραιέα· καὶ οὗτοι τῶν μέτρων καὶ τῶν σταθμῶν ἐπιμελοῦνται πάντων, ὅπως οἱ πωλοῦντες χρῆσονται δικαίους.

LI 1 ἀγοράνομοι <ι> Papageorgios, cf. vv. 5, 8 (κ<sup>4</sup>, Th). 4 πωληταί: correxuit Kaibel, cf. vv. 7, 11, 12 (κ-w<sup>3</sup>, B<sup>2-4</sup>, κ<sup>4</sup>, Th). 5 μετρονόμοι <ι> Papageorgios ('ita optime explicatur error ap. Harp.,' κ<sup>4</sup>, Th). 7 ΧΡΗΣΩΝΤΑΙ (κ<sup>3</sup>): χρῆσονται A Sidgwick, Rutherford, edd.

TESTIMONIA. LI § 1 \*Harp. ἀγορανόμοι: οἱ κατὰ τὴν ἀγορὰν ὄνια διοικούντες ἄρχοντες... Ἄρ. δ' ἐν Ἀθ. πολ. κληροῦσθαι φησι "πέντε μὲν εἰς Πειραιᾶ, πέντε δὲ εἰς ἄστυ" (Frag. 409<sup>2</sup>, 449<sup>3</sup>). Photius Atheniensis (Gött. Nachr. 1896, 324) ἀγορανόμοι οἱ τὰ κατὰ τὴν ἀγορὰν διοικούντες ὄνια ἄρχοντες. δέκα δὲ ἦσαν, ὧν πέντε μὲν τὰ κατὰ τὸ ἄστυ, πέντε δὲ τὰ κατὰ τὴν χώραν διέτατον.

§ 2 \*Harp. μετρονόμοι: ἀρχὴ τις Ἀθήνησιν ἐστίν ἡ τῶν μετρονόμων... ἦσαν δὲ τὸν ἀριθμὸν ἰ, ἔ μὲν εἰς Πειραιᾶ, ἔ δ' εἰς ἄστυ (legebatur τὸν ἀριθμὸν ἰε, εἰς μὲν τὸν Π. ἰ, ἔ δὲ

(see *apparatus criticus* to Aesch. I § 74, συγκλήουσι τὰς θύρας, where one MS has θυρίδας).

ἀναιρουσίν] 'take up for burial,' Arist. *Vesp.* 386, Xen. *Anab.* vi 4, 9.

LI § 1. ἀγορανόμοι] *Pol.* I 321 b 12, πρῶτον μὲν οὖν ἐπιμέλεια τῶν ἀναγκαίων ἡ περὶ τὴν ἀγορὰν, ἐφ' ἣ δέ τινα ἀρχὴν εἶναι τὴν ἐφορῶσαν περὶ τε τὰ συμβόλαια καὶ τὴν εὐκομίαν, and I 299 b 17. *Lys.* 22 κατὰ τῶν σιτοπωλῶν, § 16, ἐπὶ μὲν τοῖς ἄλλοις ὀνίοις ἅπασιν τοὺς ἀγορανόμους κατεστήσατε. In Dem. 24, *Timocr.* § 112, the ἀγορανόμος, as well as the ἀστυνόμος, is described as holding a κληρωτὴν ἀρχήν. Arist. *Vesp.* 1407, *Ach.* 724, 968 and Schol. on 896; Xen. *Symp.* ii 20; also Plat. *Leg.* 764 B, 917 B-E etc. Cf. Meier and Schömann p. 101-4 Lipsius; Schömann, *Ant.* p. 416; Büchschütz, *Besitz u. Erwerb.* p. 536; Gilbert, i 288<sup>2</sup>; Häderli, *die Astynomen und Agoranomen.*

ἐπιμελεῖσθαι... ὅπως... πωλήσεται] After ἐπιμελεῖσθαι, the papyrus has ὅπως πωλήσεται here, and ὅπως χρῆσονται at the end of the next sentence. In the inscriptions of the fourth century against 37 exx. of ὅπως ἂν c. subj. we have only one of ὅπως c. subj. CIA ii 115, 45 (Ditt. no. 106), ἐπιμελεῖσθαι... ὅπως... κομίσωνται: in the same inscr. ὅπως ἂν occurs twice (Meisterhans, p. 253<sup>3</sup>). Cf. 29 § 3. ὅπως with the future indicative is frequent in inscriptions of the best age (*ib.* 255<sup>3</sup>), as in literature. See Goodwin's *Moods and*

*Tenses*, §§ 339, 348, ed. 2; Madvig, *Gk Syntax*, §§ 122-123; and Cobet, quoted in note 3 on § 2.

§ 2. μετρονόμοι] The numbers given in the text, five for the city and five for the Peiraeus, confirm the account in Photius, s.v. art. 1, and Bekker's *Anecd.* 278, 25 (accepted by Voemel, and Gilbert, i 289<sup>2</sup>). The MSS of Harpocr. have: ἦσαν δὲ τὸν ἀριθμὸν ἰ, εἰς μὲν τὸν Πειραιᾶ ἰ, εἰ δ' εἰς ἄστυ. Boeckh accepts 15 as the total, but assigns five to the Peiraeus and ten to the city. Dindorf corrects Harpocr. thus: ἦσαν δὲ τὸν ἀριθμὸν ἰ, εἰ μὲν εἰς τὸν Πειραιᾶ, εἰ δ' εἰς ἄστυ, and this is confirmed by the text. Cf. Pollux iv 167, Δελναρχος μετρονόμου τοῦ ἐπὶ τῶν μέτρων.

τῶν μέτρων καὶ τῶν σταθμῶν] These are the subject of a long inscr. in CIA ii 476, early in first century B.C., discussed in Boeckh, *Staatsk.* ii 318-332 Fränkel. The ἄρχοντες mentioned in the inscr. may be the μετρονόμοι, but there is nothing to prove that those officials were still in existence at this time (Wilamowitz, i 219 n. 62).

ἐπιμελοῦνται... ὅπως... χρῆσονται] The papyrus has χρῆσονται. 'Quicumque Codices Graecos paulo diligentius inspicit saepissime vidit librariorum ὅπως et ὅπως μὴ cum coniunctivi aoristis [primis] coniungere, ubi veteres indicativi futurum posuissent' (Cobet, *Nov. Lect.* 266). Cf. 1. 3.

ἦσαν δὲ καὶ σιτοφύλακες κληρωτοὶ (δέκα), πέντε μὲν εἰς 3  
 Πειραιέα, πέντε δ' εἰς ἄστυ, νῦν δ' εἴκοσι μὲν εἰς ἄστυ, πεντεκαίδεκα  
 10 δ' εἰς Πειραιέα. οὗτοι δ' ἐπιμελοῦνται, πρῶτον μὲν ὅπως ὁ ἐν ἀγορᾷ  
 σίτος ἀργὸς ὄνιος ἔσται δικαίως, ἔπειθ' ὅπως οἱ τε μυλωθροὶ πρὸς  
 τὰς τιμὰς τῶν κριθῶν τὰ ἄλφιστα πωλήσουσιν, καὶ οἱ ἀρτοπῶλαι  
 πρὸς τὰς τιμὰς τῶν πυρῶν τοὺς ἄρτους, καὶ τὸν σταθμὸν ἄγοντας  
 ὅσον ἂν οὗτοι τάξωσιν· ὁ γὰρ νόμος τούτους κελεύει τάττειν.  
 15 ἐμπορίου δ' ἐπιμελητὰς δέκα κληροῦσιν· τούτοις δὲ προσ- 4

8 δὲ καὶ <δέκα> B<sup>1</sup>; <ί> ex Harp. post κληρωτοὶ K-W, B<sup>2,4</sup>, K<sup>4</sup>, Th; post σιτο-  
 φύλακες B<sup>3</sup>. 9 ΠΕΡΑΙΕΑ: Πειραιέα K, K-W, B, Th; Πειραιᾶ H-L. ΕΙΚΟΣΙ  
 (littera ι evanida) K, H-L, B, K-W<sup>3</sup>: εἰσι ιε K-W<sup>1,2</sup>; εἰσι λ', ιε' μὲν Wil. i 218.  
 10 ΠΕΡΑΙΕΑ K, K-W, B: Πειραιᾶ H-L. 12 πωλήσουσι H-L.

εἰς ἄστυ: epitomes ope correxit Dind. collato Voemelio in Bergkii *Ephem. antiq.*  
 1852, p. 31): εἶχον δὲ τὴν ἐπιμέλειαν ὅπως δίκαια ἦ τὰ μέτρα τῶν πωλούντων, ὡς καὶ  
 Ἄρ. ἐν τῇ Ἀθ. πολ. δηλοῖ. Bekk. An. p. 278, 25: ἀρχὴ τις Ἀθήνησι κληρωτῆ ἢ τῶν  
 μετρονῶν, δέκα τὸν ἀριθμὸν, ὧν πέντε μὲν ἦσαν ἐν τῷ Πειραιεῖ, πέντε δὲ ἐν ἄστει.  
 οὗτοι δὲ τὴν ἐπιμέλειαν εἶχον ὅπως δίκαια ἦ τὰ μέτρα τῶν πωλούντων. Photius:  
 ἄρχοντες ἦσαν δέκα τὸν ἀριθμὸν, ὧν πέντε μὲν ἐν ἄστει, πέντε δ' ἐν Πειραιεῖ· καὶ εἶχον  
 τὴν ἐπιμέλειαν ὅπως—πωλούντων (cf. Frag. 412<sup>2</sup>, 452<sup>3</sup>).

§ 3 \*Harp. σιτοφύλακες: ἀρχὴ τις ἦν Ἀθήνησιν, ἥτις ἐπεμελεῖτο ὅπως ὁ σίτος δικαίως  
 πραθῆσεται καὶ τὰ ἄλφιστα καὶ οἱ ἄρτοι. ἦσαν δὲ τὸν ἀριθμὸν ἰ, εἰ μὲν ἐν ἄστει (legebatur  
 τὸν ἀριθμὸν ιε μὲν ἐν ἄστει), εἰ δ' ἐν Πειραιεῖ, ὡς Ἄρ. ἐν Ἀθ. πολ. Epitome... ἦσαν δὲ  
 τὸν ἀριθμὸν ιε μὲν ἐν ἄστει, εἰ δ' ἐν Π. Photius... πάλαι μὲν πεντεκαίδεκα ἐν ἄστει πέντε  
 δὲ ἐν Π., ὕστερον λ μὲν ἐν ἄστει, εἰ δὲ ἐν Π. Bekk. An. 300, 19: ἄρχοντες Ἀθήνησι  
 κληρωτοί. οὗτοι δ' ἐπεμελοῦντο ὅπως — οἱ ἄρτοι κατὰ τὰ ὠρισμένας τιμὰς καὶ τὸν  
 σταθμὸν (Frag. 411<sup>2</sup>, 451<sup>3</sup>).

§ 4 \*Harp. ἐπιμελητῆς ἐμπορίου: ... Ἄρ. “ἐμπορίου δ' ἐπιμελητὰς — τοῦ σίτου τοῦ  
 καταπλέοντος εἰς τὸ ἄστικὸν ἐμπόριον — κομίζεω” (Frag. 409<sup>2</sup>, 449<sup>3</sup>). Bekk. An.

§ 3. σιτοφύλακες] Harpocr. s.v. ἦσαν  
 δὲ τὸν ἀριθμὸν ἰ ε' (ἰ ε', ἰ Valesius) μὲν ἐν  
 ἄστει, ε' δ' ἐν Πειραιεῖ. These numbers,  
 as altered by Valesius, seemed to be con-  
 firmed by Photius, ἦσαν δὲ τὸν ἀριθμὸν  
 πάλαι μὲν πεντεκαίδεκα, <ί> ἐν ἄστει,  
 ε' δ' ἐν Πειραιεῖ, and were accepted  
 by Boeckh. But the text, which is  
 Harpocraton's authority for his state-  
 ments, shews that ἰ ε' must be separated  
 in Photius, as well as in Harpocraton,  
 so that we get 10 in all, 5 in the city  
 and 5 in the Peiraeus. In Lys. 22  
 § 8 (of the σιτοφύλακες), οἱ μὲν τέσσαρες  
 (Bergk, for δύο, a corruption of δ') are  
 contrasted with another member of  
 the board, Anytus. Cf. Boeckh, i 105  
 Fränkel; Gilbert i 289<sup>2</sup>; Wilamowitz,  
 i 220.

κληρωτοί] Lys. 22 § 16, σιτοφύλακας  
 ἀποκληροῦτε.

νῦν δ' εἴκοσι κτλ.] Photius, ὕστερον  
 δὲ λ' μὲν ἐν ἄστει, ε' δ' ἐν Πειραιεῖ. Here  
 the total is correct, but the text shews  
 that Photius ought to have said: κ' μὲν  
 ἐν ἄστει, ἰ ε' δ' ἐν Π.

σίτος ἀργὸς] ἀκατέργαστος, ‘unpre-  
 pared corn,’ Hippocr. *Vet. Med.* 12,  
 πυροὶ ἀργοί. The position of ἀργὸς (after,  
 instead of before, σίτος) is defended by  
*Eth. Nic.* vi 4, 2, ἢ μετὰ λόγου ἕξις  
 πρακτικῆς ἕτερόν ἐστι τῆς μετὰ λόγου ποι-  
 ητικῆς ἕξεως, quoted by Dr Jackson to  
 prove that part of a complex epithet  
 may be placed after the article and sub-  
 stantive. Mr Newman adds *Pol.* 1252 b  
 27, ἢ ἐκ πλείονων κωμῶν κοινωνία τέλειος  
 πόλις ἦδη. Wilamowitz (i 219 n. 63)  
 suggests that the phraseology is taken  
 from the terms of the law.

τῶν κριθῶν τὰ ἄλφιστα] Plat. *Rep.*  
 372 B, ἐκ τῶν κριθῶν ἄλφιστα σκευαζό-  
 μενοι.

§ 4. ἐμπορίου.. ἐπιμελητὰς] All that  
 is known of these officials, apart from the  
 statement in the text, is that they were  
 the proper authority to receive legal  
 notice (φάσις) of any infringement of the  
 law forbidding citizens and resident aliens  
 lending money on the security of a cargo  
 bound for any other port than that of  
 Athens. Dem. 35 §§ 50, 51, εἴαν τις...



τέτακται τῶν τ' ἐμπορίων ἐπιμελεῖσθαι, καὶ τοῦ σίτου τοῦ καταπλέοντος εἰς τὸ σιτικὸν ἐμπόριον τὰ δύο μέρη τοὺς ἐμπόρους ἀναγκάζειν εἰς τὸ ἄστυ κομίζειν.

52. καθιστάσι δὲ καὶ τοὺς ἔνδεκα κληρωτοὺς, ἐπιμελησομένους τῶν ἐν τῷ δεσμοτηρίῳ, καὶ τοὺς ἀπαγομένους κλέπτας καὶ

17 ΣΙΤΙΚΟΝ Κ, Κ-Ω, Η-Λ, Β<sup>2-4</sup>, Κ<sup>4</sup>, Th: ἀστικὸν quondam proposui coll. Bekk. An. 255, 208, 284, 456; accepit B<sup>1</sup>: Ἄττικὸν ex Harp. Torr (s<sup>1</sup>, coll. Dem. 34 §§ 36, 37; 35 § 28, σιτικὸν et ἀστικὸν oculi errori e proximis verbis σίτου et ἄστυ attributis).

LII 1 κλήρω τοὺς Κ-Ω<sup>3</sup>, Κ<sup>4</sup>. <τοὺς> ἐπιμελησομένους Rutherford, Η-Λ; cf. Heracl. in Testimoniis. 2 <κακούργους, τοὺς τε> κλέπτας, Κ-Ω<sup>1,3</sup>, coll. Etym. Mag.; sed cf. Bursy p. 64.

255, 22: ἐμπορίου ἄρχοντες ἦσαν κληρωτοί, δέκα τὸν ἀριθμὸν, ἕκαστου ἔτους καθιστάμενοι, οἷς προσετέτακτο τῶν ἐμπορίων ἐπιμελεῖσθαι, καὶ τοῦ σίτου <τοῦ> καταπλέοντος εἰς τὸ ἐμπόριον τὸ ἀστικὸν τὰ δύο μέρη τοὺς ἐμπόρους ἀναγκάζειν (reliqua propter ὁμοιοτέλειον οmissa)...ib. 208, 26 ἀστικὸν ἐμπόριον· ὅπου οἱ ἄστοι ἐμπορεύονται. ἦν δὲ καὶ ἄλλο ξενικόν, ὅπου οἱ ξηνοὶ (cf. 284, 6; 456, 3). Suidas...ἄλλοι δὲ λέγουσιν ὅτι ἐμπορίου ἄρχοντες εἰσι κληρωτοὶ ἕκαστου ἔτους καθιστάμενοι οἷς προσετέτακτο ἐπιμελεῖσθαι τοῦ καταπλέοντος σίτου εἰς τὸ ἐμπόριον τὸ Ἄττικόν καὶ τοὺς ἐμπόρους ἀναγκάζειν εἰς τὸ ἄστυ νομίζειν.

TESTIMONIA. LII 1 Heraclidis epitoma; Rose, Frag. 611, 8: ὁμοίως δὲ “καθιστάσι καὶ τοὺς ἔνδεκα” τοὺς (secl. Κ-Ω; sed fortasse e κληρωτοῦς exortum) “ἐπιμελησομένους τῶν ἐν τῷ δεσμοτηρίῳ.” Pollux viii 102: οἱ ἔνδεκα: εἰς ἀφ' ἑκάστης φυλῆς ἐγένετο καὶ γραμματεὺς αὐτοῖς συνηριμῆιτο...ἐπεμελοῦντο δὲ “τῶν ἐν τῷ δεσμοτηρίῳ” καὶ ἀπήγον κλέπτας ἀνδραποδιστὰς λωποδύτας, εἰ μὲν ὁμολογοῦν, θανατώσυντες, εἰ δὲ μή, εἰσάγοντες εἰς τὰ δικαστήρια, κὰν ἀλώσιν, ἀποκτενοῦντες. Bekk. An. 310, 14: οἱ ἔνδεκα τοὺς κλέπτας καὶ τοὺς λωποδύτας καὶ <τοὺς> ἀνδραποδιστὰς ὁμολογοῦντας μὲν ἀποκτινύουσιν, ἀντιλέγοντας δὲ εἰσάγουσιν “εἰς τὸ δικαστήριον” (Frag. 420<sup>3</sup>). Phot. ἡγεμονία δικαστηρίου:...τοῖς ἔνδεκα ὄσαι ληστὰς καὶ λωποδύτας καὶ ἀνδραποδιστὰς εἰσάγουσι. Etym. M. 338, 31: κληρωτοὶ ἄρχοντες ἦσαν οὗτοι, προσσηκότες τοῦ δεσμοτηρίου· καὶ τοὺς ἀπαγομένους κακούργους ἐπὶ θάνατον παραλαμβάνοντες ἐξήμιον· τοὺς δὲ ἀμφισβητοῦντας εἰσήγον “εἰς τὸ δικαστήριον” καὶ τὸ γνωσθὲν περὶ αὐτῶν ἔπαρτον. εἰσήγον δὲ “καὶ τὰ ἀπογραφόμενα χωρία <καὶ Schleusner> οἰκίας” καὶ τὰ “δημόσια εἶναι” δόξαντα παρεδίδου τοῖς πολιταῖς (πωληταῖς Schleusner). εἰσήγον δὲ ἕνιας ἐνδείξεις. Bekk. An. 250, 4:...καὶ τοὺς <ἀπ>αγομένους ἐπὶ κακουργήμασι παρελάμβανον κλέπτας καὶ ἀνδραποδιστὰς καὶ φονεῖς. καὶ τοὺς μὲν ὁμολογοῦντας θανάτῳ ἐξήμιον, τοὺς δὲ ἀμφισβητοῦντας εἰσήγον εἰς δικαστήριον. Schol. Arist. Vesp. 1108: ἡ τῶν ἔνδεκα ἀρχὴ τοὺς μὲν ὁμολογοῦντας καὶ ἀνδραποδιστὰς καὶ λωποδύτας θανάτῳ ἐκόλαζον, τοὺς δὲ ἀρνούμενους εἰς δικαστήριον εἰσήγον. εἰσήγον δὲ καὶ τὰς ἐνδείξεις. Schol. Patm. Dem. p. 11, 16, Sakkelion; Schol. Lucian. iv 170 Jacobitz.

χρήματα δανείση εἰς ἄλλο τι ἐμπόριον ἢ τὸ Ἀθηναίων; 58 §§ 8, 9 (Gilbert, i 250<sup>2</sup>). Cf. Meier and Schöm., p. 98 Lips. The ἐμπόριον extended over the greater part of the east shore of the harbour of the Peiraeus; Wachsmuth, *Stadt Athen*, ii 96—esp. 114.

τὸ σιτικὸν ἐμπόριον] There is no proof of the existence of any special ‘corn-mart’ in the Peiraeus, but, even without any legal enactment, custom must have led to the corn being unshipped at some particular spot. One of the parts of the ἐμπόριον in the Peiraeus was the μακρὰ στοὰ (Thuc. viii 90, 5; Dem. 34 § 37), also called the στοὰ ἀλφιδόπωλις (Dem. l.c.). Cf. Kaibel, 221 f, and Wilamowitz, i 220 n. 68.

LII § 1. τοὺς ἔνδεκα] c. 7 § 3. Pollux, viii 102, οἱ ἔνδεκα εἰς ἀφ' ἑκάστης φυλῆς ἐγένετο, καὶ γραμματεὺς αὐτοῖς συνηριμῆιτο (under Demetrius Phalereus (306) their name was changed into νομοφύλακες). Schömann, p. 414; Gilbert, i 285<sup>2</sup>; *Dict. Ant.* i 942; Wilamowitz, i 222 n. 70.

ἀπαγομένους κλέπτας...ἀνδραποδιστὰς...λωποδύτας] Isocr. *Antid.* § 90, τοῦτον ἀπαγαγὼν ἀνδραποδιστὴν καὶ κλέπτην καὶ λωποδύτην. Meier and Schöm. p. 273-6, Lips. Pollux, ἀνδραποδιστῆς· ὁ τὸν ελεύθερον καταδουλούμενος ἢ τὸν ἀλλότριον οἰκέτην ὑπαγόμενος.

κλέπται, ἀνδραποδισταὶ and λωποδύται came under the general heading of κακούργοι; cf. [Dem.] 35 *Lacr.* 47, τοι-

τοὺς ἀνδραποδιστὰς καὶ τοὺς λωποδύτας, ἂν μὲν [ὀμολογῶ]σι, θανάτῳ ζημιώσοντας, ἂν δ' ἀμφισβητῶσιν, εἰσάξοντας εἰς τὸ δικαστήριον, κἂν μὲν ἀποφύγωσιν, ἀφήσοντας, εἰ δὲ μὴ, τότε θανατώσοντας, καὶ τὰ ἀπογραφόμενα χωρία καὶ οἰκίας εἰσάξοντας εἰς τὸ δικαστήριον, καὶ τὰ δόξαντα δημόσια εἶναι παραδώσοντας τοῖς πωληταῖς, καὶ τὰς ἐνδείξεις εἰσάξοντας· καὶ γὰρ ταύτας εἰσάγουσιν οἱ ἕνδεκα. εἰσάγουσι δὲ τῶν ἐνδείξεων τινὰς καὶ οἱ θεσμο-  
10 θέται.

κληροῦσι δὲ καὶ εἰσαγωγέας πέντε ἄνδρας, οἱ τὰς ἐμμήνους 2

3 τοὺς bis delent H-L. 3, 4 ἂν bis H-L. 4 ΖΗΜΙΩΘΗCONΤΑCENΔ COIT. K.

TESTIM. § 2 Pollux viii 101: εἰσαγωγεῖς οἱ “τὰς ἐμμήνους δίκας” εἰσάγοντες· ἦσαν δὲ προικὸς, ἐρανικαί, ἐμπορικαί. Hesych. εἰσαγωγῆ (εἰσαγωγῆς = εἰς Scaliger): ἀρχὴ Ἀθήνησι τῶν τὰ ἐγκλήματα (leg. ἐμμηνα K-W) εἰσαγόντων (cf. Schol. Dem. *Mid.* § 3).

χωρῶν καὶ κλέπτας καὶ τοὺς ἄλλους κακούργους τοὺς ἐπὶ θανάτῳ οὗτοι (sc. οἱ ἕνδεκα) εἰσάγουσιν, *Androt.* §§ 26—28, *Isocr.* 15 § 90. Cf. Meier and Schöm. p. 86 Lips., and Kaibel, 223.

ἂν μὲν ὀμολογῶσι κτλ.] *Aeschin.* I § 113, οἱ δὲ νόμοι κελεύουσι τῶν κλεπτῶν τοὺς μὲν ὀμολογούντας θανάτῳ ζημιόσθαι, τοὺς δ' ἀρνούμενους κρίνεσθαι, and Dem. *in Timocr.* § 65, τῶν...κακούργων τοὺς ὀμολογούντας ἄνευ κρίσεως κολάζειν οἱ νόμοι κελεύουσιν. Schol. Arist. *Vesp.* 1108, ἡ τῶν ἕνδεκα ἀρχὴ τοὺς μὲν ὀμολογούντας καὶ ἀνδραποδιστὰς καὶ λωποδύτας θανάτῳ ἐκόλαζον, τοὺς δὲ ἀρνούμενους εἰς δικαστήριον εἰσήγον. These passages (quoted in *Class. Rev.* v 224) prove the incorrectness of the interpretation suggested in the *Saturday Review*, March 21, 1891, p. 359 ‘if (the Eleven) are unanimous...or if they disagree.’ See also the passages quoted in the *Testimonia*.

Cf., in general, Plat. *Leg.* 794 B, πολιτην δὲ ἀμφισβητοῦντα μὲν τῇ κολάζει πρὸς τοὺς ἀστυνόμους ἐπὶ δίκην ἄγουσα, ἀναμφισβητον δὲ ὅτα αὐτῇ κολαζέτω.

θανάτῳ] Dem. 4 § 47, τὸν τῶν ἀνδραποδιστῶν καὶ λωποδυτῶν θάνατον...κακούργου μὲν γὰρ ἐστὶ κριθέντ' ἀποθανεῖν.

καὶ τὰ ἀπογραφόμενα χωρία κτλ.] The monotonous effect of the six future participles might have been varied at this point by starting afresh with the present indicative:—εἰσάγουσι δὲ καὶ τὰ ἀπογρ. χωρία (Kaibel, 26 f).

Our knowledge of this part of the duties of the Eleven has hitherto been derived from the *Etymologicum Magnum* 338, 35, which is obviously quoted from the text: see *Testimonia*, p. 199. Meier and Schöm. p. 88 Lipsius.

πωληταῖς] 47 § 2.

τὰς ἐνδείξεις] Schol. Arist. *Vesp.* 1108, εἰσήγον δὲ καὶ τὰς ἐνδείξεις. Bekker, *Anecd.* 250, 11, τῶν δὲ ἐνδείξεων εἰσέφερον εἰς δικαστήριον ἄς μὲν οἱ ἕνδεκα, ἄς δὲ οἱ θεσμοθέται. *Etym. Mag.* 338, 39, εἰσήγον δὲ ἑνίας ἐνδείξεις (Meier and Schöm. p. 87 Lipsius). The text does not enable us to distinguish between the ἐνδείξεις under the control of the Eleven, and those under that of the Thesmothetae. The general statement, καὶ γὰρ ταύτας εἰσάγουσιν οἱ ἕνδεκα, is modified in the following sentence.

§ 2. εἰσαγωγέας] These officials are mentioned twice in Pollux viii 93, ἀρχῆς κληρωτῆς ὄνομα, and 101, εἰσαγωγεῖς οἱ τὰς ἐμμήνους δίκας εἰσάγοντες, ἦσαν δὲ προικὸς, ἐρανικαί, ἐμπορικαί. But their existence was doubted by Meier. These doubts were dispelled in 1869 by the publication of an inscr. of B.C. 425/4 relating to the superintendence of judicial proceedings connected with the assessment of the tribute; CIA i 37, 47, ἐπὶ τῶν εἰσαγωγέων (Meier and Schöm. p. 94 Lips.; Gilbert, i 475<sup>2</sup> n. 2). The text shews that their number was five; not ten, as had been conjectured.

Pollux places ἐμπορικαὶ δίκαι under the control of the εἰσαγωγεῖς, and, in B.C. 342, the date of [Dem.] 7 § 12, these suits were certainly ἐμμηνοί. But they were under the Thesmothetae, as is proved by passages in the Orators, and by c. 59 § 5, quoted elsewhere by Pollux himself. In CIA i 38, frag. f, certain ἐπιμεληταὶ are appointed to attend to cases of delay in the payment of tribute, οἱ δὲ ἐπιμεληταὶ ἐσαγόντων ἐμμηνα ἐς τὸ δικαστήριον, thus shewing that at that time (probably shortly after 432 B.C.) there were some ἐμμηνοὶ δίκαι not under the care of the



εἰσάγουσι δίκας, δυοῖν φυλαῖν ἕκαστος. εἰς δ' ἔμμηνοι προικός, εἴαν τις ὀφείλων μὴ ἀποδῶ, κἄν τις ἐπὶ δραχμῇ δανεισάμενος ἀποστερῆ, κἄν τις ἐν ἀγορᾷ βουλόμενος ἐργάζεσθαι δανείσῃται παρά τινος ἀφορμῆν· ἔτι δ' αἰκείας καὶ ἐρανικαὶ καὶ κοινωνικαὶ 15 καὶ ἀνδραπόδων καὶ ὑποζυγίων καὶ τριηραρχικαὶ καὶ τραπεζιτι-

13 ΑΠΟΔΩΙ (κ, Th) cf. Lys. 30 § 22 δύο τάλαντα ἀποδοῦναι: ἀποδιδῶ Blass, Kontos, κ-ω, η-λ; cf. Dem. 34 § 13 οὐδ' ἀποδίδωσι τὸ δάνειον. ἐπὶ δραχμῇ: ὑπὲρ δραχμῆν η-λ. 14 ἐν: εΔΝ. 15 ΔΙΚΕΙΑΣ (κ, η-λ, β, κ-ω<sup>3</sup>, Th): αἰκίας κ-ω<sup>1,2</sup>, ἐΡΑΝΙΚΑΣ—ΚΟΙΝΩΝΙΚΑΣ (κ<sup>1</sup>, β, κ-ω<sup>3</sup>): ἐρανικαὶ—κοινωνικαὶ Bury, κ-ω<sup>1,2</sup>, η-λ, κ<sup>3</sup>, Th. 'Desiderantur autem ἐμπορικαί, cf. Poll.' (β), sed cf. c. 59 § 5 et Kaibel 224. 16 ΤΡΙΗΡΑΡΧΙΑΣ (κ<sup>1</sup>, η-λ, β, κ-ω<sup>3</sup>, s<sup>1</sup>): τριηραρχικαὶ Bury (κ-ω<sup>1,2</sup>, κ<sup>4</sup>, Th). ΤΡΑΠΕΖΙΤΙΚΑΣ (β, κ-ω<sup>3</sup>): τραπεζιτικαὶ Bury, κ-ω<sup>1,2</sup>, η-λ, κ<sup>3,4</sup>, Th.

εἰσαγωγείς (Gilbert, i 422<sup>a</sup> n. 3). See also Goodell, in *A. J. P.* xii 324.

τὰς ἐμμήνους—δίκας] Lawsuits which had to be decided within a month (Meier and Schöm. p. 907). They are first mentioned in B.C. 425/4, CIA i 38 (quoted in last note). The text mentions several varieties of such lawsuits that are omitted by Pollux.

προικός] actions for restitution of dowry. (1) If the husband divorced his wife, he was bound to return the dowry or to pay interest at the rate of 18 per cent. per annum (Dem. *Aph.* i 17, *Neaer.* 52). The κύριος might enforce these claims by a προικός δίκη (Isaeus 3 §§ 9, 78). (2) A similar action might be brought against the heirs who kept a widow out of her rights. The δίκαι προικός in the text are limited by the definition in the next clause, εἴαν τις ὀφείλων μὴ ἀποδῶ.

κἄν τις—ἀποστερῆ] The benefit of the expeditious process for recovery of debts is here limited to creditors who are satisfied with what in Athens was regarded as the moderate rate of 12 per cent. (Dem. *Aphob.* i 23, 35; Aesch. *Ctes.* 104; cf. Boeckh, i 156 Fränkel.) Those who charge higher rates, such as 16, 18 or even 36 per cent., are excluded from this privilege. Lipsius in *Leipzig Verhandlungen*, 1891, p. 57 n.

ἀφορμῆν] 'capital.' The speech of Dem. *pro Phormione* is a παραγραφή to a δίκη ἀφορμῆς. The text refers to the case of a small tradesman setting up business in the market-place and refusing to repay the capital he had borrowed for the purpose.

αἰκείας] Meier and Schöm. p. 647 f Lips. About B.C. 346/5, according to Dem. *c. Pantaenetum* 37 § 33, the tribunal in such cases was the Forty; cf. Schol. Plat. *Rep.* 464 E. The text implies

that the tribunal has been changed.

ἐρανικαὶ] lawsuits for the recovery of friendly loans, or for the decision of disputes between various members of an ἔρανος (Meier and Schöm. p. 637—643 Lips.).

κοινωνικαὶ] suits against corporations (Meier and Schömann, p. 767 Lips.). In Dem. 14 § 16 κοινωνικὰ probably means property held by corporations (*ib.* p. 602, Lips. note 321).

ἀνδραπόδων] Dem. *Callicl.* 55 §§ 31, 34 (Meier and Schömann, p. 766). By the law of Solon quoted in Lys. *c. Theopomnest.* i 19, (the owner was liable) οἰκῆτος καὶ δούλης βλάβην ὀφείλειν, cf. Plat. *Leg.* 936 D.

ὑποζυγίων] actions arising out of damage done by beasts of draught or burden. Cf. Solon's law in Plut. *Sol.* 24; and Plat. *Leg.* 936 E, εἴαν ὑποζύγιον ἢ ἵππος (Dinarch. *c. Antiph.* περὶ ἵππου) ἢ κύων (Lys. περὶ τοῦ κύνος ap. Harpocr. *s. v.* καρκίνος) ἢ τι τῶν ἄλλων θρεμμάτων σίνηται τι τῶν πέλας, κατὰ ταῦτὰ ἐκτίνειν τὴν βλάβην (τὸν δεσπότην). The special case of homicide caused by a ὑποζύγιον ἢ ζῶον ἄλλο τι is considered *ib.* 873 E (*inf.* c. 57 *ad fin.*).

τριηραρχικαὶ] The speech delivered by Apollodorus against Polycles, [Dem.] *Or.* 52, belongs to this class. Polycles failed to join his ship for four months after the official year had expired, and his predecessor Apollodorus had incurred extra expenses for which he sues Polycles.

τραπεζιτικαὶ] In the *Trapeziticus* of Isocr. the banker Pasion is accused of repudiation and forgery.—δίκαι μεταλλικαὶ and ἐμπορικαὶ are not included in the list, probably because they came under the ἡγεμονία of the Thesmothetae (Dem. *c. Arat.* § 12, and *inf.* 59 § 5).

καί. οὔτοι μὲν οὖν ταύτας δικάζουσιν ἐμμήνους εἰσάγοντες, οἱ δ' ἀποδέκται τοῖς τελώναις καὶ κατὰ τῶν τελωνῶν, τὰ μὲν μέχρι δέκα δραχμῶν ὄντες κύριοι, τὰ δ' ἄλλ' εἰς τὸ δικαστήριον εἰσάγοντες 3  
20 ἔμμηνα.

53. κληροῦσι δὲ καὶ (τοὺς) τετταράκοντα, τέτταρας ἐκ τῆς φυλῆς ἐκάστης, πρὸς οὓς τὰς ἄλλας δίκας λαγχάνουσιν· οἱ 18 δέκα (=δραχμῶν).

LIII 1 <τοὺς> τετταράκοντα K-W, B<sup>2,3</sup>, K<sup>4</sup>, Th. 1—2 ἐκ τῆς ΦΥΛΗΣ (casu  
ΦΥΛΗΣ  
obliteratum) ΕΚΑΣΤΗΣ ἐξ ἐκάστης φυλῆς K<sup>1</sup>; ἐκ τῆς φυλῆς ἐκάστης K-W, H-L, K<sup>3</sup>,  
B, Th. 2 ἄλλας: ἰδίας Wyse.

TESTIMONIA. § 3 Pollux viii 97: ἀποδέκται δὲ ἦσαν δέκα, οἱ τοὺς τε φόρους καὶ τὰς εἰσφορὰς καὶ τὰ τέλη ὑπεδέχοντο (leg. ἀπεδέχοντο), καὶ τὰ περὶ τούτων ἀμφισβητούμενα ἐδίκαζον. εἰ δὲ τι μείζονος εἴη, εἰσῆγον εἰς δικαστήριον.

LIII § 1 \*Harp. κατὰ δῆμος δικαστὰς: ...περὶ τῶν κατὰ δῆμος δικαστῶν, ὡς “πρότερον μὲν—ἐδίκαζον,” εἴτα ἐγένοντο τετταράκοντα, εἰρηκεν Ἄρ. ἐν τῇ <Ἀθηναίων addidit Meier> πολιτεία. Pollux viii 100: οἱ δὲ τεσσαράκοντα “πρότερον μὲν ἦσαν τριάκοντα,” οἱ περιόντες κατὰ δῆμον τὰ μέχρι δραχμῶν δέκα ἐδίκαζον, τὰ δὲ ὑπὲρ ταῦτα τοῖς διαιτηταῖς παρεδίδοσαν· “μετὰ δὲ τὴν τῶν τριάκοντα ὀλιγαρχίαν” μῖσει τοῦ ἀριθμοῦ τοῦ τριάκοντα τεσσαράκοντα ἐγένοντο. Phot.: κληρωτὴ τις ἦν Ἀθηνησιν ἀρχὴ μ̄ (μετὰ cod.) τὸν ἀριθμὸν, οἱ τὰς ἰδιωτικὰς δίκας ἐδίκαζον· ἀλλὰ τὰς μὲν ἄχρι “δέκα δραχμῶν αὐτοελεῖς” ἦσαν δικάζειν, τὰς δὲ ὑπὲρ ταῦτα τοῖς διαιτηταῖς παρεδίδον. Bekk. An. 306, 15: ἀρχὴ τις ἐστὶ κληρωτὴ, τεσσαράκοντα τὸν ἀριθμὸν, πρὸς οὓς αἱ ἴδιαι δίκαι ἐλαγχάνοντο καὶ τὰ “μέχρι δέκα δραχμῶν.” “τὰ δ' ὑπὲρ τοῦτο τὸ τίμημα τοῖς διαιτηταῖς παραδίδοσαν” (cf. p. 310, 22; Frag. 413<sup>2</sup>, 453<sup>3</sup>).

§ 3. δικάζουσιν] i.e. ‘have the ἡγεμονία τοῦ δικαστηρίου in these lawsuits,’ Meier and Schöm. p. 43 Lips. Cf. c. 57 ad fin.

ἀποδέκται] c. 48 § 1.  
τοῖς τελώναις] e.g. the farmers of the public taxes were allowed to bring a φάσις against any one suspected of defrauding the revenue. They might even arrest him and bring him before a magistrate. Cf. Gilbert, i 395<sup>2</sup> n. 4.

LIII § 1. τοὺς τετταράκοντα] a body of officials instituted by Peisistratus under the name of οἱ κατὰ δῆμον δικασταί (16 § 5), revived in B.C. 453/2 (26 § 3), and (as stated in the text) increased in number from 30 to 40 after the time of the Thirty tyrants. They are mentioned in Isocr. Antid. 237, ἐν δὲ ταῖς τῶν τετταράκοντα (σανσιν ἀναγκαῖον ἐνεῖναι) τοὺς τ' ἐν τοῖς ἰδίοις πράγμασιν ἀδικούντας καὶ τοὺς μὴ δικαίως ἐγκαλοῦντας. In Dem. Pant. 33 we are told that cases of αἰκεία and τὰ τῶν βιαίων came under their jurisdiction. They are described as appointed by lot in Timocr. 112, εἰ μὲν τις ἀγορανόμος ἢ ἀστυνόμος ἢ δικαστὴς κατὰ δῆμον κλοπῆς ἐν ταῖς εὐθύναις ἐάλωκεν, ἀνθρωπος πένης καὶ ἰδιώτης καὶ πολλῶν ἀπειρος καὶ κληρωτὴν ἀρχὴν ἄρξας. It was only in unimportant cases, where the matter in dispute was not above the value of 10 drachmas, that

they were competent to decide on their own authority; other cases they referred, in the first instance, to the arbitrators, and, if necessary, to the law-courts. Cf. Gilbert, i 422<sup>2</sup>.

Most of the cases concerned with the rights of property were supposed by Meier to come under the jurisdiction of the Thesmothetae. Lipsius, in his revised edition of Meier and Schömann, p. 93, (1) assigns them to the Forty; he also (2) identifies the δικασταὶ κατὰ δῆμον with the δικασταὶ concerned with the several tribes (ib. p. 90 n). Thus they could act in their several divisions of four for each of the ten tribes. Lastly, (3) he holds that after a time they ceased to go on circuit and held their court in Athens. The first of these opinions is opposed by Caillemer in Daremberg and Saglio, Dict. Ant. iii 200 f; but all three are confirmed by the text. (1) is supported by τὰς ἄλλας δίκας, whereby they have jurisdiction over all causes not assigned to the Eleven, the εἰσαγωγεῖς and ἀποδέκται. (2) by c. 48 § 5, οἱ τὴν φυλὴν εἰσάγοντες, 58 § 2, οἱ τὴν φυλὴν δικάζοντες, and inf. § 2, οἱ τὴν φυλὴν τοῦ φεύγοντος δικάζοντες. (3) by the statement that they formerly went on circuit.

λαγχάνουσιν] sc. ‘the suitors.’



πρότερον μὲν ἦσαν τριάκοντα καὶ κατὰ δῆμους περιμόντες ἐδίκαζον, μετὰ δὲ τὴν ἐπὶ τῶν τριάκοντα ὀλιγαρχίαν τετταράκοντα γεγόνασιν. καὶ τὰ μὲν || μέχρι δέκα δραχμῶν αὐτοτελεῖς εἰσι 5. δ[ικὰ]ζ[ε]ι[ν], τὰ δ' ὑπὲρ τοῦτο τὸ τίμημα τοῖς διαιτηταῖς παραδιδόασιν. οἱ δὲ παραλαβόντες, ἐὰν μὴ δύνωνται διαλύσαι, γιγνώσκουσι, κὰν μὲν ἀμφοτέροις ἀρέσκη τὰ γνωσθέντα καὶ ἐμμένωσιν, ἔχει τέλος ἡ δίκη. ἂν δ' ὁ ἕτερος ἐφῆ τῶν ἀντιδίκων εἰς τὸ δικαστήριον, ἐμβαλλόντες τὰς μαρτυρίας καὶ τὰς προκλήσεις καὶ τοὺς νόμους εἰς 10 ἐχίνους, χωρὶς μὲν τὰς τοῦ διώκοντος, χωρὶς δὲ τὰς τοῦ φεύγοντος, καὶ τούτους κατασημνήμενοι, καὶ τὴν γνῶσιν τοῦ διαιτητοῦ

3 περιόντες retinet κ-w<sup>2,3</sup> (et B<sup>1-3</sup>) coll. Hyper. i 13, 6 et ii 2, 12: περιόντες κ, κ-w<sup>1</sup>, H-L, B<sup>4</sup>, Th. 4 ἐπι supra versum, non habet Pollux; om. B<sup>4</sup>, Th, coll. 41 v. 21.— 6 δ[ικὰ]ζ[ε]ι[ν] Wilcken (κ-w<sup>3</sup>, B<sup>3,4</sup>, K<sup>4</sup>, Th): [κρίνει] κ<sup>1</sup> etc. 7 ΓΙΓΝΩΣΚΟΥΣΙ γιγνώσκουσι (coll. 54, 7 et Herondae papyro v 21) B<sup>1</sup>: sed cf. Meisterhans, p. 177, 17<sup>3</sup>; γιγνώσκουσι B<sup>2-4</sup> cet. 9 ἐὰν H-L. ΕΦΗΙ: ἐφῆ B<sup>4</sup>. 12 [γνῶ]σιν τοῦ B, S<sup>1</sup>, κ-w<sup>3</sup>, ω 'satis certum est,' K<sup>4</sup>, Th; cf. Dem. 20 § 42 κατὰ γνῶσιν διαιτητοῦ, 21 § 92 διαιτητοῦ γνῶσιν, 33 §§ 15, 22; 36 § 17: [κρί]σιν κ<sup>1</sup>, H-L, κ-w<sup>1,2</sup>. <τὴν> τοῦ κ-w.

TESTIM. § 2 \*Harp. διαιτηταί: ...καὶ εἰ μὲν ἤρεσκε τοῖς ἀντιδίκους, τέλος εἶχεν ἡ δίκη· εἰ δὲ μή, τὰ ἐγκλήματα καὶ τὰς προκλήσεις καὶ τὰς μαρτυρίας, ἔτι δὲ καὶ τοὺς νόμους καὶ τὰς ἄλλας πίστεις ἐκατέρων ἐμβαλλόντες εἰς καδίσκους καὶ σημηνάμενοι παρεδίδοντο τοῖς εἰσαγωγέουσι τῶν δικῶν. λέγει δὲ περὶ αὐτῶν Ἄρ. ἐν Ἄθ. πολ. Pollux viii 127: ἡ δ' ἔφεσις αὐτῶν εἰ εἰς δικαστήριον γένοιτο, εἰς ἐχίνον τὰς ψήφους (sic) ἐμβαλλόντες ἰδίᾳ ἐκατέρας τὰς τοῦ φεύγοντος καὶ διώκοντος κατεσημαίνοντο. Bekk. An. 235, 20.

11 \*Harp. ἐχίνος: ἔστι μὲν ἄγγος τι εἰς δ τὰ γραμματεῖα τὰ πρὸς τὰς δίκας ἐτίθεντο... μνημονεῖ τοῦ ἄγγους τούτου καὶ Ἄρ. ἐν τῇ Ἄθ. πολ.... Phot. i 240 Naber, ἐχίνος: οἱ μὲν χαλκοῖ, οἱ δὲ ἐκ κεράμου· εἰς οὖς καθίσωσι οἱ διαιτητὰ τὰ γραμματεῖα τῶν μαρτυριῶν ἃ τινες ἐμαρτύρησαν, καὶ κατασημνήμενοι μετὰ ταῦτα εἰ ἐγκληθεῖ ἡ δίαιτα τοῖς δικασταῖς ἐπεδίδον (fere eadem habet \*Schol. Arist. *Vesp.* 1436, additis τοῦ δ' ἄγγους τούτου καὶ Δημοσθένους μνημονεύουσι καὶ Ἄρ.). Phot. ἐχίνος: καδίσκος τίς ἐστι χαλκοῦς, εἰς δν αἶ τε μαρτυρίαὶ καὶ αἶ προκλήσεις ἔγγραφοι ἐνεβάλλοντο ὑπὸ τῶν δικαζομένων καὶ κατεσημαίνοντο ἵνα μηδεὶς κακουργήσῃ περὶ τὰ ἐμβαλλόμενα (fere eadem Etym. M.; καὶ κατεσημαίνετο ὁ ἐχίνος, ἵνα μηδεὶς κακουργήσῃ μετὰ τὸ ἅπαξ ἐμβαλλέσθαι, Bekk. An. 258, 6). Cf. Frag. 415<sup>2</sup>, 455<sup>3</sup>.

§ 2. μέχρι δέκα δραχμῶν] In B.C. 445/4 (CIA i 29 and iv p. 12) we have mention of a court probably consisting of thirty members, appointed by lot from the κληροῦχοι of Hestiaia and Ellopia and competent to decide cases of this kind. In *Pol.* 1300 b 23 and 32, Ar. approves of the institution of two separate courts, according to the value of the matter in dispute: matters that are worth little more than five drachmas need not be referred εἰς δικαστῶν πλῆθος.

αὐτοτελεῖς] 3 § 5 ult.  
διαιτηταῖς] Meier and Schöm. pp. 48, 1009—1015; Smith, *Dict. Ant.* s.v.  
ἐμβαλλόντες—ἐχίνους] Dem. 45 § 17, ἐχρῆν αὐτὸ τὸ γραμματεῖον εἰς τὸν ἐχίνον ἐμβαλεῖν and *ib.* 57, also 48 § 48, ἀντίγραφα (συνθηκῶν) ἐμβαλέσθαι εἰς τὸν ἐχίνον.

μαρτυρίας, Meier and Schöm. p. 873 ff. Lips.; προκλήσεις, *ib.* 871 ff.

κατασημνήμενοι, cf. 39 § 17, σεσημασμένων τῶν ἐχίνων, 47 § 16, ἐσημάνθησαν οἱ ἐχίνοι (and *ib.* προκλήσεως ἐμβεβημένης σοι καὶ μαρτυρίας), and 54 § 27, τῷ μὴ σημηθήναι τοὺς ἐχίνους.

In Meier and Schöm. p. 904 Lips. it is assumed that the ἐχίνος was used for the reception of documents handed in at the ἀνάκρισις. Thus Dem. 28 § 1, ἐνεβάλετο τῆρήσας τὴν τελευταίαν ἡμέραν, is there referred to the 'last day of the ἀνάκρισις.' Mr Wyse suggests that there is no reason why it should not refer to the arbitration. It may be doubted whether in the Attic orators there is a single certain example of ἐχίνος *except in connexion with arbitration*. To the passages above quoted may be added 39

γεγραμμένην ἐν γραμματείῳ προσαρτήσαντες, παραδίδοῦσι τοῖς  
 τέτταρσι τοῖς τὴν φυλὴν τοῦ φεύγοντος δικάζουσιν. οἱ δὲ παρα- 3  
 15 λαβόντες εἰσάγουσιν εἰς τὸ δικάστηριον, τὰ μὲν ἐντὸς χιλίων εἰς  
 ἓνα καὶ διακοσίους, τὰ δ' ὑπὲρ χιλίας εἰς ἓνα καὶ τετρακοσίους.  
 οὐκ ἔξεστι δ' οὔτε νόμοις οὔτε προκλήσεσι οὔτε μαρτυρίαις ἀλλ'  
 ἢ ταῖς παρὰ τοῦ διαιτητοῦ χρῆσθαι ταῖς εἰς τοὺς ἐχίνους ἐμβε-  
 20 δηλὸν ἐκ τῶν ἀρχόντων καὶ τῶν ἐπώνυμων. εἰσὶ γὰρ ἐπώνυμοι  
 δέκα μὲν οἱ τῶν φυλῶν, δύο δὲ καὶ τετταράκοντα οἱ τῶν ἡλικιῶν·

13 ΤΟΙCΔ? τοῖς δ̄ κ<sup>3</sup>, B, κ-w<sup>3</sup>, Th: τοῖς ἐπί? κ<sup>1</sup>; πάλω κ-w<sup>1,2</sup>, -ν εὐθὺς H-L.

14 Τ(ΗC)ΦΥΛ(ΗC) Κ<sup>1</sup>: τὴν φυλὴν Wyse, edd., coll. c. 48 § 5, c. 58 § 2.

TESTIMONIA. § 3 Pollux viii 48 infra laudatus.

§ 4 ἐξήκοστὸν ἔτος. Cf. Bekk. An. 235, 23, ἐγίνοντο δὲ διαιτηταὶ πάντες Ἀθηναῖοι, οἷς ἐξήκοστὸν ἔτος ἦν (=Schol. Plat. Leg. 920 D), Lex. Patm. p. 13, οὗτοι ὑπὲρ ἐξήκοντα ἔτη ἐγεγονέσαν. Hesych. οἱ δὲ περὶ ἐξήκοντα ἔτη γεγονότων διήτων. Pollux viii 126, διαιτηταὶ ἐκ τῶν ὑπὲρ ἐξήκοντα ἔτη γεγονότων ἐκληροῦντο.

20—25 \*Harp. στρατεία ἐν τοῖς ἐπώνυμοις:... τίς ἦν ἡ (ἢ Epit., om. codd.) ἐν τοῖς ἐπώνυμοις στρατεία δεδήλωκεν Ἀρ. ἐν Ἀθ. πολ. λέγων "εἰσὶ γὰρ ἐπώνυμοι—ἐνεγράφησαν (ἐπεγρ. codd., item Phot. Suid., correxit Bekk.) καὶ ἐπώνυμος ὁ (καὶ ὁ ἐπώνυμος ὁ Aldum secutus Dind.; ὁ ἐπώνυμος καὶ ὁ Rose) τῷ προτέρῳ ἔτει δεδιαιτηκῶς (δὲ δεικτικῶς codd.)· νῦν δὲ εἰς τὴν βουλὴν ἀναγράφονται." Cf. Frag. 429<sup>2</sup>, 469<sup>3</sup>.

§§ 22, 37; 34 § 46; 40 §§ 21, 28, 58; 45 §§ 8, 20, 31, 57, 58, 61; 49 §§ 19, 55, 65; 54 § 30. There is nothing in the lexicographers which refers to the ἀνάκρισις before the presiding magistrate: Harp. s. v. ἐχίνος (=Phot. i, Suid. i); Schol. Arist. Vesp. 1436 where οἱ διαιτηταὶ are named, (=Phot. 3, ἐχίνος—ἐπεδίδουν, and Suid. s. v. ἐχίνος); Photius, ἐχίνος 2 (=Lex Seg. 258, 3, with trifling variants; cf. Etym. Mag. p. 404, 54); Harp. s. v. διαιτηταὶ; Pollux viii 127; Schol. Patm. Dem. 48 § 48.—It is clear from c. 64 § 2 that Hesychius in ἐμπήκτης does not refer to the ἀνάκρισις as supposed in Meier and Schöm. l. c. (Wyse).

προσαρτήσαντες] used in several passages of *Hist. An.*

τοῖς τὴν φυλὴν τοῦ φεύγοντος δικάζουσιν] 48 § 5; 58 § 2. Probably those of the Forty who belonged to the same tribe as the defendant. Cf. Lys. 23 § 2, προσκαλεσάμενος αὐτὸν πρὸς τοὺς τῆ Ἴπποθωνίδι δικάζοντας (Meier and Schöm. p. 90, Lips.).

§ 3. ἐντὸς χιλίων κτλ.] The number of the δικασταὶ varies with the value of the matter in dispute: for property under 1000 dr. the court consists of 201 δικασταὶ; for property above that amount, of 401. Pollux, viii 48, says of cases of φάσις: εἰσῆγετο δὲ τὰ μὲν ἐντὸς χιλίων εἰς ἓνα καὶ διακοσίους, τὰ δὲ ὑπὲρ χιλίας εἰς ἓνα καὶ

τετρακοσίους. This statement ultimately comes from the text which shews that the distinction was not confined to cases of φάσις. This conclusion had already been drawn by Heffter, *Att. Gerichtsverfass.* p. 55, and Fränkel, *Att. Geschworenen-gerichte*, p. 102. From Dem. c. *Mid.* 223 it has been inferred that the round number of 200 was the smallest number for a δικαστήριον: ἂν τε διακοσίους ἂν τε χιλίους ἂν θ' ὀπόσους ἂν ἡ πόλις καθίσῃ (Meier and Schöm. p. 170 Lips.).

οὐκ ἔξεστι κτλ.] In Dem. 45 § 57 Apollodoros charges Stephanus with having stolen an important deposition which the speaker expected to find in the ἐχίνος. Cf. Meier and Schöm. p. 904 Lips.

§ 4. ἐξήκοστὸν ἔτος] i.e. on attaining the age of 59. As explained below, there was a cycle of 42 ἐπώνυμοι τῶν ἡλικιῶν. All who attained the age of 18 in any given year had an ἐπώνυμος assigned to them. After completing 41 years, during which they were liable to be called out on military duty, they reached the age of 59 and then served as διαιτηταὶ for one year,—their 'sixtieth year.' The ἐπώνυμος assigned to the ἐφηβοὶ in each year was the ἐπώνυμος of the διαιτηταὶ who had held office in the previous year.

ἐπώνυμοι τῶν φυλῶν] 21 § 6.

τῶν ἡλικιῶν] It has been sometimes supposed that the archon ἐπώνυμος of the year, in which a citizen reached the age of



οἱ δὲ ἔφηβοι ἐγγραφόμενοι πρότερον μὲν εἰς λελευκωμένα γραμματεῖα ἐνεγράφοντο, καὶ ἐπεγράφοντο αὐτοῖς ὃ τ' ἄρχων ἐφ' οὗ ἐνεγράφησαν καὶ ὁ ἐπώνυμος ὁ τῷ προτέρῳ ἔτει δεδαιτηκῶς, νῦν δ' εἰς στήλην χαλκῆν ἀναγράφονται, καὶ ἴστανται ἢ στήλη πρὸ τοῦ 25 βουλευτηρίου παρὰ τοὺς ἐπωνύμους. τὸν δὲ τελευταῖον τῶν ἐπωνύμων λαβόντες οἱ τετταράκοντα διανέμουσιν αὐτοῖς τὰς διαίτας καὶ ἐπικληροῦσιν ἃς ἕκαστος διαιτῆσει· καὶ ἀναγκαῖον ἃς ἂν ἕκαστος λάχῃ διαίτας ἐκδιαιτᾶν. ὁ γὰρ νόμος, ἂν τις μὴ

22 ΕΝΓΡΑΦ: <οἱ> ἐγγραφ. B<sup>1</sup> (H-L); οἱ etiam Harp. omisit. 24 ὁ ἐπώνυμος: ἐπώνυμος Harp. ΠΡΟΤΕΡΩΙ (item Harp.) K, S<sup>1</sup>, Th: πρότερον K-W, Poland, B. ΔΕΔΙΑΙΤΗΚΩΣ (edd.): δεδεικτικῶς (Harp. codices plerique), δεδιτηκῶς Aldum secutus Dind., δεδιφικῶς Rose; ἐπιδημηκῶς Photius et Suidas. 26 'π' (sc. περι) fortasse per errorem pro π' (sc. παρὰ)' K<sup>1</sup>. περι dubitanter retinet K<sup>3</sup>; παρὰ K-W, H-L, B, S<sup>1</sup>, K<sup>4</sup>, Th. 29 διαίτας (hiatu admissio) secl. K-W<sup>1,2</sup>; retinet K-W<sup>3</sup>. ἐάν H-L.

TESTIMONIA. § 5 ἐπικληροῦσιν—ἄτιμον εἶναι. Pollux viii 126 infra exscriptus.

military service, was deemed to be the ἐπώνυμος of that citizen and of all who came of age in the same year. Thus the 42 ἐπώνυμοι would be the series of 42 archons corresponding to the 42 groups of citizens who were at any given time between the ages of 18 and 60 (Schömann, *Anl.* p. 423; Gilbert i 353<sup>2</sup>). But in the text the ἀρχοντες are contrasted with the ἐπώνυμοι, and the latter divided into ἐπώνυμοι τῶν φυλῶν and τῶν ἡλικιῶν. As the ἐπ. τῶν φυλῶν derived their names from ten of the Attic heroes, selected out of 100 (21 § 6), the ἐπ. τῶν ἡλικιῶν were presumably selected out of the remaining 90. The period of military service was included within a cycle of 42 years, each of them probably bearing the name of one of the Attic heroes. When a youth attained the age of 18, he was enrolled under the archon of the year and also under the eponymous hero under whom those of the citizens who had just completed their 42 years had been originally entered. This is Mr Kenyon's view and it appears to be substantially correct, except that the 42nd year of service was really devoted to the duties of the διαιτηταί which occupied the sixtieth year of the citizen's life (ἐξηκοστὸν ἔτος). It was when he reached the age of 59 (not 60, as Mr Kenyon says) that the citizen served as an arbitrator.

The lists were unfortunately drawn up on perishable material, at first on wood and afterwards on bronze, and no example of the στήλη χαλκῆ of the writer's time has survived. Had marble been used instead, the result might have been different, and an interesting question might have been conclusively decided.

We have indeed several lists of διαιτηταί, all on marble; but these are for another purpose. Thus for B.C. 325/4 we have no less than 103 names with the superscription: διαιτηταί οἱ ἐπὶ Ἀντικλήρους ἀρχοντος] ἀνέθεσαν στεφανωθέντες [εὑπὸ τοῦ δήμου (CIA ii 943); also (for an unknown year) a list of 88 names (*ib.* 944); and there are lists of a few such names for B.C. 330 and 329 (*ib.* 941-2). But none of these preserve any record of an ἐπώνυμος τῆς ἡλικίας.

Λελευκωμένα] 47 §§ 2, 4.

ὁ ἐπ. ὁ—δεδαιτηκῶς] A brief expression for the eponymus of the citizens who served as διαιτηταί for the previous year.

δεδαιτηκῶς] In classic Attic this verb usually has the double augment in the pf. and plpf., e.g. pf. Dem. 33 § 31 δεδιήτηκα, 21 § 85 κατεδεδιητήκει (Dind.) or καταδεδ- (Bekk.); Thuc. vii 77 δεδιήτημαι, Dem. 21 §§ 85, 96 ἀπο-, 55 § 61 κατα-; plpf. ἐδεδιήτητο, Thuc. i 132 ἐξ- (Veitch).

βουλευτηρίου κτλ.] Paus. i 5, 1, τοῦ β... πλησιον Θόλος ἐστὶ καλουμένη... ἀνωτέρω δὲ ἀνδριάντες ἐστήκασιν ἡρώων, ἀφ' ὧν Ἀθηναῖοις ὕστερον τὰ ὀνόματα ἔσχον αἱ φυλαί.

§ 5. ἐπικληροῦσιν] Pollux viii 126, ἐπεκληροῦντο αὐτοῖς αἱ διαίται, καὶ ἄτιμα (cf. ἄτιμον) ἀφώριστο τῷ μὴ διαιτῆσαντι τὴν ἐπικληρωθεῖσαν διαίταν. In Dem. *Aphob.* iii 58 a public (as contrasted with a private) arbitrator is described as κληρωτός. Cf. Meier and Schöm. p. 1012 Lips.

ἐκδιαιτᾶν] Greg. Cor., in Walz, *Rhet. Gr.* vii (2) 1284, δὲ δ' ἂν αὐτῶν λαχὼν μὴ ἐκδιαιτῆσῃ, ἄτιμος κατὰ νόμον ἐγίνετο (quoted by Photiades). Cf. ἐκδικάζειν in [Xen.] *Rep. Ath.* iii 2, δίκας καὶ γραφὰς καὶ εὐθύνas ἐκδικάζειν, and Lys. 17 § 5.

30 γένηται διαιτητῆς τῆς ἡλικίας αὐτῷ καθηκούσης, ἀτιμον εἶναι  
κελεύει, πλὴν ἐὰν τύχῃ ἀρχὴν ἀρχῶν τινὰ ἐν ἐκείνῳ τῷ ἐνιαυτῷ  
ἢ ἀποδημῶν· οὗτοι δ' ἀτελεῖς εἰσὶ μόνοι. ἔστιν δὲ καὶ εἰσαγ- 6  
γέλλειν εἰς τοὺς διαιτητάς, ἐὰν τις ἀδικηθῇ ὑπὸ τοῦ διαιτητοῦ, κἄν  
τινος καταγνώσιν, ἀτιμοῦσθαι κελεύουσιν οἱ νόμοι· ἔφεςσι δ' ἔστι  
35 καὶ τούτοις. χρῶνται δὲ τοῖς ἐπωνύμοις καὶ πρὸς τὰς στρατείας, 7  
καὶ ὅταν ἡλικίαν ἐκπέμπωσι προγράφουσιν, ἀπὸ τίνος ἀρχοντος  
καὶ ἐπωνύμου μέχρι τίνων δεῖ στρατεῦσθαι.

31 τινὰ ἐν K-W, K<sup>3</sup>, B, Th; ἄλλην K<sup>1</sup>, τις ἐν Burnet (H-L). 33 ΔΙΑΙΤΗΤΑΣ  
(K-W, K<sup>3</sup>, B, Th): δικαστὰς Harp. (K<sup>1</sup>, et H-L qui alioquin εἰς τοὺς ἄλλους διαιτητὰς  
expectarent). 36 α<: ἀπὸ Harp. (edd.). 37 ΤΙΝΩΝ: τίνος Harp.

TESTIM. § 6 Harp. εἰσαγγελία... ἄλλη δὲ εἰσαγγελία ἐστὶ κατὰ τῶν διαιτητῶν· εἰ γὰρ  
τις ὑπὸ διαιτητοῦ ἀδικηθῆι (ἀδικηθῆι codices meliores et Epitome; corr. deteriores), ἐξῆν  
τούτων εἰσαγγέλλειν πρὸς τοὺς δικαστὰς καὶ ἄλους ἡτιμῶτο. Bekk. An. 235, 24 (= Schol.  
Plat. Leg. 520 D and Lex. Dem. Patm. p. 13), τὸν δὲ ἀδικούντα διαιτητὴν ἐξῆν εἰσαγ-  
γέλλειν, καὶ εἰ τις ἄλλω, ἀτιμία ἦν τὸ ἐπιτίμιον.

§ 7 Harp. στρατεία ἐν τοῖς ἐπωνύμοις: ...“χρῶνται—προγράφουσιν (Valesius, προσγ.  
codd.) ἀπὸ τίνος ἀρχοντος ἐπωνύμου μέχρι τίνος δεῖ στρατεῦσθαι.”

τῆς ἡλικίας—καθηκούσης] The age  
has hitherto been inferred from Bekker,  
*Anecd.* 235 (= Schol. Plat. Leg. 920 D),  
πάντες Ἀθηναῖοι οἷς ἐξηκοστὸν ἔτος ἦν (§ 4)  
and from the less precise statements in  
Pollux viii 126, ἐκ τῶν ὑπὲρ ἐξήκοντα ἔτη  
γεγονότων, Hesych. οἱ περὶ ἐξήκοντα ἔτη  
γεγονότες, and Greg. Cor. l. c. διαι-  
τητῆς δὲ παρ' Ἀθηναίους ἐγένετο ὁ περὶ τὰ  
ἐξήκοντα ἔτη. The age of 50 is wrongly  
given in Bekker *Anecd.* 186 and Suidas,  
s. v. διαιτηταί.

ἀτιμον] the severer form of ἀτιμία is  
probably meant.

ἀτελεῖς] ‘exempt’ from serving as διαι-  
τηταί.

§ 6. εἰσαγγέλλειν εἰς τοὺς διαιτητάς]  
We have an example of this procedure in  
Dem. c. Mid. 86, φυλάξας τὴν τελευταίαν  
ἡμέραν τῶν διαιτητῶν—κατηγορῶν ἔρημον  
οὐδενὸς παρόντος, ἐκβάλλει καὶ ἀτιμοῖ τὸν  
διαιτητὴν, first explained in this sense by  
Bergk, *Zeitsch. f. Alt.* 1849, 273, supported  
by Fränkel, *Att. Geschworenenger.* p. 73 f.,  
and quoted in Meier and Schöm. p. 334  
Lips.; see also Daremberg and Saglio,  
iii 126. Cf. Dr Hager on εἰσαγγελία in  
Smith, *Dict. Ant.* i 710 b, where, how-  
ever, it is accidentally stated that, in  
Harpocr. l. c., Bergk ‘rather needlessly’  
alters διαιτητὰς into δικαστὰς: Bergk really  
altered δικαστὰς into διαιτητάς, and the  
text confirms his alteration. The διαι-  
τηταί for any given year form a ‘college,’  
or corporate body; they pass resolutions  
and decree rewards in the phrase ἔδοξεν

τοῖς διαιτηταῖς (Hubert, *de Arbitris*, p. 25;  
Meier-Schöm. p. 1013 Lips.). It is their  
president who is described as πρυνανεύων  
in Dem. Mid. l. c. Hitherto it has been  
deemed uncertain whether the εἰσαγγελία  
of an arbitrator came before the διαιτηταί  
or before a body of δικασταί (Hubert, p.  
55; Gilbert, i 371<sup>1</sup>). The text is decisive  
for the former alternative: but it also  
shews that the sentence was subject to  
appeal. In the latter event it would  
come before a law-court. Cf. Gilbert, i  
437<sup>2</sup> f; W. R. Hardie, in *Cl. Rev.* v  
164.

§ 7. προγράφουσιν—στρατεῦσθαι]  
Lys. 14 § 6, σκέψασθε δὲ τίνες εἰσιν οὓς δεῖ  
παρεῖναι. οὐχ ὅτινες ἂν τὴν ἡλικίαν ταύτην  
ἔχωσιν; Dem. 3 § 4, ἐψηφίσασθε...καὶ  
τοὺς μέχρι πέντε καὶ τετταράκοντα ἐτῶν  
αὐτοὺς ἐμβάλειν, 4 § 21, πεντακοσίου,  
ἐξ ἧς ἂν τίνος ὑμῖν ἡλικίας καλῶς ἔχειν  
δοκῆ, χρόνον τακτὸν στρατευσόμενος.  
Aeschin. F. L. 133, ψηφισαμένων ὑμῶν...  
τοὺς μέχρι τριάκοντα ἔτη γεγονότας ἐξέναι,  
ib. 168, πρώτην δ' ἐξελεῖν στρατεῖαν ἐν  
τοῖς μέρεσι καλουμένην...καὶ τὰς ἄλλας ἐκ  
διαδοχῆς ἐξέδους τὰς ἐν τοῖς ἐπωνύμοις καὶ  
τοῖς μέρεσιν ἐξήλθον, Plat. Leg. 943 A  
(Gilbert i 354<sup>2</sup>, and *Beiträge*, 51 ff.).  
Cf. Lycurg. *Leocr.* 39, αἱ δ' ἐλπιδες τῆς  
σωτηρίας τῷ δήμῳ ἐν τοῖς ὑπὲρ πενήκοντα  
ἔτη γεγονόσι καθειστήκεσαν. For προγρά-  
φουσιν, cf. Arist. *Av.* 450, (τοὺς ὄπλιτας)  
σκοπεῖν ὅ τι ἂν προγράψωμεν ἐν τοῖς πινα-  
κίοις.



54. κληροῦσι δὲ καὶ τάσδε τὰς ἀρχάς· ὁδοποιοὺς πέντε, οἷς προστέτακται δημοσίους ἐργάτας ἔχουσι τὰς ὁδοὺς ἐπισκευάζειν. 2 καὶ λογιστὰς δέκα καὶ συνηγόρους τούτοις δέκα, πρὸς οὓς ἅπαντας ἀνάγκη τοὺς τὰς ἀρχὰς ἄρξαντας λόγον ἀπενευγκεῖν. οὗτοι γὰρ εἰσι μόνοι (οἱ) τοῖς ὑπευθύνουσι λογιζόμενοι καὶ τὰς 5 εὐθύνας εἰς τὸ δικαστήριον εἰσάγοντες. κὰν μὲν τινα κλέπτουτ'

LIV 3 τούτοις secl. B<sup>4</sup>. 5 <οἱ> ins. Jos. Mayor, K-W, H-L, K<sup>3</sup>, S<sup>1</sup>, Th, hiatus admissio; εἰσι<ν οἱ> μόνοι B<sup>2,3</sup>, K-W<sup>3</sup>; <πάρ>εἰσι μόνοι B<sup>4</sup>; τοῖς ὑπ. <οἱ> Kaibel 226.

TESTIMONIA. LIV § 1 cf. Schol. in Aeschin. 3 § 25, ὁδοποιοί: οἱ ἐπιμελουμένοι τῆς καθαρότητος τῶν ὁδῶν τῆς πόλεως.

§ 2 Bekk. An. 276, 17 λογισταί: ἄρχοντές εἰσι κληρωτοί, δέκα τὸν ἀριθμὸν, ἐφ' ὧν πάντες οἱ ἄρξαντες ἀρχὴν ἡγνυοῦν λόγον ἀπέφερον τῶν διωκημένων (fere eadem Etym. M. 569, 32). Ib. p. 310, 6: οἱ λογισταὶ τὰς εὐθύνας ἀπάσας εἰσήγον (cf. Phot. ἡγεμονία δικαστηρίου). Phot. εὐθύνας: κυρίως ἄς εἰσάγουσιν οἱ λογισταὶ πρὸς τοὺς δόξαντας μὴ ὀρθῶς ἄρξαι τῆς πόλεως ἢ πρεσβεύσαι κακῶς· καὶ τὰ δικαστήρια μὲν οἱ λογισταὶ κληροῦσι, κατηγορεῖ δὲ ὁ βουλούμενος· καὶ τοῖς δικασταῖς ἐφέται τιμᾶσθαι τοῖς ἄλοοιςιν (eadem Bekk. An. 245, 6 et Lex. Dem. Patm. p. 142). \*Lex. Rhet. Cantab. λογισταί, infra exscriptum.

\* Schol. Ar. Vesp. 691, κληρωτοὺς δὲ γενομένους δέκα συνηγόρους Ἄρ. φησιν.

LIV § 1. ὁδοποιοῦς] mentioned in Aeschin. 3 § 25, and by a Comic poet (perhaps Cratinus) quoted in Plut. Praec. Reip. Ger. 15 § 9, Μητίοχος μὲν <γὰρ> στρατηγεί, Μ. δὲ τὰς ὁδοὺς, Μ. δ' ἄρτους ἐποπτᾶ, Μ. δὲ τάλφια, Μητίωχῳ δὲ πάντα κείται, Μητίοχος δ' οἰμώζεται (ascribed to Cratinus by Bergk; Meineke, Frag. Com. iv p. 675). Boeckh, II x, p. 257 Fränkel.

§ 2. λογιστὰς] 'Auditors'; Pol. 1322 b 11, speaking of τὴν ληψομένην λογισμὸν καὶ προσευθύνουσαν (ἀρχήν), καλοῦσι δὲ τούτους οἱ μὲν εὐθύνουσι οἱ δὲ λογιστὰς οἱ δ' ἐξεταστὰς οἱ δὲ συνηγόρους. It had already been proved by Boeckh (II viii, p. 239<sup>3</sup>) that the λογισταὶ and εὐθύνουσι were separate bodies; and this is confirmed by the present treatise (cf. 48 § 4). Almost all the ὑπεύθυνοι had to send in their accounts to the λογισταί (Aeschin. c. Ctes. § 20, ἐγγράφειν λόγον πρὸς τοὺς λογιστὰς καὶ εὐθύνας διδόναι, § 22, λόγους ἀποφέρειν πρὸς τοὺς λ., Schol. on §§ 9, 15). CIA ii 444, 446, (an ἀγωνοθέτης) ἀπενήνοχεν λόγους εἰς τὸ μητρώον καὶ πρὸς τοὺς λογιστὰς καὶ τὰς εὐθύνας ἔδωκεν. In B.C. 454, 452, 435 they were 30 in number (CIA i 226, 228 and 32). The number was subsequently reduced to 10, possibly after the time of the Thirty. Gilbert, i 250<sup>2</sup>.

συνηγόρους] mentioned in Pol. 1322 b 11, quoted above. The present passage is loosely paraphrased in Lex. Rhet. Cant. p. 672, 20: Ἄ. ἐν τῇ Ἄθ. πολ. οὕτως λέγει

λογισταὶ δὲ αἰρούνται [ἀν κληροῦνται?] δέκα, παρ' οἷς διαλογίζονται πᾶσαι αἱ ἀρχαὶ τὰ τε λήμματα καὶ τὰς γεγενημένας δαπάνας· καὶ ἄλλοι δέκα συνηγόροι οἵτινες συνακρίνουσι τούτους· καὶ οἱ τὰς εὐθύνας διδόντες παρὰ τούτοις ἀνακρίνονται πρῶτον, εἶτα ἐφίενται εἰς τὸ δικαστήριον, εἰς ἓνα καὶ φ' (Rose, Frag. 447<sup>3</sup>). Mr Kenyon, however, regards this notice as 'differing wholly from the present passage'; and Lipsius implies that the name of Aristotle is mentioned by mistake. Wilamowitz places it among the spurious fragments.

οὗτοι—τοῖς ὑπευθύνουσι λογιζόμενοι] It was the λογισταί who received the accounts of outgoing officials; who examined them conjointly with the συνηγόροι; and brought the accounts before a law-court of 501 δικασταί under their own presidency (Meier and Schöm. pp. 257 ff. Lips.). These functions have sometimes been erroneously ascribed to the εὐθύνουσι (ib. pp. 115, 208 and Lipsius in Leipzig Verhandl. p. 64). The procedure may be illustrated by the oath taken by the corresponding officials in the deme Myrrhinus, CIA ii 578, ὁμῶναι δὲ τὸν ὄρκον καὶ τὸν λογιστὴν λογιεῖσθαι ἃ ἂν μοι δοκῇ ἀνηλωκέναι, καὶ τοὺς συνηγόρους συνηγορήσειν τῷ δήμῳ τὰ δίκαια καὶ ψηφιεῖσθαι ἃ ἂν μοι δοκῇ δίκαιάτα εἶναι.

τὰς εὐθύνας—εἰσάγοντες] Dem. de Cor. II 7, ὅτε με εἰσήγον οἱ λογισταί, and F. L. 211.

ἐξελέγξωσι, κλοπὴν οἱ δικάσται καταγινώσκουσι καὶ τὸ γνωσθὲν ἀποτίνεται δεκαπλοῦν· ἐὰν δέ τινα δῶρα λαβόντα ἐπιδείξωσιν, καὶ καταγνώσιν οἱ δικάσται, δῶρων τιμῶσιν, ἀποτίνεται δὲ καὶ τοῦτο  
 10 δεκαπλοῦν· ἂν δ' ἀδικεῖν καταγνώσιν, ἀδικίου τιμῶσιν, ἀποτίνεται δὲ τοῦθ' ἄπλοῦν, ἐὰν πρὸ τῆς ἐνάτης πρυτανείας ἐκτείση τις, εἰ δὲ μὴ, διπλοῦται. τὸ <δὲ> δεκαπλοῦν οὐ διπλοῦται.

κληροῦσι δὲ καὶ γραμματέα τὸν κατὰ πρυτανείαν καλούμενον, 3

7 -ΓΙΝΩΙΚΟΥΣΙ: -γινω K-W; -γινω H-L, K<sup>3</sup>, B<sup>2-4</sup>; -γινω B<sup>1</sup>, cf. 53, 7. ΓΝΩΘΕΝ (K, H-L, B<sup>2-4</sup>, Th): <κατα>γνωσθὲν K-W, B<sup>1</sup>. 8 ἐπιδείξ (K-W<sup>3</sup>): ἀποδείξ. K-W<sup>1.2</sup>. 10 ἐὰν H-L. 11 ἘΚΤΙΧΙ: ἐκτείση edd.: cf. Meisterhans, p. 180<sup>3</sup>, n. 1495. 12 <δὲ> ins. κ (edd.).

TESTIMONIA. 10 Harp. ἀδικίου...ἀποτίνονται δὲ τοῦτο ἄπλοῦν, ἐὰν πρὸ τῆς θ' πρυτανείας ἀποδοθῆ· εἰ δὲ μὴ, διπλοῦν καταβάλλεται.

§§ 3—5 Pollux viii 98: γραμματεὺς ὁ κατὰ πρυτανείαν κληρωθεὶς ὑπὸ τῆς βουλῆς ἐπὶ τῷ τὰ γράμματα φυλάττει καὶ τὰ ψηφίσματα, καὶ ἕτερος ἐπὶ τοὺς νόμους ὑπὸ τῆς βουλῆς χειροτονούμενος. ὁ δ' ὑπὸ τοῦ δήμου αἰρεθεὶς γραμματεὺς ἀναγινώσκει τῷ τε δήμῳ καὶ τῇ βουλῇ. ἀντιγραφεὺς κτλ. (reliqua p. 209 ὁ exscripta).

§§ 3, 4 \*Harp. γραμματεὺς:...ὁ γραμματεὺς πῶς τε καθίστατο καὶ τί ἐπραττεν, ὡς τῶν γραμμάτων τ' ἐστὶ κύριος καὶ τὰ ψηφίσματα τὰ γενόμενα φυλάττει καὶ τὰ ἄλλα πάντα ἀντιγράφεται καὶ παρακάθηται τῇ βουλῇ, δεδήλωκεν Ἄρ. ἐν Ἀθ. πολ. § 4 \*Harp. ἀντιγραφεὺς:...διττοὶ δ' ἦσαν ἀντιγραφεῖς, ὁ μὲν τῆς διοικήσεως, ὡς φησι Φιλόχορος, ὁ δὲ τῆς βουλῆς, ὡς Ἄρ. ἐν Ἀθ. πολ. § 5 Suídas (e lexico Photiano) γραμματεὺς (1): οὗτος πράξεις μὲν οὐδεμιᾶς ἦν κύριος, ὑπανεγίνωσκε δὲ τῇ βουλῇ καὶ τῷ δήμῳ τὰ πραττόμενα. ὁ δ' ἀντιγραφεὺς καὶ οὗτος ἀπὸ τοῦ γράφειν τὰ παρὰ τῇ βουλῇ ὠνόμασται (=Lex. Sabb. 7, 2). Bekk. An. 226, 30 γραμματεὺς: καὶ τὸν γραμματέα [[ὁ δῆμος]] χειροτονεῖ ὁ δῆμος, "ἀναγινώσκον αὐτῷ καὶ τῇ βουλῇ" καὶ οὗτος οὐδενὸς" τὸ σύνολον ἄλλου "ἐστὶ κύριος" ἢ "τοῦ ἀναγνώνα" ... (Frag. 399<sup>2</sup>, 439<sup>3</sup>). Bekk. An. 185, 14. Suídas s.v. (2) κληρωτοὶ δὲ ἦσαν τὸν ἀριθμὸν τρεῖς, γράφοντες τὰ δημόσια. οὐδενὸς δὲ ἦσαν οἱ γραμματεῖς οὗτοι κύριοι, ἀλλ' ἢ τοῦ γράφειν καὶ ἀναγνώνα.

κλοπὴν] δημοσίων χρημάτων. Dem. c. Timocr. 112, εἰ μὲν τις ἀγορανόμος ἢ ἀστυνόμος ἢ δικαστὴς κατὰ δήμους γενόμενος κλοπὴν ἐν ταῖς εὐθύναις ἐάλωκεν,—τούτῳ μὲν τῆς δεκαπλασίαν εἶναι, καὶ 127, συνέδρου γενομένου κλοπὴν αὐτοῦ τὸ δικαστήριον κατέγινε καὶ δεκαπλάσιον ἀπέτισε.

καταγινώσκουσι] the compound verb, in the special sense, is followed by the simple participle τὸ γνωσθὲν, which, although more general in itself, has its meaning necessarily coloured by the previous context. To repeat the preposition is no more necessary here than in 57, 7, where διατίθησι is followed in the next sentence by τίθησι. Cf. Dem. Timocr. 9, where τῆς βουλῆς κατεργνωκίας is followed several lines later by τὰ γνωσθὲν ὑπὸ τῆς βουλῆς. I may also refer to my note on Eur. Bacch. 1065, κατήγεν, ἦγεν, ἦγεν, where Hec. 168, ἀπώλεσατ', ὠλέσατ', and Med. 1252, κατίδερ', ἴδετε, are quoted.

δῶρα...δεκαπλοῦν] This penalty is also mentioned in Dinarch. c. Aristog. 17. The penalty of death (unnoticed in the text)

is mentioned *ib.* §§ 4, 20. The two penalties are contrasted as alternatives in Dinarch. c. Dem. 60 and c. Philocl. 5 (Meier and Schöm. p. 445, n. 723); and the single and the ten-fold penalty in Hyp. Dem. frag. 24, 15 f, οἱ δὲ νόμοι τοῖς μὲν ἀδικούσιν ἀπλᾶ, τοῖς δὲ δωροδοκοῦσιν δεκαπλᾶ τὰ ὀφλήματα προστάττουσιν ἀποδιδόναι.

ἐπιδείξωσιν] Pol. 1259 a 16, ἐπιδείξαι ὅτι. Arist. Eq. 831, καὶ σ' ἐπιδείξω δωροδοκήσαντ', Aeschin. 3 § 228, τῆς γὰρ αἰτίας αἰσχροῦν τὸν ἀτιμωμένον ἐστὶ τὸ ἔργον μὴ ἔχειν ἐπιδείξαι.

ἀδικίου] here of 'maladministration.' Plut. Per. 32, εἶτε κλοπῆς καὶ δῶρων εἴπ' ἀδικίου βούλουτό τις ὀνομάξεν τὴν δίωξιν. The term is not found in the Orators, but is mentioned in Harpocr. s. v. Meier and Schöm., p. 424—8; Lipsius, *Leipzig Verhandl.* p. 64.

δεκαπλοῦν οὐ διπλοῦται] This fact has been hitherto unknown.

§ 3. γραμματέα] The full title is ὁ κατὰ πρυτανείαν γραμματεὺς τῆς βουλῆς, with the shorter forms γρ. τῆς βουλῆς or



ὅς τῶν γραμμάτων ἐστὶ κύριος καὶ τὰ ψηφίσματα τὰ γιγνόμενα φυλάττει, καὶ τᾶλλα πάντα ἀντιγράφεται, καὶ παρακάθηται τῇ 15

14 ΓΡΑΜΜΑΤΕΩΝ: γραμμάτων Harp. Pollux (edd.) <τ'> post γραμμάτων Harp. libri praeter B et C (B, κ-w<sup>3</sup>). ΓΙΝ (κ-w): γεν. Harp.

γρ. κατὰ πρυτανείαν. The regular form before the year of Euclides was ὁ γρ. τῆς βουλῆς. As an exception we find in B.C. 409/8, CIA i 61 (as restored by Köhler) παραλαβόντες παρὰ [τ]οῦ [κατὰ πρυτανείαν γραμμα]τέως τῆς βουλῆς. In the fourth century the title ὁ γραμματεὺς ὁ κατὰ πρυτανείαν is first found in an inscr. of B.C. 358/7 or of 354/3 (CIA ii 61, where the other title ὁ γραμματεὺς τῆς βουλῆς is also found, and where mention is made of τοὺς ἄλλους γραμματέας τοὺς ἐπὶ τοῖς δημοσίοις γράμμασιν). The two forms are interchanged with one another down to B.C. 322/1, when the short title γρ. τῆς βουλῆς appears for the last time (CIA ii 186), while the title γρ. ὁ κατὰ πρυτανείαν continues in use down to the Roman age (Gilbert in *Philol.* xxxix p. 131-6, and *Gr. St.* i 298<sup>2</sup>; also Müller's *Handbuch*, IV i 167). This γραμματεὺς always belonged to a different tribe to that presiding at the time (CIA i 45, 46, 51, 61, 188; Gilbert, *Philol.* p. 133); but, in or after B.C. 322/1 (the date of the death of Aristotle), the γρ. so called belonged to the presiding tribe.

The 'full title' cited at the head of this note is not actually found except in CIA i 61 (as restored); and there there is much to be said in favour of the restoration proposed by C. Schaefer: παραλαβόντες παρὰ [τ]οῦ [βασιλέως μετὰ τοῦ γραμμα]τέως τῆς βουλῆς. The special literature of the Athenian γραμματεῖς includes (in addition to the works already quoted) two dissertations of 1878 by C. Schaefer and C. A. Holle; and Hartel's *Studien*, published in the same year; also an article by von Wilamowitz (in *Hermes*, xiv 148-153), who, like Stoientin, in *Jahrb. f. Philol.* 1880, 189-202, rightly attributed to Aristotle the account which we find in Pollux. The dissertation by Kornitzer (1883) unfortunately receded from this position, which is now proved to be the only tenable one.

γραμμάτων—κύριος] 'is responsible for all public documents.' According to the law quoted in Dem. c. *Timocr.* 63, he delivered to the θεσμοθέται the decrees of the Council. τὰ ψηφίσματα—φυλάττει] 'has the (general) custody of the public decrees' (in the Μητρώων). In Dem. *F. L.*

p. 381 the archives are described as under the (special) charge of a public slave: ἐν τοῖς κοινοῖς τοῖς ὑμετέροις γράμμασιν ἐν τῷ Μητρώῳ ταῦτ' ἐστίν, ἐφ' οἷς ὁ δημόσιος τέτακται. This γραμματεὺς is mentioned by Aeschin. 3 § 15, λόγον καὶ εὐθύνας ἐγγράφουσι πρὸς τὸν γραμματέα καὶ τοὺς λογιστάς, and by Chamaeleon, ap. Athen. 407 c, (Alcibiades) ἦκεν εἰς τὸ Μητρώον, οὗ τῶν δικῶν ἦσαν αἱ γραφαὶ καὶ βρέξας τὸν δάκτυλον ἐκ τοῦ στόματος διηλείψε τὴν δίκην τοῦ Ἡγήμονος· ἀγακτοῦντες δὲ ὁ τε γραμματεὺς καὶ ὁ ἀρχὼν τὰς ἡσυχίας ἦγον δι' Ἀλκιβιάδην.

τᾶλλα ἀντιγράφεται] 'checks (or supervises) the transcription of all other public documents.' Thus, in the inventory of the χαλκοθήκη in CIA ii 61, ascribed to B.C. 358 or 354, Εὐκλῆς ὁ δημόσιος is to enter all the items and the γρ. κατὰ πρυτανείαν is to check them (ἀντιγράφουσθαι δὲ τὸν γραμματέα τὸν κατὰ πρυτανείαν καὶ τοὺς ἄλλους γραμματέας τοὺς ἐπὶ τοῖς δημοσίοις γράμμασιν), and lastly, the γραμματεὺς τῆς βουλῆς is to record the list on a tablet and to make a copy (ἀντιγραφεῖν).

Pollux, viii 98, after describing the γρ. ὁ κατὰ πρυτανείαν and the γρ. ἐπὶ τοῖς νόμοις in terms borrowed in part from the text, continues as follows: ἀντιγραφεὺς πρότερον μὲν αἰρετὸς αὐτὸς δὲ κληρωτὸς ἦν καὶ πάντα ἀντεγράφουτο παρακάθημενος τῇ βουλῇ. In Bekker's best MS the following words, δύο δ' ἦσαν, ὁ μὲν τῆς βουλῆς ὁ δὲ τῆς διοικήσεως, come after the next heading λογισταί, and this order is approved by Lipsius; but Harpocration s.v. agrees with the other MSS in making them apply to the ἀντιγραφεῖς:—ὁ καθιστάμενος ἐπὶ τῶν καταβαλλόντων τινὰ τῇ πόλει χρήματα, ὥστε ἀντιγράφουσθαι ταῦτα (Dem. c. *Androi.* p. 615 and Aeschin. c. *Ctes.* 25). διπτοὶ δὲ ἦσαν ἀντιγραφεῖς, ὁ μὲν τῆς διοικήσεως, ὡς φησι Φιλόχορος, ὁ δὲ τῆς βουλῆς, ὡς Ἀριστοτέλης ἐν Ἀθ. πολ. Cf. Bekker's *Anecd.* p. 185, ὁ δὲ καταγραφόμενος τὰ ἐν τῇ βουλῇ γιγνόμενα. The present is the only passage in the treatise to which Harpocration can refer, but it is remarkable that the title ἀντιγραφεὺς does not occur in the text. See, in general, Wilamowitz, i 227 f.

βουλῆ. πρότερον μὲν οὖν οὗτος ἦν χειροτονητός, καὶ τοὺς ἐνδοξοτάτους καὶ πιστοτάτους ἐχειροτόνου· καὶ γὰρ ἐν ταῖς στήλαις πρὸς ταῖς συμμαχίαις καὶ προξενίαις καὶ πολιτείαις οὗτος ἀναγράφεται· νῦν δὲ γέγονε κληρωτός. κληροῦσι δὲ καὶ ἐπὶ τοὺς  
20 νόμους ἕτερον, ὃς παρακάθεται τῇ βουλῇ, καὶ ἀντιγράφεται καὶ οὗτος πάντας. χειροτονεῖ δὲ καὶ ὁ δῆμος γραμματεὰ τὸν

17 κ(ΔΙ)ΔΠΙΣΤ: corr. K.  
e Polluce (edd.).

19—20 ΕΠΙ ΤΟΥΤΟΙΣ Ν[Ο]ΜΟΝ ΕΤΕΡΟΝ: corr. K

TESTIMONIA. §§ 4, 5. Cf. Testim. §§ 3, 4.

πρότερον] The date at which this official ceased to be χειροτονητός and became κληρωτός is unknown. The office became annual between B.C. 367 and 363. The last example of its being held for a πρυτανεία only is in 368/7; the first example of its being held for a year is in 363/2. Possibly appointment by lot was introduced about the same time.

τοῖς ἐνδοξοτάτους κτλ.] For the period between 450 B.C. and 403 B.C., about 28 names are known (Hille in *Leipzig Stud.* i 240); but only two are at all familiar, Agyrrius and Cephisophon, CIA ii i b (404/3 B.C.). In the fourth century, down to B.C. 322, we have 38 names, not one of them 'famous' (see Wyse in *Class. Rev.* v 276). Cf. Wilamowitz, i 228 n. 86.

στήλαις] cf. note on Dem. *Lept.* § 36.

ταῖς συμμαχίαις] e.g. in B.C. 433/2, the treaties between Athens and Leontini (CIA iv 33 a) and Athens and Rhegium (CIA iv 13), Χαρίας ἐγραμμάτευ: also in B.C. 378/7, the second maritime Confederacy (CIA ii 17), Καλλιβίος Κηφισοφῶντος ἐγραμμάτευ. The latest example now known belongs to B.C. 356/5 (CIA ii 66).

προξενίαις] 'grants of the title of πρόξενος' (cf. note on Dem. *Lept.* 60, and Gilbert, i 201<sup>a</sup>). As exx. we have (in B.C. 431/0) CIA i 45, Προκλῆς Ἀτάρβου Εὐωνυμῆος ἐγραμμάτευ.—ἀναγραφάτω πρόξενον καὶ εὐεργέτην Ἀθηναίων Ἀστίαν τὸν Ἀλεὼν ἐστήλη λιθίνῃ ὁ γραμματεὺς ὁ τῆς βουλῆς καὶ καταθέτω ἐν πόλει. *ib.* ii 29 (Echembrotos of Cleone)—Πιστόξενος ἐγραμμάτευ, and ii 3 (Amyntor, Eurypylus, &c)—Δεξιθεος ἐγρ.—ἐπειδὴ καθηρέθη ἡ στήλη ἐπὶ τῶν τριάκοντα ἐν ἣ ἦν αὐτοῖς ἡ προξενία, ἀναγράψαι τὴν στήλην τὸν γρ. τῆς βουλῆς. ii 21 (Eurytion) Δισχύλος ἐγρ., ii 69 (Philiscus, B.C. 355), ἐνάτης πρυτανείας ἡ Πάνδιος Σωκλέους ἐξ Οἴου ἐγρ.—ἀναγράψαι τότε τὸ ψήφισμα τὸν γρ. τῆς βουλῆς. ii 119 (Apelles of Byzantium, B.C. 339)—ἀναγράψαι ἀποδὲ τὴν προξενίαν τὸν γρ. τὸν κατὰ πρυτανείαν. ii 124 (an officer of Philip

in B.C. 337)—ἀναγράψαι δὲ τὴν προξενίαν κτλ. Cf. Monceaux, *Les Proxemies Grecques*, p. 83.

πολιτείας] 'grants of citizenship.' The oldest inscr. on this subject is that in Ἐφ. Ἀρχ. 1883, pp. 37, 38: "Ἰππαρχον &c Ἀθηναῖος ἐναὶ ἀνδραγαθίας ἐνεκα τῆς ἐς Ἀθηναίος καὶ φυλὴν καὶ δῆμον καὶ φρατρίαν ἐλέσθαι ἦν περ ἂν βδλώνται καὶ ἀναγράψαι αὐτὸς ἐστήλῃ λιθίνῃ τὸν γραμματεὰ τῆς βουλῆς. CIA ii 243—εἶναι Ὁξύθευμον (friend of Demetrius Poliorcetes)—Ἀθηναῖον—ἀναγράψαι δὲ τότε τὸ ψήφισμα τὸν γραμματεὰ τὸν κατὰ πρυτανείαν. πολιτεία is used of 'a grant of citizenship' in inscriptions of Ephesus, Ditt. no. 134, ἀναγράψαι δὲ αὐτῷ τὴν πολιτείαν εἰς τὸ ἱερὸν τῆς Ἀρτέμιδος, οὗ καὶ αἱ λοιπαὶ πολιτεῖαι ἀν' ἀγεγραμμένα ἐἴσιν, and *ib.* 315, ἀναγράψαι ὅπου καὶ αἱ λοιπαὶ πολιτεῖαι ἀναγεγραμμένα ἐἴσιν. See Schömann, *Ant.* p. 355; Gilbert, i 203<sup>a</sup>; *Dict. Ant.* i 443; Hartel, *Studien*, p. 271—3; Reinach, *l'Épigraphie Grecque*, p. 371.

ἀναγράφεται] Thus, in a decree in honour of Thrasybulus of Calydon, the first two lines are inscribed in large characters, CIA i 59: [ἐπὶ Γλαυκί]ππου ἄ[ρ]χον[τ]ος. [Δόβων ἐκ] Κηδῶν ἐγραμμάτευ. Then follows the decree in smaller characters and the name of the γραμματεὺς is repeated in the second line, Δόβων ἐγραμμάτευ. CIA ii 51 (decree of citizenship &c B.C. 369) l. 3—Ἀξηνεῖος ἐγραμμάτευ. CIA ii 54 (do. B.C. 363)—Παλληνεὺς ἐγρ.—τὸ δὲ ψήφισμα τότε ἀναγράψαι τὸν γραμματεὰ τῆς βουλῆς. Mr Wyse (*Class. Rev.* v 276 a) points out that this style is not found in any inscr. between 356/5 and 320/19.

§ 4. ἐπὶ τοὺς νόμους] Pollux viii 98, καὶ ἕτερος ἐπὶ τοὺς νόμους ὑπὸ τῆς βουλῆς χειροτονοῦμενος. The term χειροτονοῦμενος applies to the first γραμματεὺς of an earlier time, and not to the second γραμματεὺς.

§ 5. τὸν ἀναγνωσόμενον] It is probably the same official that is meant in Dem



ἀναγνωσόμενον αὐτῷ καὶ τῇ βουλῇ, καὶ οὗτος οὐδενός ἐστι κύριος ἀλλὰ τοῦ ἀναγνώναι.

6 κληροῖ δὲ καὶ ἱεροποιοὺς δέκα, τοὺς ἐπὶ τὰ ἐκθύματα καλου-

23 ἄλλα: ἀλλ' ἢ Blass, Richards, Gennadios (e Suida κ-ω, II-L, Th); ἀλλὰ defendit κ (s<sup>1</sup>); ἢ B<sup>4</sup> appendix.

TEST. § 5 Bekk. *Anecd.* 226, 30, γραμματεῖς: καὶ τὸν γραμματέα χειροτονεῖ ὁ δῆμος ἀναγνωσόμενον αὐτῷ καὶ τῇ βουλῇ. καὶ οὗτος οὐδενός τὸ σύνολον ἄλλου ἐστὶ κύριος ἢ τοῦ ἀναγνώναι.

§§ 6, 7 Pollux viii 107 ἱεροποιοί p. 212 a exscriptus. Bekk. *An.* 265, 22, ἱεροποιοί: κληρωτοὶ ἄρχοντες, εἰσὶ δὲ δέκα τὸν ἀριθμὸν, οἱ τὰ τε μαντεύματα ἱεροθυτοῦσι, κἄν τι καλλιερῆσαι δέη, καλλιεροῖσι μετὰ τῶν μαντευμάτων καὶ θυσίας τὰς νομιζόμενας ἐπιτελοῦσι καὶ τὰς πεντατηρίδας ἀπάσας διοικοῦσιν πλὴν Παναθηναίων. Fere eadem Photius, ἱεροποιοί: κληρωτοὶ ἄρχοντες, δέκα τὸν ἀριθμὸν, οἱ τὰ τε μαντεύματα ἱεροθυτοῦσι, κἄν τις καλλιερῆσθαι, συγκαλλιεροῦσι τοῖς μαντεύμασι, καὶ θυσίας τὰς νομιζόμενας ἐπιτελοῦσι καὶ τὰς πεντατηρίδας ἀπάσας διοικοῦσι πλὴν Παναθηναίων. εἰσὶ δὲ καὶ ἄλλοι ἱεροποιοὶ τῶν σεμνῶν θεῶν οἱ τὸν ἀριθμὸν εἰσὶν ἄριστοι. Etiam Lex Patm. p. 11 ἱεροποιοί: κληρωτοὶ ἄρχοντας δέκα οἱ τὰ μεμαντευμένα ἱερὰ θύουσιν. εἰσὶ δὲ καὶ ἄλλοι τῶν σεμνῶν θεῶν. Photium usque ad ἐπιτελοῦσι exscripsit Etym. genuinum, ex quo pendet Symes; Bekk. *An.* exscripsit \*Etym. Magni auctor addito, post Παναθηναίων, ταῦτα δ' Ἄρ. ἱστορεῖ ἐν τῇ Ἄθ. πολ.

*Lept.* 94 (of a new law), τῷ γραμματεῖ παραδούναι, τοῦτον δ' ἐν ταῖς ἐκκλησίαις ἀναγιγνώσκειν. When the letter of Nicias was delivered in Athens (*Thuc.* vii 10) ὁ γραμματεῖς [τῆς πόλεως] παρελθὼν ἀνέγνω τοῖς Ἀθηναίοις, where Herwerden, Stahl and Hude bracket τῆς πόλεως. The margin of M (the MS in the British Museum) has: ὑπρέτην τὸν εἰωθότα ἐν τῷ κοινῷ δήμῳ τὰ γράμματα ἀναγιγνώσκειν. We should have expected to find him named in CIA ii 61, 26, ἀκούσασαν δὲ τὴν βουλὴν ἀναναγιγνώσκουμένων τῶν ἀναγεγραμμένων κτλ.]. In CIA ii 114, 10 (B.C. 343/2) we read of a decree in honour of Phanodemus: ἀναγνώναι τότε τὸ ψήφισμα τὸν γραμματέα τῷ δήμῳ. In [*Plut.*] ii 841 F, we learn that the orator Lycurgus required the γρ. τῆς πόλεως to see that the authorized text alone of Aeschylus, Sophocles and Euripides was adopted in the public performances of their plays, [*Plut.*] ii 841 F, τὸν τῆς πόλεως γραμματέα παραναγιγνώσκειν τοῖς ὑποκρονομένοις.

ἀλλά] = ἀλλ' ἢ in *Eth. N.* x 5, 1176 a 22, vii 13, 1152 b 30, *Rhet.* ii 23, 1402 a 27 (Index Ar.).

§ 6. ἱεροποιοῖς] 'Commissioners of sacrifices.' *Pol.* 1322 b 18, ἄλλο δ' εἶδος ἐπιμελείας ἢ περὶ τοὺς θεοὺς. οἶον ἱερεῖς τε καὶ ἐπιμεληταὶ τῶν περιτὰ ἱερὰ τοῦ σφῆσθαι τε τὰ ὑπάρχοντα καὶ ἀνορθοῦσθαι τὰ πίπτοντα τῶν οικοδομημάτων καὶ τῶν ἄλλων ὅσα τέτακται πρὸς τοὺς θεοὺς—(b 24) οἶον ἱεροποιοῖς κτλ. The text is quoted in *Etym. Magn.*, without any distinction between the two boards. The article adds a reference to Dem. 4 § 26, οἱ λοιποὶ τὰς

πομπὰς πέμπουσιν ὑμῶν μετὰ τῶν ἱεροποίων. The ἱεροποιοὶ are mentioned under the Four Hundred in 30 § 2. Cf. [*Dem.*] 58 § 29, τὴν μὲν ἀρχὴν ἣν ἐκείνος ἄρχων ἐτελεύτησεν, ἱεροποιοῖς ὧν, παρὰ τοὺς νόμους ἦρχεν οὗτος, οὐτε λαχὼν οὐτ' ἐπιλαχὼν. CIA ii 741 (B.C. 334/3), ἐκ τοῦ δερματικοῦ—ἐκ τῆς θυσίας τῇ Ἀγαθῇ Τύχῃ παρὰ ἱεροποίων—ἐξ Ἀσκληπιείων παρὰ ἱεροποίων—ἐγ Βεν-διδέων, παρὰ ἱεροποίων. (B.C. 333/2), [ἐκ Παναθηναίων παρὰ ἱεροποίων]. B.C. 332/1 ἐκ Παναθηναίων παρὰ ἱεροποίων, ἐξ Ἐλευσινίων παρὰ ἱεροποίων. For the Hephaestia, two commissions of 10 ἱεροποιοὶ each were appointed by lot (a) from the βουλή, (b) from the δικασταὶ (CIA iv (1) 35 b). Certain kinds of ἱεροποιοὶ, however, were elected and not appointed by lot. Thus, *Dem. c. Mid.* §§ 115, 171 states that he had the honour of being 'elected' from among all the Athenians as one of the three ἱεροποιοὶ τῶν σεμνῶν θεῶν. In an inscr. published in *Ἀθήναιον*, 6 p. 483, we find 10 ἱεροποιοὶ οἱ αἰρεθεῖντες ὑπὸ τῆς βουλῆς (out of the 10 tribes). Gilbert i 292; Müller's *Handbuch*, v 3, 34.

ἐκθύματα] The word is found in the sense of 'pustule' in *Hipp. Epid.* 3, 1086. It is also found in a Coan inscription (27, 36 Paton). ἐκθύω means in act. to sacrifice, in *Soph. El.* 572, and *Eur. Cycl.* 371; and, in middle, to expiate. In the text ἐκθύματα means 'expiations.' The corresponding phrase in an inscr. of B.C. 329/8, in *Ἐφ. Ἀρχ.* 1883, 110—126, B 82, is εἰς τὰ ἐπιθύσιμα (= Michel no. 581, p. 465, l. 4).

25 μένους, [οἰ] τά τε μ[αν]τευτὰ ἱερὰ θύουσιν, κᾶν τι καλλιερῆσαι  
 δέη, καλλιερῶσι μετὰ τῶν μάντεων. κληροὶ δὲ καὶ ἑτέρους 7  
 δέκα, τοὺς κατ' ἐνιαυτὸν καλουμένους, οἱ θυσίας τέ τινας θύουσι  
 [καὶ τ]ὰς πεντετηρίδας ἀπάσας διοικοῦσιν πλὴν Παναθηναίων.  
 εἰσι δ]ὲ πεντετηρίδες μία μ[ὲν ἢ εἰ]ς Δῆλον (ἔστι δὲ καὶ ἑπτετηρίς

28 διοικοῦσι H-L. 29 εἰσι δὲ] K, K-W, B<sup>2-4</sup>, Th; εἰ (sc. πέντε) [δ' εἰσι] H-L, B<sup>1</sup>.  
 πεντετηρίδες <δ' > K-W<sup>1,2</sup>.

μαντευτὰ) 'appointed by oracle.' Xen. *Anab.* vi 1, 22, ἔθυτο τῷ Διὶ τῷ βασιλεί, ὅσπερ αὐτῷ μαντεῦτος ἦν ἐκ Δελφῶν. Sacrifices are enjoined in the μαντεῖαι quoted by Dem. c. *Mid.* 52—54.

καλλιερῆσαι] [Xen.] *Vect.* vi 3, τοῦτοις (τοῖς θεοῖς) καλλιερῆσαντας ἀρχεσθαι τοῦ ἔργου.

§ 7. τοὺς κατ' ἐνιαυτὸν] possibly corresponding to the ἐπιμελητὰς of 30 § 2.

πεντετηρίδας] These festivals are also enumerated in Pollux viii 107, ἱεροποιοὶ δέκα ὄντες οὗτοι ἔθνον θυσίας τὰς πεντετηρίδας, τὴν εἰς Δῆλον, τὴν ἐν Βραυρωνί, τὴν τῶν Ἡρακλείων (Ἡρακλειδῶν codd.), τὴν Ἐλευσίνοι.

πλὴν Παναθηναίων] At this festival the procession was marshalled by the δῆμαρχοι: Suidas, s. v. οὗτοι δὲ διεκόσμουιν τὴν ἑορτὴν τῶν Παναθηναίων, and Schol. Arist. *Nub.* 37, οὗτοι δὲ τὴν πομπὴν τῶν Παναθηναίων ἐκόσμουιν. In CIA ii 741 ἱεροποιοὶ are twice mentioned in connexion with a Panathenaic festival: a 34, [ἐκ Παναθηναίων παρὰ [ἱεροποιῶν], and c 8, [ἐκ Παναθηναίων παρὰ ἱεροποιῶν]. The former refers to B.C. 333/2, the latter to 332/1, and, as neither of these is the 3rd year of an Olympiad, the lesser Panathenaica must be meant, and not the 'penteteric' festival mentioned in the text. The difficulty is more serious in CIA i 188, 74 (Ditt. no. 44): ἀθλοθέται παρεδόθη Παναθήναια τὰ μεγάλα (such and such a sum), ἱεροποιοὶς κατ' ἐνιαυτὸν, Διῶλλῳ Ἐρχεῖ καὶ συνάρχουσιν ἐς τὴν ἑκατόμβην (5114 dr.). Boeckh, II p. 8 Fränkel, supposes that, in the Panathenaica, it was the ἀθλοθέται who undertook the duties connected with the games, which were undertaken by the ἱεροποιοὶ in the other festivals, while the ἱεροποιοὶ were only concerned with making arrangements for the hecatomb. The ἱεροποιοὶ, who took part in the lesser Panathenaica, are described in CIA ii 163, as ἱεροποιοὶ οἱ διοικοῦντες τὰ Παναθήναια τὰ κατ' ἐνιαυτὸν.

εἰς Δῆλον] The ancient πανήγυρις at Delos was revived by the Athenians in

the spring of B.C. 425, Thuc. iii 104, 2, τὴν πεντετηρίδα τότε πρῶτον μετὰ τὴν κάθαρσιν ἐποίησαν οἱ Ἀθηναῖοι, τὰ Δῆλια. Besides the πεντετηρίς mentioned in the text there was an annual θεωρία (Plat. *Phaedo* 58 B, *Crito* 43 C). Hermann, *Gottesdienst. Alt.* § 65, 31—34, ed. 1858.

It was formerly supposed that the Delian festival was held on the 6th and 7th of Thargelion=May-June (Boeckh, II p. 72 Fränkel). The Delian inscriptions point to its having been really held in the month known at Delos as Ἰερὸς, corresponding to the Attic Anthesterion = Feb.-March (Robert in *Hermes* xxi 161, approved by A. Mommsen in *Bursian's Jahresb.* 1886, 3 p. 335—8). It included musical (Plut. *Nic.* 3; Lucian *de Salt.* 16) and gymnastic competitions, as well as horse-races (Thuc. iii 104; Dittenberger, 121, 16).

M. Homolle (*Bull. Corresp. Hellén.*, 1891, pp. 149—155) remarks that 'the inventories from Delos for 279 B.C. mention 30 of the cups that the Athenians gave every year, and 23 of the wreaths that they gave every four years... He also remarks that the inventories for 334 B.C., which come next in date, mention 11 of these cups and 20 of these wreaths, so that the last cup would have been given in 315 B.C., and the last wreath in 322. He argues that, as the Athenians certainly left Delos before 310 B.C., the cessation of their gifts after 315 B.C. is attributable to their departure and marks the exact date. But then one would like to know why there was not a twenty-fourth wreath for 318 B.C. The new treatise suggests the reason. It states that the Athenians held a festival at Delos every four years; but adds parenthetically and every six years also, and then alludes obscurely to the archonship of Cephisophon in 329 B.C. Suppose that [after the festival in 330] the interval was increased in 329 from four years to six: the twenty-second and twenty-third wreaths would then belong to 324 B.C. and 318 B.C. and would probably complete the series; for there is no other record of festivals at Delos every



ἐνταῦθα), δευτέρα δὲ Βραυρώνια, τρίτη [δ' Ἡράκλεια, τετάρτη [δ] 30  
Ἐλευσίνια, πέμπτη δὲ Παναθήναια· καὶ τούτων οὐδεμία ἐν τῷ

30 Ἡράκλεια ex Polluce κ. 31 Ἐλευ[σί]νια, [ε] δὲ Wyse (κ<sup>3</sup>, qui ē pro πέμπτη  
scribi potuisse ostendit, coll. c. 47 § 4 ubi [θ] pro ἐνάτης recte datum; 'dispiciuntur  
vestigia litterae ε, et super eam ductus transversus qui numerum indicat' (B, κ-w<sup>4</sup>,  
'ε nunc clare legitur' κ<sup>4</sup>). Ἐλευσίνια. τὰ δὲ κ-w<sup>1,2</sup>.

ΟΥΔ(Ε)ΜΙΑ, 'ut videtur' κ<sup>4</sup>, οὐδέμα B<sup>1,2</sup>, κ-w<sup>3</sup>, Th; οὐδεμῆ κ-w<sup>1,2</sup>, B<sup>3</sup>;

six years, and such festivals would presumably have been recorded, had they existed for any length of time' (Mr Torr in *Class. Rev.* v 277).

**Βραυρώνια**] The festival originally held at Brauron in honour of Artemis is mentioned in Hdt. vi 138 (cf. Arist. *Lysistr.* 646 and Schol.). It was afterwards held in the Brauronion on the Acropolis (Paus. i 23, 9; Wilamowitz, *Aus Kydathen*, 128 n. 47 f). We have lists of dresses dedicated to Artemis by Athenian ladies (CIA ii 751 ff., p. 113), one of whom actually bears the name of Πεντετηρίς (*ib.* 756, 15, B.C. 345).

There was also a festival held at Brauron in honour of Dionysus, Arist. *Pax* 874 with Schol. ἐκεῖ δὲ καὶ τὰ Διονύσια ἤγετο, καὶ καθ' ἕκαστον δήμον. Hence the Dionysia are described by Suidas i 454 as having been held every four years at Brauron. But the country Dionysia were celebrated annually throughout Attica; and it is more probable that the festival under the control of the ἱεροποιοί was the distinctive Brauronian festival of Artemis. Hemsterhuys, Corsini and others refer the Brauronian πεντετηρίς (cf. Pollux viii 107) to the Dionysia. K. O. Müller points out that the existence of a ἱερεία τῆς Ἀρτέμιδος τῆς Βραυρωνίας (Dinarch. Arist. 12) does not prevent the festival being under the management of the ἱεροποιοί, and Rinck, *die Religion der Hellenen*, ii 105, refers it to the festival of Artemis. Hermann *l. c.* § 62, 14—20.

**Ἡράκλεια**] Dem. *F. L.* § 125, παῖδας καὶ γυναῖκας ἐκ τῶν ἀγρῶν κατακομίζειν ἐψηφίσεσθε... καὶ τὰ Ἡράκλεια ἐν ἄστει θύειν. Harpocr. s. v. πολλῶν ὄντων τῶν κατὰ τὴν Ἀττικὴν Ἡρακλείων, νῦν ἂν ὁ Δημοσθένης μνημονεύει ἦτοι τῶν ἐν Μαραθῶνι ἢ τῶν ἐν Κυνοςάργει· ταῦτα γὰρ μάλιστα διὰ τιμῆς εἶχον Ἀθηναῖοι. The festival referred to by Dem. was probably held about midsummer, apparently in the month Hecatombaeon, at the same time as the Panathenaea: Steph. Byz. s. v. Ἐχελίδαί.—τοῦ τετρακίμου Ἡρακλείου, ἐν ᾧ τοῖς γυμνακοῖς ἀγόνας ἐτίθεισαν τοῖς Παναθηναίοις (Böhneke, *Forschungen*, p. 655). On the Ἡράκλεια at Marathon,

cf. Paus. i 15, 4; Pind. *Ol.* ix 95, Schol. Pind. *Ol.* xiii 110. See also Hermann *l. c.* § 62, 21—24.

**Ἐλευσίνια**] A festival held (as the context shews) once in four years and therefore distinct from the *Eleusinia* in the ordinary sense of the term. A Mommsen, *Heortologie*, 1864, p. 243, doubted its existence. Cf., however, inscr. from Eleusis in Ἐφ. Ἀρχ. 1883, pp. 110—126, β 50, σύμπαν κεφάλαιον ἱερεῦσι καὶ ἱερείαις εἰς τὴν τριετηρίδα τῶν Ἐλευσινίων καὶ εἰς τὴν πεντετηρίδα, cf. *ib.* 1887, p. 3, v 25, τῆς πανηγύρεως τῶν Ἐλευσινίων τῶν μεγάλων. It has been conjectured that the τριετηρίς and πεντετηρίς fell in the second and fourth year respectively of the Olympiad. If the inscr. in CIA ii 741 (Ditt. 374) is correctly restored, the ἱεροποιοί, presumably οἱ κατ' ἐνιαυτῶν, were concerned with the annual celebration of the Ἐλευσίνια, cf. c 66 [εἰ Ἐλευσινίων παρὰ ἱεροποιοῦ—], B.C. 432/1, the first year of an Olympiad, and d 74 [εἰ Ἐλευσινίων παρὰ ἱεροποιοῦ—], B.C. 331/0, the second year of an Ol. For the fourth year of an Ol., 333/2, the inscr. b 39, as restored in the *Corpus*, has [ἐκ τῆς θυσίας [τῆ] Δημητρὶ καὶ τῆ] Κόρη] τῆ] Δαίρ[α παρὰ ἐπιμελητῶν]. (Wyse, in *Class. Rev.* v 335 b.)

The inscr. in Ἐφ. Ἀρχ. 1883, mentioning the πεντετηρίς τῶν Ἐλευσινίων, refers to B.C. 329/8, the very year in which Cephisophon was archon. Payments are there made to the ἱεροποιοί οἱ κατ' ἐνιαυτῶν, β 8 and 38 (κατὰ ψήφισμα δήμου [τ]ὸ [εἰς] θυσ[ίας]), and to the ἱεροποιοί ἐγ βουλῆς β 67, 72, 76, 82 (εἰς τὰ ἐπιθύσιμα), γ 4 (Wyse, *ib.*).

**Παναθήναια**] the great Panathenaea; c. 60.

ἐν τῷ αὐτῷ] possibly means 'in the same place,' which is true, the festivals being associated with Delos, Brauron, Marathon, Eleusis and Athens respectively. 'At the same time' is also a possible interpretation. It is not at all probable that the festivals would actually clash in respect of date; but there would be no point in drawing attention to this. The Delian festival and the great Panathenaea were alike in the third year of an

32 αὐτῷ ἐγγίγνε[ται. νῦν] δὲ πρόσκειται [καὶ Ἡ]φαίσ[τια] ἐπὶ  
Κηφισοφῶντος ἄρχοντος.

κληροῦσι δὲ καὶ εἰς Σαλαμίνα ἄρχοντα, καὶ εἰς Πειραιέα 8

EN?

ΟΥΔΕΤΡΙΑ H-L. ΕΝΤΩΙΑΥΤΩΙΓΙΝΕΤΑΙ: ἐν τῷ αὐτῷ ἐγγίγνεται κ<sup>1</sup>, s<sup>1</sup>, κ-w<sup>3</sup>, Th; ἐν τῷ αὐτῷ ἔπει γίγνεται Jos. Mayor; ἐν τῷ αὐτῷ ἐνιαυτῷ γίγνεται Blass (H-L). [τ]ὰ δὲ Παναθήναια [[καὶ] τούτων οὐδεμῶ ἐν τῷ αὐτῷ ἐν[ιαυτῷ] γίγνε[ται] κ-w<sup>1,2</sup>. 32 [νῦν] δὲ B, κ-w<sup>3</sup>, κ<sup>4</sup>, Th. πρόσκειται B, Wilcken (κ-w<sup>3</sup>, κ<sup>4</sup>, Th); πρόκειται olim κ (B<sup>1</sup>, κ-w<sup>1,2</sup>), [ἄλλα] δὲ πρόκειται [κατὰ τὰ ψη]φίσ[ματα τὰ] ἐπὶ κτλ. s<sup>1</sup>. [καὶ Ἡ]φαίσ[τια] B<sup>2-4</sup> (κ<sup>4</sup>, Th); [Ἄμ]φ[ί]α Focart. ΕΠΙ: ἀπὸ malebat B. 34 ΠΕΙ...ΕΔ, Πειραιέα edd.: Πειραιῶ H-L.

Olympiad (Thuc. iii 104). The *Delia* of 334 fell in the third year; those of 279 in the second year of an Ol. The *Delia* were probably held in the month of Anthesterion; the Panathenaea (and probably the Heracleia) in Hecatombaeon; the Eleusinia possibly in the fourth year of an Olympiad, and probably in the same month as the annual Eleusinia, *i.e.* in Boedromion. The month (and even the year) of the Brauronia is unknown. (A. Mommsen, *Heortol.* 409, assigns it to the 16th of Munichion.)

The insertion of ἐνιαυτῷ is only possible if we disconnect the Panathenaea from the four penteteric festivals. The text, as edited by κ-w, implies that not one of these four is in the same year as the Panathenaea; which is only possible if the Delian festival had already been transferred to the second year of the Ol., and the Heracleia to the first year, leaving the Brauronia (and possibly the Eleusinia) in the fourth year.

Ἡφαίσ[τια] About the end of October, on the night immediately succeeding the family festival of the Apaturia, the god of fire and of the forge was worshipped 'by men splendidly dressed, holding torches in their hands, which they lighted at the sacred hearth, as an expression of gratitude for the use of fire,' Istrus, the Atthidographer, quoted by Harpocr. *s.v.* λαμπάς; (Boeckh, III xxiii p. 603 Lamb). The other festivals celebrated with torch-races were the Prometheia and the Panathenaea (Harpocr. *l.c.*); and from 403 B.C., the names of all who won the torch-race in the Prometheia and the Hephaestia were publicly recorded, CIA i 213, p. 343; but there is nothing known as to the Hephaestia of 329/8 B.C., nor even as to its being a quadrennial festival.

ἐπὶ Κηφισοφῶντος ἄρχοντος] B.C. 329/8, the latest date mentioned in this treatise. The inscr. already quoted from Ἐφ. Ἀρχ. 1883, pp. 110—126, describes the payments made to the ἱεροποιοὶ οἱ κατ'

ἐνιαυτῶν, β 8 and 38 κατὰ ψήφισμα δήμου [τ]ὸ [εἰς θ]υσ[ίας], and γ 7 καὶ τοῦτο (more than 1000 dr.) ἱεροποιοῖς κατεβάλομεν κατὰ ψήφισμα δήμου δ Λυκούργος εἶπεν. The date of the inscr. is the archonship of Cephisophon, B.C. 329/8. It is clear that in that year, on the proposal of Lycurgus, there was a special decree of the people affecting the πεντετηρίς of the Ἐλευσίνια. The same decree added a horse-race to the contests, and we are told that the prize in that contest was 70 medimni, β 38, 48, εἰς τὴν ἵπποδρομίαν τὴν προστεθεῖσαν κατὰ ψήφισμα ἄλλα μέδιμοι ΝΔΔ.

Focart, *Rev. de Philol.* 1895, 27—30, holds that the date of the treatise falls between 334 and 332, and that the clause relating to Cephisophon was a later addition, suggested by the institution of the *Amphiaraea* during his archonship.

§ 8. εἰς Σαλαμίνα ἄρχοντα] c. 62 § 2. CIA ii 594 (127 B.C.?), v. 1, ἐ[πι] Ἐπικλέους ἄρχοντος ἐν ἄστει, ἐν Σαλαμίनि δὲ Ἀνδρονίκο[v], v. 31, Διονυσίων τῶν ἐν Σαλαμίनि τραγῳδοῖς. *ib.* ii. 469 (somewhat before 69 B.C.), v. 75 and 80, ἐπὶ Πυθέου ἄρχοντος ἐν Σαλαμίनि, ἐν ἄστει δὲ Ἰππάρχου, v. 82, Διονυσίων τῶν ἐν Σαλαμίनि τραγῳδῶν ἐν ἀγῶνι (cf. n. 470, v. 58). Before the discovery of this treatise there was nothing to shew how the archon in Salamis was appointed. Cf. von Schoeffler, *De Deli Insulae Rebus*, p. 201 (*Berlin. Studien* xvi 398): 'Archon Salaminis insulae fueritne ab Atheniensibus constitutus an a cleruchis electus, prorsus ignoramus; nomen archontis minime obstat quominus illud verisimilium videatur.' Dittenberger, *Syll. Inscr. Graec.* n. 383, n. 2, on an 'archon' in a decree of Scyros posterior to 196 B.C. (Wyse in *Class. Rev.* v 335.)

Salamis was not reckoned as an Attic deme, but as a community dependent on Athens. Hence (like Athens) it had an archon at its head (Thumser, 435 f; Gilbert, i 508<sup>2</sup>).

Salamis having long been pacified as



δήμαρχον, οὐ τὰ τε Διονύσια ποιούσιν ἐκατέρωθι καὶ χορηγοὺς 35  
καθιστᾶσιν. ἐν Σαλαμῖνι δὲ καὶ τούνομα τοῦ ἄρχοντος  
ἀναγράφεται.

55. αὐταὶ μὲν οὖν αἱ ἀρχαὶ κληρωταὶ τε καὶ κύριαι τῶν  
εἰρημένων [πάντ]ων εἰσίν. οἱ δὲ καλούμενοι ἐννέα ἄρχοντες  
τὸ μὲν ἐξ ἀρχῆς ὄν τρόπον καθίσταντο εἴρηται. [νῦν] δὲ  
κληροῦσιν θεσμοθέτας μὲν ἐξ καὶ γραμματέα τούτοις, ἔτι δ'  
ἄρχοντα καὶ βασιλέα καὶ πολέμαρχον κατὰ μέρος ἐξ ἐκάστης 5  
2 φυλῆς. δοκιμάζονται δ' οὗτοι πρῶτον μὲν ἐν τῇ βουλῇ, τοῖς

35 ποιούσιν κ<sup>4</sup>, κ-W<sup>3</sup>, Th: ΠΟΙΟΥΣΙ H-L, B, κ-W<sup>1,2</sup>, s<sup>1</sup>.

LV 1 'an κληροῦνται καὶ κύριαι?' κ-W<sup>1,2</sup>, repugnante Kaibelio 229. τε <πᾶσαι>  
Neustadt coll. 2 [πάντ]ων κ<sup>4</sup>, ἀπάντων coniect cum Papageorgio B<sup>2</sup>; πράξεων  
Kaibel 229 (κ-W<sup>3</sup>, B<sup>4</sup>, Th); [πραγμάτ]ων olim κ<sup>1</sup> (H-L, s<sup>1</sup>). οἱ καλούμενοι δὲ trans-  
posuit B<sup>4</sup>. 3 [εἴρη]ται: [νῦν] B<sup>1</sup>, κ<sup>4</sup>, Th; [εἴρη]ται [ἤδη: νῦν] κ<sup>1</sup>, κ-W<sup>1,2</sup>, H-L;  
[προε]ίρηται: [νῦν] B<sup>2-4</sup>, Wilcken (κ-W<sup>3</sup>), 'quod non capit spatium' κ<sup>4</sup>. 4 κληροῦσι  
H-L. 5 ἐκάστης <τῆς> B (s<sup>1</sup>, Th).

TESTIMONIA. LV §§ 1, 2, 4 Heraclidis epitoma; Rose Frag. 611, 8: εἰσι δὲ καὶ  
ἐννέα ἄρχοντες, θεσμοθέται 5' (Coraes; θεσμοθέται καὶ vel θεσμοθετικοὶ καὶ codd.), οὐ  
δοκιμασθέντες ὀμνύουσι δικαίως ἀρξεν καὶ δῶρα μὴ λήψεσθαι ἢ ἀνδριάντα χρυσοῦν  
ἀναθήσειν.

§§ 2, 3 Pollux viii 85, 86, infra p. 216 ὁ laudatus. \*Lex. rhet. Cantab. θεσμοθετῶν

part of the Athenian dominion, the archon  
is an Athenian citizen, appointed by lot  
and not elected.

εἰς Πειραιέα δήμαρχον] In CIA ii 573<sup>b</sup>  
we have a decree, of the second half of  
the fourth century, placing the θεσμο-  
φόριον in the Peiraeus under the protec-  
tion of the δήμαρχος. In ii 573 the  
δήμαρχος is mentioned in connexion with  
a theatre in the Peiraeus. In an inscr.  
ascribed to the beginning of the 3rd cent.,  
ib. 589, one Callimedon has a place of  
precedence assigned him ἐν τῷ θεάτρῳ  
ἔταμ ποιῶσι Πειραιεῖς τὰ Διονύσια—καὶ  
εἰσαγέτω αὐτὸν ὁ δήμαρχος εἰς τὸ θέα-  
τρον. Lastly, in ii 1059, a lease granted  
by the Πειραιεῖς is superscribed ἐπὶ  
Ἀρχίππου ἄρχοντος (B.C. 321/0), Φρυγί-  
ωνος δημαρχοῦ[ντος]. Cf. Wachsmuth,  
Stadt Athen, ii 5. While, in the other  
demes, the δήμαρχος was elected by the  
members of the deme, in the important  
deme of the Peiraeus he was appointed  
by lot. Otherwise he would have be-  
come too powerful a personage.

Διονύσια] τὰ κατ' ἀρχαίως, celebrated  
in the month Poseideon, and on the  
grandest scale in the Peiraeus. CIA ii  
589 (quoted above), ib. 741 (Ditt. 374),  
6, 72, 79, ἐγ Διονυσίων τῶν ἐν Πειραιεῖ.  
Cf. Müller's Handbuch, v 3, 162, Wyse  
in Class. Rev. v 276 b, and Wilamowitz,  
i 231 f.

ἐν Σαλαμῖνι—ἀναγράφεται] The ar-

chon of Salamis is an archon eponymus  
whose name is recorded in the official  
documents of his year. Cf. Wilamowitz,  
i 230 f.

LV—LVI § I. On the nine Archons.  
Schömann, Ant. p. 410—414; Gilbert, i  
279—285<sup>2</sup>; Thumser, 557 f; Dict. Ant.  
s.v.

LV § I. ἐξ ἀρχῆς] c. 3 §§ 2—4;  
8 § 1; 22 § 5; 26 § 2.

κληροῦσιν κτλ.] The process is de-  
scribed in c. 8 § 1, ταῖς φυλαῖς τὸ δέκα  
κληροῦν ἐκάστην, εἴτ' ἐκ τούτων κταμεύειν.

θεσμοθέτας—ἐξ ἐκάστης φυλῆς] It has  
hitherto been uncertain whether, in the  
annual appointment of archons, the holders  
of the office were taken from different  
tribes. This was conjectured by Sauppe,  
de creatione archontum atticorum, 1864.  
Those who (like Schömann, p. 410) ac-  
cepted this view, supposed that one of  
the ten tribes was unrepresented. We  
now learn that the tenth tribe supplied  
the γραμματεῖς to the θεσμοθέται.

γραμματέα] The existence of a γρ. to  
the thesmothetae has hitherto been un-  
known. Pollux, viii 92, after stating that  
the first three archons select two πάρε-  
δροι each, adds: προαιροῦνται δὲ καὶ  
γραμματέα, ὅς ἐνὸνυφ (ἐν μόνῳ? Wyse)  
δικαστηρίῳ κρίνεται, but says nothing  
of any such secretary to the other six  
archons.

§ 2. δοκιμάζονται] Harpocr. s.v. δοκι-

πεντακοσίοις, πλὴν τοῦ γραμματέως, οὗτος δ' ἐν δικαστηρίῳ μόνον, ὡσπερ οἱ ἄλλοι ἄρχοντες (πάντες γὰρ καὶ οἱ κληρωτοὶ καὶ οἱ χειροτονητοὶ δοκιμασθέντες ἄρχουσιν), οἱ δ' ἐννέα ἄρχοντες ἐν τε τῇ βουλῇ καὶ πάλιν ἐν δικαστηρίῳ. καὶ πρότερον μὲν οὐκ ἦρχεν ὄντιν' ἀποδοκιμάσειεν ἢ βουλή, νῦν δ' ἔφεσις ἐστὶν εἰς τὸ δικαστήριον, καὶ τοῦτο κύριόν ἐστι τῆς δοκιμασίας. ἐπερωτῶ- 3  
σιν δ', ὅταν δοκιμάζωσιν, πρῶτον μὲν 'τίς || σοι πατὴρ καὶ πόθεν [C

7 πεντακοσίοις <εἶτα δ' ἐν τῷ δικαστηρίῳ> Papageorgios. 7, 10 <τῷ> δικαστηρίῳ hic et in c. 46, 10, c. 55, 10, H-L; idem in c. 45, 5 articulum omissum non inserunt. 8 πάντες K, B<sup>1</sup>, S<sup>1</sup>, K-W<sup>1,2</sup>, Th; ἅπαντες Diels, Wilcken (K-W<sup>3</sup>, B<sup>2-4</sup>), propter spatium improbat K<sup>4</sup>. γὰρ om. Papageorgios. 9 ἐννέ' K-W, B. 12 ἐπερωτῶσι H-L.

ἀνάκρισις: κατὰ Ἀριστοτέλην οἱ θεσμοθέται ἐκ τῶν ἑπτα ἀρχόντων, αὐτοὶ ἐξ ὄντες. οἱ δὲ λαχόντες ὑπὸ τῆς βουλῆς τῶν πεντακοσίων καὶ τοῦ δικαστηρίου "δοκιμάζονται" "πλὴν τοῦ γραμματέως" ἐρωτώμενοι τίνες αὐτῶν πατέρες, ὁμοίως καὶ δῆμων τίνων εἰσὶ, καὶ "εἰ ἐστὶν" αὐτοῖς "Ἀπόλλων πατρῶος καὶ Ζεὺς ἔρκειος," καὶ εἰ τοὺς "γονέας" εὖ ποιούσι, καὶ εἰ "τὰ τέλη" τελοῦσι, καὶ εἰ τὰς ὑπὲρ τῆς πατρίδος στρατείας ἐστρατεύσαντο (Frag. 375<sup>2</sup>, 414<sup>3</sup>).

μασθελς.—Λυκούργος δ' ἐν τῷ περὶ διοικήσεως "γ' δοκιμασία κατὰ τὸν νόμον," φησί, "γίνονται, μία μὲν ἦν οἱ ἑπτα ἄρχοντες δοκιμάζονται κτλ." Bekk. *Anecd.* 235, 11. Dem. *Lept.* 90 describes the six *thesmothetai* as undergoing a double *δοκιμασία*, ἐν τε τῇ βουλῇ καὶ παρ' ἑμῶν ἐν τῷ δικαστηρίῳ (cf. Lys. 15 § 2). Dem. 57 §§ 66, 70 refers to the *δοκιμασία* of all the nine archons. Gilbert, i 243<sup>2</sup>; Schömann, p. 406.

πάντες—δοκιμασθέντες ἄρχουσιν] Aeschin. c. *Ctes.* §§ 14, 15; Lysias 26 §§ 6, 12. Pollux, viii 44, *δοκιμασία* δὲ τοῖς ἄρχουσιν ἐπηγγέλλετο καὶ τοῖς κληρωτοῖς καὶ τοῖς αἰρετοῖς, εἴτ' ἐπιτήδειοι εἰσὶν ἄρχων εἶτε καὶ μὴ. The text states that, whereas the nine archons were examined by the Council and by the law-court, all the other officers (whether appointed by lot or by show of hands) were examined by the law-court alone. This is in exact agreement with the view put forward by C. Schaefer in *Fahrh. f. class. Phil.* 1878, 821 (the other views are stated in Gilbert, i 208<sup>1</sup>, n. 3; cf. 243<sup>2</sup>, n. 1).

The passages bearing on the *δοκιμασία* of the ἀρχαὶ χειροτονηταὶ are Dem. 40 § 34, χειροτονησάντων ἑμῶν ἐμὲ ταξίαρχον ἦκεν αὐτὸς ἐπὶ τὸ δικαστήριον δοκιμασθησόμενος, and Aesch. *Ctes.* 15, χειροτονητὰς ἀρχὰς ... ἄρχειν δοκιμασθέντας ἐν τῷ δικαστηρίῳ. In the latter passage it is added that the κληρωταὶ ἀρχαὶ are οὐκ ἀδοκιμαστοὶ, but nothing is stated about the law-courts. Cf. c. 45 § 3.

ἐν τε τῇ βουλῇ καὶ πάλιν ἐν δικαστηρίῳ] The double *δοκιμασία* of the

nine Archons (cf. Dem. *Lept.* 90) is accepted by Gilbert, 243<sup>2</sup>, Thumser, 607 n. 3, and Busolt, *Anf.* 223<sup>2</sup>. Lipsius, however (*Das Attische Recht*, 272 n), contends that the second *δοκιμασία* would only take place in the event of an appeal.

§ 3. ἐπερωτῶσιν] l. 20 *infra*, ἐπερωτῶ. Pollux, viii 86 (of the θεσμοθετῶν ἀνάκρισις), ἐπηρώτα δ' ἢ βουλή.

πρῶτον μὲν] Dinarchus, *Aristog.* 17, ἀνακρίνοντας τοὺς ὑπὲρ τῶν κοινῶν τι μέλλοντας διοικεῖν, τίς ἐστὶ τὸν ἴδιον τρόπον, εἰ γονέας εὖ ποιεῖ, εἰ τὰς στρατείας ὑπὲρ τῆς πόλεως ἐστράτευται, εἰ ἱερὰ (ἦρα Baïter and Sauppe, coll. § 18 πατρὸς μνήμα) πατρῶα ἐστὶν, εἰ τὰ τέλη τελεῖ. Xen. *Mem.* ii 2, 13, ἐὰν δὲ τις γονέας μὴ θεραπεύῃ, τοῦτω δίκην τε ἐπιτίθησι καὶ ἀποδοκιμάζουσα οὐκ ἐᾷ ἄρχων τοῦτον... καὶ ἐὰν τις τῶν γονέων τελευτησάντων τοὺς τάφους μὴ κοσμήῃ, καὶ τοῦτο ἐξετάζει ἢ πόλις ἐν ταῖς τῶν ἀρχόντων δοκιμασίαις. Lys. 16 § 9 (of the *δοκιμασία* of a βουλευτῆς), ἐν ταῖς δοκιμασίαις δίκαιον εἶναι παντὸς τοῦ βλοῦ λόγον διδόναι. Pollux, viii 85, 86, gives a summary of the text, ἐκαλείτο δὲ τις θεσμοθετῶν ἀνάκρισις (Dem. *Eubul.* 66), εἰ Ἀθηναῖοι εἰσὶν ἐκατέρωθεν ἐκ τριγονίας καὶ τὸν δῆμον (corrected in margin of Cobet's copy into τῶν δῆμων, which is proved to be right by the text) πόθεν, καὶ εἰ Ἀπόλλων ἐστὶν αὐτοῖς πατρῶος καὶ Ζεὺς ἔρκειος, καὶ εἰ τοὺς γονέας εὖ ποιούσι, καὶ εἰ ἐστράτευνται ὑπὲρ τῆς πατρίδος καὶ εἰ τὸ τίμημα ἐστὶν αὐτοῖς. In the quotation in *Lex. Rhet. Cant.* the clause last quoted is in closer accordance with the text, εἰ τὰ τέλη τελοῦσι: though the form in Pollux



τῶν δῆμων, καὶ τίς πατὴρ πατήρ, καὶ τίς μήτηρ, καὶ τίς μητρὸς πατήρ καὶ πόθεν τῶν δῆμων; μετὰ δὲ ταῦτα, εἰ ἔστιν αὐτῷ<sup>15</sup> Ἀπόλλων πατρῶος καὶ Ζεὺς ἑρκείος, καὶ ποῦ ταῦτα τὰ ἱερά ἔστιν, εἴτα ἡρία εἰ ἔστιν καὶ ποῦ ταῦτα, ἔπειτα γονέας εἰ εὐ ποιεῖ, [καὶ] τὰ τέλη (εἰ) τελεῖ, καὶ τὰς στρατείας εἰ ἐστράτευται. ταῦτα δ' ἀνερωτήσας 'κάλει', φησίν, 'τούτων τοὺς μάρτυρας'. ἐπειδὴν δὲ παράσχηται τοὺς μάρτυρας, ἐπερωτᾷ 'τούτου βούλεται τις<sup>20</sup> 4 κατηγορεῖν; κἂν μὲν ἦ τις κατήγορος, δούς κατηγορίαν καὶ ἀπολογία, οὕτω δίδωσιν ἐν μὲν τῇ βουλῇ τὴν ἐπιχειροτομίαν, ἐν δὲ τῷ δικαστηρίῳ τὴν ψῆφον· εἰ δὲ μηδεὶς βούληται κατηγορεῖν, εὐθὺς δίδωσι τὴν ψῆφον. καὶ πρότερον μὲν εἰς ἐνέβαλλε τὴν ψῆφον, νῦν δ' ἀνάγκη πάντας ἐστὶ διαψηφίζεσθαι περὶ αὐτῶν, ἵνα, ἂν τις<sup>25</sup> πονηρὸς ὦν ἀπαλλάξῃ τοὺς κατηγόρους, ἐπὶ τοῖς δικασταῖς 5 γένηται τοῦτον ἀποδοκιμάσαι. δοκιμασθέν(τες) δὲ τοῦτον τὸν τρόπον, βαδίζουσι πρὸς τὸν λίθον ἐφ' ο[ὗ] τὰ τόμι' ἔστιν, ἐφ' οὗ

18 <εἰ> τελεῖ K-W (K<sup>4</sup>) e Lex. Cantabr. coll. Dinarch. ii 18: τελεῖ B, S<sup>1</sup>, Th. 19 ἐπερωτήσας Papageorgios. 20 ΒΟΥΛΕΥΤΑΙ: corr. K. 25 διαψήφ. Wyse etc. (edd.): δὲ ψήφ. olim K. ἦν ἐὰν H-L. 27 ΔΟΚΙΜΑΣΘΕΝ (K, 'quod nescio an retinendum sit,' K<sup>4</sup>): δοκιμασθέν<τες> Rutherford, Richards, B, K-W, H-L, K<sup>4</sup>, Th. 28 ὑφ' ᾧ τὰ ταμειά (ΤΑΜΙ?) ἔστιν K<sup>1</sup>; ἐφ' οὗ τὰ τόμι' ἔστιν van Leeuwen (H-L, K<sup>3</sup>, Th); ἐφ' ᾧ κτλ. B; ὑφ' ('εφ an γφ incertum; utrumque libri Pollucis') ᾧ τὰ τόμι' ἔστιν K-W. 'εφ potius quam γφ (utrumque libri Pollucis)' K<sup>4</sup>.

§§ 5, 28 \*Harp. λίθος (cf. Testim. ad c. 7, 5).

has been supposed to be the older form (Gilbert i 210<sup>2</sup>, n. 1, a supposition omitted in i 244<sup>2</sup>).

πατὴρ πατήρ...μητρὸς πατήρ] Pollux viii 85, Ἀθηναῖοι—ἐκ τριγονίας, not necessarily part of an earlier formula.

πόθεν τῶν δῆμων] c. 21 § 4 ult.

Ἀπόλλων πατρῶος—Ζεὺς ἑρκείος] The gods of the Athenian's home. Dem. 57 § 54, παιδίον θυγατρὸς εὐθέως ἦγον εἰς τοὺς φράτερας, εἰς Ἀπόλλωνος πατρῶος ἦγον, and § 67 quoted below. Cf. Harp. s. v. τὸν δὲ Ἀπόλλωνα κοινῶς πατρῶον τιμῶσιν Ἀθηναῖοι ἀπὸ Ἴωνος· τούτου γὰρ οἰκίσαντος τὴν Ἀττικὴν, ὡς Ἀριστοτέλης φησὶ, τοὺς Ἀθ. Ἴωνας κληθῆναι καὶ Ἀπόλλωνα πατρῶον αὐτοῖς ὀνομασθῆναι, and s. v. ἑρκείος Ζεὺς· Δείναρχος ἐν τῷ κατὰ Μοσχίωνος "εἰ φράτορες αὐτῶν καὶ βωμοὶ Διὸς ἑρκείου καὶ Ἀπόλλωνος πατρῶος εἰσιν." ἔρκ. Ζεὺς, ᾧ βωμὸς ἐν τῷ ἑρκείῳ ἐν τῇ αὐτῇ ἴδρυται.—ὅτι δὲ τούτοις μετῆν τῆς πολιτείας οἷς εἴη Ζεὺς ἑρκείος, δεδήλωκε καὶ Ὑπερίδης κτλ.

ἡρία] Dem. 57 § 66, ὥσπερ γὰρ τοὺς θεομοθέτας ἀνακρίνετε, ἐγὼ τὸν αὐτὸν τρόπον ἐμαυτὸν ὑμῖν ἀνακρινῶ. (67)—οἱ κείοι τινες εἶναι μαρτυροῦσιν αὐτῷ; πάνν γε·

πρῶτον μὲν γε τέτταρες ἀνέψιοι,—εἰτ' Ἀπόλλωνος πατρῶος καὶ Διὸς ἑρκείου γεννηταί, εἰθ' οἷς ἡρία ταῦτα (cf. Dinarchus, quoted above).

τὰ τέλη—τελεῖ] Cf. CIA ii 589, 25, τελεῖν δὲ αὐτὸν τὰ αὐτὰ τέλη ἐν τῷ δήμῳ, ἄπερ ἄγ καὶ Πειραιεῖς (Wyse).

φησίν...ἐπερωτᾷ] the president of the Council (or of the law-court); cf. l. 12, ἐπερωτῶσιν.

§ 4. ψῆφον] Meier and Schöm. p. 635 ff. Lips.

ἀπαλλάξῃ] Dem. c. Timocr. § 37, ἂν ἀπαλλάξῃ τις τὸν ἐπιστάντα, and ἀπαλλάξας καὶ διαφθείρας, also And. de Myst. 122, συμφρα c. 27 ad fin.

§ 5. πρὸς τὸν λίθον] Dem. 54 § 26, πρὸς τὸν λίθον (Harpocr.; βωμὸν MSS) ἄγοντες καὶ ἐξορκίζοντες. Plut. Sol. 25, ὡμνην ἔρκον ἕκαστος τῶν θεομοθετῶν ἐν ἀγορᾷ πρὸς τῷ λίθῳ.

ἐφ' οὗ τὰ τόμι' ἔστιν] Dem. 23 c. Aristocr. 68 (the prosecutor in a case of homicide before the Areopagus) ὁμνησιν...στὰς ἐπὶ τῶν τομίων κάπρου καὶ κριοῦ καὶ ταύρου. Arist. Lys. 186, καὶ μοι δότω τὰ τόμια τις. The archon's oath was taken

καὶ οἱ διαιτηταὶ ὁμόσαντες ἀποφαίνονται τὰς διαίτας καὶ οἱ  
 30 μάρτυρες ἐξόμνουνται τὰς μαρτυρίας· ἀναβάντες δ' ἐπὶ τοῦτον  
 ὁμνύουσι δικαίως ἄρξιν καὶ κατὰ τοὺς νόμους, καὶ δῶρα μὴ  
 λήψεσθαι τῆς ἀρχῆς ἕνεκα, κἄν τι λάβωσι, ἀνδριάντα ἀναθήσειν  
 χρυσοῦν. ἐντεῦθεν δ' ὁμόσαντες εἰς ἀκρόπολιν βαδίζουσιν καὶ  
 35 εἰσέρχονται.

56. λαμβάνουσι δὲ καὶ παρέδρους ὃ τ' ἄρχων καὶ ὁ βασι-  
 λεὺς καὶ ὁ πολέμαρχος δύο ἕκαστος, οὓς ἂν βούληται, καὶ οὗτοι  
 δοκιμάζονται ἐν τῷ δικαστηρίῳ πρὶν παρεδρεύειν, καὶ εὐθύνας  
 διδῶσιν ἐπὶν παρεδρεύσωσι.

5 καὶ ὁ μὲν ἄρχων εὐθύς εἰσελθὼν πρῶτον μὲν κηρύττει, ὅσα 2  
 τις εἶχεν πρὶν αὐτὸν εἰσελθεῖν εἰς τὴν ἀρχήν, ταῦτ' ἔχειν καὶ  
 κρατεῖν μέχρι ἀρχῆς τέλους. ἔπειτα χορηγούς τραγωδοῖς καθί- 3

31 ὁμνύουσι H-L, B<sup>4</sup>. 32 λάβωσι H-L, B<sup>4</sup>. 33 βαδίζουσι H-L, B<sup>4</sup>.

LVI 1 καὶ ὁ βασιλεὺς om. Harp.

2 ἕκαστος: ἐκάτερος Harp. (K<sup>1</sup>).

ἀν: εΔΝ.

3 <καὶ> δοκ. Papageorgios.

4 ΕΠΑΝ (cf. 42 § 2): ἐπειδὴν H-L.

TESTIMONIA. LVI § 1 \*Harp. παρέδρους: Ἄρ. δ' ἐν τῇ Ἰθ. πολ. φησί “λαμβά-  
 νουσι δὲ καὶ παρέδρους ὃ τε ἄρχων <καὶ ὁ βασιλεὺς Rose, coll. Meier *Att. Proc.* p. 57;  
*Bull. de Corr. Hell.* vii 158> καὶ ὁ πολέμαρχος, δύο ἕκαστος (ἕκαστος Rose) οὓς ἂν  
 βούληται, καὶ οὗτοι—παρεδρεύσωσι” (cf. Suid. s. v.). Pollux viii 92: παρέδροι δ'  
 ὀνομάζονται οὓς αἰροῦνται ἄρχων καὶ βασιλεὺς καὶ πολέμαρχος, δύο ἕκαστος οὓς βούλεται.  
 δοκιμασθῆναι δ' αὐτοὺς ἔχρην ἐν τοῖς πεντακοσίοις, εἰτ' ἐν δικαστηρίῳ. Frag. 389<sup>2</sup>, 428<sup>3</sup>.

§ 3 Lex. rhet. Cantab. ἐπώνυμος ἄρχων:.. ἔχει δὲ ἐπιμέλειαν χορηγούς καταστήσαι  
 “εἰς Διονύσια” καὶ “Θαργήλια,” ἐπιμελεῖται δὲ καὶ τῶν “εἰς Δῆλον” καὶ τῶν ἀλλαχόσε  
 πεμπομένων Ἀθηνηθεν χορῶν· λαγχάνονται δὲ παρ' αὐτῷ καὶ γραφαί. καὶ δίκας εἰς τὸ  
 δικαστήριον εἰσάγει.

(Pollux viii 86) πρὸς τῇ βασιλείῳ στοῶ, ἐπὶ  
 τοῦ λίθου ὑφ' ᾧ τὰ ταμεία (ita codex  
 Schotti; ἐφ' ᾧ τε ceteri: ἐφ' οὗ τὰ τόμα  
 ὕος corr. Bergk, *Er. crit. ad Schiller.*;  
 p. 131).

ἐξόμνουνται τὰς μαρτυρίας] ‘disown  
 upon oath the depositions’ which they  
 have been invited to attest. A reluctant  
 witness could be summoned either to de-  
 pose or to swear that he knew nothing of  
 the matter (Meier and Schömann, p. 881,  
 n. 323 Lips.).

ἀνδριάντα ἀναθήσειν] 7 § 1. Gilbert,  
 i 246<sup>2</sup>, n. 2.

LVI § 1. παρέδρους] In [Dem.] 59  
 § 72, and in CIA ii 597, the παρέδρος  
 to the archon βασιλεὺς is mentioned.  
 Gilbert, i 254<sup>2</sup>, n. 2; Lipsius, *Das Attische  
 Recht*, 66, n. 53.

ἕκαστος] ἐκάτερος is found in the cita-  
 tion in Harpocr., where, however, καὶ ὁ  
 βασιλεὺς is omitted. It was conjectured  
 by Meier (*Att. Proc.* p. 71 Lips.) that it  
 was owing to this omission that ἕκαστος

had been there corrupted into ἐκάτερος.  
 We now see that this was actually the  
 case. (Lipsius, *Leipzig. Verhandl.* p. 53,  
 n. 3, was accidentally led to state the  
 contrary by the reading in Mr Kenyon's  
 first edition, ἐκάτερος.)

ἐν τῷ δικαστηρίῳ] τῷ λαχόντι, as in  
 49 § 3.

§§ 2—7. *The Archon.* Gilbert, i  
 279<sup>2</sup>.

§ 2. ἔχειν καὶ κρατεῖν] a legal phrase,  
 as in CIA i 1139, 1140.

§ 3. χορηγούς] Dem. *Lept.* Introd.  
 p. iv—vii; Haigh's *Attic Theatre*, p.  
 53—56<sup>3</sup>; Albert Müller's *Bühnenalter-  
 thümer*, p. 193. This early appointment  
 provided a long period,—from midsummer  
 to the following spring, in which actors  
 and chorus might receive thorough  
 training.

τραγωδοῖς] Lys. 24 § 9, κατασταθεῖς  
 χορηγούς τραγωδοῖς, 19 § 29, τραγωδοῖς δις  
 χορηγήσαι. Cf. Kühner, § 426, 2.



στησι τρεῖς ἐξ ἀπάντων Ἀθηναίων τοὺς πλουσιωτάτους· πρότερον δὲ καὶ κωμφοδοῖς καθίστη πέντε, νῦν δὲ τούτους αἱ φυλαὶ φέρουσιν. ἔπειτα παραλαβὼν τοὺς χορηγοὺς τοὺς ἐνηνεγμένους ὑπὸ τῶν 10 φυλῶν εἰς Διονύσια ἀνδράσιν καὶ παισὶν καὶ κωμφοδοῖς, καὶ εἰς Θαργήλια ἀνδράσιν καὶ παισὶν (εἰσὶ δ' οἱ μὲν εἰς Διονύσια κατὰ φυλάς, εἰς Θαργήλια (δὲ) δυοῖν φυλαῖν εἰς· παρέχει δ' ἐν μέρει ἑκάτερα τῶν φυλῶν), τούτοις τὰς ἀντιδόσεις ποιεῖ καὶ τὰς σκήψεις εἰς[άγει, εἶ]ν τις ἢ λελητουρηγένοι φῆ πρότερον ταύτην τὴν 15

9 τούτους Wyse coll. Dem. 39 § 7 (K-W, B<sup>1-4</sup>): ΤΟΥΤΟΙΣ Κ et H-L, 'i.e. τοῖς κωμφοδοῖς χορηγοῖς φέρουσιν,' Th.

11—12 ἀνδράσι—παισί—ἀνδράσι H-L, B<sup>4</sup>. 13 < δὲ > 'in codice non exstare certum est' K<sup>4</sup>.

ΔΥΕΙΝ K<sup>1</sup>, B, Th: δυοῖν K-W, K<sup>3</sup>; in titulis δυεῖν (quod in anno 329 A.C. primum prodit) cum plurali tantum coniungi dicitur, Meisterhans, pp. 157<sup>3</sup>, 201<sup>3</sup>.

14 τούτοις, τὰς ἀντιδόσεις ποιεῖ K<sup>1</sup>; τούτοις τὰς κτλ. K-W (K<sup>3</sup>, B, Th); τούτων, τὰς κτλ. Richards (H-L).

15 λε....η π[ρὸς] ἔτερον K<sup>1</sup>; λελητουρηγένοι φῆ πρότερον scripsi (K<sup>3</sup>, B, K-W<sup>3</sup>, Th); λελητουρηγ[ένοι λε]γῆ π[ρ]ότερον K-W<sup>1,2</sup>.

TESTIMONIA. 13 Schol. Dem. *Lept.* 27, ἐν τοῖς Θαργήλοις δυοῖν φυλαῖν εἰς μόνος καθίστατο χορηγός.

**τρεῖς]** In tragedy the number of competitors was limited to three. In the extant notices we never find more than three tragic poets competing, e.g. B.C. 467, (1) Aeschylus, *S. C. T.* &c., (2) Aristias, (3) Polyphradmon, B.C. 431, (1) Euphorion, (2) Sophocles, (3) Euripides, *Medea*, &c. B.C. 428, (1) Euripides, *Hippolytus*, &c., (2) Iophon, (3) Ion. Cf. Haigh, *Attic Theatre*, pp. 11—123.

**κωμφοδοῖς—πέντε]** In comedy the number of competitors during the fifth century was three, as in tragedy: thus Aristophanes, in producing at the City Dionysia the *Clouds*, the *Peace* and *Birds*, during the latter part of the fifth century, had in each case two competitors. The same was the rule at the Lenaea. With the beginning of the fourth century the number was raised to five at both festivals (cf. Arg. Arist. *Plut.* and CIA ii 972, Haigh, *l.c.* p. 203 f).

**τούτους—φέρουσιν]** Dem. Or. 39 § 7, οὐκοῦν...οἴσονται με, ἀν χορηγὸν ἢ γυμνασί-αρχον ἢ ἐστιάτορα ἢ ἐάν τι τῶν ἄλλων φέρωσιν; It is only in the case of comedy that the φυλαὶ nominate; and even here it is a recent innovation. The χορηγοὶ concerned with the production of tragedies were not nominated by the tribes; cf. Lipsius, *Leips. Verhandl.* 1885, p. 411.

**Διονύσια]** ἐν ἄσσει. Elaphebolion 9—13.

**ἀνδράσιν καὶ παισὶν]** At the City Dionysia, besides the dramatic contests, there were choral competitions, between choruses of men and boys respectively.

In the list of victors the contests are always enumerated in the following order:—παίδων, ἀνδρῶν, κωμφοδῶν, τραγωδῶν. There were five choruses of men and five of boys, each chorus being provided by one of the ten tribes, each tribe being represented by one of its members as χορηγός. Haigh, *l.c.* p. 93 f.

**Θαργήλια]** On the second day of the festival, about May 25, there was a competition among the cyclic choruses of men and boys. Lys. 21 § 1, Θαργήλοις νικήσας ἀνδρικῶ χορῶ, Ant. *de Chor.* §§ 11—13, of a χορὸς παιδῶν, CIA ii 553, εἰ τις ἄλλος νενίκηκεν ἀπ' Εὐκλείδου ἀρχοντος παισὶν ἢ ἀνδράσιν Διονύσια ἢ Θαργήλια κτλ. Dem. *Mid.* § 10 (*lex*), Θαργήλων τῆ πομπῆ καὶ τῶ ἀγῶνι. Cf. A. Mommsen, *Heortol.*, 414—424.

**δυοῖν φυλαῖν εἰς]** Ant. *de Chor.* 11, χορηγός κατεστάθη εἰς Θαργήλια καὶ ἑλαχον Κεκροπίδα φυλὴν πρὸς τῇ ἑμαντοῦ.

**ἀντιδόσεις]** Lys. 24 § 9, εἰ—κατασταθῆις χορηγός—προκαλεσαίμην αὐτὸν εἰς ἀντίδοσιν. Dem. *Lept.* §§ 40, 130, Or. 4 § 36, and Or. 42 *ad Phaenippum*. [Xen.] *de Rep. Ath.* iii 4, χορηγοῖς διαδικάζου εἰς Διονύσια καὶ Θαργήλια. Cf. Boeckh IV xvi; Meier and Schöm. p. 738 Lips.; *Dict. Ant.* s. v.

**τὰς σκήψεις εἰσάγει]** CIA ii 809 (of the στρατηγοί, who dealt with ἀντιδόσεις in the case of the trierarchy and property-tax, just as the archon did in that of the χορηγία), ὅπως δ' ἀν καὶ αἱ σκήψεις εἰσαχθῶσι. Meier and Schömann, p. 743 n.

λητουρ[γίαν, ἢ ἀ]τελὴς εἶναι, λελητουργ[ηκῶς ἐ]τέραν λητουρ-  
γίαν καὶ τῶν χρόνων αὐτῷ [τῆς ἀτελ]είας μὴ ἐξεληλυθό[των, ἢ  
τὰ] ἔτη μὴ γεγονένα· δεῖ γὰρ τὸν τοῖς παι[σιν χορ]ηγοῦντα  
ὑπὲρ τετταράκοντα ἔτη γεγονένα. καθίστησι δὲ καὶ εἰς Δῆλον  
20 χορηγούς καὶ ἀρχ[ι]θέω[ρον τ]ῷ τριακοντορίῳ τῷ τοὺς ἠθέους  
ἄγοντι. πομπῶν δ' ἐπιμελεῖτ[αι τῆς τ]ε τῷ Ἀσκληπιῷ γιγνο-

## H

16 ΛΗΤΟΥΡΓΙΑΝ (vel ΛΟΥΤΗΡΓΙΑΝ pr.). ἢ ἀ]τελὴς εἶναι· λελητουρ[ηκέναι  
γὰρ] κ-w; ἢ ἀ]τελὴς εἶναι λελη[τουρ]ηκῶς K<sup>3</sup>, S<sup>1</sup> (B, Th). 17 τῶν χρόνων αὐτῷ [τῆς  
ἀτελ]είας μὴ ἐξελη[λυ]θό[των, ἢ τὰ μ] ἔτη K<sup>3</sup>, S<sup>1</sup>; eadem (omisso μ quod olim protuli) B,  
K<sup>4</sup>, Th; τὸν χρόνον—ἐξελθεῖν olim κ-w<sup>1.2</sup>. 18 παῖσι H-L. 20 ἀρχιθέωρους Torr  
coll. CIG 158 a 33 (H-L, K<sup>3</sup>); ἀρχιθέωρον Lipsius, Fränkel, κ-w, B, Th, 'spatium singu-  
lari numero aptius' K<sup>4</sup>. Cf. Boeckh, ii 84<sup>3</sup>, n. 391.

TEST. 19 \*Harp. ὅτι νόμος ἐστὶν ὑπὲρ τεσσαράκοντα ἔτη γενόμενον χορηγεῖν παῖσιν,  
Αἰσχίνης τε ἐν τῷ κατὰ Τιμάρχου φησὶ καὶ Ἄρ. ἐν τῇ Ἄθ. πολ. (Frag. 431<sup>2</sup>, 471<sup>3</sup>).

§§ 4—7 Pollux viii 89: ὁ δὲ ἄρχων διατίθησι μὲν Διονύσια καὶ Θαργήλια "μετὰ  
τῶν ἐπιμελητῶν," δίκαι δὲ πρὸς αὐτὸν λαγχάνονται "κακώσεως," "παρανομίας," "εἰς  
δατητῶν (διαιτητῶν vulgo) αἴρεσιν," ἐπιτροπῆς ὀρφανῶν, ἐπιτρόπων καταστάσεως, "κλή-  
ρων καὶ ἐπικλήρων ἐπιδικασίας. ἐπιμελεῖται δὲ καὶ" "τῶν γυναικῶν" αἱ ἄν φῶσιν ἐπ'  
ἄνδρὸς τελευτῆ κύνει, καὶ τοὺς οἴκους ἐκμισθοῖ τῶν ὀρφανῶν. § 6 Lex. rhet. Cantab.  
ἐπώνυμος ἄρχων... λαγχάνονται δὲ παρ' αὐτῷ καὶ γραφαί· καὶ δίκας εἰς τὸ δικαστήριον  
εἰσάγει. Bekk. An. 310: πρὸς τὸν ἄρχοντα κακώσεως ἐλαγχάνον <το> γραφαὶ καὶ αἱ  
τῶν γονέων, εἰ τοῦτους τὶς αἰτίαν ἔχει κακοῦν, καὶ <α> τῶν ὀρφανῶν. ἔτι δὲ παρανομίας  
καὶ ἀργίας, <καὶ κλήρων> ἐπιδικασίας καὶ ἐπικλήρων γυναικῶν. Ib. 269 δίκη... "γονέων  
κακώσεως," "ὀρφανῶν κακώσεως" ἢ "οἴκου ὀρφανικοῦ κακώσεως." Phot. ἡγεμονία  
δικαστηρίου: τοῖς ἄρχουσιν οὐ πάσας πᾶσιν ἐφέιτο δίκας εἰσάγειν ἀλλὰ τῷ μὲν ἄρχοντι  
τὰς τῶν ὀρφανῶν καὶ τὰς τῆς παρανομίας καὶ τὰς τῶν ἐπικλήρων ἐπιδικασίας. Harp. ἡγ.  
δικ... πρὸς μὲν τὸν ἄρχοντα αἱ τῶν ὀρφανῶν καὶ τῶν ἐπικλήρων (ἐλαγχάνοντο δίκαι).  
Frag. 381<sup>2</sup>, 420<sup>3</sup>.

λητουρρηκῶς ἐτέραν λητουργίαν]  
Dem. 50 § 9, τούτων ἐγὼ οὐδεμίαν πρό-  
φασιν ποιούμενος ὅτι τριηραρχῶ, καὶ οὐκ  
ἂν δυναίμην δύο λητουργίας λητουργεῖν,  
οὐδὲ οἱ νόμοι ἐώσω.

καὶ τῶν χρόνων—μὴ ἐξεληλυθότων] 'or  
owing to the period of his exemption  
having not yet expired.' The obligation  
to perform a λητουργία recurred only  
every other year, Dem. *Lept.* 6.

ὑπὲρ τετταράκοντα ἔτη] Aeschin. c.  
*Timarch.* § 11, κελεύει τὸν χορηγὸν τὴν  
οὐσίαν τὴν ἑαυτοῦ ἀναλίσκειν ὑπὲρ τετταρά-  
κοντα ἔτη γεγονότα τοῦτο πράττειν, ἢ ἤδη  
ἐν τῇ σωφρονεστάτῃ αὐτοῦ ἡλικίᾳ ὢν, οὕτως  
ἐντυγχάνει τοῖς ἡμετέροις παισίν. Cf. Plat.  
*Leg.* 764 E, 765 D.

εἰς Δῆλον χορηγούς] lex. Cantab. 670;  
*Ἀθήν.* vii p. 480, no. 3 (Gilbert i 280<sup>3</sup> n.  
4 ult.); Thuc. iii 104, §§ 3, 6; Xen. *Mem.*  
iii 3, 12, χορὸς... εἰς Δῆλον πεμπόμενος,  
Lucian *de Saltat.* 16, ἐν Δῆλῳ δὲ γε οὐδὲν  
αἱ θυσίαι ἀνευ ὀρχήσεως, ἀλλὰ σὺν ταύτῃ  
καὶ μετὰ μουσικῆς γίγνοντο· παῖδων χοροὶ  
συνελθόντες ὑπ' αὐλῶ καὶ κιθάρῃ, οἱ μὲν  
ἐχόμενοι, ὑπωρχοῦντο δὲ οἱ ἄριστοι προκρι-  
θέντες ἐξ αὐτῶν. On the Delian πεντετη-  
ρίς, cf. 54 § 7.

ἀρχιθέωρον] The leader was specially  
called ὁ ἀρχιθέωρος, e.g. Nicias in Plut.  
*Nic.* 3 § 5. For the pl. cf. CIA ii 814 a.

τῷ τριακοντορίῳ κτλ.] Xen. *Mem.* iv 8,  
2, ἔως ἂν ἡ θεωρία ἐκ Δήλου ἐπανέλθῃ, Plat.  
*Phaed.* p. 58 A; Plut. *Thest.* 23, τὸ πλοῖον,  
ἐν ᾧ μετὰ τῶν ἠθέων ἐπλευσε καὶ πάλιν  
ἐσώθη, τὴν τριακόντορον (cf. πεντηκόντορος  
in Xen. *Anab.* v 1, 15 f). Cf. Boeckh,  
*Seurkunden*, pp. 76—79; A. Mommsen,  
*Heortologie*, p. 402. In the *Class. Rev.*,  
v 123 a, τριακόντοριον is described as an  
'entirely new word'; but it is actually  
found in a contemporary inscr. of B.C.  
325/4, CIA ii 811, p. 261, col. 2, 180,  
τριακοντοριῶν κώπας.

ἠθέους] trisyllabic in Attic, Eur. *Phoen.*  
945, οὐ γὰρ ἐστὶν ἠθεός, and Eupolis *Incert.*  
332 Kock, εἰ μὴ κόρη δεύσειε τὸ σταῖς  
ἠθεός. The Homeric form ἠῖθεός is re-  
tained by editors in Plat. *Leg.* 840 D,  
877 E.

§ 4. τῷ Ἀσκληπιῷ κτλ.] Philostr. *Vit.*  
*Apoll.* iv 18, τὰ δὲ Ἐπιδαύρια μετὰ πρόβ-  
ρησιν τε καὶ ιερῆια δεῦρο μνεῖν Ἀθηναῖος  
πάτριον ἐπὶ θυσίᾳ δευτέρα, τοντὶ δ' ἐνόμισαν  
Ἀσκληπιοῦ ἔνεκα, ὅτι δὴ ἐμύθησαν αὐτὸν  
ἴκοντα Ἐπιδαυρῶθεν ὀψὲ μυστηρίων. The



μένης, ὅταν οἰκουρῶσι μύσται, καὶ τῆς Διονυσίων τῶν μεγάλων μετὰ τῶν ἐπιμελητῶν, οὓς πρότερον μὲν ὁ δῆμος ἐχειροτόνει δέκα ὄντας, κ[αὶ τὰ] εἰς τὴν πομπὴν ἀναλώματα παρ' αὐτῶν ἀνήλυσκον, νῦν δ' ἓνα τῆς φυλῆς ἐκάστης κληροῖ καὶ δίδωσιν 25 εἰς τὴν κατασκευὴν ἑκατὸν μνᾶς. ἐπιμελεῖται δὲ καὶ τῆς εἰς Θαρρήλια καὶ τῆς τῷ Διὶ τῷ Σωτήρι. διοικεῖ δὲ καὶ τὸν ἀγῶνα τῶν Διονυσίων οὗτος καὶ τῶν Θαρρήλιων. ἑορτῶν μὲν οὖν 6 ἐπιμελεῖται τούτων. γραφαὶ δ[ὲ καὶ] δίκαι λαγχάνονται πρὸς

21 ΓΙΝ (K-W). 22 <αί> μ. K-W<sup>1,2</sup>, -ν <οί> μ. H-L. 25 ἀνήλυσκον K-W, B, K<sup>2</sup>, Th: ἤν[εργκ]ον? K<sup>1</sup>, H-L, S<sup>1</sup>. 26 παρασκευὴν Kontos. 28 τὸν τῶν Διον] H-L sed spatium non sufficit. <τὸν> τῶν Θ. K-W<sup>1,2</sup>, S<sup>1</sup>.

night of the 18th Boedromion, the eve of the festal march to Eleusis, was probably spent by the devout in sleeping in the temple of Asclepius, S. of the Acropolis (Mommsen, *Heortologie*, p. 253, ap. *Dict. Ant.* i 718 δ).

ὅταν οἰκουρῶσι μύσται] 'when the initiated remain within doors,' a reference to the 'incubation' in the temple of Asclepius (Arist. *Plut.* 411, 621). Cf. Philostr. *Vit. Apoll.* iv 18, *supra*.

Διονυσίων] The πομπή was on the 9th of Elaphebolion (about March 28). In it the statue of Dionysus Eleuthereus was carried from his temple in Limnae to another of his sanctuaries, near the Academy (Paus. i 29, Philostr. *Vit. Soph.* ii 15): and then brought back again and placed in the theatre. The procession included the priests and civil officials, the knights and the citizens in their tribes, as well as the *erhebēi*, and the *canephoroi* (Schol. Arist. *Ach.* 242). Daremberg and Saglio, iii 242.

τῶν ἐπιμελητῶν] *sc.* τῆς πομπῆς, one from each tribe, Dem. c. *Mid.* 13, τῶν ἐπιμελητῶν τῆς φυλῆς. In *Mid.* 15, they are described as elected by open voting, (Μειδίας) κελεύων ἑαυτὸν εἰς Διονύσια χειροτονεῖν ἐπιμελητὴν. In *Phil.* I § 35, Dem. implies that the functionaries concerned with the Dionysia were appointed by lot: τὴν μὲν τῶν Παναθηναίων ἑορτὴν καὶ τὴν τῶν Διονυσίων αἰ τοῦ καθήκοντος χρόνου γιγνεσθαι ἂν τε δεῖνοι λάχωσιν ἂν τε ἰδιῶται οἱ τούτων ἑκατέρων ἐπιμελούμενοι, but this probably refers to the *Athlothetae* and the *Archon*, and not to the *Epimeletae*, who were minor officials concerned with the procession alone. The first Philippic falls in the first half of B.C. 351. The speech against Midias is assigned by Dionys. Hal. *Epist. Animon.* i 4, 4 (A. Schaefer, *Dem.* ii 103<sup>1</sup>, 109<sup>2</sup>) to B.C. 349; the Dionysia at which

Midias insulted Dem. fell in the spring of 350; and Midias must have been elected ἐπιμελητῆς for 351/0.

After the time when the text was written, the appointment by lot was apparently given up. In B.C. 281/0 (Ditt. 382) we have 10 ἐπιμεληταὶ τῆς πομπῆς τῷ Διονύσῳ representing only 6 or 7 of the tribes, and therefore probably elected out of the whole body of citizens, instead of being taken by lot, one from each tribe. After B.C. 265 (CIA ii 420) they are described as οἱ χειροτονηθέντες ἐπιμεληταὶ τῆς πομπῆς and their number is 24 (two for each of the 12 tribes of that time). Daremberg and Saglio, s. v. iii 682-4.

ἐχειροτόνει] Dem. c. *Mid.* 15, *supra*.

ἑκατὸν μνᾶς] Probably the sum granted to the whole body.

§ 5. τῆς εἰς Θαρρήλια] *sc.* πομπῆς. On the second day there was a procession, as well as a cyclic chorus.

τῆς τῷ Διὶ τῷ Σωτήρι] This festival, which included a public sacrifice, was held on the 14th day of Scirophorion, the last month of the Attic year, either in Athens in the Cerameicus (so Hermann-Stark, *Gottesdienst.* *Alt.* § 61, 21; Boeckh, ii 117, 125 Fränkel; A. Schaefer, *Dem.* iii 337, n. 2; A. Mommsen, *Heortol.* p. 453), or in the Peiraeus (see esp. Wachsmuth, *Stadt Athen*, ii 143). The text does not help to decide the dispute as to the place where the festival was held. It should probably be distinguished from the *θυσία* to Zeus *Σωτήρ* on the last day of the year (Lys. 26 § 6, cf. *Plut. Dem.* 27, 6), which was also superintended by the archon. Shortly before B.C. 268 the sacrifice of the *εἰσιτήρια* for the βουλή and δῆμος was offered not by the archon, but by the priest of Zeus *Σωτήρ* (CIA ii 325-6).

διοικεῖ—Θαρρήλιων] This fact is new. § 6. γραφαὶ κτλ.] The *archon eponymus*

30 αὐτόν, ἄς ἀνακρίνας εἰς τὸ δικαστήριον εἰσάγει, [γο]νέων κακώ-  
σεως (αὐται δ' εἰσὶν ἀζήμιοι τῷ βουλομένῳ διώκειν), ὀρφανῶν  
κακώσεως (αὐται δ' εἰσὶ κατὰ τῶν ἐπιτρόπων), ἐπικλήρου κακώ-  
σε[ως] . . . (αὐτ)αι δ' εἰσὶ κατὰ [τῶν] ἐπιτρόπων καὶ τῶν συνοι-  
κούντων), οἴκου ὀρφανικοῦ κακώσεως (εἰσὶ δὲ καὶ [αὐται κατὰ  
35 τῶν] ἐπιτρόπων), παρανοίας, ἐάν τις αἰτιᾶται τινα παρανοοῦντα

30 εἰς τὸ κ-ω (B, 'τὸ non certum' K<sup>4</sup>, Th); εἰτ' [εἰς] K<sup>1</sup>; εἰτ' [εἰς <τὸ>] H-L.  
γο]νέων Wyse, Blass (edd.)

succeeded to many of the judicial functions of the ancient kings, and was specially regarded as the public protector of those who were unable to defend themselves. This is shewn by the duties here assigned to him. Cf. Dem. 25 *Lacr.* 48, ἐπικλήρων καὶ ὀρφανῶν καὶ τῶν τοκέων τῷ ἀρχοντι προστέτακται ἐπιμελείσθαι, and the Law quoted in Dem. 43 *Macart.* 75. In the following list we have no clear distinction drawn between γραφαὶ and δίκαι.

**ἀνακρίνας]** Dem. *Olym.* 31, ὁ ἀρχων ἀνέκρινε πᾶσιν ἡμῖν τοῖς ἀμφισβητοῦσιν. Meier and Schöm. pp. 43, 823 Lips.; Dict. Ant. s. v. *Anakrasis*.

**γονέων κακώσεως κτλ.]** Dem. 39 § 39, οἱ περὶ τῶν γονέων νόμοι. In Bekker's *Anecd.* p. 269, s. v. κακώσεως, the three kinds of κάκωσις are all mentioned in the same order, and in the same terms, as in the text: ἡ τοιαύτη δίκη οὕτως ἀπεφέρετο γονέων κακώσεως, ὀρφανῶν κακώσεως ἢ οἴκου ὀρφανικοῦ κακώσεως. On the various forms of κάκωσις cf. Meier and Schöm. p. 353—360 Lips., and Lipsius, *Das Attische Recht*, 342—353.

'κάκωσις γονέων was committed by those who struck or reviled their parents, or even were disobedient to them; by those who refused them the means of support... or did not bury them after their death and pay them proper honours' (*Dict. Ant.* s. v.); Xen. *Mem.* ii 2, 13, ἐάν τις γονέας μὴ θεραπεύῃ, τοῦτ' δίκην τε ἐπιτίθῃ καὶ ἀποδοκιμάζουσα οὐκ ἐᾷ ἀρχεῖν τοῦτον... ἐάν τις τῶν γονέων τελευτησάντων τοὺς τάφους μὴ κοσμήῃ, καὶ τοῦτο ἐξετάζει ἢ πόλις ἐν ταῖς τῶν ἀρχόντων δοκιμασίαις. Dem. *Timocr.* 105 and 107, (the laws) οἱ καὶ ζῶντας ἀναγκάζουσι τοὺς παῖδας τοὺς γονέας τρέφειν, καὶ, ἐπειδὴν ἀποθανῶσι, ὅπως τῶν νομιζομένων τύχωσιν. [Dem.] 10 § 40. Diog. Laërt. i 55 (lex Solonis), ἐάν τις μὴ τρέφῃ τοὺς γονέας, ἀτιμος ἔστω. Lys. 13 § 91; Isaeus 8 § 32, (the law of κάκωσις) κελύει τρέφειν τοὺς γονέας. Hyp. 3, *pro Eux.* 6, φαῦλός ἐστι πρὸς τοὺς ἑαυτοῦ γονέας· ὁ ἀρχων ἐπὶ τούτου κἀθηται.

**ἀζήμιοι]** Dem. 37 *Pant.* 46 (in a case of ἐπικλήρου κάκωσις), τῷ ἐπεζῶντι μετ' οὐδεμιᾶς ζημίας ἢ βοήθεια.

**ὀρφανῶν κακώσεως]** committed by those who wronged orphans. Dem. *Macart.* § 75, ὁ ἀρχων ἐπιμελείσθω τῶν ὀρφανῶν καὶ τῶν ἐπικλήρων. Schol. ad Dem. *Timocr.* ὁ ἀρχων ἐπεμελείτο... τῶν ὀρφανῶν.

**ἐπικλήρου κακώσεως]** committed by the guardians of heiresses; or by their nearest relatives, who either declined to marry them or give them a dowry, or who kept them out of their wedded rights. Law in Dem. *Macart.* 54, 75. Isaeus 3 § 46, οὐκ ἂν εἰσήγγελλες πρὸς τὸν ἀρχοντα κακοῦσθαι τὴν ἐπικληρον... ἄλλως τε καὶ μόνων τούτων τῶν δικῶν ἀκινδύνων τοῖς διώκουσιν οὐσῶν καὶ ἐξόν τῷ βουλομένῳ βοηθεῖν ταῖς ἐπικλήροις; and *ib.* 47 (cf. Meier and Schöm. p. 333 Lips.). Lipsius, *Das Att. Recht*, 349.

**κατὰ τῶν ἐπιτρόπων κτλ.]** These are the ordinary cases, but the statement is not exhaustive. Dem. 37 *Pant.* 45, ἡτι-άσατο ἐκεῖνον—ἐπὶ τὰς ἐπικλήρους εἰσελθεῖν καὶ τὴν μητέρα τὴν αὐτοῦ. Lipsius, 344.

**τῶν συνοικούντων]** 'their husbands'; Pollux, viii 53, *Δημοσθένης ἐν τῷ κατὰ Μέδοντος καὶ κατὰ τῶν μὴ προσηκόντων τῇ ἐπικλήρῳ συνοικούντων γίγνεσθαι τὰς εἰσαγγελίας λέγει* (Plut. *Sol.* 20).

**οἴκου ὀρφανικοῦ]** 'an orphan's estate,' the regular technical sense of οἶκος, Xen. *Oec.* i 5, = ὅσα τις ἔξω τῆς οἰκίας κέκτηται, and vi 4, = κτήσις ἢ σύμπασα. Thus, in Dem. 27 § 15, οἶκον μισθοῦν is 'to let the orphan's estate,' whereas in § 16 we have οἶκῶν οἰκίαν in a different sense. Lips. 346.

**παρανοίας]** This suit might be instituted by a son (or other relative acting on his behalf), against one who had become mentally incapable of managing his own affairs. Arist. *Nub.* 844 ff.; Xen. *Mem.* i 2, 49; Plat. *Leg.* 928 D, E, 929 D; Aeschin. c. *Ctes.* 251. Meier and Schöm. p. 566; Lipsius, 355 f.



τὰ [ὑπάρχοντα ἅ]πολλύν[αι], εἰς δατητῶν αἵρεσιν, εἴαν τις μὴ θέλη κοινὰ [τὰ ὄντα νέμεσθαι], εἰς ἐπιτροπῆς κατάστασιν, εἰς ἐπιτροπῆς διαδικασίαν, εἰς [ἐμφανῶν κατάστασιν], ἐπίτρο[ο]ν

36 τὰ [ὑπάρχοντα] B (s<sup>1</sup>, Th); τὰ [ἐαυτοῦ κτήματα] olim K; τὰ [πατρῶα] Wyse (H-L), τ[ὸν οἶκον] K-W<sup>1,2</sup>; litterarum decem lacunam indicarunt K-W<sup>3</sup>, item K<sup>4</sup>, qui ὑπάρχοντα spatio idoneum esse dicit, sed cum vestigijs primae litterae parum congruere.

ΔΙΑΙΤΗΤῶΝ: δατητῶν ex Harp. et lex. Cantabr. edd.

37 κοινὰ

τὰ ὄντα K (H-L, K-W, B<sup>1-3</sup>) e lex Cant.: τὰ κοινὰ, ὄντα B<sup>4</sup> (Th) ex Harp. 38—39 εἰ [πλείονες τῆς αὐτῆς θέλωσιν] ἐπιτροπον αὐτὸν ἐγγράφαι K<sup>2</sup>; εἴ[αν] πλείους ἅμα ἐθέλωσιν ἐπιτροπον <τὸν> αὐτὸν ἐγγράφαι H-L: εἴ[αν] τις ἀμφισβητῆ δεῖν Lipsius (Poland). εἰς [ἐμφανῶν κατάστασιν] ex Harp., ἐπίτρο[ο]ν αὐτὸν ἐγγράφαι K-W, K<sup>3</sup>, verba tria ultima non intelligi posse confessi (B, Th).

TEST. 36 \*Lex. rhet. Cantab. εἰς δατητῶν <αἵρεσιν> : ... ἐπὶ τῶν διανεμόντων τὰ κοινὰ τισιν, ὡς Ἄρ. ἐν τῇ Ἀθ. πολ. “δίκαι λαγχάνονται πρὸς” τὸν ἄρχοντα ἄλλαι τε (Dobree; ἀλλ’ εἰ τις cod.) καὶ “εἰς δατητῶν αἵρεσιν,” ὅταν <τις> “μὴ θέλη κοινὰ τὰ ὄντα νέμεσθαι.” \*Etym. gen. (exscr. Et. M. 249, 42) δατηταί: δατητῆς παρὰ Ἀττικοῖς ὁ διανεμητής. Ἀριστοτέλης. τίνες οἱ δατηταί... \*Harp. δατεῖσθαι... τὸ δὲ εἰς δατητῶν αἵρεσιν εἰδὸς τι δίκης ἐστίν. ὅποτε γὰρ κοινοῦν τινες ἀλλήλους καὶ οἱ μὲν βούλονται διανεμέσθαι τὰ κοινὰ, οἱ δὲ μὴ, ἐδικάζονται οἱ βουλομένοι τοῖς μὴ βουλομένοι προσκαλούμενοι εἰς δατητῶν αἵρεσιν. Λυσίας ἐν τῷ πρὸς Ἀλεξίδημον, εἰ γνήσιος, καὶ Ἄρ. ἐν τῇ Ἀθ. πολ. (Frag. 383<sup>2</sup>, 422<sup>2</sup>). Addit Suidas, s.v. δατεῖσθαι: δατηταί κυρίως οἱ τὰ κοινὰ διανεμόντες τοῖς μὴ βουλομένοις.

38 aut hic aut alibi in eodem capitulo (velut v. 37, ante εἰς ἐπιτροπῆς κατάστασιν) excidit εἰς ἐμφανῶν κατάστασιν. Cf. \*Harp. εἰς ἐμφανῶν κατάστασιν : ... ὁ δὲ Ἄρ. ἐν τῇ Ἀθ. πολ. πρὸς τὸν ἄρχοντά φησι λαγχάνεσθαι ταύτην τὴν δίκην, τὸν δὲ ἀνακρίνοντα εἰσάγειν εἰς τὸ δικαστήριον (Frag. 382<sup>2</sup>, 421<sup>3</sup>).

[εἰς δατητῶν αἵρεσιν] If, in a business held in partnership, any one or more of the partners wished to retire, and the partners could not agree, those who insisted on the winding up of the concern might bring an action for the appointment of liquidators (Harpocr. s. v. δατεῖσθαι). It has been conjectured that δατηταί might be appointed even in cases not involving partnership in business, e.g. in disputes as to the division of an inheritance, and that this was the original object of the legal process (Meier and Schöm. p. 483 Lips.). This is confirmed by the context, which refers to matters of family property and the duties of guardians. Probably it was only in the case of the inheritance of a citizen that the archon eponymus was the responsible official. Daremberg and Saglio, s. v.

[ἐπιτροπῆς κατάστασιν] ‘constituting a wardship.’ In the absence of directions by will, the next of kin acted as ἐπίτροποι if authorised by the archon (e.g. the elder brother, Lys. c. Theomn. i 5; or the uncle, Isaeus, Cleonym. § 9). Failing relatives suitable for the duty, the archon selected some one from the general body of citizens. Dict. Ant. Epitropus, i 751 b; Meier and Schöm. p. 552.

[ἐπιτροπῆς διαδικασίαν] ‘deciding between rival claims to a wardship.’ ‘The duties of guardian might be a burden

which relatives would seek to escape, as well as a privilege for which they would compete; διαδικασία covers both cases’ (Wyse). Meier and Schöm. p. 471 ff. Lips.; and Lipsius, Leipzig Verhandl. 1891, p. 50.

[εἰς ἐμφανῶν κατάστασιν] Isaeus, 6 § 31, ἀπῆτε τὸν Πυθόδωρον τὸ γραμματεῖον καὶ προσεκαλέσάτο εἰς ἐμφανῶν κατάστασιν. καταστήσαντο δὲ ἐκείνου πρὸς τὸν ἄρχοντα κτλ. (with Wyse’s note). [Dem.] 53 § 14, ἐξ ἐμφανῶν καταστάσεως. A man in possession of goods or documents, which another person either owned or had a legal right to inspect, might be required by the latter to produce them, ἐμφανῆ καταστήσει. If he refused, he might be fined; on the other hand, the party summoned might disclaim possession of the things required or decline to admit the obligation of producing them. In either case the person demanding their production might bring an action εἰς ἐμφανῶν κατάστασιν. Meier and Schöm. p. 478 Lips.

In the present context, the phrase can only refer to procedure connected with cases of inheritance (ib. p. 59).

[ἐπιτροπον αὐτὸν ἐγγράφαι] The infinitive without a subject may possibly depend on the verbal noun implied in the previous phrase, as in 59 § 2, εἰσάγουσι—γραφὰς παρανόμων καὶ νόμον μὴ

αὐτὸν ἐγγράψαι, κλήρων καὶ ἐπικλήρων ἐπι[δικασίαι. ἐπιμε-  
 40 λείτ[αι δὲ καὶ τῶν [ὄρφ]ανῶν καὶ τῶν ἐπικλήρων καὶ τῶν  
 γυναικῶν ὅσαι ἂν τελευτ[ήσαντος τοῦ ἀνδρ]οῦ σκή[πτω]νται  
 κύνει· καὶ κύριός ἐστι τοῖς ἀδικούσιν ἐπιβάλλ[ειν ἢ εἰσάγειν  
 εἰς] τὸ δικαστήριον. μισθοὶ δὲ καὶ τοὺς οἴκους τῶν ὄρφανῶν  
 καὶ τῶν ἐπικλήρων, ἕως ἂν τις τετταρ]ακαιδεκέτις γένηται,  
 45 καὶ τὰ ἀποτιμήματα λαμβάν[ει· καὶ τοὺς ἐπιτρόπους], εἰ μὴ  
 [δι]δώσι τοῖς παισὶ τὸν σῖτον, οὗτος εἰσπράττει.

39 ΕΝΓΡΑΨΑΙ.

(H-L) sed spatium vix sufficit.

42 ἢ εἰσάγειν Lipsius, K-W, K<sup>3</sup>, B, Th: ζημιαν ἢ ἀγειν K<sup>1</sup>

44 post ἐπικλήρων lacunam indicant K-W<sup>1,2</sup>.

H

ΑΚΑΙΔ...ΤΕΙC; δ[ατη]τῆς K; δ...της K-W; εἰ μὴ αὐτὸς ὁ ἐπίτροπος διοικητῆς γένηται  
 aut simile aliquid exspectabat Herwerden. [ἕως ἂν τις τετταρ]ακαιδε[κ]έτις γένηται  
 optime B (K-W<sup>3</sup>, S<sup>1</sup>, K<sup>4</sup>, Th).

45 καὶ τοὺς ἐπιτρόπους E H Brooks (edd.); καὶ οἱ

ἐπίτροποι (hiatu admissio) quondam conieci. ΕΔΝ (K, K-W, B, Th): οἱ ἂν (ex οἱ

εἰ μὴ) van Leeuwen (H-L).

46 [δι]δώσι K-W, B, K<sup>4</sup>, Th; ἀποδίδωσι H-L; [ἀπο]δώσι

et Wysio et mihi olim placuit (K<sup>3</sup>, S<sup>1</sup>).

ΤΕΣΤΙΜΟΝΙΑ. 46 \*Harp. σίτος...σίτος καλεῖται ἡ διδομένη πρόσδος εἰς τροφήν

ταῖς γυναιξίν ἢ τοῖς ὄρφανοῖς, ὡς ἐξ ἄλλων μαθεῖν ἔστι καὶ ἐκ τοῦ Σόλωνος ἄξιονος καὶ

ἐκ τῆς Ἀριστοτέλους Ἀθ. πολ.

ἐπιτῆδιον θεῖναι. Otherwise, we must  
 suppose that some such words as εἰ μὴ  
 ἐθέλῃ have fallen out. The clause serves  
 to define and limit the phrase εἰς ἐμφανῶν  
 κατάστασιν, shewing that the present case  
 resembles the particular kind of ἐμφανῶν  
 κατάστασις mentioned in Isaeus 6 § 31,  
 quoted above. Cf. *ib.* § 36, ἀπογράφουσι  
 τῷ παιδε τούτῳ—ἐπιγράφαντες σφᾶς  
 αὐτοὺς ἐπιτρόπους. Cf. Kaibel, p. 234.

κλήρων καὶ ἐπικλήρων ἐπιδικασίαι]  
 'claims for...'. [Dem.] 46 § 22, ἀνεπί-  
 δικον μὴ ἐξεῖναι ἔχειν μήτε κλήρον μήτε  
 ἐπικλήρον, and *lex* in 43 *Macart.* 16.  
 Meier and Schöm. pp. 603—617 Lips.;  
 Thalheim, *Rechtsall.* p. 84 n.

§ 7. τῶν ὄρφανῶν κτλ.] The archon  
 is ἐπικλήρων καὶ ὄρφανῶν κύριος (Lysias,  
 26 *Evand.* 12). Cf. Dem. 43 § 75 (*lex*),  
 ὁ ἄρχων ἐπιμελείσθω τῶν ὄρφανῶν καὶ τῶν  
 ἐπικλήρων καὶ τῶν οἴκων τῶν ἐξερημου-  
 μένων καὶ τῶν γυναικῶν, ὅσαι μένουσιν  
 ἐν τοῖς οἴκοις τῶν ἀνδρῶν τῶν τεθνηκότων  
 φάσκουσαι κύνει. τούτων ἐπιμελείσθω καὶ  
 μὴ ἐάτω ὑβρίζειν μηδένα περὶ τούτους. εἰ μὴ  
 ἐστὶ τις ὑβρίξῃ ἢ ποιῇ τι παράνομον, κύριος  
 ἐστω ἐπιβάλλειν κατὰ τὸ τέλος. [Dem.]  
 35 § 48; 37 § 46; 46 § 22; Aesch. 1  
 § 158.

μισθοῖ] Isaeus 3 § 36, μισθοῦν ἐκέλευον  
 τὸν ἄρχοντα τοὺς οἴκους ὡς ὄρφανῶν ὄντων,  
 ὅπως...τὰ ἀποτιμήματα κατασταθεῖν καὶ  
 ὅροι θεθεῖεν, 2 § 9, μετασχῶν τοῦ οἴκου τῆς  
 μισθώσεως τῶν παίδων τοῦ Νικίου, and 11  
 § 34, Lys. 32 c. *Diog.* 23, ἐξῆν αὐτῷ κατὰ  
 τοὺς νόμους οἱ κείνται περὶ τῶν ὄρφανῶν...  
 μισθῶσαι τὸν οἶκον. Dem. 27 *Arhod.* A

58, ἐξῆν (τῷ ἐπιτρόπῳ) μηδὲν ἔχειν τούτων  
 τῶν πραγμάτων μισθῶσαντι τὸν οἶκον, and  
 29 § 60. The income was often more than  
 12 per cent.

The lessees had to give security (ἀποτί-  
 μημα) for the property leased to them.  
 The archon sent certain persons (ἀποτι-  
 μηταί) to value the security and determine  
 whether it was a fair equivalent for the  
 property leased (Harpocr. s. v. ἀποτι-  
 μηταί· οἱ μισθούμενοι τοὺς τῶν ὄρφανῶν  
 οἴκους παρὰ τοῦ ἄρχοντος ἐνέχυρα τῆς μισ-  
 θώσεως παρέχοντο· εἶδει δὲ τὸν ἄρχοντα  
 ἐπιπέμειν τινὰς ἀποτιμησομένους τὰ ἐνέ-  
 χυρα. τὰ μὲν οὖν ἐνέχυρα τὰ ἀποτιμώμενα  
 ἐλέγοντο ἀποτιμήματα κτλ.). On land thus  
 offered as security a ὄρος was placed, with  
 an inscr. stating the person for whose  
 property it served as security, CIA ii 1135,  
 ὄρος χωρίου καὶ οἰκίας ἀποτιμῆμα παιδὶ  
 ὄρφανῷ Διαγείτονος Προβα[λίστιου]. Meier  
 and Schöm. p. 362-3 Lips.; Schulthess,  
*Vormundschaft*, pp. 139—173.

τετταρακαιδεκέτις] If this restoration  
 is correct (and none better has been pro-  
 posed), we here have the age at which  
 the ἐπικλήρος ceased to be under the care  
 of her guardian. Nothing has hitherto  
 been known on this point (Schulthess,  
 p. 177). Isaeus (6 § 14) simply tells us  
 that one Callippe would naturally have  
 ceased to be under an ἐπίτροπος at the  
 age of 30 (τριακοντοῦτις). Cf. Plat. *Leg.*  
 833 D, ταῖς τριακαιδεκέτεσι μέχρι γάμου  
 μενούσης κοινωσίας (the context implying  
 that girls younger than 13 were ἀνησοί).

ἀποτιμήματα] here of lands offered as



57. καὶ ὁ [μὲν ἄρχων ἐπιμελεῖτ]αι τούτ[ων· ὁ] δὲ βασιλεὺς πρῶτον μὲν μυστηρίων ἐπιμελεῖτ[αι μετὰ τῶν ἐπιμελητῶν ὧν] ὁ δῆμος χ[ειροτονεῖ, δύο μὲν ἐξ Ἀθηναίων ἀπάντων, ἓνα δ' [ἐξ Εὐμολπιδῶν, ἓνα] δ' ἐκ Κηρύκων]. ἔπειτα Διονυσίων τῶν ἐπὶ Ληναίῳ· ταῦτα δὲ ἐστὶ [πομπή τε καὶ ἀγών. τ]ῆν μὲν οὖν 5

LVII 1 ὁ μὲν ἄρχων Blass et Herwerden (edd.): οὗτος μὲν οὖν κ<sup>1</sup>. 2 ὧν B<sup>2-4</sup>, K-W<sup>3</sup>, 'ν non certum est' κ<sup>4</sup>, Th: ex Harp. ods legebatur. 4 Εὐμολπιδῶν K ex Harp.: ἐξ Εὐμολπιδῶν—ἐκ Κηρύκων Gertz (edd.). 5 ΕΠΙΛΗΝΑΙΩΝ Foucart (*Journ. de Philol.* 1895, 31), K-W<sup>3</sup>: corr. Bywater, al. [πομπή τε καὶ ἀγών] Papageorgios, Kaibel (K-W<sup>3</sup>, B<sup>3,4</sup>, κ<sup>4</sup>, Th); πομπή καὶ ἀγών H-L, κ<sup>3</sup>, B<sup>1,2</sup>; πομπή καὶ μουσικῆς ἀγών K-W<sup>1,2</sup> (s<sup>1</sup>).

TESTIMONIA. LVII § 1 \*Harp. ἐπιμελητῆς τῶν μυστηρίων: παρ' Ἀθηναίους ὁ λεγόμενος βασιλεὺς... Ἄρ. ἐν Ἀθ. πολ. φησὶν οὕτως: "ὁ δὲ βασιλεὺς—τῶν μυστηρίων—χειροτονεῖ (Bekker et Müller; ἔχειροτῶνει codd.), δύο μὲν ἐξ Ἀθηναίων ἀπάντων, ἓνα δ' ἐξ Εὐμολπιδῶν, ἓνα δ' ἐκ Κηρύκων. Suid. et Etym. M. τέσσαρες δὲ ἦσαν, δύο μὲν ἐξ... εἰς δὲ ἐκ... καὶ εἰς ἐκ (Frag. 386<sup>2</sup>, 425<sup>3</sup>). Pollux viii 90: ὁ δὲ βασιλεὺς μυστηρίων προέστηκε "μετὰ τῶν ἐπιμελητῶν" καὶ Ληναίων καὶ ἀγώνων τῶν ἐπὶ λαμπάδι (cf. Lex. Dem. Patm. p. 11) καὶ (add. Schol. Pl. *Euthyphr.* p. 325) τὰ περὶ τὰς πατρίους θυσίας διοικεῖ (cf. Heraclidis epitom., Rose Frag. 611, 8, ὁ δὲ βασιλεὺς τὰ κατὰ τὰς θυσίας διοικεῖ, et Schol. in Plat. *Phaedr.* 235 D, ὁ δὲ βασιλεὺς μυστηρίων προνοεῖται καὶ τὰς θυσίας τὰς πατρίους διοικεῖ). Bekk. *An.* p. 219, 14: ...ὁ δὲ βασιλεὺς "μυστηρίων ἐπιμελεῖται μετὰ τῶν ἐπιμελητῶν οὓς ὁ δῆμος" ἔχειροτῶνσε. Phot. ἡγεμονία δικαστηρίου, ad fin. ὁ βασιλεὺς καὶ τῶν μυστηρίων ἅμα τοῖς ἐπιμεληταῖς προῖσταται. Cf. Frag. 385<sup>2</sup>, 422<sup>3</sup>.

security by persons who had the estates of minors leased to them. The term is also applied to the security which a husband gives the κύριος of his wife as a guarantee that her marriage-portion (of which he has the usufruct) will remain intact (Meier and Schöm. p. 518). [Dem.] 49 § 11, ὁ... ἐν πεδίῳ ἀγρῶς ἀποτίμημα τῷ παιδί τῷ Εὐμολπίδου καθιεστήκει. Cf. Schulthess, *l.c.* p. 157, and see note on μισθοῖ, above.

οὔτιον] Pollux viii 33, οὔτιος δὲ ἐστὶν αἱ ὀφειλόμεναι τροφαί. Cf. Meier and Schöm. p. 525-6 Lips.

LVII. *The archon basileus.*

§ 1. βασιλεὺς] The archon basileus succeeded to the religious duties of the ancient kings. Gilbert i 281<sup>2</sup>; Lipsius, *Das Att. Recht*, 61 f, 358 f.

μυστηρίων] [Lys.] 6 c. *Andoc.* 4, ἀν... λάχρ βασιλεὺς, ἄλλο τι ἢ πῆρ ἡμῶν καὶ θυσίας θύσει καὶ εὐχὰς εὔξεται κατὰ τὰ πάτρια, τὰ μὲν ἐν τῷ ἐνθάδε Ἐλευσινίῳ, τὰ δὲ ἐν τῷ Ἐλευσινί λερῷ, καὶ τῆς ἐορτῆς ἐπιμελεῖσθαι μυστηρίους;

ἐπιμελητῶν] sc. τῶν μυστηρίων. Dem. 21 § 171, ἔχειροτονήσατε τοῦτον (Midias) μυστηρίων ἐπιμελητῆν. We have decrees in honour of these ἐπιμεληταί in CIA ii 315 (=Ditt. 386, 26; B.C. 283/2 or 282/1), and 376 (before end of 3rd cent. B.C.). In each of these decrees the compliment

is paid to the two ἐπιμεληταί elected out of the whole body of the citizens, and not to those belonging to the Κήρυκες and Εὐμολπίδαι. Cf. CIA ii 741 (=Ditt. 374, 10), B.C. 334/3, [ἐγ] Διονυσίων τῶν [ἐπὶ Ληναίῳ] παρὰ μυστηρίων ἐπιμελητῶν. It is suggested by Foucart, *Journ. de Philol.* 1895, 31, that the two elected out of the sacred families may have been charged with the religious rites, while the business arrangements may have been assigned to the two elected out of the Athenians in general.

Κηρύκων] CIA ii 597 (a decree of the Κήρυκες, about the age of Alexander): ἐπειδὴ Εὐθύδημος ὁ πάρεδρος τοῦ βασιλέως καλῶς καὶ φιλοστῖμος μετὰ τοῦ βασιλέως καὶ τοῦ γένους τοῦ Κηρύκων ἐπεμελήθη τῶν περὶ τὰ μυστήρια κτλ.

τῶν ἐπὶ Ληναίῳ] held in the district called Λίμναι, S.E. of the Acropolis, about Jan. 28—31 (Dict. Ant. i 638). It was the festival at which Comedies were generally produced, e.g. the *Acharnians*, *Equites*, *Vespae* and *Ranae*.

πομπή κτλ.] 'law of Euegoros' in Dem. c. *Mid.* 10, ἡ ἐπὶ Ληναίῳ πομπή καὶ οἱ τραγῳδοὶ καὶ οἱ κωμῳδοί. Cf. Plat. *Protag.* 327 E, and Schol. Arist. *Eq.* 547. The mistake in the MS (Ληναίων for Ληναίῳ) possibly arose out of such phrases as ἐνίκα δὲ ἐπὶ Ληναίων (Schol. Aeschin. 2 § 15).

πομπήν κοινήν πέμ|πουσιν ὁ τε βασιλεὺς καὶ οἱ ἐπιμεληταί, τὸν [C  
 δὲ ἀγῶνα διατίθησιν ὁ βασιλεὺς. τίθησι δὲ καὶ τοὺς τῶν λαμ-  
 πάδων ἀγῶνας ἅπαντας· ὡς δ' ἔπος εἶπεν καὶ τὰς πατρίους  
 θυσίας διοικεῖ οὗτος πάσας. γραφαὶ δὲ λαγχάνονται πρὸς αὐτὸν 2  
 10 ἀσεβείας, κἄν τις ἱερωσύνης ἀμφισβητῆ πρὸς τινα. διαδικάζει  
 δὲ καὶ τοῖς γένεσι καὶ τοῖς ἱερεῦσι τὰς ἀμφισβητήσεις τὰς ὑπὲρ  
 τῶν ἱερῶν ἅπασας οὗτος. λαγχάνονται δὲ καὶ αἱ τοῦ φόνου  
 δίκαι πᾶσαι πρὸς τοῦτον, καὶ ὁ προαγορεύων εἶργεσθαι τῶν

7 ΤΙΘΗΣΙ (κ, β, Th): <δια>τίθησι Richards, Gertz, κ-ω, Η-Λ. 8 καὶ del. κ-ω<sup>1,2</sup>, Η-Λ, S<sup>1</sup>. 9 'quidni οὗτος διοικεῖ?' B; διοικεῖ πάσας οὗτος Diels, ut v. 12. 10 ἱερωσ ἱερωσύνης κ-ω, Meisterhans, p. 46<sup>3</sup>. ΠΡΟΣΤΙΝΑ edd.; διαδικάζει addendum putat B: προστιμᾶ Bekk. *Anec.* (κ<sup>1</sup>). 12 ἱερωσ, cf. Bekk. *An.* 310, coniecierat Richards, in ectypo vidit Blass (κ<sup>1</sup>, Th): γερῶν κ<sup>1</sup> e Bekk. *An.* 219 (κ-ω, Η-Λ, β, S<sup>1</sup>).

TESTIM. § 2 Pollux viii 90: δίκαι δὲ πρὸς αὐτὸν λαγχάνονται ἀσεβείας, ἱερωσύνης ἀμφισβητήσεως. καὶ τοῖς γένεσι καὶ τοῖς ἱερεῦσι πᾶσιν αὐτὸς (leg. οὗτος) δικάζει. Harp. ἡγεμονία δικαστηρίου:...πρὸς δὲ τὸν βασιλέα αἱ τῆς ἀσεβείας (sc. δίκαι λαγχάνονται). Bekk. *An.* p. 219, 16: "γραφαὶ δὲ λαγχάνονται πρὸς αὐτὸν ἀσεβείας. καὶ ἂν τις ἱερωσύνης" ἀμφισβητήσῃ προστιμᾶ. "διαδικάζει δὲ καὶ τοῖς γένεσι καὶ τοῖς ἱερεῦσι τὰς ἀμφισβητήσεις τὰς ὑπὲρ τῶν γερῶν. λαγχάνονται δὲ—πρὸς τοῦτον." Phot. ἡγεμονία δικαστηρίου:...τῷ μέντοι γε βασιλεῖ τὰς τε φονικὰς καὶ τὰς τῆς ἀσεβείας καὶ ἂν τις ἱερωσύνης ἡμφισβητῆι, πρότερον δὲ καὶ τὰς περὶ τῶν ἱερῶν (γερῶν Meier) τοῖς ἱερεῦσιν ἀμφισβητήσεις. προηγόρευε δὲ καὶ τῶν νομίμων εἶργεσθαι τοὺς ἐν αἰτία. Pollux viii 90 προαγορεύει δὲ τοῖς ἐν αἰτία ἀπέχεσθαι μυστηρίων καὶ τῶν ἄλλων νομίμων κτλ. Bekk. *An.* 310, 6: ὁ βασιλεὺς εἰσάγει τὰς φονικὰς ἅπασας, ἐπεὶ καὶ προαγορεύει τὸν ἀνδρόφονον εἶργεσθαι τῶν νόμων (leg. νομίμων), καὶ περὶ τῶν ἱερῶν (coni. γερῶν) καὶ τοῖς γένεσι δικάζει.

διατ(θησι)...τίθησι] See note on 54 § 2, καταγιγνώσκουσι...τὸ γνωσθέν.

λαμπάδων ἀγῶνας] At the Panathenaea (CIA ii 1229, Mommsen, *Heortol.* p. 169 f) and Thesea (*ib.* 282), and the festivals of Hephaestus (*ib.* 311 f), Prometheus and Pan (Plut. *Sol.* i *ad fin.*), also at the Bendideia in the Peiraeus (Plat. *Rep.* 328 A). The expenses connected with the torch-race were borne by a γυμνασιάρχος. In CIA ii 606 we have a decree in honour of a γυμνασιάρχος reciting the names of certain λαμπαδηρόμοι (about 350 B.C.). Law-suits concerning the γυμνασιάρχου come before the archon basileus (Dem. 35 § 48).

ὡς ἔπος εἶπεν] here modifying πάσας. Cf. 49 § 5; and 2 § 3, ὡς εἶπεν, with οὐδένος.

πατρίους θυσίας] *Pol.* 1285 b 16, αἱ πατριοὶ θυσίαὶ κατελείφθησαν τοῖς βασιλεῦσι μόνον, Plat. *Politicus*, 290 E, τῷ λαχόντι βασιλεῖ φασι τῆδε (at Athens) τὰ σεμνότατα καὶ μάλιστα πάτρια τῶν ἀρχαίων θυσίων ἀποδεδόσθαι. Athen. 234 F, κἄν τοῖς τοῦ βασιλέως δὲ νόμοις γέγραπται· θύειν τῷ Ἀπόλλωνι τοὺς Ἀχαρνέων παρασίτους.

§ 2. γραφαὶ κτλ.] Meier and Schöm. p. 61—64 Lips.; Lipsius, *Das Att. Recht*, 358—368.

ἀσεβείας] *Hyp.* 3, *pro Eux.* 6, ἀσεβεί τις περὶ τὰ ἱερά; γραφαὶ ἀσεβείας εἰσι πρὸς τὸν βασιλέα. Meier and Schöm. pp. 62, 367 Lips.; Lipsius, *l. c.* 359 f.

ἱερωσύνης] a hereditary priesthood. c. 42, 36, κἄν τινα κατὰ τὸ γένος ἱερωσύνη γένηται. Dem. 57 § 46 (§ 62), προεκρίθην ἐν τοῖς εὐγενεστάτοις κληροῦσθαι, τῆς ἱερωσύνης τῷ Ἡρακλεῖ. Cf. Syrianus, Schol. in Hermog. ii 42, 22—43, οἱ παῖδες ἀμφοτέρων ἀμφισβητοῦσι τῆς ἱερωσύνης.

τῶν ἱερῶν] Bekk. *Anec.* 310, 9, and Photius, quoted in *Testim.* τῶν γερῶν, *ib.* 219, 20; cf. Aeschin. c. *Ctes.* 18, τοὺς ἱερεῖς τοὺς τὰ γέρα μόνον λαμβάνοντας.

εἶργεσθαι τῶν νομίμων] *inf.* § 4, εἶργεται τῶν ἱερῶν. Soph. *O. T.* 236 ff.; Dem. *Lept.* 158, (Δράκων) γράφων χέρνιβος εἶργεσθαι τὸν ἀνδροφόνον, σπονδῶν κρατήρων ἱερῶν ἀγορᾶς, Ant. *Tetral.* i 1, 10, *de Chor.* 34, 40, *Herod.* 10, Plat. *Leg.* 868 E, 871 A, 873 B. Pollux viii 66, εἶργονται ἱερῶν καὶ ἀγορᾶς οἱ ἐν κατηγορίᾳ φόνου, ἄκρι κρίσεως· καὶ τοῦτο προαγορεύσει ἐκαλεῖτο. Dem. *Macart.* 1069, προεπιεῖν. The text



3 νομίμων οὗτός ἐστιν. εἰσὶ δὲ φόνον δίκαι καὶ τραύματος, ἂν μὲν ἐκ προνοίας ἀποκτείνῃ ἢ τρώσῃ, ἐν Ἀρείῳ πάγῳ, καὶ φαρμάκων, 15 ἐὰν ἀποκτείνῃ δούς, καὶ πυρκαϊᾶς· ταῦτα γὰρ ἢ βουλὴ μόνα δικάζει· τῶν δ' ἀκουσίων καὶ βουλευσεως, κἂν οἰκέτην ἀποκτείνῃ

14 ἐὰν H-L.

15 <τις> ἀποκτ. Kontos; ἀποκτ. <τις> Papageorgios.

ἢ τρώ[σ]η K-W (B, cet.), quod legi posse recte (ut videtur) censet K: ΕΝΓΡ? ἐγγρ[άφεται] K<sup>1</sup>; <τις>, γράφεται H-L. ΦΑΡΜΑΚΟΝ (K<sup>1</sup>, H-L, B<sup>1,4</sup>): φαρμάκων K-W Pollucem secuti (S<sup>1</sup>, B<sup>2,3</sup>, K<sup>4</sup>, Th). 16 πυρκαϊᾶς B<sup>1-3</sup>; πυρκαϊᾶς B<sup>4</sup>, cet. μόνῃ H-L.

TESTIM. § 3 Pollux viii 90: καὶ τὰς τοῦ φόνου δίκας εἰς Ἄρειον πάγον εἰσάγει. ib. 117 Ἄρειος πάγος: ἐδίκαζε δὲ φόνον καὶ τραύματος ἐκ προνοίας, καὶ πυρκαϊᾶς, καὶ φαρμάκων, ἐὰν τις ἀποκτείνῃ δούς. Bekk. An. 311, 9 περὶ Ἀρείου πάγου: αὕτη κρίνει τὰς φονικὰς δίκας καὶ φαρμάκων καὶ πυρκαϊᾶς.

17 \*Harp. (et Suidas) βουλευσεως, infra exscriptus (Frag. 418<sup>2</sup>, 458<sup>3</sup>).

17—18 \*Harp. ἐπὶ Παλλαδίῳ...δικαστήριον οὕτω καλούμενον, ὡς καὶ Ἄρ. ἐν Ἄθ. πολ., ἐν ᾧ δικάζουσι ἀκουσίου φόνου οἱ ἐφέται. Pollux viii 118, τὸ δ' ἐπὶ Παλλαδίῳ: οἱ ἀκούσιοι φόνοι ἐν τούτῳ ἐκρίνοντο... Bekk. An. 311, 3, 8: ἐπὶ Παλλ. οἱ ἀκούσιοι φόνοι ἐν τούτῳ ἐκρίνοντο...δικάζουσι δὲ ἐν τούτῳ οἱ ἐφέται. ib. 257, 23: ἐφέται καὶ ἐπὶ Παλλ.: δικαστήριον ἐστὶν οὕτω καλούμενον, καὶ οἱ ἐν αὐτῷ κρίνοντες κριταὶ ἐφέται ἐκαλοῦντο (Frag. 417<sup>2</sup>, 457<sup>3</sup>). Pleniora habent Et. gen. ἐπὶ Παλλ.: δικαστήριον Ἀθηνησιν ἐν ᾧ περὶ ἀκουσίου φόνου ἐδίκαζον..., et Lex. Patm. ἐφέται ἦσαν ἄνδρες ἢ ἐξελεγεμένοι, ἐδίκαζον δὲ τοὺς ἀκουσίους φόνους <καὶ> ἐὰν ξένος ἢ δοῦλος ἦν ὁ ἀνααιρεθεὶς...Schol. Aeschin. 2 § 87 ἐπὶ τούτῳ ἐκρίνοντο οἱ ἀκούσιοι φόνοι. οἱ δὲ ἐν τούτῳ τῷ δικαστηρίῳ δικάζοντες ἐκαλοῦντο ἐφέται, ἐδίκαζον δὲ ἀκουσίου φόνον καὶ βουλευσεως καὶ οἰκέτην ἢ μέτοικον ἢ ξένον ἀποκτείναντι.

shews that we are not justified in restricting the πρόρρησις to the next of kin, to the exclusion of the archon basileus (as urged by Philippi, *Areop.* p. 70).

§ 3. φόνου δίκαι] *Pol.* 1300b 24, φονικοῦ μὲν οὖν εἶδη, ἂν τ' ἐν τοῖς αὐτοῖς δικασταῖς ἂν τ' ἐν ἄλλοις, περὶ τε τῶν ἐκ προνοίας καὶ περὶ τῶν ἀκουσίων καὶ ὅσα ὁμολογεῖται μὲν ἀμφοσβητέται δὲ περὶ τοῦ δικαίου, τέταρτον δὲ ὅσα τοῖς φεύγουσιν ἐπὶ καθόδῳ ἐπιφέρεται φόνον, ὅταν Ἀθηνησὶ λέγεται καὶ τὸ ἐν Φρεαττοῦ δικαστήριον. Meier and Schöm. p. 376—387 Lips.; Gilbert, i 424—435<sup>2</sup>.

τραύματος] *Dem.* p. 1018, 9, τραύματός με εἰς Ἄρειον πάγον προσεκαλέεσαστο, 54 § 18, τραύματος γραφά. *Aeschin. F. L.* 93, *Ctes.* 51 and 212, τραύματος ἐκ προνοίας γραφὰς γραφόμενος, and *Plat. Leg.* 877 B. It was only 'wounding with intent to kill' that was classed with φόνος; in the absence of proof of such intent, the case was one of unlawful wounding (*αἰκεία*, 52 § 2).

ἐκ προνοίας κτλ.] *Dem.* 23 c. *Aristocr.* 24, γέγραπται γὰρ ἐν μὲν τῷ νόμῳ τὴν βουλὴν δικάζειν φόνον καὶ τραύματος ἐκ προνοίας καὶ πυρκαϊᾶς καὶ φαρμάκων, ἐὰν τις ἀποκτείνῃ δούς. *Lucian, Anacharsis* 19.

φαρμάκων] *Philippi, Areop.* pp. 41, 51. Meier and Schöm. p. 382 Lips.

ἐὰν ἀποκτείνῃ δούς] *Ant. de Chor.* 17, εἰ τὸν δόντα τὸ φάρμακόν φασιν αἴτιον εἶναι, ἐγὼ οὐκ αἴτιος. It was probably

essential that actual death should ensue, and that the poison should have been administered by the person charged before the Areopagus: 'etenim qui per alium curasset ut venenum daretur, eum oportuit βουλευσεως accusari' (Forchhammer, *de Areop.*, p. 30). Similarly Antiphon, *Or.* 1, κατηγορία φαρμακείας, is really a case of βούλευσις, which would be tried by οἱ ἐπὶ Παλλαδίῳ.

ἐκ προνοίας applies to φαρμάκων as well as to φόνον κτλ.: *Magn. Mor.* i 16 (17), φασὶ ποτὲ τινα γυναῖκα φίλτρον τιλὶ δοῦναι πιεῖν, εἶτα τὸν ἄνθρωπον ἀποθανεῖν ὑπὸ τοῦ φίλτρον, τὴν δ' ἄνθρωπον ἐν Ἀρείῳ πάγῳ ἀποφυγεῖν· οὐ παροῦσαν δ' οὐθὲν ἄλλο ἀπέλυσαν ἢ διότι οὐκ ἐκ προνοίας.

πυρκαϊᾶς] Meier and Schöm. p. 387 Lips. ἀκουσίων κτλ.] *Schol. Aeschin. F. L.* § 87, ἐδίκαζον δ' ἀκουσίου φόνον καὶ βουλευσεως καὶ οἰκέτην ἢ μέτοικον ἢ ξένον ἀποκτείνειν (MSS; ἀποκτείναντι Sauppe; κεί τις οἰκέτην—ἀποκτείνειε Wyse). *Plat. Rep.* 451 A—B.

βουλευσεως] sc. ἐξ ὧν ἀπέθανεν διὰ φόνον ἀκουσίου (*Wilamowitz*, i 252, n. 138), 'conspiracy (against life).' *Harpocr.* (and *Suidas*) s. v. ὅταν ἐξ ἐπιβουλῆς τις τινα κατασκευάσῃ θάνατον, ἐάν τε ἀποθάνῃ ὁ ἐπιβουλευθεὶς ἐάν τε μή.—*μάρτυς* Ἰσαῖος ἐν τῷ πρὸς Εὐκλείδην, ἐπὶ Παλλαδίῳ λέγων εἶναι τὰς δίκας, Δελναρχος δ' ἐν τῷ κατὰ Πιστίου ἐν Ἀρείῳ πάγῳ. Ἄριστοτέλης δ'

τις ἢ μέτοικον ἢ ξένον, οἱ ἐπὶ Παλλαδίῳ· εἰ δ' ἀποκτεῖναι μὲν τις ὁμολογῆ, φῆ δὲ κατὰ τοὺς νόμους, οἷον μοιχὸν λαβῶν ἢ 20 ἐν πολέμῳ ἀγνοήσας ἢ ἐν ἄθλῳ ἀγωνιζόμενος, τούτῳ ἐπὶ Δελφινίῳ δικάζουσιν· εἰ δὲ φεύγων φυγὴν ὧν αἰδεσίς ἐστιν, αἰτίαν ἔχῃ ἀποκτεῖναι ἢ τρώσαι τινα, τούτῳ δ' ἐν Φρεάτῳ

18 ΟΙΕΠΙΠΑΛΛΑΔΙΩΙ? κ versus prioris parte ultima litteris evanidis scripta (κ<sup>3</sup>, β, κ-ω<sup>3</sup>, Th); τούτ[ω μὲν ἐπὶ] Π. κ-ω<sup>1,2</sup>; sed neque spatium sufficere neque litteras tout cerni posse censet κ. [οἱ ἐφέται ἐπὶ Π.] Brooks, H-L, sed ne his quidem verbis satis spatii relictum. 20 τούτ[ω ἐν τῷ] ἐπὶ κ<sup>1</sup>; τούτ[ω] ἐπὶ Brooks, H-L, κ<sup>3</sup>, β, Th: τούτ[ω] δ' [ἐπὶ] Lipsius (κ-ω), sed neque Δ cerni posse neque spatium litterae aptum superesse putat κ. 21 αἰδ( supra scr. ρ)εῖς (sc. αἰδεῖς in αἰρεῖς mutatum); αἰρεῖς cum Weillio β<sup>2-4</sup>; αἰδεῖς ceteri omnes. 22 αἰτίαν ἔχῃ ἀποκτεῖναι κ-ω (κ<sup>3</sup>, β, coll.

Dem. 23 § 77, Th); αἰτίαν προσλάβῃ κτεῖναι κ<sup>1</sup> (H-L); αἰτίαν σχῆ? β<sup>4</sup>. ΦΡΕΑΤΟΥ κ-ω, β (edd.) coll. Dem. 23 §§ 77, 78, ubi φρεαίτου pr. S; nomen ἀπό τινος Φρεάτου ἤρωος, καθά φησι Θεόφραστος, deducit Harp.; Φρεατοῖ Harp., Ar. Pol. 1300 b 29 codex Ambrosianus, Helladius in Phot. Bibl. 535 a 28, Suidas; ἐς Φρεάτου et ἐν Φρεάτ. Hesychius: Φρεατοῖ Pollux, Bekk. Anec. 311, 20 (κ<sup>1</sup>, H-L).

TESTIM. 18—21 \*Harp. ἐπὶ Δελφινίῳ... δικάζονται δὲ ἐνταῦθα οἱ ὁμολογούντες μὲν ἀπεκτονέαι, δίκαιος δὲ πεποιηκέναι τούτο λέγοντες, ὡς Δημ. ἐν τῷ κατ' Ἀριστοκράτους δηλοῖ καὶ Ἄρ. ἐν τῇ Ἄθ. πολ. (Epitomen exscr. Suidas etc.). Lex. Patm. p. 138, οἱ ἐνταῦθα κρινόμενοι ἐπὶ φόνοισι ὁμολογουμένοι μὲν, δίκαιως δὲ γεγονόσι δικάζονται. Pollux viii 119 :... οὗς ὠμολογεῖ μὲν ἀποκτεῖναι, δίκαιως δ' ἔφη τούτο δεδρακέναι. Bekk. An. 311, 13 ἐπὶ Δελφινίῳ ὁμολογούμενος φόνος ἐννομος δικάζεται (Frag. 419<sup>2</sup>, 459<sup>3</sup>).

22 ἐν Φρεάτου. Cf. Poll. viii 120 infra exscriptum.

ἐν τῇ Ἄθ. πολ. τῷ Ἰσαίῳ συμφωνεῖ. Hesych. τὸ ἐπιβεβουλευκέναι θάνατον οὕτως Ἄθηναι ἐλέγετο. And. de Myst. 94, Ant. de Chor. 16. Meier and Schöm. p. 384—6 Lips.; Philipp, Areopag, p. 29—50; Thalheim, Rechtsalt. 52 n. 2; Dict. Ant. s. v.

ἐπὶ Παλλαδίῳ] Dem. 23 § 71, δικαστήριον τὸ τῶν ἀκουσίων φόνων... τὸ ἐπὶ Παλλαδίῳ... ἐνταῦθ' ὑποκείται πρῶτον μὲν διωμοσία, δεύτερον δὲ λόγος, τρίτον δὲ γνώσις τοῦ δικαστηρίου... τὸν ἄλλοτ' ἐπὶ ἀκουσίῳ φόνῳ ἐν τισιν εἰρημένους χρόνοις ἀπελθεῖν τακτὴν ὁδὸν καὶ φεύγειν ἕως ἂν αἰδέσῃται τινα τῶν ἐν γένει τοῦ πεπονθότος. Aristoph. frag. 585 Kock, ἄκων κενῶ σε, τέκνον· ὁ δ' ὑπεκρίνετο | ἐπὶ Παλλαδίῳ τὰρ, ὦ πάτερ, δώσεις δίκην. Paus. i 28, 8. Philipp, Areopag, p. 23.

The Palladium and the Delphinium were probably S.E. of the Acropolis, near the Olympieum (Milchhöfer in Baumeister's Denkm. p. 179 f).

μοιχὸν λαβῶν κτλ.] Dem. 23 § 55, ἂν τις ἐν ἄθλοις ἀποκτείνῃ τινα, ἂν ἐν πολέμῳ ἀγνοήσας, ἢ ἐπὶ δάμαρτι ἢ ἐπὶ μητρὶ ἢ θυγατρὶ, ἢ ἐπὶ παλλακῇ ἢ ἂν ἐπ' ἐλευθέροις παισὶν ἔχῃ. Cf. Lys. i § 31. Philipp, p. 55.

ἐπὶ Δελφινίῳ] Dem. 23 § 74, ἂν τις ὁμολογῆ μὲν κτεῖναι ἐννόμως δὲ φῆ δεδρακέναι. Paus. i 28, 10, Pollux viii 119,

ιδρῶσθαι ὑπὸ Αἰγέως λέγεται Ἀπόλλωνι Δελφινίῳ.

ἐάν δὲ φεύγων—τινα] Dem. 23 § 77, δικαστήριον τὸ ἐν Φρεατοῖ. ἐνταῦθα... κελεύει δίκας ὑπέχειν ὁ νόμος, εἰάν τις ἐπ' ἀκουσίῳ φόνῳ πεφηνγός, μήπω τῶν ἐκβαλλόντων αὐτὸν ἡδέσμένων, αἰτίαν ἔχῃ ἐτέρου φόνου ἐκουσίου. Meier and Schöm. p. 379 f. With αἰδεῖς cf. also Dem. Meid. 43, τοὺς ἀκουσίως (ἀποκτινύντας) αἰδέσεως καὶ φιλανθρωπίας πολλῆς ἤξιωσεν, 23 § 72 (the unwitting homicide remains in banishment) ἕως ἂν αἰδέσῃται τινα τῶν ἐν γένει τοῦ πεπονθότος, lex in 43 § 57 and CIA i 61 (Ditt. no. 45).

ἐν Φρεάτου] l.c. § 78, ἐπὶ θαλάττῃ (near the harbour of Zea). Paus. i 28, 11, ἔστι δὲ τοῦ Πειραιῶς πρὸς θαλάττῃ Φρεατῶς. Philipp, Areop. p. 48. There can be little doubt that the place derived its name from φρέαρ, and was so called long before the invention of the eponymous hero Φρέατος. Ulrich puts it west of the entrance to the harbour of Zea, at a point where there is a very small bay with a landing-place to the S.W.; near the latter is an oval depression, resembling a slipper-bath, hewn out of the rocky shore, with a small round pit in front of it, both of them filled by a spring of fresh water, called τὸ Τηρολονερί (Reisen, ii 173). Milchhöfer, with perhaps more probability, prefers as-



4 δικάζουσιν· ὁ δ' ἀπολογεῖται προσορμισάμενος ἐν πλοίῳ· δικάζουσι δ' οἱ λαχόντες ταῦ[τα ἐφέται] πλὴν τῶν ἐν Ἀρείῳ 24

24 τα[ῦτα ἐφέται] 'ex Harp.' κ, κ-w<sup>1,2</sup>, s<sup>1</sup>; τα[ῦτα δικασταί] Paton, H-L, B<sup>1</sup>; ταῦ[τ'] ἀ[νδρε]s Wilckenium secutus Kaibel (κ-w<sup>3</sup>); τα[ῦτα πάντα] Lipsius, qui participio λαχόντες exclusi putat ἐφέται (*Att. R.* 130); lacunam indicant B<sup>2-4</sup>, Th.

TESTIMONIA. 24 Harp. ἐφέται infra exscriptus.

signing it to the southern extremity of the tongue of land east of Zea (Baumeister's *Denkmäler*, p. 120 a).

ἐν πλοίῳ] Dem. 23 § 78, ὁ μὲν ἐν πλοίῳ προσπλεύσας λέγει, τῆς γῆς οὐχ ἀπτόμενος, οἱ δ' ἀκροῶνται καὶ δικάζουσιν ἐν τῇ γῆ. Paus. i 28, 11, οἱ πεφειγότες... πρὸς ἀκρομένους ἐκ τῆς γῆς ἀπὸ νεῶς ἀπολογούντα. Harpocr. s. v. ἐν Φρεαττοῖ (φρεάτου libri). Pollux viii 120, τὸν ἐν αἰτία προσπλεύσαντα τῆς γῆς οὐ προσαπτόμενον ἀπὸ τῆς νεῶς ἐχρῆν ἀπολογεῖσθαι, μήτ' ἀποβάθραν μήτ' ἄγκυραν εἰς τὴν γῆν βαλλόμενον. Helladius in Photius, *Bibl.* 535 a 28, ... ἐν Φρεατοῖ—(ὁ κρινόμενος) ἐπὶ νεῶς ἐξῶθεν τοῦ Πειραιῶς ἀπολογούμενος ἄγκυραν καθέει. Bekker, *Anecd.* 311, 17, ἐν Ζεᾷ· τόπος ἐστὶ παράλιος. ἐνταῦθα κρίνεται ὁ ἐπὶ ἀκουσίῳ μὲν φόνῳ φεύγων, αἰτίαν δὲ ἔχων ἐφ' ἑκουσίῳ φόνῳ.—ἐν Φρεαττοῖ· οἱ ἐπ' ἀκουσίῳ φόνῳ φεύγοντες, ἐπ' ἄλλῳ δὲ τινι κρινόμενοι· οἱ ἐπὶ πλοίῳ ἐστῶτες ἀπολογούνται. This form of trial had obviously been long obsolete.

§ 4. ἐφέται] Harpocr. s. v. οἱ δικάζοντες τὰς ἐφ' αἵματι κρίσεις ἐπὶ Παλλαδίῳ καὶ ἐπὶ Πρυτανείῳ καὶ ἐπὶ Δελφίνιῳ καὶ ἐν Φρεατοῖ (φρεάτου libri; Φρεατοῖ Ἐπίτομῃ) ἐφέται ἐκαλοῦντο. It is agreed that Harpocr. derived his information from this treatise (Philippi, *Areopag.* p. 210), and this is the only passage where the term can be inserted.

The ἐφέται were 51 in number (law in Dem. *Macart.* 57); they were more than 50 years of age and were selected by merit, ἀριστίνδην αἰρεθέντες (Pollux viii 125). The ἐφέται and the Areopagus were probably among the primitive institutions of Attica, being certainly earlier than Solon (Plut. *Sol.* 19) and perhaps earlier than Dracon. According to Lange, *die Epheten*, the 51 ἐφέται and the 9 archons formed the pre-Solonian Areopagus. But (as has been shewn by Mr J. W. Headlam, *Class. Rev.* vi 249—252) all our evidence respecting the ἐφέται is derived from legal and judicial documents, and there is no proof that they ever held any constitutional position outside the law-courts. Similarly, Wilamowitz, i 251 n. 137; cf. Gilbert, i 137<sup>2</sup>

n. 1. The ἐφέται are named in CIA i 61 (B.C. 409), in a quotation from a law of Dracon incorporated in those of Solon: ἐὰμ μὴ κ' προνοίας κτ[εῖνη τις τινα, φεύγειν· δικάζειν δὲ τοὺς βασιλείας αἰτιῶν φόνου ἢ [ἐάν τις αἰτιάται τὸν βου]λεύσαντα, τοὺς δὲ ἐφέτας διαγρῶναι (cf. Dem. *Macart.* 57 and *Aristocr.* 37). Solon reserved the φονικαὶ δίκαι for the Areopagus, leaving the ἐφέται to preside in the four courts held in the precincts of the Palladium, Delphinium and Prytaneum, and 'in Phreatto.'

One of Solon's laws, quoted in Plutarch's *Solon* 19, runs as follows:—ἐπιτίμους εἶναι πλὴν ὄσοι ἐξ Ἀρείου πάγου ἢ ὄσοι ἐκ τῶν ἐφετῶν ἢ ἐκ τοῦ πρυτανείου καταδικασθέντες ὑπὸ τῶν βασιλέων ἐπὶ φόνῳ ἢ σφαγαῖσιν ἢ ἐπὶ τυραννίδι ἐφευγον. Here ἐπὶ φόνῳ refers to cases under the cognisance of the Areopagus, σφαγαῖσιν to those under that of the ἐφέται, and ἐπὶ τυραννίδι to those under that of the court sitting in the Prytaneum to try offences against the Constitution. This law is incorporated in the decree of Patrocleides (*Andoc. de Myst.* 78) after the time of the 400, where we find excluded from the privilege of ἄδεια all the names ὅποσα ἐν στήλαις γέγραπται τῶν μὴ ἐνθάδε μεινάντων ἢ ἐξ Ἀρείου πάγου ἢ τῶν ἐφετῶν ἢ ἐκ πρυτανείου δικασθείσιν ὑπὸ τῶν βασιλέων ἐπὶ φόνῳ τίς ἐστι φυγῆ ἢ σφαγαῖσιν ἢ τυραννίδι. (So Droysen and Lipsius. The MSS, followed by Blass, have: ἢ ἐκ πρυτανείου ἢ Δελφίνιου ἐδικάσθη ἢ ὑπὸ τῶν βασιλέων, ἢ ἐπὶ φόνῳ τίς ἐστι φυγῆ, ἢ θάνατος κατεγνωσθη, ἢ σφαγεῦσιν ἢ τυράννοις. But ἢ Δελφίνιου must have been added by some one who confused the court for trial of Constitutional offences held in the Prytaneum, with that for trial of inanimate things held in its precincts; and, since the archon basileus presided in the Areopagus and Prytaneum, as well as in the four courts, the βασιλεῖς cannot be contrasted with these courts as is implied by ἢ.) In Dem. *Aristocr.* 38 it is stated that, in the event of a banished manslayer being killed, the ἐφέται were to have cognisance of the matter, διαγιγνώσκειν,—a term not necessarily implying

25 πάγῳ γιγνομένων, εἰσάγει δ' ὁ βασιλεὺς, καὶ δικάζουσιν ἐν ἱερ[ῶ] καὶ ὑπαίθριοι, καὶ ὁ βασιλεὺς ὅταν δικάζη περιαιρεῖται τὸν στέφανον. ὁ δὲ τὴν αἰτίαν ἔχων τὸν μὲν ἄλλον χρόνον εἴργεται τῶν ἱερῶν καὶ οὐδ' εἰς τὴν ἀγορὰν ν[όμος] ἐμβαλεῖν αὐτῷ· τότε δ' εἰς τὸ ἱερὸν εἰσελθὼν ἀπολογεῖται. ὅταν δὲ μὴ

25 ἐν ἱερ[ῶ] B<sup>2-4</sup> (κ-ω<sup>3</sup>, κ<sup>4</sup>, Th); [N]...λι[Ο] κ<sup>3</sup>; primum δικάζουσι [σκοτ]αῖ[οι] (H-L), postea δικάζουσιν [ἐν ἡλι]αῖ[α], frustra conieci; τριταῖοι Lipsius, coll. Schol. Aeschin. I § 188. 28 οὐδ' εἰς τὴν ἀγορὰν Wyse, Blass, van Leeuwen, Hartman, coll. Dem. 23 § 80 et 24 §§ 103, 165 (κ-ω, H-L, κ<sup>4</sup>, Th); οὐδὲς τὴν αἰτίαν κ<sup>1</sup>. ν[όμος] B<sup>2-4</sup> (κ-ω<sup>3</sup>, Th), 'fortasse recte' κ<sup>4</sup>: legebat δ[ί]καιον van Leeuwen (κ<sup>3</sup>, s<sup>1</sup>), ἔξεστω Wyse, δ[ύναται] κ<sup>1</sup>, δ[έδοται] Gertz, κ-ω<sup>1,2</sup>, H-L, B<sup>1</sup>. ΕΜΒΑΛΕΙΝ (edd., κ-ω<sup>3</sup>): ἐμβάλλειν κ-ω<sup>1,2</sup>. 29 ΜΗ (κ, κ-ω, β, Th): μηδεὶς H-L, sed spatii non satis est.

TESTIMONIA. § 4, 26 Pollux viii 118 (Ἄρειος πάγος): ὑπαίθριοι δ' ἐδίκαζον.

26—27 Pollux viii 90: καὶ τὸν στέφανον ἀποθέμενος σὺν αὐτοῖς δικάζει.

29—31 Harp. ἐπὶ Πρυτανεῖν δικαστήριον ἐστί καὶ τοῦτο φοινικόν, δικάζει δὲ ἂν τι τῶν ἀψύχων ἐμπεσόν ἀποκτείνῃ τινά, τοῦτο δὲ ἐστίν, ἐὰν λίθος ἢ ξύλον ἢ σίδηρος ἢ τι

that they acted as judges, but not inconsistent with their so acting.

In Isocr. *c. Callim.* §§ 52, 54, a trial for homicide, held ἐπὶ Παλλαδίῳ, is stated to have come before a tribunal of 700 dicasts: (μάχης γενομένης) ἐκ τοῦ τραύματος φάσκοντες ἀποθανεῖν τὴν ἀνθρώπον λαγχάνουσιν αὐτῷ φόνου δίκην ἐπὶ Παλλαδίῳ. Similarly in [Dem.] *c. Neaeram* § 10 a trial ἐπὶ Παλλαδίῳ came before 500 dicasts. Hence it has been inferred that the ἐφέται had been deprived of their jurisdiction in that court (Gilbert, i 424<sup>2</sup> n). The first speech of Lysias is connected with a case of justifiable homicide, but there is nothing to shew whether it was delivered before δικασταί (Schömann, Scheibe, Frohberger, Blass, Philippi), or before ἐφέται (Forchhammer and others) in the court of the Δελφίνιον. The text implies that the ἐφέται had not lost the privilege of trying such cases; possibly they retained it only in a formal sense as a kind of presiding committee, while the actual voting was in the hands of the dicasts. This is consistent with the statement of Pollux viii 125, κατὰ μικρὸν δὲ κατεγέλασθη τὸ τῶν ἐφετῶν δικαστήριον.

If ἐφέται is inserted, we must assume that this ancient name was given in the fourth century to the ordinary δικασταί when they were engaged in trying cases at the Palladium or the Delphinium. (The trial ἐν Φρεάτου was obsolete.) See also Kaibel, 240, and Wilamowitz, i 251 n. 137.

δικάζουσιν ἐν ἱερῶ] 'they hold the trial in a sacred place,' e.g. the precincts of the Palladium or Delphinium. ἐν ἱερῶ is confirmed by the retrospective use of the article in τὸ ἱερὸν, three lines below.

ὑπαίθριοι] Antiphon, *de caede Herodis*, II, ἅπαντα τὰ δικαστήρια ἐν ὑπαίθρῳ δικάζει τὰς δίκας τοῦ φόνου.

τὸν στέφανον] characteristic of the office of archon. Aeschin. I § 19, ἂν τις Ἀθηναίων ἐταιρήσῃ, μὴ ἐξέστω αὐτῷ τῶν ἐννέα ἀρχόντων γενέσθαι, ὅτι οἶμαι στεφανηφόρος ἢ ἀρχή, and Schol. *ad loc.*, οἱ γὰρ ἐννέα ἀρχοντες στέφανον ἐφόρου μυρρίνης, Dem. *Meid.* 17, τὸν ἐστεφανωμένον ἀρχοντα, [26] § 5, *Lys.* 26 § 8, δοκιμάσαντες τὸν ἀξιὸν τῆς ἀρχῆς στεφανώσῃ, with Hesych. *s. v.* μυρρινῶν, and Pollux viii 86, μυρρίνη δ' ἐστεφάνωντο. Hence in Photius, *s. v.* ἡγεμονία δικαστήριον *ad fin.* (of the archon βασιλεὺς), ἔχει δὲ μόνος καὶ στέφανον should be corrected into ἔχει δὲ μυρρίνης στέφανον. Cf. *Lys.* 26 § 8 (of the archon), [Dem.] 58 § 27 (of the θεσμοθέται). The king-archon removes his crown, either as a sign of mourning, or as a protest against being brought into relations with a homicide (Wilamowitz, i 252, n. 139).

εἴργεται] § 2. Cf. Plat. *Leg.* 806 A, 868 A. οὐδ' εἰς τὴν ἀγορὰν κτλ.] Aeschin. I § 164, ἔπειτα ἐμβάλλεις εἰς τὴν ἀγορὰν ἢ στεφανοῖ ἢ πράττεις τι τῶν αὐτῶν ἡμῶν; *F. L.* 148, οὐ καθαρὸς ὦν τὰς χεῖρας εἰς τὴν ἀγορὰν ἐμβάλλεις. Lycurg. *Leocr.* 5, εἰς τὴν ἀγορὰν ἐμβάλλοντα καὶ τῶν κοινῶν ἱερῶν μετέχοντα. Dem. 24 *c.* *Timocr.* 103, ἐὰν ἀλοὺς τῆς κακώσεως τῶν γονέων εἰς τὴν ἀγορὰν ἐμβάλλῃ, and 165, εἰς τὴν ἀγορὰν φοβοῖτ' ἐμβαλεῖν, also *ib.* 60 and *Androt.* 77. Stobaeus, v 52, Κράτης, εἰς ἀγορὰν ἐμβάλλον.

ὅταν δὲ μὴ εἶδη κτλ.] [Dem.] 47 *c.* *Euerg.* 69, συμβουλευόμεν σοι... ὀνομαστὶ μὲν μηδεὶν προαγορεύειν, τοῖς δεδρακόσι δὲ καὶ κτείνασιν. Plat. *Leg.* 874 A, ἐὰν δὲ τεθνεὼς μὲν αὐτὸς τις φανῇ καὶ μὴ ἀμελῶς



εἶδῃ τὸν ποιήσαντα, τῷ δράσαντι λαγχάνει. δικάζει δ' ὁ βασιλεὺς 30  
καὶ οἱ φυλοβασιλεῖς καὶ τὰς τῶν ἀψύχων καὶ τῶν ἄλλων ζῶων.

58. ὁ δὲ πολέμαρχος θύει μὲν θυσίας τήν τε τῇ Ἀρτέμιδι

30 εἶδῃ Wyse (K-W, H-L, K<sup>3</sup>, B, Th). Addidit <τις>, coll. Dem. 23 § 76, Papageorgios. Post λαγχάνει 'intercidit fere ὁ προσήκων ἐπὶ πρυτανείῳ' K-W<sup>1,2</sup>; <ἐπὶ Πρ.> τῷ δρ. λαγχάνει mallet Th. 31 ζῶων. Desiderantur οὗτοι δικάζουσι καὶ τὰ καταγνωσθέντα ὑπερορίσσει, coll. Poll. viii 120, K-W<sup>1,2</sup>; sed cf. K. Kaibel 242.

LVIII 1 ΘΥΓΕΙΜΕΝ (K-W, K<sup>3</sup>, B, Th): ΠΟΙΕΙΤΑΙ K<sup>1</sup> (H-L). τήν τε τῇ: τῇ τε K-W.

τοιούτων, καὶ τὸν μὲν βαλόντα ἀγνοῆ, αὐτὸ δὲ εἶδῃ καὶ ἔχη τὸ τὸν φόνον εἰργασμένον. Addit Epitome ἀρχαῖον γὰρ ἔθος ἦν τὸ καὶ τὰ ἀψύχα κρίνειν, εἰ χρή ἐξορίζεσθαι. Epit. exscr. Suidas et (ex Photio) Et. genuinum etc. Cf. Bekk. An. 311, 15, Lex. Patm. 138, 75. Pollux viii 120 τὸ ἐπὶ Πρυτανείῳ δικάζει περὶ τῶν ἀποκτεινάντων, κἂν ὡσαν ἀφανεῖς, δικάζει δὲ καὶ περὶ τῶν ἀψύχων τῶν ἐμπεσόντων καὶ ἀποκτεινάντων. προεσττήκεσαν δὲ τούτου τοῦ δικαστηρίου οἱ φυλοβασιλεῖς, οὓς ἔδει τὸ ἐμπεσὸν ἀψύχων ὑπερορίσαι.

TESTIMONIA. LVIII § 1 Heraclidis epitom. (Rose, Frag. 611, 8): καὶ τὰ πολέμια. Pollux viii 91: "ὁ δὲ πολέμαρχος θύει μὲν" Ἀρτέμιδι "ἀγροτέρα καὶ τῷ Ἐνναλίῳ, διατίθησι" δὲ τὸν ἐπιτάφιον ἀγῶνα τῶν ἐν πολέμῳ ἀποθανόντων, καὶ τοῖς περὶ Ἀρμόδιον ἐναγίξει. (§ 2) δίκαι δὲ πρὸς αὐτὸν λαγχάνονται μετόικων, ἰσοτελών, προξένων, καὶ διανεμεί τὸ λαχὸν ἐκάστη φυλῆ [τι] μέρος, τὸ μὲν διαιτηταῖς παραδιδούς, (§ 3) εἰσάγων δὲ δίκας ἀποστασίου, ἀπροστασίου, κλήρων μετόικων (Frag. 387<sup>2</sup>, 426<sup>3</sup>). Bekk. An. 290, 28: "καὶ τῷ Ἐνναλίῳ διατίθησι" τὸν "ἀγῶνα τὸν ἐπιτάφιον."

ζητοῦσιν ἀνεύρετος γίγνηται, τὰς μὲν προρρήσεις τὰς αὐτὰς γίγνεσθαι καθάπερ τοῖς ἄλλοις, προαγορεύειν δὲ τὸν φόνον τῷ δράσαντι καὶ ἐπιδικασάμενον ἐν ἀγορῇ κηρύξει 'τῷ κτείναντι τὸν καὶ τὸν καὶ ὠφληκτόν φόνον μὴ ἐπιβαίνειν ἱερῶν' (Wyse). Pollux, viii 120, τὸ ἐπὶ Πρυτανείῳ δικάζει περὶ τῶν ἀποκτεινάντων κἂν ὡσαν ἀφανεῖς.

ὁ βασιλεὺς καὶ οἱ φυλοβασιλεῖς] Pollux, viii 90, says (of the βασιλεῖς), δικάζει τὰς τῶν ἀψύχων δίκας. In § 120 he says (of the φυλοβασιλεῖς), προεσττήκεσαν δὲ τούτου τοῦ δικαστηρίου φυλοβασιλεῖς, οὓς δεῖ τὸ ἐμπεσὸν ἀψύχων ὑπερορίσαι. These statements have hitherto been regarded as inconsistent with each other, and it has been supposed by Philippi, *Aegeor.* p. 18, that the duty of the φυλοβασιλεῖς was simply to cast the condemned object beyond the bounds of Attica. The text shews that both the statements are correct and that the βασιλεὺς and the φυλοβασιλεῖς jointly presided over this court.

The trial was held in the precincts of the Prytaneum. Dem. *Aristocr.* 76, ἐὰν λίθος ἢ ξύλον ἢ σίδηρος ἢ τι τοιούτων ἐμπεσὸν πατάξῃ, καὶ τὸν μὲν βαλόντα ἀγνοῆ τις, αὐτὸ δὲ εἶδῃ καὶ ἔχη τὸ τὸν φόνον εἰργασμένον, τοῖσιν ἐνταῦθα λαγχάνεται. εἰ τοίνυν τῶν ἀψύχων κτλ. Pollux, viii 120, τὸ ἐπὶ Πρυτανείῳ δικάζει περὶ τῶν ἀποκτεινάντων κἂν (*leg.* ἐὰν) ὡσαν ἀφανεῖς, καὶ περὶ τῶν ἀψύχων τῶν ἐμπεσόντων καὶ ἀποκτεινάντων. In the ceremony of the *βοφόνια*, the priest who slew the ox fled

after flinging away the axe, οἱ δὲ ἄτε τὸν ἄνδρα δὲ ἔδρασε τὸ ἔργον οὐκ εἰδότες ἐς δίκην ὑπάγουσι τὸν πέλεκυν (Paus. i 24, 4, cf. 28, 10 and vi 11, 6). Cf. Wilamowitz, i 94 f, 253, n. 140, 141.

τῶν ἀψύχων καὶ τῶν ἄλλων ζῶων] (Kühner § 405 ὁ π. 1). *Rhet.* 1366 a 30, καὶ ἀψύχα καὶ τῶν ἄλλων ζῶων τὸ τυχεῖν.

The fact that animals could be tried has been hitherto unknown. But the case is provided for in Plato's *Laws*, 873 E, ἐὰν δ' ἄρα ὑποζύγιον ἢ ζῶον ἄλλο τι φονεύσῃ τινά... ἐπεξίτωσαν μὲν οἱ προσήκοντες τοῦ φόνου τῷ κτείναντι, διαδικαζόντων δὲ τῶν ἀγρονόμων οἷσιν ἂν καὶ ὁπόσοις προστάξῃ ὁ προσήκων, τὸ δὲ ὄφλον ἕξω τῶν ὄρων τῆς χώρας ἀποκτείναντες διορίσαι. Then follows the case of things without life: ἐὰν δὲ ἀψύχον τι κτλ. We may compare, in general, the obsolete English law of Deodands.

LVIII. *The Polemarch.*

§ 1. πολέμαρχος] Thumser, 563; Gilbert, i 283<sup>2</sup>; Lipsius, *Das Att. Recht*, 63 f, 369 f.

θύει κτλ.] a survival of the duties performed in early times by the Polemarch in his military capacity. Ἀρτέμιδι] The sacrifice to Artemis was in memory of the battle of Marathon on the 6th day of Boedromion, Xen. *Anab.* iii 2, 12; Plut. *de malign.* Her. 26; Aelian, *V. H.* ii 25 (wrongly ascribed to the 6th of Thargelion); Schol. Aristoph. *Eq.* 660 (Hermann), *Gottesdienst. Alt.* § 56, 3 and 5; Mommsen, *Heortol.* p. 211-4.

τῇ ἀγροτέρᾳ καὶ τῷ Ἐνναλίῳ, διατίθησι δ' ἀγῶνα τὸν ἐπιτάφιον  
 [[καὶ]] τοῖς τετελευτηκόσιν ἐν τῷ πολέμῳ, καὶ Ἀρμοδίῳ καὶ Ἀριστο-  
 γείτονι ἐναγίσματα ποιεῖ. δίκαι δὲ λαγχάνονται πρὸς αὐτὸν ἴδιαι 2  
 5 μὲν, αἶ τε τοῖς μετοίκοις καὶ τοῖς ἰσοτελέσι καὶ τοῖς προξένοις  
 γιγνόμεναι. καὶ δεῖ τοῦτον λαβόντα καὶ διανείμαντα δέκα μέρη, τὸ  
 λαχὸν ἐκάστη τῇ φυλῇ μέρος προσθεῖναι, τοὺς δὲ τὴν φυλὴν δικά-  
 ζοντας τοῖς διαιτηταῖς ἀποδοῦναι. αὐτὸς δ' εἰσάγει δίκας τὰς τε 3

## ΞΝΥΩ

2 <τὴν> τῷ Kontos. ΞΝΥΑΛΛΙΩΙΕΝΓΑΛΙΩΙ? Ἐνναλίω κ (κ-w, v, Th): Ἐνναλίω  
 τὴν ἐνιαυσίαν H-L. 3 καὶ secl. κ (H-L, B<sup>1</sup>); retinent κ-w, commatis signo post  
 ἐπιτάφιον, non post πολέμῳposito (B<sup>2-4</sup>); ἐπὶ Papageorgios (Th), coll. Philostrato  
 infra laudato. 5 Μ(ΕΝ)Κ<sup>1</sup>, H-L, v, S<sup>1</sup>, Th: μόνον κ-w, κ<sup>4</sup>. <αι> τοῖς προξ. Kaihel  
 243 (κ-w<sup>3</sup>). 6 ΓΙΝΟΜ(ΕΝ)ΔΙ (adscr. ΟΙC). 7 μέρος secl. κ-w<sup>1,2</sup>. 8 παρα-  
 δοῦναι Papageorgios.

TESTIM. § 3 \*Harp. πολέμαρχος:...'Ἀρ. δ' ἐν τῇ Ἀθ. πολ. διεελθὼν ὄσα διοικεῖ ὁ  
 πολέμαρχος, πρὸς ταῦτα, φησιν, αὐτὸς τε "εἰσάγει δίκας τὰς τε τοῦ ἀποστασίου καὶ  
 ἀπροστασίου καὶ κλήρων—ταῦτα τοῖς μετοίκοις ὁ πολέμαρχος." \*Harp. ἀποστασίον:...'Ἀρ.  
 δ' ἐν Ἀθ. πολ. περὶ τοῦ πολεμάρχου γράφει ταυτὶ. "οὗτος δὲ εἰσάγει δίκας τὰς τε  
 τοῦ ἀποστασίου καὶ κλήρων καὶ ἐπικλήρων." Harp. ἡγεμονία δικαστηρίου:...'ἄλλαι πρὸς  
 ἄλλους ἐλαγχάνοντο δίκαι...πρὸς δὲ τὸν πολέμαρχον τοῦ ἀποστασίου τε καὶ ἀπροστασίου.  
 Bekk. An. 310, 9: ὁ πολέμαρχος (εἰσάγει δίκας) ἀποστασίου "καὶ κλήρων καὶ ἐπι-  
 κλήρων τοῖς μετοίκοις· καὶ τὰλλα ὄσα τοῖς" ἀστοῖς ὁ ἄρχων, οὗτος τοῖς μετοίκοις παρέχεται  
 (Frag. 388<sup>2</sup>, 427<sup>3</sup>). Phot. ἡγεμονία δικαστηρίου:...'τῷ πολεμάρχῳ δὲ ὄσαι ἀποστασίου  
 γραφὴν ἔφερον· ἔτι μὴν καὶ ὄσα ὁ ἄρχων ἐν τοῖς ἀστοῖς, ὁ πολέμαρχος τοῖς μετοίκοις  
 διῆτα, id. πολέμαρχος:...'προειστήκει μὲν τῶν τε ξένων καὶ τῶν μετοίκων (cf. Lex. Patm.  
 p. 147).

ἀγῶνα τὸν ἐπιτάφιον] Plat. Menex. 249 B, ἀγῶνας γυμνικῶν καὶ ἵππικῶν—καὶ μουσικῆς πάσης, [Lys.] 2 § 80; Philostr. Vit. Soph. ii 30 ad fin. ἐν τῇ ἀκαδημίᾳ, οὐ τίθησι τὸν ἀγῶνα ἐπὶ τοῖς ἐκ τῶν πολέμων θάπτομένοις ὁ πολέμαρχος. Cf. Suídas, s. v. Θεμιστοκλέους παῖδες. See Mommsen, Heortologie, p. 281, and Daremberg and Saglio, s. v. Epitaphia, iii 727, where this commemorative festival is connected with the Θησεῖα and assigned to the 7th of Pyanepsion (end of October), cf. CIA ii 471, 22, ἐποίησαντο δὲ καὶ τοῖς ἐπιτάφιοις δρόμον ἐν ὄπλοις—καὶ ἀπεδείξαντο ἐν τοῖς ὄπλοις τοῖς τε Θησεῖοις καὶ ἐπιτάφιοις. In this part of his duties the Polemarch was assisted by the στρατηγῶι; Gilbert, Beiträge, p. 61.

ἐναγίσματα] ὡς ἠρωῖ. Cf. Paus. ii 11, 7 (of Achilles); and ii 10, 1 (of Heracles). The offerings consisted of libations of wine, oil, milk and honey. Hermann, Gottesdienst. Alt. § 16, 14; Müller's Handbuch, v 3 p. 98.

§ 2. δίκαι...ἴδιαι] Meier and Schömann pp. 64—70, 619; Lys. 23 § 2, προσεκαλεσάμην αὐτὸν πρὸς τὸν πολέμαρχον νομίζων μέτοικον εἶναι. Lipsius, Att. Recht, 65, n. 48 f.

τοῖς ἰσοτελέσι] resident aliens who had

the privilege of ranking with citizens for purposes of taxation. Aliens without this privilege paid a higher war-tax. Gilbert, i 202<sup>2</sup> n. 2.

προξένοις] the addition of ξένων, after προξένων, proposed by Meier in the corresponding passage of Pollux, is proved by the text to be unnecessary. ξένοι who were not resident in Attica could only be concerned in δίκαι ἀπὸ συμβόλων or δίκαι ἐμπορικαί. By πρόξενοι we must here understand the privileged class of foreigners presented by Athens with rights such as those of ἐγκτησις, ἀτέλεια and προεδρία.

The privilege of the Polemarch's protection is expressly granted to a πρόξενος in CIA ii 42, πρόσδοον αὐτῷ εἶναι πρὸς τὸν πολέμαρχον καθάπερ τοῖς ἄλλοις προξένοις. In 131, we also have the grant of ἀτέλεια καὶ γῆς καὶ οἰκίας ἐγκτησις. Meier and Schöm. p. 70 Lips.; Gilbert i 202<sup>2</sup>.

λαβόντα] τὰς δίκας. διανείμαντα—μέρη] 21 § 4.

τοὺς τὴν φυλὴν δικάζοντας] i. e. the four δικασταὶ assigned to each tribe, who introduce private actions concerning members of that tribe. [Cf. 53 § 1.] As resident aliens are not members of any tribe, the lawsuits in which they are con-



τοῦ ἀποστασίου καὶ ἀπροστασίου καὶ κλήρων καὶ ἐπικλήρων τοῖς μετοίκους, καὶ τᾶλλ' ὅσα τοῖς πολίταις ὁ ἄρχων, ταῦτα τοῖς 10 μετοίκους ὁ πολέμαρχος.

59. οἱ δὲ θεσμοθέται πρῶτον μὲν τοῦ προγράψαι τὰ δικαστήριά εἰσι κύριοι τίσιν ἡμέραις δεῖ δικάζειν, ἔπειτα τοῦ δοῦναι ταῖς ἀρχαῖς· καθότι γὰρ ἂν οὗτοι δώσωσι, κατὰ τοῦτο χρῶνται. 2 ἔτι δὲ τὰς εἰσαγγελίας εἰσαγγέλλουσιν εἰς τὸν δῆμον καὶ τὰς κατα-

9 τοῦ secl. κ-w; habet Harp. ἀΠΟΣΤΑΣΙΟΥ, supra scripto καὶ ΠΡΟΣΤΑΣΙΟΥ, καὶ ἀπροστασίου Harp.

LIX 4 εἰσαγγέλλουσιν εἰς τὸν δῆμον secl. κ-w, Wil. i 244; retinent κ, H-L, B<sup>1,2</sup>, Th; <ὡς ἂν τις> εἰσαγγέλωσιν B<sup>3</sup>, <ὡς> εἰσαγγέλλουσιν B<sup>4</sup>, Lipsius *Att. R.* 207, sed cf. *Herm.* xxxvii 350; εἰσαγγέλλουσιν defendunt Pollux et Photius: εἰσάγουσιν Schol. ad Plat. *Phaedr.* 235 et ad Aesch. i 16 (Gomperz).

TESTIMONIA. LIX Pollux viii 87: § 1 ἰδία δὲ οἱ μὲν θεσμοθέται προγράψουσι πότε δεῖ δικάζειν τὰ δικαστήρια, (§ 2) καὶ “τὰς εἰσαγγελίας εἰσαγγέλλουσιν εἰς τὸν δῆμον καὶ τὰς” χειροτονίας “καὶ τὰς προβολὰς” εἰσάγουσι καὶ τὰς τῶν παρανόμων γραφὰς, καὶ εἰ τις μὴ ἐπιτήδειον νόμον γράψειεν, “καὶ στρατηγούς εὐθύνας” (cf. Schol. Aeschin. i § 1, p. 253 Schultz, ἢ δὲ εὐθύνα—ὄλον πρεσβείαν, στρατηγίαν κτλ.).

\*Harp. θεσμοθέται:...ὁ δὲ Ἄρ. ἐν τῇ Ἄθ. πολ. διέρχεται ὅσα οὗτοι πράττουσιν. Phot. θεσμ.:...τὰς εἰσαγγελίας εἰσηγγέλλον εἰς τὸν δῆμον καὶ τὰς χειροτονίας καὶ τὰς προβολὰς ἀπάσας καὶ γραφὰς παρανόμων... Schol. in Plat. *Phaedr.* 235 D εἶχον δὲ ἔξουσίαν τοῦ ὑπογράψαι τὰ δικαστήρια, καὶ τὰς εἰσαγγελίας εἰσηγγόν καὶ τὰς χειροτονίας καὶ προβολὰς καὶ γραφὰς παρανόμων καὶ ἄλλων τινῶν. Cf. Schol. in Aeschin. i § 16 infra exscriptum.

cerned are distributed by lot among the ten groups of four δικασταὶ each. This shews that μέτοικοι were in no way enrolled in any particular deme, as suggested by Wilamowitz, *Hermes*, xxii 107 f, 211 f; cf. *Ar. u. Athen.*, i 249 n. 129; and, on the other side, Gilbert i 196<sup>2</sup> n. 3, and Thumser, 421.

The quotation of this passage in Pollux is unintelligible, and none of the various corrections (enumerated in Hubert *de Arbitris Atticis*, p. 29 f) are satisfactory (Lipsius, *Leipzig Verhandl.* 1891, p. 55).

§ 3. ἀποστασίου καὶ ἀπροστασίου] The former designation was applied to the case in which a freedman deserted (or acted without the sanction of) the προστάτης under whom he had been enrolled; the latter, to that in which a μέτοικος had no προστάτης. Dem. 35 *Lacr.* 48, ἀλλ' ὁ πολέμαρχος εἰσάξει. ἀποστασίου γε καὶ ἀπροστασίου.

On the δίκη ἀποστασίου, see Meier and Schöm. p. 619—623 Lips.; on the γραφή ἀπροστασίου, *ib.* p. 388—391; Lipsius, 369 f.

κλήρων καὶ ἐπικλήρων τοῖς μετοίκους] [Dem.] 46 § 22, ἐπιδικασταὶ εἶναι τῶν ἐπικλήρων ἀπασῶν καὶ ξένων καὶ ἀστῶν καὶ περὶ μὲν τῶν πολιτῶν τὸν ἄρχοντα εἰσάγειν καὶ ἐπιμελεῖσθαι, περὶ δὲ τῶν μετοίκων τὸν πολέμαρχον. Pollux, viii 91, has κλήρων μετοίκων; corrected by Meier into κλήρων

ἐπικλήρων μετοίκους (or μετοικικῶν). The general purport of this correction is confirmed by the text.

LIX. *The Thesmothetae.*

§ 1. θεσμοθέται] Meier and Schöm. p. 72—81 Lips.; Lipsius, 68—74, 374—451; Gilbert, i 283<sup>2</sup> f.; and Dict. Ant. s. v. *Archon*; also Wilamowitz, i 244 f.

τίσιν ἡμέραις δεῖ δικάζειν] e.g. Dem. c. *Mid.* 47 (of a γραφή ἕβρεως), οἱ δὲ θεσμοθέται εἰσαγγόντων εἰς τὴν ἡλιαίαν τριάκοντα ἡμερῶν κτλ. (Meier and Schöm., p. 906 Lips.).

τοῦ δοῦναι ταῖς ἀρχαῖς] ‘of assigning the courts to the several magistrates.’

§ 2. εἰσαγγελίας] The statement of Pollux, viii 87, that it was the θεσμοθέται who laid εἰσαγγελαὶ before the popular assembly was doubted by Boeckh (*Kleine Schriften*, v p. 163); but it is now clear that the ultimate authority for the statement was the present passage. Cf. Schol. Aeschin. i § 16, οἱ θεσμοθέται ἄλλα μὲν ποιοῦσι κοινῇ, ἰδία δὲ, πότε δεῖ δικάζειν τὰ δικαστήρια καὶ τὰς εἰσαγγελίας εἰσάγειν εἰς τὸν δῆμον, καὶ τὰς χειροτονίας καὶ τὰς προβολὰς εἰσάγουσι καὶ τὰς τῶν παρανόμων γραφὰς καὶ ἕτερα. Cf. Lipsius, *Das Att. Recht*, 207 n. 99, and, in favour of omitting εἰσαγγέλλουσιν εἰς τὸν δῆμον, Kaibel, 246, and Wilamowitz, i 244 n. 117.

καταχειροτονίας] they bring forward

5 χειροτονίας καὶ τὰς προβολὰς ἀπάσας εἰσάγουσιν οὗτοι καὶ  
 γραφὰς παρανόμων, καὶ νόμον μὴ ἐπιτήδειον θεῖναι, καὶ προεδρικὴν

6 καὶ <τοῦ> νόμον Jos. Mayor (H-L).

all cases of 'removal from office by the votes of the people.' In Dem. *c. Mid.* 6, the noun is applied to the preliminary vote of condemnation called *προβολή*: *καταχειροτονίαν ὃ δῆμος ἐποιήσατο*, and similarly with the verb in §§ 2, 199 and twice in § 175. In 51 § 8, in a speech before the *βουλή*, it is applied to a case of *προδοσία*: *παρεδώκατε εἰς τὸ δικαστήριον, καταχειροτονήσαντες προδεδωκέναι τὰς ναῦς καὶ λελοιπέναι τὴν τάξιν*. In the text the reference is to sentences passed by the *ἐκκλησία* on the occasion of an *εἰσαγγελία*, and then referred to a court of law (Lipsius, *Leipzig Verhandl.* 1891, p. 48).

**προβολὰς**] *c.* 43 § 5. Preliminary decisions of the *ἐκκλησία* directing public prosecutions to be instituted, Dem. *c. Mid.* §§ 9, 11. Isocr. 15 § 314, *προβολὰς ἐν τῷ δήμῳ ἐποίησαν*.

*προβολαὶ* were only resorted to in case of offences against religion (Dem. *c. Mid.*), complaints against magistrates (Harpocr. *s. v.* *καταχειροτονία*), and against *συκοφάνται* (43 § 5). Meier and Schöm. p. 335—344 Lips. The supposition that *προβολαὶ* could only be brought against magistrates at the *ἐπιχειροτονίαι* (Schömann, *de Comit.* p. 231 f) is founded on passages of grammarians connecting *προβολαὶ* with *καταχειροτονία*, and this supposed connexion may have originated in a misunderstanding of the present passage. The statement that the *ἡγεμονία δικαστηρίου* belonged to the *θεσμοθέται* is confirmed by Dem. *c. Mid.* 32, *τῶν θεσμοθετῶν τούτων*.

**γραφὰς παρανόμων**] *c.* 29 § 4, Hyp. *pro Euxenippro*, ὁ, *παράνομά τις ἐν τῇ πόλει γράφει; θεσμοθετῶν συνέδριον ἔστι*. Dem. *Lept.* 98, 99. Cf. Whibley, *Comp. to Gk Studies*, p. 367 f; Gilbert, i 334<sup>2</sup> f; Lipsius, *Das Att. Recht*, 383—396.

**καὶ νόμον μὴ ἐπιτήδειον θεῖναι**] It has sometimes been supposed that a *γραφὴ παρανόμων* could be directed against *ψηφίσματα*, as well as against *νόμοι*, on the ground of *inexpediency*, as well as on that of *illegality*.

This opinion rests on passages such as (1) the spurious law quoted in Dem. *c. Timocr.* 33, *ἐὰν δέ τις λύσας τινὰ τῶν νόμων τῶν κεμένων ἕτερον ἀντιθῆ μὴ ἐπιτήδειον τῷ δήμῳ τῷ Ἀθηναίων ἢ ἐναντίον τῶν κεμένων τῶν, τὰς γραφὰς εἶναι κατ' αὐτοῦ κατὰ τὸν νόμον ὃς κείται, ἐὰν τις μὴ ἐπιτήδειον θῆ νόμον*. (Here inexpedient

and contradictory laws are confusedly blended together.) (2) Pollux viii 56, *ὑπωμοσία δέ ἐστιν, ὅταν τις ἢ ψήφισμα ἢ νόμον γραφέντα γράφηται ὡς ἀνεπιτήδειον*, and 44 (in a *γραφὴ παρανόμων*) *διήλεγχεν ὅτι ἔστι παράνομον ἢ ἄδικον ἢ ἀσύμφορον*.

It was urged by Madvig (*Kleine Schriften*, p. 378 ff) that, in the case of *νόμοι*, no less than in that of *ψηφίσματα*, the argument from inexpediency was really irrelevant, the only legitimate ground of attack in both cases being that of illegality. This opinion has, however, been contested by Schöll (*Sitzungsber. d. k. b. Akad.*, München, 1886, p. 136). Relying partly on the passage in Pollux viii 87, which proves to be quoted from the text (see *Testimonia*), he contends that, under a *γραφὴ παρανόμων*, a *ψήφισμα* could only be impugned on the ground of illegality, whereas a *νόμος* might be formally attacked on the ground of inexpediency, as well as on that of illegality (Dem. *c. Timocr.* 61, 68, 108). Cf. Gilbert, i 335<sup>2</sup>, n. 1; Meier and Schöm. p. 431 Lips.; Dict. Ant. ii 340 a.

Lipsius, who formerly supported Madvig, held in 1891 that the text confirms Schöll's view (*Leipzig Verhandl.* p. 48). But it will be observed that in the text the reference to inexpedient laws is introduced by *καὶ*, which (unless it is merely epexegetic) makes the following clause an additional item in the enumeration. This fact is in favour of a separation of legal proceedings on the ground of inexpediency from the strict procedure of the *γραφὴ παρανόμων*. We may accordingly suppose that the *γραφὴ παρανόμων* was originally intended to be directed against *ψηφίσματα*, as well as *νόμοι*, on the sole ground of illegality; and that, subsequently, fresh powers were granted for the institution of formal proceedings against *νόμοι* alone, on the sole ground of inexpediency. This new kind of procedure is the subject of the additional clause *καὶ νόμον μὴ ἐπιτήδειον θεῖναι*.

The speech of Dem. against the law of Leptines, regarded by Schömann, *de causa Leptinea*, 1855, as part of a *γραφὴ παρανόμων*, is now best connected with a *γραφὴ νόμον μὴ ἐπιτήδειον θεῖναι*, cf. §§ 83, 88, 95, 153 (Lipsius, *Das Attische Recht*, 383, n. 33).

**προεδρικὴν**] the later form of the *γραφὴ πρυτανικὴ* which is mentioned together with the *γρ. ἐπιστατικὴ* by Harpocr. *s. v.*



3 και ἐπιστατικὴν καὶ στρατηγοῖς εὐθύνας. εἰσὶ δὲ καὶ γραφαὶ πρὸς αὐτοὺς ὧν παράστασις τίθεται, ξενίας καὶ δωροξενίας, ἃν τις δῶρα δούς ἀποφύγη τὴν ξενίαν, καὶ συκοφαντίας καὶ δώρων καὶ ψευδεγγραφῆς καὶ ψευδοκλητείας καὶ βουλευσεως καὶ 10

8 'ξενίας μὲν, ἐάν τις κατηγορηθῆται ξένος εἶναι, δωροξενίας δὲ lex. Cant.—ἂν τις—ξενίαν glossa? κ. w<sup>1,2</sup>. 9 τὴν ξενίας Meier *Att. Proc.* p. 73, H-L, repugnante Kaibelio 246.

TESTIM. § 3 \*Harp. παράστασις... Ἄρ. δ' ἐν Ἄθ. πολ. περὶ θεσμοθετῶν λέγων φησὶν οὕτως "εἰσὶ δὲ γραφαὶ—τὴν ξενίαν," "καὶ ψευδεγγραφῆς—μοιχείας." \*Harp. δωροξενία... καὶ Ἄρ. δ' ἐν τῇ Ἄθ. πολ. περὶ τῶν θεσμοθετῶν λέγων γράφει ταυτί "εἰσὶ δὲ καὶ γραφαὶ—ἀποφύγη τὴν" συκοφαντίαν ('ex sequentibus errore arripunt pro ξενίαν' (Rose)). \*Lex. rhet. Cantab. ξενίας γραφῆ καὶ δωροξενίας διαφέρει. Ἄρ. ἐν τῇ Ἄθ. πολ. φησὶ περὶ τῶν θεσμοθετῶν διαλεγόμενος "εἰσὶ δὲ καὶ γραφαὶ πρὸς (περὶ cod.) αὐτοὺς ὧν παράστασις (περιστάσεις cod.) τίθεται, ξενίας καὶ δωροξενίας." ξενίας μὲν ἐάν τις κατηγορηθῆται ξένος εἶναι, δωροξενίας δὲ "ἐάν τις δῶρα δούς ἀποφύγη τὴν ξενίαν." Pollux viii 44: δωροξενίας δὲ εἰ τις ξενίας κρυόμενος δῶρα δούς ἀποφύγει (Hesych. δωροξενία· τὸ ἐπὶ ξενίαν καλούμενον ἀποφυγεῖν δῶρα δόντα). Harp. ἡγεμονία δικαστηρίου... πρὸς δὲ τοὺς θεσμοθέτας αἱ τῆς ξενίας τε καὶ δωροξενίας (ἐλαγχάνοντο δικαί) καὶ συκοφαντίας καὶ δώρων καὶ ψευδεγγραφῆς καὶ ὕβρεως καὶ μοιχείας καὶ βουλευσεως καὶ ἄλλων. Bekk. *An.* 310, 12: οἱ θεσμ. εἰσῆγον ξενίας καὶ συκοφαντίας καὶ δώρων καὶ ψευδεγγραφῆς καὶ ὕβρεως καὶ μοιχείας καὶ βουλευσεως. Phot. ἡγεμ. δικαστ. ... οἱ θεσμ. συκοφαντίας καὶ δώρων καὶ ὕβρεως καὶ μοιχείας καὶ βουλευσεως (cf. Frag. 379<sup>2</sup>, 418<sup>3</sup>). Pollux viii 87: γίνονται δὲ γραφαὶ πρὸς αὐτοὺς ξενίας, δωροξενίας, δώρων, συκοφαντίας, ψευδοκλητείας, ψευδεγγραφῆς, βουλευσεως, ἀγραφίου, μοιχείας. Cf. etiam Bekk. *An.* 238, 24 δωροξενία; 240, 33 δωροξενίας δίκη.

ῥητορικῆ γραφῆ.—ἡ κατὰ ῥήτορος γράψαντός τι ἢ εἰπόντος ἢ πράξαντος παράνομον, ὥσπερ λέγεται καὶ πρυτανικῆ ἢ κατὰ πρυτάνεως, καὶ ἐπιστατικῆ ἢ κατ' ἐπιστάτου. Hyper. 4 *Phil.* § 4 (α γραφῆ παρανόμου), προσήκει τοὺς προέδρους κατὰ τοὺς νόμους προεδρεύει κτλ. (Lipsius, *Das Att. Recht*, 397). Cf. c. 44.

ἐπιστατικῆν] Lipsius, *l. c.*

στρατηγοῖς εὐθύνας] Lys. 9 § 11; 14 § 38; [Dem.] 49 § 25. Generals might even be called back to give account before the expiration of their office (Lys. 28 § 5). Meier and Schöm. p. 263 Lips.; Lipsius, 294—8; Gilbert, *Beiträge*, pp. 26—28; Schöll, *de Synegoris*, pp. 12, 14; Wilamowitz, *Aus Kydathen*, p. 62, *Arund Athen.* ii 243—251; Hauvette-Besnault, *Les Stratèges Ath.* pp. 56—63.

§ 3. γραφαὶ] Meier and Schöm. p. 437 ff. Lips.

παράστασις] the fee (probably a drachm) paid to the state by the prosecutor in certain public causes. The present passage (as quoted by Harpocr. s. v.) has been the authority for the causes in which it was paid; but the list is probably not exhaustive. Harpocr. quotes from Menander, παράστασις μὴ δραχμῆ. The fee was not paid in an εἰσαγγελία κακώσεως ἐπικλήρων (Isae. 3 *Pyrrh.* 45). Meier and Schöm. pp. 799 f, 813—4 Lips.

ξενίας] a prosecution for usurping the

rights of citizenship. Meier and Schöm. pp. 437—442 and 95—98; Lipsius, 416; Dict. *Ant. s. v.*

The *Lex. Rhet. Cant.* adds the needless explanation: ἐάν τις κατηγορηθῆται ξένος εἶναι.

δωροξενίας] If a person tried on the charge of ξενία was 'acquitted by fraudulent collusion with the prosecutor or witnesses, or by any species of bribery, he was liable to be indicted afresh by a γρ. δωροξενίας' (Dict. *Ant. s. v.*; Meier and Schöm. p. 441; Lipsius, 417).

συκοφαντίας καὶ δώρων] omitted by Harpocr. and the *Lex. Rhet. Cant.* in their list of causes in which παράστασις was paid. Lipsius (*Att. Proc.* p. 73) was led to propose the addition of these causes by Bekker's *Anecd.* p. 310, 14, where συκοφαντίας, δώρων, ὕβρεως are inserted. On the γρ. συκοφαντίας, see Meier and Schöm. p. 413, Lipsius 448; on the γρ. δώρων, M. and S. p. 444; Lipsius, 403.

ψευδεγγραφῆς] a prosecution against a public officer for making a false entry in the list of debtors to the state. Meier and Schöm. p. 415; Lipsius, 443 f; Dict. *Ant. s. v.*

ψευδοκλητείας] a prosecution for falsely appearing as witness to a summons. Meier and Schöm. p. 414; Lipsius, 446; and Dict. *Ant. s. v.*

βουλευσεως] a prosecution instituted by one who was wrongfully inscribed as

ἀγραφίου καὶ μοιχείας. εἰσάγουσιν δὲ καὶ τὰς δοκιμασίας ταῖς 4  
 ἀρχαῖς ἀπάσαις καὶ τοὺς ἀπεψηφισμένους ὑπὸ τῶν δημοτῶν καὶ  
 τὰς καταγνώσεις τὰς ἐκ τῆς βουλῆς. εἰσάγουσι δὲ καὶ δίκας ἰδίας, 5  
 ἐμπορικὰς καὶ μεταλλικὰς καὶ δούλων, ἂν τις τὸν ἐλεύθερον κακῶς  
 15 λέγη. καὶ ἐπικληροῦσι ταῖς ἀρχαῖς οὗτοι τὰ δικαστήρια τὰ ἴδια  
 καὶ τὰ δημόσια. καὶ τὰ σύμβολα τὰ πρὸς τὰς πόλεις οὗτοι κυροῦσι, 6

11 καὶ ὕβρεως ante καὶ μοιχείας ins. Harp. s.v. ἡγεμονία δικαστηρίου (cf. Bekk. An.,  
 Phot.); non inserit Harp. s.v. παράστασις. εἰσάγουσι H-L, B<sup>4</sup>. 14 ἐάν H-L.  
 15—16 καὶ ἐπικληροῦσι—δημόσια secl. K-W; defendit Pollux.viii 87. 15 ΟΥΤΟΙΤΑ  
 (edd.): πάντα K<sup>1</sup>, πάντα τὰ H-L. τὰ <τ'> ἴδια B<sup>4</sup>, Th. 16 ΚΥΡΟΥΣΙ (K, K-W,  
 B<sup>1-3</sup>, Th); idem habet Pollux: <κατα>κυροῦσι Wyse (H-L, B<sup>4</sup>).

TESTIM. §§ 4—6 Pollux viii 87: (§ 4) εἰσάγουσι δὲ καὶ δοκιμασίαν ταῖς ἀρχαῖς, καὶ  
 τοὺς ἀπεψηφισμένους, καὶ τὰς ἐκ τῆς βουλῆς καταγνώσεις. (§ 5) καὶ δίκας ἐμπορικὰς καὶ  
 μεταλλικὰς, καὶ ἐάν δούλος κακῶς ἀγορεύῃ τὸν ἐλεύθερον, καὶ ταῖς ἀρχαῖς ἐπικληροῦσι τὰ  
 δικαστήρια τὰ ἴδια καὶ τὰ δημόσια. (§ 6) καὶ τὰ σύμβολα τὰ πρὸς πόλεις κυροῦσι, καὶ  
 δίκας τὰς ἀπὸ συμβόλων εἰσάγουσι καὶ τὰς τῶν ψευδομαρτυριῶν τῶν ἐξ Ἀρείου πάγου.

a state debtor against one who had so inscribed him. The distinction between this kind of γρ. βουλεύσεως and the cognate γρ. ψευδεγγραφῆς is stated as follows by Boeckh, p. 390 Lewis: 'whoever falsely declared that another had been registered was liable to the action for false registration (ψευδεγγραφῆς). If, on the other hand, a man who had been a state debtor had paid all that was due, but his name was not erased, or, having been erased, was re-entered, the action for conspiracy applied (βουλεύσεως).' Meier and Schöm. p. 415; Lipsius, 444; Dict. Ant. i p. 314 a.

ἀγραφίου] a prosecution for non-registration of a name in the list of state debtors, instituted in the event of the name being improperly *erased* before the debt was paid. This action might be brought either against the person whose name was improperly erased, or against the officer who omitted to register the debt. If the name of a debtor had not been registered at all, he could only be proceeded against by *ἐνδείξις*, and was not liable to the ἀγραφίου γραφή (Dem. c. Theocrin. 51), Meier and Schöm. p. 447—9; Lipsius, 410, 443 f; and Dict. Ant. s. v.

μοιχείας] Meier and Schöm. p. 402—9; Lipsius, 429—435; Dict. Ant. i 29 b.

§ 4. δοκιμασίας] 55 §§ 2—4. Gilbert, i 243<sup>2</sup>.

ἀπεψηφισμένους κτλ.] Those whose claims to citizenship were rejected at the διαψήφισις, held by the members of the deme, might appeal to a law-court. 13 § 5; 42 § 1; Meier and Schöm. p. 989 f; Lipsius, 415.

καταγνώσεις] 45 § 1, τὰς καταγνώσεις

εἰσάγειν τοὺς θεσμοθέτας εἰς τὸ δικαστήριον.

§ 5. ἐμπορικὰς] commercial law-suits heard during the winter, when the sea was closed to mercantile enterprise. These, as well as the μεταλλικαὶ δίκαι, belonged to the class of ἐμμηνοὶ δίκαι, which were decided within a month ([Dem.] 7 § 12). Meier and Sch., p. 635 Lips.; Dict. Ant. i p. 730 a.

μεταλλικὰς] mining suits, Dem. Pant. 35. Boeckh, *On the Silver Mines of Laurium*, § 12; Meier and Sch., p. 634 Lips.

δούλων] It was only in the event of a δίκη κατηγορίας being brought by a free man against a slave that the θεσμοθέται presided over the court. In other cases, it came before the Forty. Meier and Sch., pp. 80, 628 Lips.

ἐπικληροῦσι—δικαστήρια] CIA ii 567 b (in a decree in honour of a θεσμοθέτης), ἐπιμελείται δὲ καὶ τῆς κληρώσεως τῶν δικαστηρίων. Meier and Sch., p. 160; Lipsius, 147. Cf. 66 § 1.

§ 6. τὰ σύμβολα τὰ πρὸς τὰς πόλεις] 'international contracts.' Such agreements were finally ratified by a heliastic court. In [Dem.] 7 § 9, Philip claims that they shall be ratified οὐκ ἐπειδὴν ἐν τῷ δικαστηρίῳ τῷ παρ' ἡμῶν κυρωθῆ ὥσπερ ὁ νόμος κελεύει. Cf. [Andoc.] in Alcib. 18. They secured to the citizens of the contracting states the reciprocal right of suing and being sued; *Pol.* 1275 a 8, (among those who are not citizens are) οἱ τῶν δικαίων μετέχοντες οὕτως ὥστε καὶ δίκην ὑπέχειν καὶ δικάζεσθαι· τοῦτο γὰρ ὑπάρχει καὶ τοῖς ἀπὸ συμβόλων κοινωνούσι. The decision was given in the court of the defendant's city, and in accordance with laws agreed upon in the σύμβολα.



καὶ τὰς δίκας τὰς ἀπὸ τῶν συμβόλων εἰσάγουσι, καὶ τὰ ψευδομαρ-  
τύρια (τὰ) ἐξ Ἀρείου πάγου.

7 τοὺς δὲ δικαστὰς κληροῦσι πάντες οἱ ἐννέα ἄρχοντες, δέκατος  
δ' ὁ γραμματεὺς ὁ τῶν θεσμοθετῶν, τοὺς τῆς αὐτοῦ φυλῆς ἕκαστος. 20

60. τὰ μὲν οὖν περὶ τοὺς ἐννέα ἄρχοντας τοῦτον ἔχει τὸν  
τρόπον. κληροῦσι δὲ καὶ ἀθλοθέτας. δέκα ἄνδρας, ἓνα τῆς  
φυλῆς ἐκάστης. οὗτοι δὲ δοκιμασθέντες ἄρχουσι τέτταρα ἔτη,

17 τὰ ψ. τὰς mutatum in τὰψ.

18 <τὰ> Bernardakis, κ-w, H-L, B<sup>1-3</sup>, K<sup>4</sup>  
coll. Poll. τὰς τῶν ψ. τῶν κ-w. <τὰ> non recepit Th; τὰς <τῶν> ψευδομαρτυρίων  
<τῶν> ἐξ Kontos, Pollucem secutus; τὰς ψ. <τῶν> ἐξ B<sup>1</sup>. 18—20 τοὺς δὲ—ἕκαστος  
secl. κ-w<sup>1,2</sup>, cf. 63 § 1; defendit Schol. Arist. *Vesp.* 775. 19 ΠΑΝΤΑΣ κ-w<sup>1,2</sup>;  
πάντες corr. κ, H-L, B, κ-w<sup>3</sup>, Th.

TESTIM. 17 \*Lex. Bachm. in Bekk. *An.* i 436 ἀπὸ συμβόλων δικάζει infra ex-  
scriptum (Frag. 380<sup>2</sup>, 419<sup>3</sup>); cf. Harp. infra laudatum.

19 δικαστὰς κληροῦσι: Pollux viii 87 κοινῇ μὲν (οἱ ἐννέα ἄρχοντες) ἔχουσιν ἐξουσίαν...  
κληροῦν δικαστὰς κτλ.

19—20 Schol. Ar. *Vesp.* 775: θεσμοθεταὶ καὶ δέκατος ὁ γραμματεὺς κληροῦσι τοὺς  
δικαστὰς τοὺς τῆς αὐτῆς φυλῆς ἕκαστος.

LX § 1 Pollux viii 93: ἀθλοθέται δέκα μὲν εἰσιν, εἰς κατὰ φυλὴν, δοκιμασθέντες δὲ  
ἄρχουσιν ἔτη τέτταρα ἐπὶ τῷ διαθεῖναι τὰ Παναθηναῖα, τὸν τε μουσικὸν <add. ἀγῶνα>  
“καὶ τὸν γυμνικὸν” “καὶ τὴν ἵπποδρομίαν.” *ib.* 87 (οἱ ἐννέα ἄρχοντες)...ἔχουσιν  
ἐξουσίαν...κληροῦν δικαστὰς καὶ ἀθλοθέτας, ἓνα κατὰ φυλὴν ἐκάστην.

τὰς δίκας τὰς ἀπὸ τῶν συμβόλων]  
These were mainly commercial suits; but  
while, in the ordinary δίκαι ἐμπορικάι, the  
suit was tried in the state where the con-  
tract was made, and in accordance with  
the laws of that state; in the δίκαι ἀπὸ  
συμβόλων, it was tried in the defendant's  
state and in accordance with the laws  
agreed upon in the σύμβολα. Thus, on  
the reduction of Chalcis in B.C. 446/5,  
the inhabitants retained their own juris-  
diction except in the case of offences  
punishable by disfranchisement, exile, or  
death. These were to be sent to Athens  
for trial: περὶ δὲ τούτων ἐφεσιν εἶναι Ἀθή-  
ναζε εἰς τὴν ἡλιαίαν τῶν θεσμοθετῶν.

In Bekker's *Anecd.* i 436 we read:  
'Ἀθηναῖοι ἀπὸ συμβόλων ἐδικάζον τοῖς ὑπη-  
κόοις· οὕτως Ἀριστοτέλης, and similarly  
(so far as regards the first statement)  
Hesych. s. v. ἀπὸ συμβόλων δικάζειν;  
but it will be observed that the text says  
nothing of ὑπήκοοι. Cf. Pollux viii 63,  
ἀπὸ συμβόλων δέ, ὅτε οἱ σύμμαχοι ἐδικά-  
ζοντο. Harpocr. σύμβολα: τὰς συνθήκας  
ἀς ἂν αἰ πόλεις ἀλλήλαις θέμεναι τάρτρωσι  
τοῖς πολίταις ὥστε διδόναι καὶ λαμβάνειν  
τὰ δίκαια, and similarly Phot. and Etym.  
M. On this subject cf. Meier and Schöm.  
pp. 994—1006 Lips.; Goodwin in *Ameri-  
can Journal of Philology*, i 1880, p. 1—16;  
Ditt. Ant. ii 734—6.

τὰ ψευδομαρτυρία] this form has hither-  
to been found only in Plat. *Theaet.* 148 B,

ἐνοχος τοῖς ψευδομαρτυροῖς, and is pre-  
ferred by Blass in *Hyper.* 4, *Phil.* 12, τοῖς  
τῶν ψευδομαρτυρίων δις ἡλωκόσιν. Cf.  
Cobet, *V. L.* 623 f. In the case of δίκαι  
ψευδομαρτυρίων in general, the manage-  
ment of the suit was in the hands of the  
same authorities as those who presided at  
the trial at which the alleged false witness  
was tendered: it was only in the event of  
false witness before the Areopagus, that  
the case came under the cognisance of the  
θεσμοθέται. Meier and Schöm. p. 485 f.

§ 7. τοὺς δὲ δικαστὰς κληροῦσι] 63 § 1.  
Lipsius, *Att. Recht*, p. 57.

ὁ γραμματεὺς] 55 § 1; 63 § 1.

LX. *The Athlothetae.*

§ 1. κληροῦσι] 'they (the people, as  
in cc. 53, 54, not the archons) appoint  
by lot.' Pollux (viii 87) supposed that  
'all the archons' not only κληροῦσι  
δικαστὰς in 59 § 7, and ἀθλοθέτας (60 § 1),  
but also χειροτονοῦσι all the military  
officers of c. 61 (Wilamowitz, i 295 f).

ἀθλοθέτας] The lists of payments from  
the treasures of Athena for public purposes  
include the following items: CIA i 183  
(Hicks, no. 53), 7 (in the British Museum),  
ἀθλοθέταις ἐς Παναθηναῖα, in B.C. 415,  
9 talents; *ib.* 188 (Ditt. no. 44), 5 (in the  
Louvre), ἀθλοθέταις ἐς Παναθηναῖα τὰ  
μεγάλα, in B.C. 410, 5 talents, 1000  
drachmae; also Ditt. 101, 27—40, B.C.  
346. Cf. Wilamowitz, i 238 f; Gilbert,  
i 293<sup>2</sup>.

καὶ διοικοῦσι τὴν τε πομπὴν τῶν Παναθηναίων καὶ τὸν ἀγῶνα τῆς  
 5 μουσικῆς καὶ τὸν γυμνικὸν ἀγῶνα καὶ τὴν ἵπποδρομίαν, καὶ τὸν  
 πέπλον ποιοῦνται, καὶ τοὺς ἀμφορεῖς ποιοῦνται μετὰ τῆς βουλῆς,

**LX 5** μουσικῆς <καὶ τῆς εὐανδρίας> Sakellarios. <καὶ τὴν εὐανδρίαν> καὶ τὴν  
 Papegeorgios coll. 60 § 3 ad finem. **6** ἀμφορεῖς ποιοῦνται (κ): ἀμφορεῖς  
 Gennadios (K-W, H-L); ποιοῦνται retinet B (κ<sup>4</sup>, Th) commatis signo post prius  
 ποιοῦνται addito, et coll. c. 49 § 3.

πομπὴν τῶν Παναθηναίων] Thuc. vi  
 56—58. Michaelis, *Parthenon*, p. 327.

τὸν ἀγῶνα τῆς μουσικῆς] Plut. *Per.* 13,  
 φιλοτιμούμενος δ' ὁ Περικλῆς τότε πρῶτον  
 ἐψηφίσατο μουσικῆς ἀγῶνα τοῖς Παναθη-  
 ναίοις ἄγεσθαι καὶ διέταξεν αὐτοὺς ἀθλοθέτης  
 αἰρεθεῖς, καθότι χρὴ τοὺς ἀγωνιζομένους  
 αὐλεῖν ἢ ᾄδειν ἢ κιθαρίζειν. Phrynīs of  
 Mytilene won the prize with the κιθάρα  
 in B.C. 456. The prizes for κιθαριστοὶ  
 were a crown, together with 500, 300,  
 200, or 100 *dr.* (schol., Arist. *Av.* 11);  
 and for the ἄνδρες αὐλωδοί, a crown and  
 100 *dr.* This competition is mentioned  
 in Plut. ii 1134 A, *de Musica*, 8, ἐν ἀρχῇ  
 γὰρ ἐλεγεία μεμελοπονημένα οἱ αὐλωδοὶ  
 ἦδον· τοῦτο δὲ δηλοῖ ἡ τῶν Παναθηναίων  
 γραφὴ ἢ περὶ τοῦ μουσικοῦ ἀγῶνος. The  
 prize for the ἄνδρες κιθαρισταὶ was a  
 crown, or 200 or 100 *dr.*; there was also  
 a prize for the αὐληταί, probably a crown  
 (Michaelis, *Parthenon*, p. 322). A crown  
 won at a μουσικὸς ἀγῶν is represented in  
 an inscr. published in 'Εφημ. Ἀρχ. 1862,  
 219 (copied *ib.* p. 318). Cf. note on § 3,  
 τὴν μουσικὴν νικῶσιν.

γυμνικὸν ἀγῶνα] mentioned in docu-  
 ments quoted in Dem. 18 § 116 and Hip-  
 pocrates, iii 830 Kühn, also in CIA ii 331,  
 177 (c. B.C. 270), Παναθηναίων τῶν μεγάλων  
 τῷ γυμνικῷ ἀγῶνι. The contests included  
 running, wrestling, boxing, and the πέν-  
 ταθλον and παγκράτιον (Michaelis, *l. c.*  
 p. 323).

ἵπποδρομίαν] The horse-races were  
 held at Echelidae (τόπος Ἀθήνησι στα-  
 δίων ὀκτώ, ἐν ᾧ αἱ ἵπποδρομίαι, Etym. M.).  
 The race is mentioned in Xen. *Symp.* i 2.  
 Cf. Athen. p. 168, νικήσαντος ἵππου  
 Παναθηναία (cf. Michaelis, pp. 324-5).

πέπλον] 49 § 3. Schol. Arist. *Av.* 826,  
 τῇ Ἀθηνᾷ πολιὰδι οὖση πέπλος ἐγένετο  
 παμποικίλος, ὃν ἀνέφερον ἐν τῇ πομπῇ τῶν  
 Παναθηναίων. Among the mythological  
 subjects represented on it was the battle  
 of Athene with the Giants. Michaelis,  
*l. c.* p. 328.

ἀμφορεῖς] In the athletic contests the  
 prize was a garland from the sacred olive-  
 trees, together with a vase filled with oil  
 from the same. Pindar's ornate descrip-

tion of the prizes is well known: *Nem.* x  
 62—66, ἀδείαι γε μὲν ἀμβολάδαν ἐν τελε-  
 ταῖς δις Ἀθηναίων μιν ὀμφαί κώμασαν·  
 γαῖα δὲ καυθεῖσα πυρὶ καρπὸς ἐλαίας ἐμολεν  
 ἥρας τὸν εὐάνορα λαὸν ἐν ἀγγέων ἔρκεσιν  
 παμποικίλοις (with Schol.). Cf. Simonides  
 in Anth. Pal. xiii 19, 3, καὶ Παναθηναίους  
 στεφάνους λάβε πέντ' ἐπ' ἀέθλους ἐξῆς  
 (i.e. in the Pentathlon) ἀμφορεῖς <τ'>  
 ἐλαίου. In the list of Panathenaic prizes  
 in CIA ii 965 (Ditt. no. 395, early 4th  
 cent.) ἀμφορῆς ἐλαίου are mentioned  
 16 times.

Panathenaic vases have been found  
 not only in Attica, but also in Italy and  
 Sicily, and at Cyrene and in the Tauric  
 Chersonesus. They have the figure of  
 Athene on one side, and a representation  
 of the contest for which they were awarded  
 on the other. The earliest Panathenaic  
 vase, now extant, known as the "Burgon  
 Vase" in the British Museum (Vase Room  
 II B 1), is ascribed to the 6th century  
 (c. 560 B.C.), and there are 14 others in  
 the same room; in Room IV there are 10  
 of the 4th century, to which the majority  
 of such vases belong (varying in date  
 from 368 to 312 B.C.). None of the  
 dated vases known to us belong to the  
 third Olympian year, that of the Great  
 Panathenaea; hence these prizes appear  
 to belong to the Lesser Panathenaea.  
 One of those in the Museum, bearing the  
 inscr. τῶν Ἀθήνηθεν ἄθλων, belongs to  
 B.C. 328, about the date when the text  
 was written. Many of these vases are  
 reproduced in colours in *Monumenti dell'*  
*Inst. Arch.* x; and single vases in Birch's  
*Ancient Pottery*, p. 430, Duruy, *Histoire*  
*des Grecs*, i 762, and Murray's *Handbook*  
*of Gr. Archaeology*, p. 104. As many as  
 130 are carefully examined by Georg von  
 Brauchitsch, in his illustrated work *die*  
*Panathenäischen Preisamphoren*, 1910.—  
 A Panathenaic amphora, with a spray of  
 olive rising out of it and with three crowns  
 beside it, may be seen on a table in front  
 of a gnarled olive-tree, represented in relief  
 on the outer side of several marble stalls  
 found at Athens (see cut in Michaelis,  
*Parthenon*, p. 29).



2 καὶ τὸ ἔλαιον τοῖς ἀθληταῖς ἀποδιδόασι. συλλέγεται δὲ τὸ ἔλαιον ἀπὸ τῶν μοριῶν· εἰσπράττει δὲ τοὺς τὰ χωρία κεκτημένους ἐν οἷς αἱ μορίαὶ εἰσὶν ὁ ἄρχων, τρί' ἡμικοτύλια ἀπὸ τοῦ στελέχους ἐκάστου. πρότερον δ' ἐπώλει τὸν καρπὸν ἢ πόλις· καὶ εἴ τις ἐξ- 10 ορύξειεν ἐλαίαν μορίαν ἢ κατάξειεν, ἔκριεν ἢ ἐξ' Ἀρείου πάγου βουλή, καὶ εἴ του καταγοίη, θανάτῳ τοῦτον ἐζημίουν. ἐξ οὗ δὲ τὸ 30.] ἔλαιον ὁ τὸ χωρίον κε||κτημένους ἀποτίνει, ὁ μὲν νόμος ἔστιν, ἢ δὲ κρίσις καταλέλυται. τὸ δὲ ἔλαιον ἐκ τοῦ κτήματος, οὐκ ἀπὸ τῶν 3 στελεχῶν, ἐστὶ τῇ πόλει. συλλέξας οὖν ὁ ἄρχων τὸ ἐφ' ἑαυτοῦ 15

7 ἔλεγεταὶ τοῦ ἔλαιον : συλλέγεται δὲ τὸ ἔλαιον Gennadios, Richards, Gertz, H-L, K-W<sup>1</sup>, K<sup>3</sup>, B, Th; τὸ δὲ ἔλαιον συλλέγεται R D Hicks (K-W<sup>2,3</sup>). 9 ΤΡΙ ΗΜΙΚΟΤΥΛΙΑ (B); τρία ἡμ- K, H-L, K-W<sup>3</sup>; τριημικοτύλιον K-W<sup>1,2</sup>. 11 ἐλαίαν del. Rutherford, ἐλάαν (deleto μορίαν) H-L, B<sup>4</sup>. ἐλαίαν (K, K-W); ἐλάαν B<sup>1-3</sup>; ἐλαία habet Sôph. O. C. 701; ἐλαία Aristophanes, cf. Eustathium p. 84, 9 τὴν ἐλαίαν ἐλάαν ἀττικῶς; ελαίαι saepius quam ελαιαὶ habent tituli Attici, Meisterhans, p. 31<sup>3</sup>. 12 ΤΟΥ (H-L, K<sup>3</sup>, B, K-W<sup>3</sup>, Th), omiserat K<sup>1</sup>; [μὲν?] K-W<sup>1,2</sup>. 14 τὸ γὰρ B<sup>2-4</sup>. <τὸ> ἐκ τοῦ H-L. ΔΠΟ (correctum in EK) ΤΟΥ ΚΤΗΜΑΤΟΣ (K-W, B, Th): ΚΛΗΜΑΤΟΣ legerat K (H-L).

TESTIM. § 2 \*Schol. Soph. O. C. 701 : ὁ δὲ Ἄρ. καὶ τοῖς νικήσασιν τὰ Παναθηναῖα ἐλαίου τοῦ ἐκ τῶν μοριῶν γνομένου δίδοσθαι φησιν. Cf. Phot. s.v. μορία (Frag. 345<sup>2</sup>, 383<sup>3</sup>). Schol. Arist. *Nub.* 1005.

§ 2. ἔλαιον—μοριῶν κτλ.] Arist. *Nub.* 1005, ἀλλ' εἰς Ἀκαδήμειαν κατιῶν ὑπὸ ταῖς μορίαῖς ἀποθρέξει, and Schol. *περὶ αὐτὸν δ' ἦσαν αἱ ὄντως ἱερὰ ἐλαία τῆς θεοῦ, αἱ καλοῦνται μορία· ἐξ ὧν τὸ ἔλαιον τῶν Παναθηναίων.* Lucian, *Anach.* 9, παρ' ἡμῶν δὲ τοῖς Παναθηναίοις τὸ ἔλαιον τὸ ἐκ τῆς μορίας: Schol. Plat. *Parm.* 127 A; *Suidas* s. v. μορία (Michaelis, *Parthenon*, p. 322).

εἰσπράττει—κεκτημένους κτλ.] Schol. Arist. *Nub.* 1005, ὑπὸ ταῖς μορίαῖς: διὰ τὸ πάντα ἄνθρωπον κεκτημένον ἐλαίας ἀναγκάζεσθαι μέρος τι παρέχειν εἰς τὰ Παναθηναῖα κτλ.

τρί' ἡμικοτύλια]  $\frac{3}{4}$  pint; the κοτύλη being about  $\frac{1}{2}$  pint.

πρότερον δ' ἐπώλει τὸν καρπὸν ἢ πόλις] Lysias 7 *de Olea Sacra* § 2, τοὺς ἐωνημένους τοὺς καρποὺς τῶν μοριῶν. The speech is not earlier than B.C. 395 (Blass, *Att. Ber.* i<sup>2</sup> p. 591): thus πρότερον here refers to a time not earlier than the archonship of Euclides.

εἴ τις ἐξορύξειεν—βουλή] Lys. *Or.* 7 is addressed to the Areopagus, who (besides attending to the sacred olives every month) sent overseers (γνώμονας) to examine them every year (§ 25). In § 7 the speaker states the charge on which he is being tried: τὴν δὲ <μίαν> μορίαν, ἣν οὐχ οἶόν τ' ἦν λαθεῖν ἐξορύξαντα, ὡς ἀφανίζων νυνὶ κρίνομαι.

ἐλαίαν μορίαν is defended by § 29, μοριῶν ἐλαίων ἐπι-

λεῖσθαι. Cf. Lipsius, *Das Att. Recht*, 128 f.

θανάτῳ] The terms used in Lys. 7 § 3, *περὶ πατρίδος καὶ περὶ τῆς οὐσίας ἀγωνίσασθαι*, and § 41, *πατρίδος—στερηθεῖς*, imply that the penalty at that time was (as in other cases of ἀσέβεια) banishment with confiscation of property. This shews that, even before the time when the state, instead of selling the olives, exacted from the tenant the delivery of a certain quantity of oil, the capital penalty had already become obsolete.

κτήματος] The delivery of the oil has now become a regular tax on the *property*, i.e. either on the *χωρίον* or on the store of oil manufactured by the proprietor. The alternative reading *κλήματος* draws a distinction between the 'fresh shoots' (Xen. *Oec.* 19, 8, τὸν βλαστὸν τοῦ κλήματος), and the trunk of the tree, implying that the state insists that the oil supplied to it shall be from the former. But this proviso, even if intelligible in theory, would be difficult to insist upon in practice. Besides *στελεχος* is the ordinary term applied to the tree as a whole. Cf. Kaibel 248 f.

στελεχῶν] Dem. 43 *Macart.* 69, ταύτας (τὰς ἐλάας) ἐξώρτυτον καὶ ἐξεπρέμνισον, πλεῖν ἢ χίλια στελέχη, ὅθεν ἔλαιον πολλὸ ἐγίγνετο. Hdt. viii 55, βλαστὸν ἐκ τοῦ στελέχους.

§ 3. ἐφ' ἑαυτοῦ] 'in his own year of office.'

γυγνόμενον τοῖς ταμίαις παραδίδωσιν εἰς ἀκρόπολιν, καὶ οὐκ ἔστιν ἀναβῆναι πρότερον εἰς [Ἄρε]ιον πάγον, πρὶν ἂν ἅπαν παραδῶ τοῖς ταμίαις. οἱ δὲ ταμίαι τὸν μὲν ἄλλον χρόνον τηροῦσιν ἐν ἀκροπολει, τοῖς δὲ Παναθηναίοις ἀπομετροῦσι τοῖς ἀθλοθέταις, οἱ δ' ἀθλοθέται τοῖς νικῶσι τῶν ἀγωνιστῶν. ἔστι γὰρ ἄθλα τοῖς μὲν τὴν μουσικὴν νικῶσιν ἀργύρια καὶ χρυσία, τοῖς δὲ τὴν εὐανδρίαν ἀσπίδες, τοῖς δὲ τὸν γυμνικὸν ἀγῶνα καὶ τὴν ἵπποδρομίαν ἔλαιον. — — —

61. χειροτονοῦσι δὲ καὶ τὰς πρὸς τὸν πόλεμον ἀρχὰς ἀπάσας, στρατηγούς δέκα, πρότερον μὲν ἀφ' (ἐκάστης) φυλῆς ἓνα, νῦν

16 ΓΙΓΝ (edd.); γεγενημένον κ<sup>3</sup>, B<sup>3,4</sup>. 21 ΑΡΓΥΡΙΑΚ'ΧΡΥΣΑ (κ<sup>1</sup>): ἀργύρια καὶ χρυσία (H-L, κ<sup>3</sup>, s<sup>1</sup>, B); ἀργύριον καὶ χρυσᾶ (κ-W, cf. Kaibel 249, Th), ἀργυρᾶ καὶ χρυσᾶ (Rutherford). 23 'interciderunt magistratus creati in quadriennium, cf. cap. 18' κ-W; idem coniec'erant Newman et Weil; c. 43 § 1 et c. 61 § 1 (χειροτ. δὲ καὶ) confert B, qui addit tamen nihil amplius Polluci notum fuisse.

LXI 1 καὶ 'fortasse delendum' κ<sup>4</sup>. 2 Δ(Ε)Κ(ΔΙ) κ<sup>1</sup>; δέκα, Richards, Gertz (edd.). ἐκάστης add. κ (κ-W, H-L, B<sup>4</sup>); ἐκάστης τῆς B<sup>1-3</sup>, s<sup>1</sup>, Th.

TESTIMONIA. LXI Pollux viii 87 (οἱ ἐννέα ἄρχοντες)... ἔχουσιν ἐξουσίαν..., (§ 1) στρατηγούς χειροτονεῖν ἐξ ἀπάντων, (§ 2) καὶ καθ' ἐκάστην πρυτανεῖαν ἐπερωτᾶν εἰ δοκεῖ καλῶς ἄρχειν ἕκαστος (τὸν δ' ἀποχειροτονηθέντα κρίνουσιν), (§ 4) καὶ ἱπάρχους δύο, (§ 5) καὶ φυλάρχους δέκα, (§ 3) καὶ ταξιάρχους δέκα.

2 \*Harp. στρατηγοί: ... οἱ καθ' ἕκαστον ἐνιαυτὸν χειροτονοῦμενοι στρατηγοὶ δέκα ἦσαν, ὡς μαθεῖν ἔστιν ἐκ τε τῶν Ὑπερίδου κατ' Αὐτοκλέους καὶ ἐκ τῆς Ἄθ. πολ. Ἀριστοτέλους (Frag. 390<sup>2</sup>, 430<sup>3</sup>).

ταμίαις] 4 § 2; 7 § 3; 8 § 1; and esp. 30 § 2 and 47 § 1.

οὐκ ἔστιν ἀναβῆναι κτλ.] the archon could not take his place among the members of the Areopagus at the close of his year of office until he had handed over to the treasurers (of Athene) the full amount of olive-oil due for the year. For ἀναβῆναι cf. [Dem.] c. Neaer. 80, ἐγένετο τὰ ἱερὰ ταῦτα καὶ ἀνέβησαν εἰς Ἄρειον πάγον οἱ ἐννέα ἄρχοντες ταῖς καθηκούσαις ἡμέραις, Isocr. 7 § 38, ἐπειδὴν εἰς Ἄρειον πάγον ἀναβῶσιν, lex in Dem. 24 § 22, ἢ μὴ ἀνιόντων εἰς Ἄρειον πάγον, Hyp. ap. Athen. 566 F.

τὴν μουσικὴν νικῶσιν ἀργύρια καὶ χρυσία] 'sums of money (in silver) and ornaments of gold.' For ἀργύρια, in pl., of 'sums of money,' cf. Arist. Av. 600. The Panathenaic prizes for music, as recorded in inscriptions, are crowns and sums of money varying from 300 to 1000 dr. Michaelis, Parthenon, p. 322, and CIA ii 965 (Dittenberger, no. 395<sup>4</sup>), where the first of the κιθαρωδοὶ receives 'an olive-wreath of gold' (στέφανος θαλλοῦ χρυσοῦς) with 1000 dr. (ἀργύριον), and from others receives sums of money. Cf. note on § 1, τὸν ἀγῶνα τῆς μουσικῆς.

εὐανδρίαν] This contest is mentioned in

Andoc. 4 § 42, νενικηκῶς εὐανδρία, Xen. Mem. iii 3, 12, Athen. 565 F; also in Harpocr. s. v. and Bekker's Anec. p. 257, 13. Cf. Thumser, de Civium Ath. Muneribus, pp. 81, 97-9. ἀσπίδες] In the early part of the fourth century the prize was an ox; CIA ii 965 (Ditt. 395, 75), εὐανδρία φυλῆ νικῶσει βοῦς. We do not know the date when the ox was superseded by the portable prize mentioned in the text. The 'shields' are not named elsewhere.

γυμνικὸν ἀγῶνα καὶ τὴν ἵπποδρομίαν] In the above inscr. ll. 23—70 we have the record of the number of ἀμφορῆς ἐλαίου awarded (1) to the boys, and (2) to the youths, who were victorious in running, wrestling, boxing, or in the pentathlon or pancratium; and (3) to the victors in the horse-races. The part enumerating the prizes given to the men is lost.

LXI. Officials elected by open voting (Military Officers).

§ 1. χειροτονοῦσι—τὰς πρὸς τὸν πόλεμον ἀρχὰς] 43 § 1 ad fin. The subject is, of course, 'the people'; cf. 60 § 1.

ἀφ' <ἐκάστης> φυλῆς ἓνα.] This was the case on the occasion when Cimon and his colleagues were called upon to act as judges in the dramatic contest of B.C. 468,



δ' ἐξ ἀπάντων· καὶ τούτους διατάττουσι τῇ χειροτονίᾳ, ἓνα μὲν ἐπὶ τοὺς ὀπλίτας, ὃς ἡγεῖται τῶν ὀπλιτῶν ἂν ἐξίωσι, ἓνα δ' ἐπὶ τὴν χώραν, ὃς φυλάττει, κὰν πόλεμος ἐν τῇ χώρᾳ γίγνηται, πολεμεῖ 5

4 ΟΠΛΕΙΤ(ΩΝ) 'ut videtur' K<sup>4</sup>, ὀπλιτῶν H-L (K<sup>3</sup>, B, Th); π[ολι]τῶν K-W. ἐὰν H-L. 5 ΓΙΝ (K-W). ΠΟΛΕΜΕΙ: ἡγεῖται K-W; πολεμαρχεῖ Kontos.

when Sophocles gained the prize against Aeschylus: Plut., *Cimon* 8, describes the generals as δέκα ὄντας, ἀπὸ φυλῆς μιᾶς ἕκαστον. At some later date, which is not specified, the generals were chosen out of all the citizens (ἐξ ἀπάντων) without distinction of tribe.

It was held by Schömann (*Ant.* p. 420), Boeckh (on *Antig.* 190, and *CIG* pp. 294, 906), Sauppe and others, that the generals were elected by the several tribes alone. A. Schaefer (*Dem.* ii 182) held that they were elected ἐξ ἀπάντων (as attested by Pollux). The view that in earlier times the generals were elected κατὰ φυλὴν, and afterwards ἐξ ἀπάντων, was held by Bergk, Lugebl, Müller-Strübing and others (see Gilbert, i 220<sup>1</sup>, 256<sup>2</sup>, and *Beiträge*, pp. 16—20). This is proved by the text to be right.

Gilbert (*Beiträge*, pp. 21—23) accepts the narrative in Plutarch's *Cimon*, but does not admit that on that occasion the 10 generals belonged to the 10 different tribes, although this is the obvious meaning, as in the phrase in Pollux viii 94, οἱ φύλαρχοι δέκα, εἰς ἀπὸ φυλῆς μιᾶς ἕκαστος. In 440/39 two of the 10 generals, Pericles and Glaucôn (FHG iv 645), belonged to the same tribe, Acamantis; this is our earliest evidence for a departure from the older system; possibly the change was due to a desire to elect the ablest men, such as Pericles, independently of the tribe to which they belonged. But, even after the change, nearly all the tribes were in practice represented on the board. Thus in B.C. 433/2, out of seven generals, six belonged to different tribes; in 424/3, out of six whose demes are known, five; in 418/7, all the six whose demes are given; in 417/6, all the five; and in 357/6, six out of the seven. There is no example of more than one tribe being represented by two στρατηγοὶ in the same year (Hauvette-Besnault, *Les Stratèges Athéniens*, pp. 24—29).

διατάττουσι] The fact that about this time the duties of the στρατηγοὶ were distributed over several members of the board was already known. The five officers charged with specific duties had already been identified, but it was not known that there were only five. The

earliest date for the change is 352 B.C., when the general ἐπὶ τὴν φυλακὴν τῆς χώρας is first mentioned (see note on ἐπὶ τὴν χώραν below). (Gilbert, i 257<sup>2</sup>.)

ἐπὶ τοὺς ὀπλίτας] In Lys. 32 § 5 we have what at first sight appears to be a mention of this officer: χρόνῳ δὲ ὕστερον καταλεγείν Διόδωτος μετὰ Θρασύλλου τοῦ ἐπὶ τῶν ὀπλιτῶν (B.C. 410); and we know that Thrasyllus was elected a στρατηγός in the spring of 411 (Thuc. viii 76) and held office for 410/9 (*ib.* 104); but the words τοῦ ἐπὶ are omitted in two MSS, *Florentinus* and *Ambrosianus*, and the construction is parallel to καταλεγείν τριηράρχων in Isaeus, *de Apoll. her.* 5.

The decrees in the *De Corona* mention ὁ ἐπὶ τῶν ὀπλων στρατηγός (§ 38), τὸν ἐπὶ τῶν ὀπλων (115) and ὁ ἐπὶ τῶν ὀπλιτῶν (116), but these are forgeries of a later date (Hauvette-Besnault, p. 160 f).

In CIA ii 302 (c. 294/3 B.C.) Philippides is described as [χειροτονη]θει[s στρα]τηγός [ἐ]πὶ το[ύ]ς ὀπλίτας ὑπὸ τοῦ δήμου. In ii 331 the career of Phaedrus is described: in 296/5 he was twice elected στρατηγός ἐπὶ τὴν παρασκευήν, and was often elected στρ. ἐπὶ τὴν χώραν and thrice ἐπὶ τοὺς ξένους. It was probably after 272 B.C. that he was elected ἐπὶ τὰ ὄπλα στρατηγός and was afterwards χειροτονηθεὶς ἐπὶ τὰ ὄπλα πρῶτος ὑπὸ τοῦ δήμου στρατηγός. After the end of the fourth century this στρατηγός was the foremost member of the board. Ultimately in the theatre of Dionysus the only stall reserved for any of the στρατηγοὶ was inscribed with the title of στρατηγοῦ ἐπὶ τὰ ὄπλα.—The στρ. ἐπὶ τοὺς ὀπλίτας probably acted as president of the στρατηγοὶ (cf. Gilbert, i 222); see, however, *ib.* 258<sup>2</sup>.

ἐπὶ τὴν χώραν] Plut. *Phocion*, 32, Δερκόλλου τοῦ ἐπὶ τῆς χώρας στρατηγοῦ (B.C. 317). *Bull. Corr. Hell.* xiii 433 f (Michel, no. 674) 19 f, τὸν στρατηγὸν τὸν ἐπὶ τὴν φυλακὴν τῆς χώρας κεχειροτονημένον (352 B.C.), CIA ii 331 (quoted above), and 1195 (in the 3rd cent.).

φυλάττει] The φυλακὴ τῆς χώρας involved placing patrols at important points in the interior and along the coast; Thuc. ii 24, φυλακὰς κατεστήσαντο κατὰ γῆν καὶ κατὰ θάλασσαν. In Xen. *Mem.* iii 6, 10, περὶ φυλακῆς τῆς χώρας, mention is made

οὗτος· δύο δ' ἐπὶ τὸν Πειραιέα, τὸν μὲν εἰς τὴν Μουνιχίαν, τὸν δ' εἰς τὴν Ἀκτὴν, οἱ τῆς φυλακῆς ἐπιμελοῦνται [[καὶ]] τῶν ἐν Πειραιεὶ· ἕνα δ' ἐπὶ τὰς συμμορίας, ὃς τοὺς τε τριηράρχους καταλέγει καὶ τὰς ἀντιδόσεις αὐτοῖς ποιεῖ καὶ τὰς διαδικασίας αὐτοῖς εἰσάγει·  
10 τοὺς δ' ἄλλους πρὸς τὰ παρόντα πράγματα ἐκπέμπουσιν. ἐπιχει-

6 ΠΕΙΡΑΙΕΑ: Πειραιᾶ H-L. ΜΟΥΝΥΧ. 7 Φ.ΛΗC: φ[υ]λῆς (vel φυλακῆς) K<sup>1</sup>, φυλακῆς (deleto καὶ) K-W, B<sup>1-3</sup>, K<sup>4</sup>, Th; καὶ retinent s<sup>1</sup>, B<sup>4</sup>. φυλῆς et φυλακῆς Thucydidis in codicibus saepe confusa esse constat. χηλῆς Torr (H-L, K<sup>3</sup>). 9 alterum αὐτοῖς secl. K-W<sup>2,3</sup>. 10 πράγματα supra scriptum delent H-L, B<sup>4</sup>.

TESTIM. 8—9 Phot. ἡγεμ. δικ.: τῷ στρατηγῷ περὶ τριηραρχίας καὶ ἀντιδόσεων.

of φυλακαὶ and φρουροί. In B.C. 445 this φυλακῆ extended as far as Euboea; CIA iv 27 a, περὶ δὲ φυλακῆς Εὐβοίας τοὺς στρατηγούς ἐπιμελεῖσθαι κτλ. In B.C. 342, [Dem.] 7 §§ 14, 15, it has expanded into a τῆς κατὰ θάλατταν φυλακῆς in a still wider sense. About B.C. 265, CIA 334, we find a decree in honour of those who ἐπέδωκαν εἰς τὴν σωτηρίαν τῆς πόλεως καὶ τὴν φυλακὴν τῆς χώρας. In the time of the text this duty, which had once been shared by all the στρατηγοί, was apparently divided between the στρατηγὸς ἐπὶ τὴν χώραν for the interior, and the two στρατηγοὶ ἐπὶ τὸν Πειραιέα for the coast,—assuming that φυλακῆς is the right reading in the passage referring to the latter.

ἐπὶ τὸν Πειραιέα] In B.C. 324/3, CIA ii 811 c 434, Δικαιογένης ὁ στρατηγὸς is mentioned in the same context as the overseer of the νεώρια. Between B.C. 318 and 229 the Peiraeeus and Salamis were under an officer called the στρατηγὸς ἐπὶ τοῦ Πειραιεύς καὶ τῶν ἄλλων τῶν ταπτομένων μετὰ τοῦ Πειραιεύς (*Bull. Corr. Hellén.* vi 526). About 100 B.C. we read of three στρατηγοὶ ἐπὶ τὸν Πειραιᾶ (CIA ii 1207), and the archon of B.C. 97/6 is described as Ἀργεῖος Ἀργεῖου Τρικο[ρύσιος] στρατηγῆσας ἐπὶ τὸν Πειραιᾶ, *ib.* 1206.

εἰς τὴν Μουνιχίαν] In B.C. 325/4 we find Philocles mentioned by Dinarchus, 3 § 1, as στρατηγὸς ὑφ' ἡμῶν ἐπὶ τὴν Μουνιχίαν καὶ τὰ νεώρια κεχειροτονημένους. In Munichia, cf. 19 § 2; 42 § 3.

εἰς τὴν Ἀκτὴν] possibly identical with the officer called the στρατηγὸς ἐπὶ τὴν χώραν τὴν παραλλαν in CIA ii 3, 1194 (the son of an official of B.C. 382/1), and 1195 (B.C. 241). The latter inscr. was found at Sunium. On Ἀκτὴ cf. 42 § 3.

φυλακῆς] τῶν ἐν Πειραιεὶ, the rest of the φυλακῆ being assigned to the στρ. ἐπὶ τὴν χώραν.

ἐπὶ τὰς συμμορίας] In an inscription assigned to 334 B.C. the στρατηγοὶ act as one body in reference to the συμμορία.

(CIA ii 804 a 63 f); but a special στρατηγὸς is indicated in B.C. 325/4, CIA ii 809 a 205—210, ὅπως δ' ἂν αἱ σκῆψεις εἰσαχθῶσι, τοὺς θεσμοθέτας παρα[πλ]ηρῶσαι δικαστήρια εἰς ἕνα καὶ διακοσίους τῷ στρατηγῷ τῷ ἐπὶ τὰς συμμορίας ὑρημένῳ. The σκῆψεις mentioned in this inscr., and in c. 56 § 3, are the pleas put forward by one who maintains that another is better able to bear the expense of a trierarchy and who therefore challenges him either to undertake it or to exchange properties. It may also refer to any plea of exemption. It is used elsewhere (CIA ii 804) of the reasons pleaded by a trierarch for being unable to restore to the state the vessel confided to his care (Hauvette-Besnault, *Les Stratèges Ath.*, p. 143). For the relations of the board of στρατηγοὶ to the συμμορίαὶ and the τριηραρχία before the distribution of offices among the members of the board, cf. Dem. 39 § 8, τίνα δ' οἱ στρατηγοὶ τρόπον ἐγγράφουσιν, ἂν εἰς συμμορίαν ἐγγράφωσιν, ἢ ἂν τριηραρχον καθιστῶσιν, and 35 § 48, (οἱ στρατηγοὶ) τριηράρχους καθιστᾶσιν.

ἀντιδόσεις—ποιεῖ] Dem. 4 § 36, τριηράρχους καθίσταμεν καὶ τοῦτοι ἀντιδόσεις ποιούμεθα, and in [42] § 5, about 330, ἐποιοῦν οἱ στρατηγοὶ τοῖς τετρακοσίοις τὰς ἀντιδόσεις (in August).

διαδικασίας] e.g. [Xen.] *de Rep. Ath.* 3, 4, διαδικάζειν, εἰ τις τὴν ναῦν μὴ ἐπισκευάζει. CIA ii 795 f 39, τριῆρεις αἱ ἐπὶ Διοτίμον ἄρχοντος (B.C. 354/3) διεδικάσθησαν καὶ ἔδοξαν κατὰ χεῖμῶνα διαφθαρῆναι, *ib.* 1. 60, ἀριθμὸς τριῆρων καὶ σκευῶν τῶν διαδεδικασμένων. Boeckh, *Seeurkunden*, p. 214; Meier and Schöm. pp. 467 f. In [Dem.] 47 § 26 (B.C. 339) we read, of the ἀποστολείς and the νεωρίων ἐπιμεληταί, that these were the officials who εἰσήγον τότε (c. B.C. 344) τὰς διαδικασίας περὶ τῶν σκευῶν. Cf. Meier and Schöm. p. 475.

τοὺς δ' ἄλλους] This shows that the above list of special posts is complete by the time when the treatise was written.

In the spurious decrees quoted in Dem.



ροτομία δ' αὐτῶν ἐστὶ κατὰ τὴν πρυτανείαν ἐκάστην, εἰ δοκοῦσιν καλῶς ἄρχειν· κἂν τινα ἀποχειροτονήσωσιν, κρίνουσιν ἐν τῷ δικαστηρίῳ, κἂν μὲν ἀλῶ, τιμῶσιν ὃ τι χρῆ παθεῖν ἢ ἀποτεῖσαι, ἂν δ' ἀποφύγη, πάλιν ἄρχει. κύριοι δέ εἰσιν, ὅταν ἡγῶνται, καὶ δῆσαι τὸν ἀτακτοῦντα καὶ ἔκ[κ[η]ρῦξαι καὶ ἐπιβολὴν ἐπιβάλλειν· οὐκ 15 εἰώθασι δὲ ἐπιβάλλειν.

3 χειροτονοῦσι δὲ καὶ ταξιάρχους δέκα, ἓνα τῆς φυλῆς ἐκάστης· οὗτος δ' ἡγείται τῶν φυλετῶν καὶ λοχαγούς καθίστησιν.

11 δοκοῦσι H-L, B<sup>4</sup>. 13 ἀλλ(supra scr. ω)ωι. ἐὰν H-L. 14 πάλιν K-W (K<sup>3</sup>, B, Th); τὰ [λοιπὰ] K<sup>1</sup>; [ἔτι] H-L. κύριοι δ' H-L. 15 ΤΙΝ?· τιν' K<sup>1-3</sup>, B<sup>1</sup>, S<sup>1</sup>: τὸν K-W, H-L, B<sup>2-4</sup>, K<sup>4</sup>, Th. κηρύξαι (K<sup>1-3</sup>): <ἐκ> κηρύξαι Blass, Lipsius (K-W, H-L, K<sup>4</sup>, Th). ἐπιβολὴν ἐπιβαλεῖν conl. Diels. 16 δ' H-L.

TEST. § 3 Bekk. An. 306, 12 ταξιαρχοί—: ἄρχοντες ἡγούμενοι τῶν πολιτῶν κατὰ φυλὴν, χειροτονητοί, δέκα τὸν ἀριθμὸν, οἷς ὑπετέτακτο τὸ πλῆθος κατὰ φυλὴν.

de Cor. §§ 38, 115 an officer called ὁ ἐπὶ τῆς διοικήσεως is mentioned (in the former decree immediately after ὁ ἐπὶ τῶν ὄπλων στρατηγός, in the latter after τὸν ἐπὶ τῶν ὄπλων). It was once supposed that this was the title of one of the στρατηγοί, but it is now agreed that this was not the case (Boeckh, note 322 Fränkel; Schömann, p. 421 n. 3). Again, in CIA ii 331 Thymochares, the father of Phaedrus (who held office between B.C. 296 and 272), was χειροτονηθεὶς στρατηγός ὑπὸ τοῦ δήμου ἐπὶ τὸν ναυτικόν. In the same inscr. Phaedrus is described as στρατηγὸς ἐπὶ τὴν παρασκευὴν and ἐπὶ τοὺς ξένους. The str. ὁ ἐπὶ τὴν παρασκευὴν is mentioned in CIA ii 403—405 in connexion with melting down the τύποι dedicated to the ἥρωες λατρός (2nd century B.C.); also *ib.* 839. The decree in Pseudo-Plutarch ii p. 852 describes Lycurgus as χειροτονηθεὶς ἐπὶ τῆς τοῦ πολέμου παρασκευῆς, but this does not prove that he was a στρατηγός; and, in any case, these last titles belong to a later date than the text.

§ 2. ἐπιχειροτομία] 43 § 4, at the κυρία ἐκκλησία, ἐπιχειροτονεῖν εἰ δοκοῦσι καλῶς ἄρχειν. This procedure must have been instituted with special reference to military officials; hence the fulness with which it is treated here in comparison with 43 § 4 (Lipsius, *Leipzig Verhandl.* 1891, p. 49). τιμῶσιν] It was a δίκη τιμητός (Meier and Schöm. p. 213 f, Lips.).

δῆσαι] During the Sicilian expedition Lamachus put to death a soldier who was caught signalling to the enemy; Lys. 13 § 67; and Iphicrates at Corinth transfixed with his spear a sentinel whom he found asleep at his post (Frontinus iii 12, 2).

Dem. 50 § 51 even a trierarch fears he

may be put into bonds by a στρατηγός: φοβοῦμενος μὴ δεθεῖν. Cf. Xen. *Mem.* iii 5, 19, τοὺς ὄπλιτας καὶ τοὺς ἱππεῖς—ἀπειθεστάτους εἶναι πάντων.

ἐκηρύξαι] One Simon, who arrived too late for the battle of Corinth and the march to Coroneia, had a scuffle with the taxiarch and struck him, καὶ πανστρατιᾷ τῶν πολιτῶν ἐξελθόντων, δόξας ἀκοσμήτατος εἶναι καὶ πονηρότατος, μόνος Ἀθηναίων ὑπὸ τῶν στρατηγῶν ἐξεκηρύχθη. This implies that the offender was expelled from the army, after being publicly proclaimed unworthy to serve as a soldier. Lys. 3 § 45.

ἐπιβάλλειν] [Lys.] 15 § 5, ἐχρῆν γὰρ αὐτοὺς (τοὺς στρατηγούς) εἰπερ ἀληθῆ λέγουσιν ἀνακαλεῖν μὲν Πάμφιλον ὅτι ἀφαιρῶν τὸν ἵππον ἱππέως ἀπεστέρει τὴν πύλιν, ἐπιβάλλειν δὲ τῷ φυλάρχῳ, ὅτι ἐξελαύνων Ἀλκιβιάδην ἐκ τῆς φυλῆς ἀκρον ἐποιοεῖ τὴν τούτων τάξιν, κελεύειν δὲ τὸν ταξιαρχὸν ἐξαλεῖφειν αὐτὸν ἐκ τοῦ τῶν ὄπλιτῶν καταλόγου.

§ 3. ταξίαρχους] commanders of the 10 τάξεις of hoplites corresponding to the 10 φυλαί. They were instituted after 490 B.C. Dem. 4 § 26, οὐκ ἐχειροτονεῖτε δ' ἐξ ὑμῶν αὐτῶν δέκα ταξίαρχους καὶ στρατηγούς καὶ φυλάρχους καὶ ἱππάρχους δύο; Each of the taxiarchs commanded the hoplites of a single tribe, Dem. 39 § 17, ταξίαρχων τῆς φυλῆς, Aeschin. *F. L.* 169, Τεμενίδου τοῦ τῆς Πανδιονίδος ταξίαρχου.

ἡγείται τῶν φυλετῶν] As a rule the taxiarch was a member of the tribe which he commanded, Thuc. viii 92, ὁ Ἀριστοκράτης ἦν ταξιαρχῶν καὶ τὴν ἑαυτοῦ φυλὴν ἔχων, CIA ii 444, 446 (Gilbert, i 262<sup>2</sup>).

λοχαγούς] Isocr. 15 § 117; Isaeus 9

χειροτονοῦσι δὲ καὶ ἰππάρχους δύο ἐξ ἀπάντων· οὗτοι δ' 4  
 20 ἡγούνται τῶν ἰππέων, διελόμενοι τὰς φυλὰς πέντε ἑκάτερος·  
 κύριοι δὲ τῶν αὐτῶν εἰσιν ὥνπερ οἱ στρατηγοὶ κατὰ τῶν ὀπλιτῶν.  
 ἐπιχειροτομία δὲ γίγνεται (καὶ) τούτων.

χειροτονοῦσι δὲ καὶ φυλάρχους (δέκα), ἓνα τῆς φυλῆς, τὸν 5  
 ἡγησόμενον (τῶν ἰππέων), ὥσπερ οἱ ταξίαρχοι τῶν ὀπλιτῶν.

25 χειροτονοῦσι δὲ καὶ εἰς Λῆμνον ἵππαρχον, ὃς ἐπιμελεῖται 6  
 τῶν ἰππέων τῶν ἐν Λῆμνῳ.

χειροτονοῦσι δὲ καὶ ταμίαν τῆς Παράλου καὶ δίχα τῆς το[ῦ] 7  
 Ἄμμωνος.

21 ὦνπερ(εἰσιν) : εἰσιν, ὦνπερ van Leeuwen (edd.); ὦνπερ Gertz. 21—62, 2 duo  
 fragmenta nova attulit κ<sup>4</sup>. 22 ΓΙΝ (κ-ω). ΤΟΥΤΩΝ κ<sup>1</sup> : <καὶ> τούτων  
 Gertz, Lips., edd. 23 post φυλάρχους add. δέκα Richards (edd.); post δὲ καὶ  
 excidisse antea putabam, cf. c. 53 § 3. 24 τῶν ἰππέων Pollucem secutus add. κ  
 (edd.). 27 δίχα 'lectio non certa, sed cum vestigiis congrua' κ<sup>4</sup>; δ...a Wilcken  
 (κ-ω<sup>3</sup>); ν[ῦν] β<sup>2-4</sup>, Kaibel 252, Th; ἄλλον κ<sup>1-3</sup> (H-L, κ-ω<sup>1-2</sup>, β<sup>1</sup>, s<sup>1</sup>).

TEST. § 4 Pollux viii 94 ἵππαρχοι δὲ δύο ἐξ ἀπάντων Ἀθηναίων αἰρεθέντες ἐπιμελ-  
 οῦνται τῶν πολέμων. \*Harp. ἵππαρχος...λέγεται δὲ παρ' Ἀθηναίοις ἵππαρχος καὶ ὁ τῶν  
 ἰππέων ἄρχων· δύο δ' ἦσαν οὗτοι, ὡς Δημ. ἐν δ' Φιλιππικῶν φησὶ καὶ Ἄρ. ἐν Ἀθ. πολ.  
 Phot. ἵππαρχοι: δύο ἦσαν, οἱ τῶν ἰππέων ἡγούντο, "διελόμενοι τὰς φυλὰς" ἑκάτερος ἀνὰ  
 πέντε· ἐπιμελεῖται δὲ εἰσι τῶν ἰππέων <οἱ φυλάρχοι additum ex Poll. viii 94> καθάπερ  
 οἱ ταξίαρχοι δέκα ὄντες εἰς ἐφ' ἑκάστης φυλῆς τῶν ὀπλιτῶν (Frag. 391<sup>2</sup>, 431<sup>3</sup>).

§ 5 Pollux viii 94 οἱ δὲ φυλάρχοι δέκα, εἰς ἀπὸ φυλῆς ἑκάστης, τῶν ἰππέων  
 προϊστάνται, καθάπερ οἱ ταξίαρχοι τῶν ὀπλιτῶν. \*Harp. φυλάρχος...ὁ κατὰ φυλὴν  
 ἐκάστην τοῦ ἰππικοῦ ἄρχων, ὑποταγαμένος δὲ τῷ ἰππάρχῳ, ὡς Ἄρ. ἐν τῇ Ἀθ. πολ. φησὶ  
 (Frag. 392<sup>2</sup>, 432<sup>3</sup>).

§ 7 \*Harp. ταμίαι...εἰσὶ δὲ τινες καὶ τῶν (ιερών) τριήρων ταμίαι, ὡς ὁ αὐτὸς  
 φιλόσοφος (sc. Ar.) φησιν (cf. Suïd. ταμίαι art. 2). Phot. s.v. εἰσὶ δὲ καὶ ἄλλοι ταμίαι,

§ 14. The text shews that they were  
 appointed by the ταξίαρχοι, and not, as  
 has been supposed (Gilbert i 263<sup>2</sup>), by the  
 στρατηγοὶ.

§ 4. ἰππάρχους] Their importance is  
 implied by Lys. 26 § 20, ἀντὶ τούτων αὐτοῦς  
 ὁ δῆμος ταῖς μεγίσταις τιμαῖς τετίμηκεν,  
 ἰππαρχεῖν καὶ στρατηγεῖν καὶ πρεσβεύειν  
 ὑπὲρ αὐτῶν αἰρούμενοι. δύο] Dem. 4  
 § 26 supra, CIA ii 445, 15.

τὰς φυλὰς πέντε ἑκάτερος] Xen.  
 Hippiarch. 3 § 11, ὅταν οἱ ἵππαρχοι ἡγῶνται  
 ταῖς πέντε φυλαῖς.

κύριοι] The disciplinary powers of the  
 ἵππαρχοι are illustrated by Hesych. s.v.  
 ἰππάρχων πιναξ· ἐπεὶ οἱ ἵππαρχοι ἐν πιναξί  
 τὰ ὄνόματα τῶν ἀτακούντων γράφοντες  
 παρεσημειοῦντο.

§ 5. φυλάρχους] In CIA ii 444, 445 the  
 φυλάρχοι belong to the tribes which they  
 command.

§ 6. εἰς Λῆμνον ἵππαρχον] This officer  
 was in command of a corps of Athenian  
 cavalry stationed in Lemnos. That  
 island had long been in the possession of  
 Athens and was held by Athenian κλη-

ροῦχοι. Athens had recovered possession  
 of Lemnos, Imbros and Scyros before  
 B.C. 387 and her right was recognised in  
 that year by the 'peace of Antalcidas'.  
 Hyperides, *pro Lycophrone*, c. 14, ὑμεῖς  
 γὰρ με, ὧ ἄνδρες δικασταί, πρῶτον μὲν  
 φύλαρχον ἐχειροτονήσατε, ἔπειτα εἰς Λῆμ-  
 νον ἵππαρχον, καὶ ἤρξα μὲν αὐτόθι δύο  
 ἔτη τῶν πώποθ' ἵππαρχηκότων μόνος, προσ-  
 κατέμεινα δὲ αὐτόθι τὸν τρίτον ἐνιαυτὸν οὐ  
 βουλόμενος πολίτας ἄνδρας ἐπὶ κεφαλὴν  
 εἰσπράττειν τὸν μισθὸν τοῖς ἰππεύουσιν ἀπόρως  
 διακειμένους. στεφάνους δὲ τρισὶν ἐστε-  
 φανώθη ἐν τῷ δήμῳ τοῦ ἐν Ἐφιαστία  
 καὶ ἐτέροις ὑπὸ τῶν ἐν Μυρίνῃ. Dem. 4  
 § 27, εἰς μὲν Λῆμνον τὸν παρ' ὑμῶν ἵππαρχον  
 δεῖ πλεῖν. CIA ii 14 (B.C. 387/6), [ἵππαρ-  
 χ]οῦντος ἐν Λῆμνῳ. CIA ii 593 (a decree  
 passed by the κληροῦχοι at Myrina after  
 the third Macedonian war), ἐπὶ δὲ Λῆμνον  
 στρατηγούντος Φιλαρχίδου Παιανιέως ἵπ-  
 παρχοῦντος τὸ δεύτερον Τελεσιδήμου τοῦ  
 Ἄμμωνιοῦ Ἐκαλήθευ. Cf. Gilbert, i 508<sup>2</sup>;  
 Hauvette-Besnault, *Les Stratèges Ath.*,  
 pp. 169, 170.

§ 7. ταμίαν τῆς Παράλου] In Dem.



## 62. αἱ δὲ κληρωταὶ ἀρχαὶ πρότερον μὲν ἦσαν αἱ μὲν μετ'

LXII 1 MET (edd.): μετὰ τῶν (μ'τ') Gennadios, H-L.

ἀρχοντες χειροτονητοὶ ἐπὶ τὰς ἱερὰς καὶ δημοσίας τριήρεις, ὁ μὲν ἐπὶ τὴν Πάραλον, ὁ δὲ ἐπὶ τὴν τοῦ Ἄμμωνος. Pollux viii 116 ταμίας ἐκάλουν τοὺς ταῖς ἱεραῖς τριήρεσι λειτουργοῦντας, ἄλλως ἢ τριηράρχους (cf. Frag. 402<sup>2</sup>, 442<sup>3</sup>).

\*Lex. rhet. Cantab. Πάραλος καὶ Σαλαμινία: ταύτας τὰς τριήρεις εἶχον διὰ παντὸς πρὸς τὰς ἐπιχειροῦσας ὑπηρεσίας, ἐφ' αἷς καὶ ταμίαι τινὲς ἐχειροτονοῦντο... Ἀριστοτέλης δὲ Ἄμμωνιάδα καὶ Πάραλον οἶδε. Schol. in Dem. p. 636, 16 Dind... καὶ Ἄμμωνιάς ἐπειδὴ τῶν Ἄμμωνι δι' αὐτῆς τὰς θυσίας ἐπεμπον. Cf. Phot. s. v. Πάραλοι et Πάραλος, Harp. s. v. Ἄμμωνίς, Lex. Dem. Patm. p. 150 (Frag. 403<sup>2</sup>, 443<sup>3</sup>).

*Mid.* § 173, Midias is described as saying: *Ἰππάρχηκα, τῆς παράλος ταμίας γέγονα.* Demosthenes adds: *τῆς μὲν παράλος ταμειούσας Κυζικηνῶν ἤρπασε πλεῖν ἢ πέντε τάλαντα.* § 174, Midias allowed the Paralus to be outstripped in speed by one of the ordinary triremes, *ὅσῳς εὖ τὴν ἱερὰν τριήρη παρεσκευάκει.* The ταμίας Παράλου is mentioned in CIA ii 804 B 66 (B.C. 334/3), and probably also in 808 A 79 (B.C. 326/5). The ταμίας provided for the sacred trireme at the cost of the state all that, in the case of ordinary vessels, was provided by the trierarch himself. The ship was entirely manned by Athenians (Thuc. viii 73, 5) who were paid 4 obols a day (Harpocr. s.v.). Cf. Boeckh, 305 ff. Fränkel. The Paralos and Salaminia are mentioned in Arist. *Av.* 1207 and Thuc. iii 33, 2: the Salaminia was sent in pursuit of Alcibiades in vi 53, 1 and 61.4 (cf. Arist. *Av.* 147). A statement in Photius (s.v. παράλοι, λέγεται δὲ ἡ αὐτὴ καὶ Σαλαμινία, led Boeckh to accuse Photius of confounding the two triremes with one another, which is inconsistent with the same lexicographer's article on παράλος. Mr Marinidin, in *Dict. Ant.* ii 827 a, understands ἡ αὐτὴ as meaning 'of a similar character': but I should prefer attributing the mistake to a careless citation from the Schol. on *Av.* 1204, where we are told that, if, instead of Πάραλος ἢ Σαλαμινία, we read Πάραλος ἢ Σαλαμινία: ἔσται ἡ αὐτὴ Πάραλος καὶ Σαλαμινία.

l. 28. τοῦ Ἄμμωνος] It follows from the passages quoted in the *Testimonia* that the state-trireme, formerly called the Σαλαμινία, was superseded by one named after Ζεὺς Ἄμμων and known as the Ἄμμωνίς (Harpocr.) or Ἄμμωνιάς (*Lex. Rhet. Cant.*). It was specially intended to convey θεωρίαί to the coast of Cyrene, on their way to the shrine of Ζεὺς Ἄμμων. Cimon sent from Cyprus to consult the oracle shortly before his death (Plut. *Cim.* 18); in the *Aves*, 716 and 618, Ammon is mentioned by the side of Delphi and Dodona; and it is therefore possible that θεωρίαί may have been sent there as early as 415 B.C. In [Plat.] *Alc.* ii 148 E, the

Athenians consult the oracle on the question why they were constantly being beaten by the Lacedaemonians. We have a record of a sacrifice to Ἄμμων on the part of the στρατηγοὶ in B.C. 333 (CIA ii 741, 32); Boeckh, ii 118—121 Fränkel; Foucart, *Rev. des études gr.* 1893, 1—7. Thus it seems probable that the oracle was originally consulted by Athens in connexion with military undertakings, and this custom may account, not only for the sacrifice offered by the στρατηγοί, but also for the connexion in which the vessel is mentioned in this chapter, at the close of a description of the military officers of Athens.—Hesych. s.v. Ἄμμων (Ἄμμωνία?) has ἐορτὴ Ἀθήνησιν ἀγομένη, and it would be natural that the general interest in the oracle should be increased by the visit paid by Alexander the Great in B.C. 332. The sacred trireme Ἄμμωνίς was mentioned by Dinarchus in his speech against Himeræus (Harpocr. s.v. Ἄμμωνίς), which may be assigned to B.C. 324 (Rose, *Ar. Pseud.* p. 397).

It has been suggested (by Rose, *l.c.*) that the name of the sacred trireme Salaminia was changed in consequence of the revolt of Salamis in B.C. 318 (Paus. i 35, 2; Polyæn. iv 11, 1; Diod. 18, 69; CIA i p. 418), but the text shews that the Ἄμμωνίς superseded it at an earlier date.

The name Salaminia was in itself not uncommon. Thus, in B.C. 357/6 there were two ships bearing the name Salaminia (one belonging to the second class, CIA ii 793 b 33; the other, one of the νῆες ἐξαιρετοί, *ib.* c 32): a trireme named Salaminia founded at sea shortly before B.C. 325/4 (CIA ii 809 d 29 and 811, 89): and a τετρήρης of the same name occurs in an inscr. of B.C. 323/2 or shortly after: CIA ii 812 a 123. In the same inscr., a 25 and 42, there are two triremes named Παράλια (not Πάραλος). All these, however, are *warships*. Not one of the sacred triremes is mentioned in the naval archives of Athens. Cf. Boeckh, ii xvi, vol. 1, p. 306—7, and note 448 Fränkel.

LXII. Salaries.

§ 1. αἱ μὲν μετ' ἐννέα ἀρχόντων] It is

ἐννέα ἀρχόντων ἐκ τῆς φυλῆς ὅλης κληρούμεναι, αἱ δ' ἐν Θησείῳ κληρούμεναι διηροῦντο εἰς τοὺς δήμους· ἐπειδὴ δ' ἐπώλουν οἱ δήμοι, καὶ ταύτας ἐκ τῆς φυλῆς ὅλης κληροῦσι πλὴν βουλευτῶν  
5 καὶ φρουρῶν· τούτους δ' εἰς τοὺς δήμους ἀποδιδόασιν.

μισθοφοροῦσι δὲ πρῶτον ὁ δήμος ταῖς μὲν ἄλλαις ἐκκλησί- 2  
αις δραχμὴν, τῇ δὲ κυρία ἐννέα (ὀβολούς). ἔπειτα τὰ δικαστήρια  
τρεις ὀβολούς. εἴθ' ἡ βουλή πέντε ὀβολούς· τοῖς δὲ πρυτανεύουσιν

3 <ατ> διηροῦντο Gertz, H-L.  
7 ἐννέα <ὀβολούς> K-W (edd.).

6—11 ex fragmentis novis supplevit K<sup>4</sup>.

not known what offices are meant: Mr Kenyon suggests that the phrase included 'all the various boards of ten.' A similar phrase occurs in the ὄρκος ἡλιαστῶν in Dem. c. *Timocr.* 150, τῶν ἐννέα ἀρχόντων καὶ τοῦ ἱερομνήμονος καὶ ὄσαι (ἀρχαί) μετὰ τῶν ἐννέα ἀρχόντων κυμαίνονται ταύτη τῇ (τῇ αὐτῇ?) ἡμέρᾳ, καὶ κήρυκος καὶ πρεσβείας καὶ συνέδρων.

ἐκ τῆς φυλῆς ὅλης κληρούμεναι] c. 8 § 1.  
αἱ δ' ἐν Θησείῳ κληρούμεναι] 'the offices assigned by lot in the Theseum' (c. 15 § 4). In Aeschines, c. *Ctes.* § 13 (B.C. 336—330), the offices to which the people elect (χειροτονεῖ), such as those of the στρατηγοί and ἵππαρχοι, are contrasted with those αἱ οἱ θεσμοθέται ἀποκληροῦσιν ἐν τῷ Θησείῳ. It might be inferred from this that the Theseum was the only place in which the allotment was held; whereas the text implies that the archons were appointed elsewhere. The place is not known. See Gilbert, 24<sup>12</sup> f, and esp. Wilamowitz, i 200—4.

διηροῦντο] 'used to be distributed over' the demes.

ἐπώλουν οἱ δήμοι] 41 § 2, εὐδιαφθωρότεροι γὰρ οἱ ὀλίγοι κτλ.

πλὴν βουλευτῶν] This shews that the preliminary appointment of members of the Council was made by the demes. The fact that the demes lost the preliminary appointment to certain offices, owing to their being corrupt, makes us understand how it was possible for Aeschines to taunt Demosthenes with having secured his appointment as βουλευτῆς by bribery and intrigue, Aesch. in *Ctes.* 62, ὅτε λαχῶν ὅτε ἐπιλαχῶν ἀλλ' ἐκ παρασκευῆς πριάμενος, 73, βουλευτῆς ὧν ἐκ παρασκευῆς.

The lists of Prytanies for the fourth century (CIA ii 864—874) prove that the number of members of the Council belonging to each deme varies with the size of the deme, and that the number

appointed from the same deme is constant. It was inferred from this that a certain number were appointed from each deme, and not from the whole tribe indiscriminately (Köhler in *Mittheil.* iv 97; Hauvette-Besnault in *Bull. Corr. Hell.* v 361; Headlam, *On the Lot*, pp. 55, 56). This inference is confirmed by the text. Probably each deme nominated twice the requisite number; half of these were appointed by lot, and the rest held in reserve to take their places if necessary (Headlam, p. 188). Even in the case of offices filled by lot something of the nature of candidature is implied by Lys. 31 § 33 (of one who had drawn the lot to be a βουλευτής), προθύμως κληρωσόμενος ἦλθε, 6 § 4, ἂν ἔλθῃ κληρωσόμενος τῶν ἐννέα ἀρχόντων (cf. 20 § 13), and Isocr. 15 § 82, κληροῦσθαι τῶν ἀρχῶν ἕνεκα. Cf. Gilbert, 296<sup>2</sup> n. 1.

φρουρῶν] possibly the 500 φρουροὶ νεωρίων, mentioned with the 500 βουλευταὶ in 24 § 3.

§ 2. δραχμὴν] At the end of c. 41 the highest sum named as the μισθὸς ἐκκλησιαστικός was 3 obols. The text implies that this sum had been doubled. In Arist. *Vesp.* 691 and Schol. a drachma is the sum paid at that time to the συνήγοροι, but there is no probability that that is the fee here meant.

τρεις ὀβολούς] In 27 § 3 the institution of the μισθὸς δικαστικός by Pericles is mentioned; but the amount is not named. It was raised to three obols by Cleon. (Schol. Arist. *Vesp.* 88, 300; Gilbert i 384<sup>2</sup> f.)

πέντε ὀβολούς] one obol more is the amount named in Hesych. s.v. βουλῆς λαχεῖν· τὸ λαχεῖν βουλευτὴν καὶ δραχμὴν τῆς ἡμέρας λαβεῖν. Hesychius has probably confounded the five obols paid to the ordinary βουλευτῆς with the six paid to the πρυτάνεις. Thuc. viii 69 mentions the μισθὸς without naming the amount.



εἰς σίτησιν ὀβολὸς προστίθεται [[δέκα προστίθενται]]. ἔπειτ' εἰς σίτησιν λαμβάνουσιν ἐννέ' ἄρχοντες τέτταρας ὀβολοὺς ἕκαστος 10 καὶ παρατρέφουσι κήρυκα καὶ αὐλητήν, ἔπειτ' ἄρχων εἰς Σαλαμίνα δραχμὴν τῆς ἡμέρας. ἀθλοθέται δ' ἐν πρυτανείῳ δειπνοῦσι τὸν Ἑκατομβαιῶνα μῆνα, ὅταν ἢ τὰ Παναθήναια, ἀρξάμενοι ἀπὸ τῆς τετράδος ἱσταμένου. ἀμφικτύονες εἰς Δῆλον δραχμὴν τῆς ἡμέρας ἐκάστης ἐκ Δήλου (λαμβάνουσι). λαμβάνουσι δὲ καὶ 15 ὄσαι ἀποστέλλονται ἀρχαὶ εἰς Σάμον ἢ Σκύρον ἢ Λήμνον ἢ Ἴμβρον εἰς σίτησιν ἀργύριον.

9 ὀβολὸς Blass (et κ<sup>3</sup>); δέκα προστίθενται (ab omnibus seclusum); εἰς ὀβολὸς Rutherford, H-L 'ex signo |, i. e. oboli, male intellecto natum esse docet B; sed in papyris aegyptiacis signum oboli — est; est potius scholium interpretantis quod decem prytanibus decem numerabantur oboli,' κ<sup>4</sup>. 10 <ol> ἐννέα Gennadios, H-L; ἐννέα κ, κ-W, B, coll. v. 2; ἐννέ' κ<sup>4</sup>, Th. 11 'An in 11 ἀρχ., 12 ἀθλ., 14 ἀμφ., articulus in crasi latet?' Th. 12—14 ἀθλοθέται—ἱσταμένου ab hoc loco aliena putat Wil. i 185. 12 <τῷ> πρυτανείῳ H-L. 13 ο[Τ]ΔΝ (κ-W, κ<sup>3</sup>, B, Th): ῶ ἂν κ<sup>1</sup>, H-L. 15 <λαμβάνουσι> add. κ (κ-W, H-L, Th): nihil addit B.

ἄρχοντες κτλ.] The archons received an allowance for food, but this is not the same thing as a *stipend*. It was all that they received; otherwise the verb would have been *προσλαμβάνουσιν*. It was supposed by Schömann (*Ani.* p. 402) that the 'executive functionaries' (ἄρχοντες) as well as the 'commissioners' (ἐπιμηληταί), as contrasted with the 'subordinates' (ὑπηρέται), 'served without pay.' Boeckh, II xvi p. 304 Fränkel, more cautiously describes this as the 'original' distinction between an ἀρχή and a ὑπηρεσία. c. 24 § 3 mentions the 700 ἀρχαὶ ἐνδημοὶ as in receipt of pay; and in c. 29 § 5 the board of Thirty appointed in B.C. 411 propose τὰς ἀρχὰς ἀμισθοὺς ἄρχειν ἀπάσας ἕως ἂν ὁ πόλεμος ᾖ, πλὴν τῶν ἐννέα ἀρχόντων καὶ τῶν πρυτανέων οἱ ἂν ᾧσιν, τούτους δὲ φέρειν τρεῖς ὀβολοὺς ἕκαστον τῆς ἡμέρας. This implies (as observed by Mr Kenyon) that 'the magistrates named, and others who are not named, received pay.' [Xen.] *de Rep. Ath.* 1. 3, says that the δῆμος is not eager for offices like those of στρατηγός or ὑπάρχος, —ὅποσαι δ' εἰσὶν ἀρχαὶ μισθοφορίας ἕνεκα καὶ ὠφελείας εἰς τὸν οἶκον, ταύτας ζητεῖ ὁ δῆμος ἄρχειν.

κήρυκα καὶ αὐλητήν] Both the κήρυξ τῷ ἄρχοντι and the αὐλητής are mentioned in CIA iii 1005 and 1007 (Gilbert i 182<sup>n</sup>. 2).

ἄρχων εἰς Σαλαμίνα] 54 § 8. ἀθλοθέται] 60. Ἑκατομβαιῶνα] The principal day of the greater Panathenaea (54 § 7: 60 § 1) was the third from the end of Hecatombaeon. Probably the lesser Panathenaea were also held in the same month: in Dem. c. *Timocr.* 28, the

Panathenaea (of Ol. 106, 4, B.C. 353) are at hand on Hecatombaeon 11th. In the text the greater Panathenaea alone appear to be meant.

ἀμφικτύονες εἰς Δῆλον] the Athenian Commissioners of the funds of the Delian temple, called ἀμφικτύονες because *in theory* they were the deputies of the Ἴώνων τε καὶ περικτινίων νησιωτῶν (Thuc. iii 104). The 'Sandwich marble,' now in the library of Trinity College, Cambridge, records their accounts from B.C. 377 to 374, beginning τάδε ἐπραξαν ἀμφικτύονες Ἀθηναίων. Each Amphictyon administered the temple for one year, beginning with Hecatombaeon, the first month in the Attic civil year (Hicks, *Gk Hist. Inscr.* p. 142—148; CIA ii 814).

ἐκ Δήλου, from the funds of the Delian temple.

Σάμον] Athenian κληροῦχοι were settled in Samos after its conquest by Timotheus in B.C. 365. κληροῦχοι were also sent in 361 and again in 352 (Aeschin. i § 53; A. Schaefer, *Dem.* i<sup>2</sup> p. 99 n, p. 474 n).

After the autumn of 322 the Athenians were no longer in a position to send ἀρχαὶ to Samos; at that date the island ceased to be under their control, and the Samians banished by Athens were restored by Perdiccas, Diod. xviii 18 (F. Cauer in *Berl. Phil. Woch.* 9 April, 1892, p. 458).

Σκύρον...Λήμνον...Ἴμβρον] A reference not to the local officials, but to the military officers sent out from Athens, e.g. a στρατηγός sent to Scyros, and an ὑπάρχος to Lemnos (Gilbert, i 507—9<sup>2</sup>).

ἄρχειν δὲ τὰς μὲν κατὰ πόλεμον ἀρχὰς ἕξεστι πλεονάκις, τῶν 3  
δ' ἄλλων οὐδεμίαν, πλὴν βουλευσαι δις.

63. τὰ δὲ δικαστήρια [κ]ληρ[οῦ]σ[ι]ν οἱ ἐννέα ἄρχοντες κατὰ

18 <τὸν> πόλεμον Papageorgios coll. 43 § 1 ult., 44 § 4, 61 § 1.

LXIII 1 τὰδ(ε)τα corr. κ. πληροῦσιν Dareste.

TESTIMONIA. LXIII Schol. ad Arist. *Plut.* 277 (RV): ἐν ταῖς Ἀθήναις πολλὰ ἦν δικαστήρια... ἕκαστον δὲ τούτων εἶχεν ἐν τι τῶν στοιχείων ἰδικὸν ὄνομα. οἷον ἦν τι τῶν δικαστηρίων λεγόμενον α, ὁμοίως ἄλλο β, ἄλλο δὲ γ, καὶ ἐξῆς τὸ δ καὶ τὸ ε ἕως τοῦ κ. δέκα γὰρ ἦν δικαστήρια τὰ πάντα ἐν Ἀθήναις. καὶ πρὸ θυρῶν δὲ ἕκαστον δικαστηρίου ἐγγεγραπτο πυρρῶ βάμματι τὸ στοιχεῖον ᾧ τινι τὸ δικαστήριον ὠνομάζετο. ὅσοι δὲ δικασταὶ ἦσαν ἐν Ἀθήναις, ἕκαστος καθ' ἕκαστον δικαστήριον εἶχε δέλτον τουτέστι πινάκιον, ἐν ᾧ ἐγγεγραμμένον ἦν τὸ ὄνομα αὐτοῦ καὶ τοῦ δικαστηρίου. εἶχε δὲ καὶ ράβδον ἄμα (leg. ὀμόχρουν) τῷ πινακίῳ καὶ ἐν αὐτῇ τῇ ράβδῳ ἦν τὸ ὄνομα (leg. γράμμα) τοῦ δικαστηρίου ἐγγεγραμμένον. ὅτε οὖν συνέβαινε καιρὸς τοῦ δικασθῆναι, ἤρχοντο πάντες οἱ δικασταὶ εἰς τὴν ἀγορὰν κάκει κλήρους ἔβαλλον, καὶ ὅστις [[ἄν]] ἐκληροῦτο κλήρον ἔχοντα τὸ α, ἀπήρχετο εἰς τὸ α δικαστήριον, ὁμοίως εἰς τὸ β καὶ τὰ ἐφεξῆς. [[ἀπήρχετο δὲ]] καὶ πρῶτον μὲν ἐδείκνυε τῷ κήρῳ τοῦ δικαστηρίου τὸν κλήρον τοῦ στοιχείου, ὃ δὲ κήρυξ λοιπὸν ἐδίδοκε αὐτῷ τὸ πινάκιον αὐτοῦ καὶ τὴν ράβδον, εἰτα οὕτως ἐδίκαζεν. εἰ δὲ τις δικαστὴς εἰσῆγε μὴ κληρωθεὶς εἰς τὸ δικαστήριον, κατηγορεῖτο καὶ ἐζημιούτο διαφόρως.

Schol. Arist. *Vesp.* 775 (V)... ἄλλως. ἐπειδὴ θεσμοθέται καὶ δέκατος ὁ γραμματεὺς κληροῦσι τοὺς δικαστὰς τοὺς τῆς αὐτῆς φυλῆς ἕκαστος. Schol. Ar. *Plut.* 277 (Junt)... εἰτα οἱ θεσμοθέται κατὰ φυλὴν ἕκαστος καὶ δέκατος ὁ γραμματεὺς ἐκλήρουν τὰ γράμματα μέχρι τοῦ κ.

### § 3. τὰς μὲν κατὰ πόλεμον—πλεονάκις]

Thus Pericles was general for 15 years, and Phocion 45 times (*Plut. Per.* 15, *Phoc.* 8).—In *Pol.* 1371 b 24, (it is characteristic of a democracy) τὸ μὴ δις τὸν αὐτὸν ἄρχων μηδεμίαν ἢ ὀλίγας ἢ ὀλίγας ἕξω τῶν κατὰ πόλεμον. *Dem. Prooem.* p. 1461, 9, δευότατοι γὰρ εἰσὶ ἀφελέσθαι μὲν δσ' ὑμῖν ὑπάρχει, καὶ νόμιμος περὶ τούτων θείναι, ἂν τις ἀστυνομήσῃ δις ἢ τὰ τοιαῦτα, στρατηγεῖν δ' αἶε τοὺς αὐτοὺς εἶναι, c. *Timocr.* 149 (ἄρκος ἡλιαστικὸς), οὔτε δις τὴν αὐτὴν ἀρχὴν τὸν αὐτὸν ἄνδρα καταστήσω. *Pol.* 1299 a 10, μὴ τὸν αὐτὸν δις ἀλλ' ἅπαξ μόνον. 1275 a 25, δις τὸν αὐτὸν οὐκ ἕξεστι ἄρχειν ἐνίας (ἀρχάς).

The effect of the rule forbidding more than one reappointment to the Council was to give every Athenian citizen at some period of his life a seat in that body. At the time when the number of citizens was at its highest (about 30,000 in 460 B.C.), it is probable that the number who reached the age of 30 in each year, and thus became qualified for the Council, was rather less than 1000, Headlam, *On the Lot*, p. 50 n). Each of these might be a member of the 500 twice in his life, but not oftener. Thus the office was twice held by Timarchus, and by Demosthenes in 349 (*Dem.* 21 § 114) and 347 (*Aeschin.* ii 17). In the few cases in which the names of the βουλευταὶ from the same deme are preserved for more than one year, only one case of reappointment is to

be found, viz. Διονύσιος Ἐφαιστίνωνος of the deme Φιλαίδαι (in the middle of the fourth century) CIA ii 870, 3, and (in B.C. 341) 872, 17.

Boeckh, ii 515 Fränkel, states his conviction that no one could be a member of the βουλή for two consecutive years: the text proves that it was possible.

As regards other offices, we know the names of a large number of ταμίαι, ἐλληνοταμίαι and ἐπιμεληταί; but we never find one man holding the same office twice (Headlam, p. 91).

LXIII to the end. *The Law-Courts.*

On the Athenian procedure for the distribution of the δικασταὶ over the several δικαστήρια, see Schömann, *De Sortitione Iudicum apud Athenienses*, Opusc. Acad. i 200—229; Schömann, *Ant.* p. 475 E. T.; *Att. Process.*, pp. 146—162; Lipsius, *Das Att. Recht*, 134—150; Fränkel, *Att. Geschworenengerichte*, 1877, pp. 92 ff; Gilbert, i 445—451<sup>2</sup>; Busolt in Müller's *Handbuch*, IV i 180; Caillemier in Daremberg and Saglio's *Dict.* iii 191; Teusch, *De Sortitione Iudicum*, 1894; and Wyse in Whibley's *Companion to Greek Studies*, p. 387 f.

§ 1. δικαστήρια κληροῦσιν] Pollux, viii 87, mentions as one of the duties of the archons, κληροῦν δικαστὰς. A distinction must, however, be drawn between κληροῦν δικαστὰς, which refers to the daily appointment of dicasts (c. 59 § 7), and κληροῦν δικαστήρια, which refers to the allotment



φυλάς, ὁ δὲ γραμματεὺς τῶν θεσμο[θετῶν τῆς] δεκάτης φυλῆς.  
 2 εἴσοδοι δὲ εἰσιν εἰς τὰ δικαστήρια δέκα, μία τῇ φυλῇ ἐκάστη, καὶ  
 κληρωτήρια εἴκοσι, δύο τῇ φυλῇ ἐκάστη, καὶ κιβώτια ἑκατόν,  
 δέκα τῇ φυλῇ ἐκάστη, καὶ ἕτερα κιβώτι[α, εἰς ἃ ἐ]μβάλλεται 5  
 τῶν λαχόντων δικαστῶν τὰ πινάκια, καὶ ὑδρίαὶ δύο. καὶ βακ-  
 τηρίαί παρατίθενται κατὰ τὴν εἴσοδον] ἐκάστην ὅσοιπερ οἱ δικα-

2 <ὁ> τῶν Papageorgios, coll. 59 § 7. <τοὺς> τῆς H-L, coll. c. 59 ult. ;  
 <τὰ> τῆς Papageorgios ; <ἐκ> τῆς Photiades. 5 εἰς ἃ Papageorgios, edd. ; δέκα  
 οἷς K<sup>1</sup>, H-L, K-W<sup>1,2</sup> ; δέκα, εἰς ἃ K-W<sup>3</sup> ; δέκα om. B<sup>3,4</sup>, K<sup>4</sup>, Th. 6 ΒΑΚΤΗΡΙΑ corr. K.  
 7 ΟΥΣΟΙΠΕΡ corr. K.

of the several law-courts to the dicasts so appointed (*ib.* § 5). [Dem.] 47 § 17, κληρωμένων τῶν δικαστηρίων, and 37 § 39, τῶν δικαστηρίων ἐπιεκκληρωμένων. κατὰ

φυλάς is not meant to imply that each δικαστήριον was allotted to a different tribe, but that representatives of all the tribes sat in each δικαστήριον. At an earlier date (c. 390 B.C.) the daily allotment was not 'by tribes,' but by heliastic divisions or 'sections,' Arist. *Eccl.* 682-9. (Lipsius, *Att. Recht*, 139 f.)

§ 2. εἴσοδοι κτλ.] the separate entrances for the members of the several tribes would not only facilitate entrance and exit, but also make it easier to detect personation. It may perhaps be inferred that the members of each tribe sat together in the court.

κληρωτήρια] either (1) 'vessels for holding lots' (*urnes à lots*, Reinach); or (2) 'rooms in which the dicasts have their several courts allotted to them' (so Kaibel and Kiessling, Poland, and Haus-soullier). Mr Kenyon gives in the text of his translation 'twenty vessels for holding votes,' adding in the note the alternative rendering, 'rooms in which the jurors are elected.' *Losungsräume* is the term used by Lipsius, *Att. Recht*, 146.

(1) is the sense in c. 66 § 1 and in Arist. *Eccl.* 682, ΒΛ. τὰ δὲ κληρωτήρια ποῦ τρέψεις ; ΠΡ. ἐς τὴν ἀγορὰν καταθήσω κἄτα στήσασα παρ' Ἀρμοδίῳ κληρώσω ἅπαντας (where the Schol. absurdly explains κληρωτήρια as τὰς κληρωτὰς ἀρχάς). κληρωτῆρις means an urn for holding votes in Schol. Arist. *Vesp.* 674, κληρωτῆριδι τῶν ψήφων, and 752, τοῦ κήρυκος τὴν κληρωτῆριδα προσφέροντος, ἔβαλον τὰς ψήφους. Both senses are recognised in Pollux x 61, κληρωτήριον· εἰ γὰρ καὶ ἐπὶ τοῦ τόπου εἶκεν εἰρησθαι τούνομα ἐν τῷ Γῆρα Ἀριστοφάνους, ἀλλὰ καὶ ἐπὶ τοῦ ἀγγείου ἂν ἐναρμύσειεν. The sense is uncertain in Eubulus ap. Athen. 640 B, κλητῆρες.. μάρτυρες.. δίκαι.. κληρωτήρια.. κληψύδραι, νόμοι, γραφαί, and in CIA ii 441, [ἀνα]γράψαι

δὲ τῶδε [τὸ ψήφισμα--] κληρωτήριον λιθ-[ι--]ιον.

(2) is supported by Plut. ii 793 D, πρεσβύτῃ—ἐπίπονος καὶ ταλαίπωρος ἢ πρὸς πᾶν μὲν ἀεὶ κληρωτήριον ἀπαντῶσα φιλαρχία, παντὶ δὲ ἐφεδρέουσα δικαστηρίου καιρῷ καὶ συνεδρίου πολυπραγμοσύνη, Pollux ix 44, κληρωτήρια ἔνθα κληροῦνται οἱ δικασταί, and Bekk. *Anecd.* p. 47, κληρωτήρια: ἔνθα κληροῦνται οἱ δικασταί.

It is not obvious why each tribe requires two κληρωτήρια, unless we are to suppose that one of them was merely an antechamber serving as a waiting-room for the other.

κιβώτια] 'small boxes,' Arist. *Plut.* 711. The number of the first set of κιβώτια is 100, 10 for each tribe, because the dicasts in each tribe are distributed over all the ten divisions into which all the dicasts are divided. In each tribe, all the tickets (πινάκια) bearing the names of the dicasts in division A are placed in the first κιβώτιον, those of division B in the second, and so on for all the ten divisions. According to the number of dicasts required, an equal number of tickets is drawn by lot from each of the 100 κιβώτια. Each ticket so drawn has a court assigned it by lot; and all the tickets are now placed in the second set of κιβώτια, all tickets of dicasts assigned to any given court being placed in the κιβώτιον which bears the letter corresponding to that court. The names of all the dicasts who are selected to serve are thus distributed over the several courts that are to sit on the day in question. The process is described in detail in c. 64.

πινάκια] see note on § 4.

βακτηρία] 'bâtons' serving the dicasts as badges of office. The βακτηρία was marked with the same colour as the lintel of the court assigned to the dicast, who gave it up on entering the court when he received a σύμβολον (or 'token') instead. This σύμβολον enabled him to claim the τριώβολον. See *infra* c. 65 §§ 1, 2, c. 69

σταί, καὶ βάλανοι εἰς τὴν ὑδρίαν ἐμβάλλονται ἴσαι ταῖς βακτη-  
 ρίαις, ἐγγέγραπται δ' ἐν ταῖς βάλανοις τῶν στοιχείων ἀπὸ τοῦ  
 10 ἐνδεκάτου, τοῦ λ [[τριακοστοῦ]], ὅσαπερ ἂν μέλλῃ τὰ δικαστήρια  
 πληρωθῆσθεσθαι. δικάζειν δ' ἔξεστιν τοῖς ὑπὲρ τριάκοντα ἔτη γε- 3  
 γονόσιν, ὅσοι αὐτῶν μὴ ὀφείλουσιν τῷ δημοσίῳ ἢ ἄτιμοι εἰσιν.  
 ἐὰν δέ τις δικάζῃ οἷς μὴ ἔξεστιν, ἐνδείκνυται καὶ εἰς τὸ δικαστή-  
 ριον εἰσάγεται· ἐὰν δ' ἄλῳ προστιμῶσιν αὐτῷ οἱ δικασταί, ὅ  
 15 τι ἂν δοκῇ ἄξιός εἶναι παθεῖν ἢ ἀποτεῖσαι. ἐὺν δὲ ἀργυρίου  
 τιμηθῆ, δεῖ αὐτὸν δεδέσθαι, ἕως ἂν ἐκτείσῃ τό τε πρότερον ὄφλη-  
 μα ἐφ' ᾧ ἐνεδείχθη καὶ ὅ τι ἂν αὐτῷ προστιμῆσθαι τὸ δικαστή-  
 ριον. ἔχει δ' ἕκαστος δικαστῆς τὸ πινάκιον πύξινον, ἐπιγεγραμμέ- 4

9 ἐγ[γ]εργ. ex fragmentis novis k<sup>4</sup> (Th), legebatur γεργ. βάλανοις <γράμματα>  
 Papageorgios. τ(ων) στοιχειω(ν) Blass (κ<sup>3</sup>, κ-w<sup>3</sup>; Th): [τα] στοιχεια (κ<sup>1</sup>,  
 κ-w<sup>1,2</sup>, H-L). τοῦ ἐνδεκάτου delet Rutherford (H-L). 10 τριακοστοῦ del. κ (edd.).  
 εαν. 13 οἰς: ᾧ Richards (H-L). και—εΙΣΑΓΕΤΑΙ κ-w, κ<sup>3</sup>, B, Th: κατὰ τὸ  
 δικαστήριον εἰσαγγεῖλα κ<sup>1</sup> (εἰσαγγεῖλα Fränkel, H-L). 15, 16 ἀποτῖσαι—εκτικη.  
 18 ἕκαστος <ὁ> B, Th. τὸ πινάκιον ex fragmentis novis k<sup>4</sup>, 'vix ferendum' Th;  
 ἐν π. B<sup>2-4</sup>.

TEST. §4 Schol. Ar. *Plut.* 277 (Junt.): ἔρχεται ἕκαστος εἰς τὸ <δικαστήριον> πινάκιον  
 ἔχον ἐπιγεγραμμένον τὸ ὄνομα αὐτοῦ [[καί]] πατρόθεν καὶ τοῦ δήμου καὶ γράμμα ἐν τι  
 μέχρι τοῦ κ, διὰ τὸ πάλα δέκα φυλάς εἶναι Ἀθήνησιν, διήρητο γὰρ κατὰ φυλάς. εἶτα  
 οἱ θεσμοθέται κατὰ φυλὴν ἕκαστος καὶ δέκατος ὁ γραμματεὺς ἐκλήρουν τὰ γράμματα  
 μέχρι τοῦ κ. Et. genuinum (ex Photio) χαλκοῦν πινάκιον: ὁ εἶχον οἱ δικασταὶ πρὸς τὰς  
 κληρώσεις ἔχον τὸ ὄνομα τοῦ δικαστοῦ πατρόθεν καὶ δήμου <καὶ Symeo> τῆς φυλῆς  
 (hucusque descr. Symeo). Ἀριστοτέλης (Wilamowitz; Wilamowitz; Ἀριστάρχος cod.) πύξινον.  
 Hesych. χαλκοῦν πινάκιον: Ἀθηναῖοι εἶχον ἕκαστος πινάκιον πύξινον ἐπιγεγραμμένον τὸ  
 ὄνομα [[τοῦ]] αὐτοῦ καὶ τοῦ δημοῦ πατρόθεν.

§ 2, and cf. Dem. *de Cor.* 210, (δεῖ) παρα-  
 λαμβάνειν γ' ἅμα τῇ βακτηρίᾳ καὶ τῷ συμ-  
 βόλῳ τὸ τῆς πόλεως νομίξειν ἕκαστον ὑμῶν,  
 ὅταν τὰ δημόσια εἰσῆτε κρινοῦντες. Bekk.  
*Anecd.* p. 185, βακτηρία καὶ σύμβολον:  
 ῥάβδον κατεῖχον οἱ δικάζοντες, καὶ σύμβολον  
 ἐλάμβανον ἀντιδιδόντες διὰ τὸ κομισσασθαι  
 τὸ τριώβολον. Pollux viii 16, σκευὴ δὲ δι-  
 καστικά, σύμβολον, βακτηρία, <πινάκιον>,  
 πινάκιον τιμητικόν.

βάλανοι] either actual acorns or (more  
 probably) ballot balls of metal shaped  
 like them. In either case the βάλανος had  
 the letter of the court scratched upon it.

πληρωθῆσθεσθαι] to be made up to their  
 full complement of δικασταί. Dem. *c.*  
*Timocr.* 92, δικαστήρια πληροῦτε. *Mid.*  
 209; Lys. 26 § 6; Isac. 6 § 37; CIA ii  
 395 (of the θεσμοθέται) ὅταν πρώτον πλη-  
 ρῶσιν δικαστήριον εἰς ἓνα καὶ πεντακοσίου  
 δικαστάς. Cf. Meier and Sch. p. 156,  
 note 18; Förster in *Rhein. Mus.* xxx  
 284 f; Gilbert, i 450<sup>2</sup>; Lipsius, 159.

§ 3. τριάκοντα ἔτη] Pollux viii 122,  
 ἐδίκαζον οἱ ὑπὲρ τριάκοντα ἔτη ἐκ τῶν ἐπι-  
 τιμῶν καὶ μὴ ὀφειλόντων τῷ δημοσίῳ. Cf.  
 Dem. *c.* *Timocr.* 123 and law *ib.* 50.

The text lends no support to the  
 opinion that the number of dicasts was  
 limited to 6000 annually appointed by  
 lot from the general body of duly qualified  
 citizens. On the contrary, it favours  
 Fränkel's view that all duly qualified  
 Athenians might be enrolled on the list  
 of dicasts. At Ardettos, near the Pana-  
 thenaic stadium, δημοσίᾳ πάντες ὤμμον  
 Ἀθηναῖοι τὸν ὄρκον τὸν ἐκκλησιαστικόν  
 (Harp. *s.v.* Ἀρδηττός). Fränkel, *Att.*  
*Geschworenenger.*, esp. pp. 14—20. The  
 number 6000, however, occurs in c. 24,  
 13 with reference to the previous century.

ἐνδείκνυται] ἐνδείξεις was primarily put  
 in force against debtors to the state  
 (Dem. *Androt.* 33, *Nicostr.* 14). In Dem.  
*c.* *Mid.* 182 Pyrrhus is prosecuted by ἐν-  
 δείξεις for acting as dicast. Cf. *Dict. Ant.*  
 i 734 b.

προστιμῶσιν οἱ δικασταί] In cases  
 where a person illegally acted as dicast,  
 it was left to the court to impose the  
 penalty, Dem. *c.* *Mid.* *l.c.*; similarly in  
 the event of a disqualified person speaking  
 in the ἐκκλησία ([Dem.] *Aristog.* i § 92).

§ 4. πινάκιον] All the extant πινάκια



νον τὸ ὄνομα τὸ ἑαυτοῦ πατρόθεν καὶ τοῦ δήμου καὶ γράμμα ἐν τῶν  
στοιχείων μέχρι τοῦ κ· νενέμνται γὰρ κατὰ φυλὰς δέκα μέρη οἱ <sup>20</sup>  
5 δικασταί, παραπλησίως ἴσοι ἐν ἐκάστῳ τῷ γράμματι. ἐπειδὴν  
δὲ ὁ θεσμοθέτης ἐπικληρώσῃ τὰ γράμματα, ἃ δεῖ προσπαρτίθε-

19 ΕΛΓΤΟΥ: τ' αὐτοῦ H-L. τὸ <τ> αὐτοῦ <καὶ> πατρόθεν καὶ τῶν δήμων  
Parageorgios. 22 ΠΡΟΣΠ(ΑΡΑ)ΤΙΘΕCΘΑΙ Blass (κ<sup>3</sup>, κ-w<sup>3</sup>, Th); -ΓΙΝΕCΘΑΙ κ<sup>1</sup>  
(κ-w<sup>1,2</sup>, H-L); παρτίθεσθαι B<sup>4</sup>.

are of bronze; those of boxwood, mentioned in the text, having presumably perished. The specimens from the British Museum are given in Hicks, *Hist. Inscr.* p. 202. Out of the 65 collected in CIA ii 875—940, seventeen are mere fragments: the remaining 48 exhibit in the upper left-hand corner one of the first ten letters of the Greek alphabet:—A(4), B(6), Γ(5), Δ(9), E(8), Η(4), Η(2), Θ(6), Ι(3), Κ(1). Two of them (914—5) were found in the same tomb, both bearing the same letter and the same name (with a slight difference in spelling). Cf. 917—8. See also Suppl. iv (2) p. 212 f. Apparently each dicast remained permanently in the division first assigned him; so that the annual κλήρωσις δικαστῶν only affected those citizens who on reaching the age of 30 were assigned to a particular division for the first time. The πινάκια are discussed by Dumont, *Rev. Arch.* 1868, p. 140; C. Curtius, *Rhein. Mus.* 1876, 281; Klein, *Fahrb. des Vereins von Alterthumsfreunden im Rheinlande*, 1876, p. 57—; P. Girard in *Bull. Corr. Hell.* 1878, p. 523 —; Fränkel, *Att. Geschworenenger.* pp. 94, 95, 105; Meier and Schömann, pp. 151—2, Lips.; Lipsius, *Das Attische Recht*, 140; Caillemer in Daremberg and Saglio, iii 189 f; and Bruck, in *Philol.* 54 (1895) 64—79. The πινάκιον reproduced (as fig. 1) at the head of the frontispiece bears the name of Διονύσιος Διονυσίου ἐκ Κο[λ]η[ς]; in the upper left-hand corner is the letter of the division, A; below this, an owl between A and Θ, being part of ΑΘΗ, for Ἀθηναίων; towards the right are two owls between A and A, and to the right of this is a gorgon's head (CIA ii 876).

The use of the πινάκιον in drawing lots for certain public offices is mentioned in Dem. 39 (*adv. Boeotum de nomine*) § 12, τὶ δὲ, ἂν ἄρα... ἄτερος ἡμῶν πείσας τὸν ἕτερον, ἐὰν λάχῃ, παραδοῦναι αὐτῷ τὴν ἀρχήν, οὕτω κληροῦνται; τὸ δὲ οὖν πινάκιον τὸν ἕνα κληροῦσθαι τί ἄλλο ἐστίν; That this πινάκιον was of bronze is proved by § 10, ἂν δ' ἀρχήν ἡγνινοῦν ἢ πόλις κληροῦ, οἷον βουλῆς ἢ θεσμοθέτου ἢ τῶν ἄλλων, τῷ δήλος

ὁ λαχὼν ἔσται; πλὴν εἰ σημεῖον, ὥσπερ ἄλλῳ τι, τῷ χαλκίῳ προσέσται.

ἐπιγεγραμμένον—δήμου] Cf. Plat. *Leg.* 753 C (in the scheme for the election of magistrates), εἰς πινάκιον γράψαντα τοῦνομα πατρόθεν καὶ φυλῆς καὶ δήμου ὅποθεν ἂν δημοτεύηται.

νενέμνται γὰρ κατὰ φυλὰς δέκα μέρη] *i. e.* are divided into ten sections distributed over the tribes. The ten μέρη did not coincide with the ten tribes, but each μέρος had a nearly equal number of dicasts from all the tribes. The extant πινάκια prove that members of different tribes belonged to the same section (Benn-dorf, *Götting. gel. Ans.* 1870, p. 276—).

ἐκάστῳ τῷ γράμματι] A, B, Γ, &c to K, the letters of the dicastic divisions.

§ 5. θεσμοθέτης] Pollux viii 88, (οἱ θεσμοθέται) ταῖς ἀρχαῖς ἐπικληροῦσι τὰ δικαστήρια τὰ ἴδια καὶ τὰ δημόσια. CIA ii 567 b (inscr. in honour of a θεσμοθέτης), ἐπιμελεῖται—τῆς κληρώσεως τῶν δικαστηρίων, *ib.* 806, 206 (B.C. 325/4), τοὺς θεσμοθέτας παρα[πλ]ηρώσαι δικαστήρια εἰς ἕνα καὶ διακοσίους. The θεσμοθέτης draws lots assigning the letters (A, M, N, P, &c) to the several courts. The letter thus allotted was placed over the entrance of the court. Hence γράμμα is synonymous with δικαστήριον in Arist. *Ecol.* 683—, κληρώσω πάντας, ἕως ἂν εἰδῶς ὁ λαχὼν ἀπὴν χαίρων ἐν ὁποίῳ γράμματι δειπνῇ. In the next three lines the letters B, Θ and K can only refer to the ten heliastic divisions (A to K) severally marked on the dicast's πινάκιον. But at that date (*c.* 390 B.C.) the whole of a dicastic division was assigned to the same court, whereas, in Aristotle's day, it was distributed over all the courts.

Even the original allotment of the citizens to the several heliastic divisions was under the superintendence of the θεσμοθέται (*cf.* 59 § 7). This would involve the use of a set of balloting balls or counters marked with a letter indicating the several divisions (A, B, Γ, Δ, E, to K). It is probably specimens of these that have survived in two bronze counters having on the one side four owls arranged diagonally

23 σθαι τοῖς δικαστηρίοις, ἐπέθηκε φέρων ὁ ὑπηρέτης ἐφ' ἕκαστον τὸ δικαστήριον τὸ γράμμα τὸ λαχόν. ||

64. τὰ δὲ κιβώτια τὰ δέκα κείται ἐν τῷ ἔμπροσθεν τῆς (ὁ) εἰσόδου καθ' ἑκάστην τὴν φυλὴν· ἐπιγέγραπται δ' ἐπ' αὐτῶν τὰ στοιχεῖα μέχρι [τοῦ] κ. ἐπειδὴν δ' ἐμβάλωσιν οἱ δικασταὶ τὰ πινάκια εἰς τὸ κιβώτιον, ἐφ' οὗ ἂν ἦ ἐπιγεγραμμένον τὸ γράμμα τὸ αὐτὸ ὅπερ ἐπὶ τῷ πινακίῳ ἐστὶν αὐτῷ τῶν στοιχείω[ν, τότε] σείσαντος τοῦ ὑπηρέτου ἔλκει ὁ θεσμοθέτης ἐξ ἑκάστου τοῦ κιβωτίου πινάκιον ἕν. οὗτος δὲ καλεῖται ἐμπήκτης, καὶ ἐμπήγνυσι τὰ πινάκια [τὰ ἐκ τ]οῦ κιβωτίου εἰς τὴν κανονίδα, [ἐφ' ἧς τὸ α]ὐτὸ γράμμα ἔπεστιν ὅπερ ἐπὶ τοῦ κιβωτίου. [κληροῦται δ'] οὗτος,

23 ὁ secl. B<sup>4</sup> appendix. ἕκαστον τὸ B; confirmat K<sup>4</sup>.

LXIV 1—3 Fragmentum novum adhibuit K<sup>4</sup>. 1 τὰ δὲ [κιβώ]τια τὰ δέ[κ]α κ<sup>4</sup> (Th); [τὰ] δ' ἐκ[ατὸν κιβώτι]α κ-W<sup>3</sup>, B<sup>3,4</sup>; κ[εῖται] B<sup>3,4</sup>, κ-W<sup>3</sup>, K<sup>4</sup>, Th. [ἐ]ν τ[ῷ] ἔμ[π]ροσθεν coni. B<sup>3</sup> (K<sup>4</sup>, Th); ἐν τ[ῷ] ἡλιαίῳ πρόσθεν κ-W<sup>3</sup>. 1—2 τῆς εἰσόδου K<sup>4</sup> (Th). 3 τοῦ κ supplevi coll. c. 63 v. 20; idem suppleverunt ceteri. 5 αὐτῷ B<sup>3</sup>, K<sup>4</sup>, Th; αὐτὸ Wilcken; [[ἐστὶν αὐτῷ τῶν στοιχείω[ν ἐν]]] κ-W<sup>3</sup>; melius abest. 5—6 [τότε] σείσαντος K<sup>4</sup>, cf. c. 38, 17; 67, 14: [δια]σείσαντος Haussoullier, B, s<sup>1</sup>, Th. 7 ἐν..... c et ἐνπηγνύσι: ἐμπήκτης Bywater ((H-L, K<sup>3</sup>); ἐνπ. κ-W, B, Th. 8 [τὰ ἐκ τ]οῦ Hauss. ἐφ' ἧς scripsi cum H-L, Papabasileio, Hauss. (K<sup>3</sup>, B, Kaibel 260, κ-W<sup>3</sup>); ἐφ' ἧ κ-W<sup>1,2</sup>. 9 κιβωτίου supplevi cum Papabasileio, Hauss., cet. κληροῦται δ' addiderunt κ-W (edd.), vestigia supra versum agn. κ.

TESTIMONIA. § 2 Hesych. ἐμπήκτης: ὁ τὰ δικαστικά γραμματῖδια (γράμματα διὰ cod.) παρὰ τοῦ θεσμοθέτου (θεσμοφόρου cod.) λαμβάνων ὑπηρέτης καὶ πῆσσω εἰς κανονίδα (κανονίδα cod.); 'errat grammaticus: nam decem sunt e tribulibus ἐμπήκται' κ-W; errat etiam Bekk. An. 258, 21, ἐμπήκτης ὁ θεσμοθέτης.

and encircled with the word θεσμοθέτων, and on the other the letter A or E (Fränkel in Sallet's *Zeitschrift f. Numismatik*, iii p. 383 f, and Caillemer in Daremberg and Saglio, iii 191). See figs. 2 and 3 in frontispiece.

LXIV § 1. τὰ δὲ κιβώτια τὰ δέκα κτλ.] These are the 100 boxes (the κιβώτια ἑκατὸν) of c. 63 § 2, arranged in sets of ten, the boxes in each set being distinguished by the first ten letters of the alphabet. The first box contains all the tickets of the first heliastic division, the second that of the second, and so on. Each box is shaken in turn by the attendant, and the presiding official, the θεσμοθέτης, draws one ticket out of each.

ἔμπροσθεν τῆς εἰσόδου] 'in front of the entrance' of the κληρωτήρια of each tribe.

σείσαντος] Cf. the Homeric κλήρους πάλλιν, *Il.* 7, 171—189; 15, 191; 23, 353 f, 861; 24, 400; *Od.* 10, 206.

ἔλκει] Ἐφ. Ἀρχ. 1888, p. 114 v. 35, ὁ βασιλεὺς ἐλκέτω τὸν κ[αττίτε]ρο[ν]

ἐκάτερον ἐν μέρει. Cf. Eustath. p. 675, 53, ('Ἐρμού κληρος) ἦν ὁ ῥηθεὶς κληρος φύλλον ἐλαίας ὃ κατὰ τιμὴν τοῦ θεοῦ εἰώθεσαν ἐμβάλλειν καὶ πρῶτον ἀνέλκειν, also Photius s.v. Ἐρμού κληρος (Wyse, *Class. Rev.* v 335a).

§ 2. οὗτος] the person whose ticket has just been drawn. The ἐμπήκτης is neither the θεσμοθέτης (Bekk. An.), nor the ὑπηρέτης (Hesychius). A separate ἐμπήκτης is taken by lot from each heliastic division.

κανονίδα] probably a wooden frame fitted with a number of 'straight rules' or parallel ledges (κανόνες), stretching horizontally across it. We may suppose that the upper surface of each of these ledges was grooved and that each πινάκιον, as it was drawn, was inserted with its lower edge in the groove.

κληροῦται] not middle but passive, 'is appointed by lot.' The object of this (as we are told) is to prevent the jobbery that might arise, if the ἐμπήκτης were always the same and were therefore known beforehand.



ἵνα μὴ αἰεὶ ὁ αὐτὸς ἐμπηγνύων κακουργῆ. εἰσὶ δὲ κανονίδες [πέντε 10  
 3 ἐ]ν ἐκάστῳ τῶν κληρωτηρίων. ὅταν δὲ ἐμβάλῃ τοὺς κύβους ὁ  
 ἄρχων, τὴν φυλὴν κληρ[οῖ κατὰ κ]ληρωτήριον. εἰσὶ δὲ κύβοι  
 χαλκοῖ, μέλανες καὶ λευκοί. ὅσους δ' ἂν δέῃ λαχεῖν δικαστὰς,  
 τοσοῦτοι ἐμβάλλονται λευκοί, κατὰ πέντε πινάκια εἰς, οἱ δὲ  
 μέλανες τὸν αὐτὸν τρόπον. ἐπειδὴν δ' ἐ[ξέλη] τοὺς κύβους, καλεῖ 15  
 τοὺς εἰληχότας ὁ κ[ῆρυξ]. ὑπάρχει δὲ καὶ ὁ ἐμπήκτης εἰς τὸν  
 4 [ἀριθμό]ν. ὁ δὲ κληθεὶς καὶ ὑπακούσας ἔλκει βάλανον ἐκ τῆς

10 ἐμπηγνύων] K-W, B (ἐμπ. s<sup>1</sup>, K<sup>4</sup>), Th; ἐμπηγνύτης ὦν] K<sup>1</sup>, ἐμπήκτης ὦν] Bywater (Hauss., H-L, K<sup>3</sup>). [πέντε] B<sup>3</sup> propter bina κληρωτήρια (K<sup>4</sup>, Th); [δέκα] Hauss. cet.

11 ὅ[ταν δὲ] K-W<sup>3</sup>, K<sup>4</sup>, Th, quod cum spatio melius convenit quam ἐπειδὴν δ' (Hauss., s<sup>1</sup>). 11—12 ὁ ἄρχων, B, Th; ὁ ἄρχων K-W<sup>3</sup>, K<sup>4</sup>. 12 κληρ[οῖ] B<sup>3,4</sup>, K-W<sup>3</sup>, K<sup>4</sup>, Th: καλεῖ B<sup>1,2</sup>, K-W<sup>1,2</sup>, K<sup>3</sup>, s<sup>1</sup>. [κατὰ] B<sup>3,4</sup> (K<sup>4</sup>, Th): [εἰς τ]ὸ K-W (s<sup>1</sup>), sed o in charta exstare negat K<sup>4</sup>. 13 λαχεῖν H-L, cet. 15 ἐξέλη] Hauss. (K-W, K<sup>3</sup>); ἐξαιρη] B, s<sup>1</sup>, Kaibel 260, Th; an ἐξέλη? Wyse, coll. Arist. *Ecccl.* 688 ὅτω δὲ τὸ γράμμα μὴ ἔελκυσθῆ. 16 κ[ῆρυξ] B<sup>2-4</sup> (K-W<sup>3</sup>, K<sup>4</sup>, Th); [ἀρχων] K-W<sup>1,2</sup> (K<sup>3</sup>, B<sup>1</sup>, s<sup>1</sup>). 16—17 εἰς τὸν [ἀριθμό]ν B<sup>2-4</sup> (K-W<sup>3</sup>, K<sup>4</sup>, Th): εἰς [ᾧ]ν [αὐτῶ]ν B<sup>1</sup> (s<sup>1</sup>). 17 ὑπακ[ού]σας 'lectio minime certa' K<sup>4</sup> (Th).

TESTIMONIA. § 3 'hinc nati errores in scholio Junt. ad Ar. *Plut.* 277 p. 339 b 44—48 (Dübner)' K-W:—παρὰ τοῖς Ἀθηναίοις δέκα ἦσαν φυλαί. ἕθος οὖν ἀπὸ πασῶν τῶν φυλῶν δικαστὰς καθίζειν· εἶτα ἀπὸ μιᾶς ἐκάστης ἐλάμβανον ἄνδρας πέντε τοὺς ἐπισημοτέρους· καὶ πάλιν ἐκ τῶν πέντε ἕνα τὸν κληρῶ λαχόντα ἐποίουν δικάζειν. Cf. Schol. *id.* 972.

κανονίδες] In each of the two balloting chambers of the several tribes there were five of these contrivances, or ten in all, one for each of the heliastic divisions over which the dicasts of the tribe were distributed. The total number of κανονίδες was 100.

§ 3. ὁ ἄρχων] 'the archon' (concerned). The allotment of the dicasts of the 10 tribes is supervised by the nine archons and the secretary of the *thesmothetae* (cf. c. 63 § 1).

τὴν φυλὴν κληροῖ κατὰ κληρωτήριον] 'allots (draws lots for) the tribe (concerned) in each of the two allotment rooms' (successively). κατὰ here has a distributive sense, as in Dem. 2 § 31, πάντας ἐξίέναι κατὰ μέρος, and, below, κατὰ πέντε πινάκια εἰς.

κύβοι κτλ.] bronze dice (or lots) of two colours, black and white, but differing from ordinary dice by not being marked by any pips.

κατὰ πέντε πινάκια εἰς] Instead of having exactly as many dice as the number of the tickets, it was arranged (to save time) that each of the dice should correspond to five tickets, and thus, every time that one of the white dice was drawn, a group of five consecutive tickets should be taken down, to supply five dicasts towards the number required. Thus the white dice were equal

in number to the fifth part of the dicasts required; and, similarly, the black dice were equivalent in number to a fifth part of the rest of the applicants. All the tickets were taken down in groups, five for each white die and five for each black die. The former denoted the dicasts who were accepted, the latter those that were rejected (so Teusch, p. 21, who states and refutes the opinions of Dareste, Gilbert, and Kaibel).

ὑπάρχει—ἀριθμόν] *i.e.* 'from the very first, the ἐμπήκτης is included in the number of those accepted as dicasts.'

§ 4. βάλανον κτλ.] 63, 8 f. The dicasts having now been determined, it has still to be settled in what court they are severally to sit. Each of them, when called, draws out of the urn a ballot marked with a letter denoting one of the courts, and shews it to the presiding official, who now puts the ticket of the dicast concerned into the box marked with the same letter as the ballot drawn by the dicast. The number of these boxes is as many as the number of the courts that are to sit on the day in question. This ensures the dicast's taking his seat in the court he has actually drawn, and prevents his choosing his own court or arranging to sit in the same court as his friends.

ὕδριας, καὶ ὀρέξας αὐτῆ[ν ἀνέχ]ων τὸ γράμμα, δείκνυσι πρῶτον  
 μὲν τῷ ἄρχοντι τῷ ἐφεστηκότι. ὁ δὲ ἄρχων, ἐπειδὴν ἴδῃ, ἐμβάλλει  
 20 τὸ πινάκιον αὐτοῦ εἰς τὸ κιβώτιον, ὅπου ἂν ἦ ἐπιγεγραμμένον τὸ  
 αὐτὸ στοιχεῖον ὅπερ ἐν τῷ βαλάνῳ, ἵν' εἰς οἶον ἂν λάχῃ εἰσὶν καὶ  
 μὴ εἰς οἶον ἂν βούληται, μηδὲ ἦ συναγαγεῖν [εἰς] δικαστήριον  
 οὓς ἂν βούληταί τις. πα[ράκει]ται δὲ τῷ ἄρχοντι κιβώτια, ὅσαπερ 5  
 ἂν μέλλῃ τὰ δικαστήρια πληρωθῆσθαι, ἔχοντα στοιχεῖον ἕκασ-  
 25 του, ὅπερ ἂν [ἦ τὸ] τοῦ δικαστηρίου ἐκάσ[του] εἰληχός.

65. αὐτὸς δὲ δείξας πάλιν τῷ ὑπηρέτῃ, εἴτ' εἴ[ντος εἰσέρχεται]αι  
 τῆς κιγκλίδος. ὁ δὲ ὑπηρέτης [δίδωσιν αὐτῷ] βακτηρίαν ὁμόχρων  
 τῷ δικαστ[ηρίῳ οὗ τὸ] αὐτὸ γράμμα ἐστίν, ὅπερ ἐν τῷ βαλάνῳ,  
 ἵνα ἀναγκαῖον ἦ αὐτῷ εἰσελθεῖν εἰς ὃ εἴληχε δικαστήριον· ἐὰν

18 [ἀνέχ]ων s<sup>1</sup> (κ-w<sup>3</sup>, B<sup>4</sup>, Th); [ἄνω ἐχ]ων, 'fortasse spatium magis aptum' (hiatu  
 admissio) K<sup>4</sup>. 18—19 πρῶ[τον μὲν] κ, κ-w<sup>3</sup>, Th: πρῶ[τον αὐτὸ] B<sup>2</sup>; πρ[οσελθῶν]  
 B<sup>1</sup> (s<sup>1</sup>). 19 [ἐπειδὴ]ν Papabasilios, al. 21 ΔΥΤΟΥ: αὐτὸ Richards (edd.).  
 [ἴ]ν' Hauss. 23 πα[ράκει]ται Hauss. (edd.) 25 [ἦ] κ-w (Th); [ἦ τὸ] Kaibel  
 262 (K<sup>4</sup>); [ἦ ἐπι] B<sup>3,4</sup>.

LXV 1 αὐτ[ὸς δὲ δείξας] πάλιν K<sup>4</sup> (Th); 'dictum erat iudicem postquam archonti  
 glandem ostendit eandem ministro ostendisse,' κ-w<sup>3</sup>. εἴτ' εἴ[ντος εἰσέρχεται]αι K<sup>4</sup> in  
 notis (Th); εἰσε[ρχεται ἐντὸς ἰῶ]ν (ἐντὸς ἰῶν Diels) K<sup>4</sup>. 2 κ[ι]γκλ[ί]δος Diels (K<sup>4</sup>, Th).  
 2—5 restituerunt κ-w, coll. Bekk. An. 220. 3 [ἐφ' οὗ τὸ] αὐτὸ B<sup>2</sup> (s<sup>1</sup>), 'spatio  
 nimium' K<sup>4</sup>; [οὗ ἐστὶ] ταὐτὸ Papageorgios; [οὗ τὸ] αὐτὸ K<sup>4</sup> (Th). 4 ΗΝ corr. κ-w.

TEST. LXV §§ 1, 2 Bekk. An. 220, 17 βακτηρία: ὁμόχρωμοι τοῖς δικαστηρίοις ἐδίδοντο  
 βακτηρία, ἵνα ὁ λαβῶν οἶον δὴ χρώματος βακτηρίαν εἰς τὸ ὁμόχρωμον εἰσέλθῃ (-θοι cod.)  
 δικαστήριον καὶ μὴ εἰς ἕτερον πλανᾶται διὰ τὸ πολλὰ εἶναι τὰ δικαστήρια. ἰβ. 185, 4  
 βακτηρία καὶ σύμβολον: ῥάβδον κατεῖχον οἱ δικάζοντες καὶ σύμβολον ἐλάμβανον ἀντι-  
 διδόντες διὰ τὸ κομίσασθαι τὸν (v. l. τὸ) τριώβολον (cf. 68, 10—13). Pleniora eadem in lex.  
 Patm. p. 144, et apud Suidam (e lexico Photiano) βακτηρία καὶ σύμβολον: οἱ λαχόντες  
 δικάζειν ἐλάμβανον παρὰ τῶν δημοσίων ὑπηρετῶν σύμβολον καὶ βακτηρίαν καὶ οὕτως  
 ἐδίκασον. τὴν χροῖαν δὲ ὁμοίαν εἶχε τῇ βακτηρίᾳ τὸ δικαστήριον. τὸ μὲντοι σύμβολον  
 μετὰ τὴν κρίσιν ἀποδιδόντες ἐκομίζοντο τριώβολον· ὅπερ καὶ δικαστικὸν γέγονεν (leg.  
 ἔλεγον). Schol. Ar. Vespr. 1110, ἐδίδοντο δὲ καὶ βακτηρία τοῖς δικασταῖς ὁμόχροι τοῖς  
 δικαστηρίοις, ὅπου ἕκαστος εἰσελθόντες δικάζειν εἶδει, ἵνα τὸν διαμαρτάνοντα ἀπελέγῃ τὸ  
 χρώμα.

τὸ γράμμα] the letter (λ, μ, ν, etc)  
 denoting the court (63 § 2). Cf. Arist.  
*Plut.* 277, ἐν τῷ σορῷ νυλὶ λαχὸν τὸ  
 γράμμα σου δικάζειν, σὺ δ' οὐ βαδίζεις, ὁ  
 δὲ Χάρων τὸ σύμβολον δίδωσιν and 1166,  
 οὐκ ἐτὸς ἅπαντες οἱ δικάζοντες θραμὰ σπεύ-  
 δουσιν ἐν πολλοῖς γεγράφθαι γράμμασιν.

§ 5. κιβώτια] These boxes are, of  
 course, quite different from those of 64 § 1.  
 Their number corresponds to that of the  
 courts which are to sit on the day in  
 question. Each of them is distinguished  
 by one of the letters of the alphabet,  
 beginning with λ, the letter assigned to  
 each court having been determined by  
 lot, and the courts required having thus  
 been arranged in alphabetical order.

LXV § 1. δείξας πάλιν] the dicast has

already shewn the ballot to the 'archon';  
 he now shews it to the attendant, who,  
 on his coming within the rail, gives hi-  
 a small staff of the same colour as that  
 of the court designated by that ballot.  
 The colour on the staff practically super-  
 sedes the letter on the ballot, as it is  
 obviously easier for the doorkeeper to  
 see that each dicast has a staff of the right  
 colour than a ballot marked with the  
 right letter.

τῆς κιγκλίδος] 'the rail,' cancelli; cf.  
 Arist. *Vespr.* 124, ἐπὶ τῇ κιγκλίδι, 775,  
 οὐδεὶς σ' ἀποκλείσει θεσμοθέτης τῇ κιγκλίδι,  
 fragm. 18, ὁ δ' ἡλιαστῆς ἐλπεε πρὸς τὴν  
 κιγκλίδα, and Pollux viii 124, αἱ μὲν οὖν  
 δικαστηρίων θύραι κιγκλίδες ἐκαλοῦντο.



γὰρ εἰς ἕτερον εἰ[σέ]λ[θη], ἐξελέγχεται ὑπὸ τοῦ χρώματος τῆς 5  
 2 βακτηρίας. τοῖς γὰρ δικαστηρίοις χρώμα ἐπιγέγραπται ἐκάστω  
 ἐπὶ τῷ σφηκίσκῳ τῆς εἰσόδου. ὁ δὲ λαβὼν τὴν βακτηρίαν βαδίζει  
 εἰς τὸ δικαστήριον τὸ ὁμόχρων μὲν τῇ βακτηρίᾳ, ἔχον δὲ τὸ αὐτὸ  
 γράμμα ὅπερ ἐν τῇ βαλάνῳ. ἐπε[ιδὸν δ' εἰς] ἔλθη, παραλαμβάνει  
 3 σύμβολον δημοσίᾳ παρὰ τοῦ εἰληχότος ταύτην τὴν ἀρχήν. εἶτα 10  
 τὴν τε βάλανον καὶ τὴν βακτηρίαν (ἔχοντες καθίζουσιν) ἐν τῷ  
 δικαστηρίῳ, τοῦτον (τὸν) τρόπον εἰσεληλυθότες· τοῖς δ' ἀπο-  
 4 λαχάνουσιν ἀποδιδόασιν οἱ ἐμπήκται τὰ πινάκια. οἱ δὲ ὑπηρεταί

5 εἰ[σέ]λ[θη] κ<sup>4</sup>; εἰσ[λή] B, K-W, Th. 6 χρώματα: χρώμα Schol. Ar. ἐφ'  
 ἐκάστω Schol. Ar., 'non capit spatium' κ<sup>4</sup>. 8 εἰς τὸ: εἰς Schol. Ar. 9 ὅπερ  
 Schol. Ar.: ο'. 10 [εἶτα κ<sup>4</sup> (Th); ιτας B<sup>4</sup>: ], [δε]ίξας Kaibel (K-W<sup>3</sup>). 11 <ἔχον-  
 τες καθίζουσιν> κ<sup>4</sup>; fortasse ἀποτιθέασιν Th. 13 ΕΜΠΗΡΗΚΤΑΙ: restituit B<sup>2</sup>.

TESTIM. LXV § 2 \*Schol. Arist. *Plut.* 278 (om. cod. Ravennas, cod. Venetus, et cod. Laur. Θ) περὶ τοῦ παραδιδόμενου τοῖς εἰσιούσιν εἰς τὸ δικαστήριον συμβόλου Ἄρ. ἐν τῇ Ἀθ. πολ. οὕτω γράφει· "τοῖς γὰρ δικαστηρίοις χρώμα ἐπιγέγραπται [[ἐφ']] ἐκάστω ἐπὶ τῷ σφηκίσκῳ τῆς εἰσόδου. ὁ δὲ λαβὼν—ἀρχήν" (7—10). Frag. 420<sup>2</sup>, 460<sup>3</sup>. Cf. Schol. Ar. *Junt.* ad v. 277, p. 340 a 40, τοῖς λαχοῦσι δικάσαι εἰσελθούσιν ἐκάστω σύμβολον δίδονται δημοσίον παρὰ τῆς ἐπὶ τούτῳ εἰληχίας ἀρχῆς, ἢ οἱ ἐξιόντες καὶ τοῦτο προσφέροντες λαμβάνουσιν τὸν δικαστικὸν μισθόν, ἢ 4 ἐδίδου δὲ ὁ κήρυξ αὐτοῖς ῥάβδον, ἣτις ἦν σύμβολον τοῦ δικάζειν, ἵνα ἕκαστος καθ' ἐσπέραν ἀποδιδὸς τῷ πρυτάνει τὴν ῥάβδον τριώβολον λαμβάνῃ μισθὸν τῆς δικάσεως.

§ 2. τοῖς γὰρ δικαστηρίοις χρώμα ἐπιγέγραπται] Each of the courts is marked outside with a different colour. Two of the courts derived their name from their colour, Paus. i 28, Βατραχιῶν δὲ καὶ Φοινικῶν ἀπὸ χρωμάτων.

τῷ σφηκίσκῳ τῆς εἰσόδου] 'the lintel of the entrance,' *supercilium ianuae*, Steph. *Thesaurus*, vii 1606, Paris, quoted in Schömann's *Opusc. Acad.* i 206; similarly in Boeckh, *Kl. Schr.* vii 478 f. The word has also been discussed by Fabricius, in *Hermes*, xvii (1882) 581, 585, and by Wachsmuth, *Stadt Athen*, ii (1) 381 n. 2. It is sometimes understood to mean timbers for the roof, as in CIA i 322<sup>a</sup> 80, τῆς ἐποροφίας σφηκίσκους καὶ ἱμάντας, ii 1054, lines 53, 71, ἐπιθήσει σφηκίσκους, and iv 3, 225 c p. 168, σφηκίσκοι ἀπὸ τῆς στοᾶς καθηρημένοι (at Eleusis). In Aristoph. *Plutus*, 301, it is a 'pointed stake.'

λαβὼν τὴν βακτηρίαν... παραλαμβάνει σύμβολον] The 'staff' and the 'symbol' are characteristic of the dicast, Dem. *Cor.* 210, (δεῖ) παραλαμβάνειν γ' ἅμα τῇ βακτηρίᾳ καὶ τῷ συμβόλῳ κτλ. (quoted on c. 63 § 2). The 'symbol' was a token entitling the holder to receive his fee for attendance. It was afterwards taken to the place allotted to him in the court,

and it was there that he received payment (69 § 2).

It has been proposed to identify with these σύμβολα certain leaden counters stamped on one side with a design resembling that used for the reverse of a τριώβολον, and on the other with one of the first ten letters of the alphabet (Benndorf, *Zeitschr. f. d. Oesterr. Gymn.* 1875). See figs. 4 and 5, frontispiece. The fact that letters after κ are not found on these counters shews that the letters do not indicate the courts beginning with λ, but the heliastic divisions (64 § 1) from α to κ, marked on the ticket of each dicast. This assumes that the token received by each dicast, after entering the court, was marked with the same letter as that of his dicastic division; but the entrances of the courts corresponded not to the heliastic divisions, but to the tribes (c. 63, 3). It is therefore possible that these counters belonged to an earlier date, when the whole of a heliastic division was assigned to the same court.

τὴν ἀρχήν] probably a 'public slave' (*Att. Proc.* p. 162, Lips.). In the time of Aristophanes, it was the κωλακρέται who paid the dicastic fee, but there is no reason to believe that these officials existed after 403 B.C.

οἱ δημόσιοι ἀπὸ τῆς φυλῆς ἐκάστης παραδιδόασιν τὰ κιβώτια, ἐν  
 15 ἐπὶ τὸ δικαστήριον ἕκαστον, ἐν ᾧ ἔνεστιν τὰ ὀνόματα τῆς φυλῆς  
 τὰ ὄντα ἐν ἐκάστῳ τῶν δικαστηρίων. παραδιδόασι δὲ τοῖς εἰλη-  
 χόσι ταῦτα ἀποδιδόναί τοῖς δικασταῖς ἐν ἐκάστῳ τῷ δικαστη-  
 ρίῳ ἀριθμῷ τὰ πινάκια, ὅπως ἐκ τούτων καλοῦντες ἀποδιδῶσι  
 τὸν μισθόν.

66. ἐπειδὴν δὲ πάντα πλήρη ἦ τὰ δικαστήρια, τίθεται ἐν  
 τῷ πρώτῳ τῶν δικαστηρίων δύο κληρωτήρια, καὶ κύβοι χαλκοῖ,  
 ἐν οἷς ἐπιγέγραπται τὰ χρώματα τῶν δικαστηρίων, καὶ ἕτεροι  
 κύβοι, ἐν οἷς ἐστιν τῶν ἀρχῶν τὰ ὀνόματα ἐπιγεγραμμένα. λα-  
 5 χόντες δὲ τῶν θεσμοθετῶν δύο χωρὶς ἐκατέρων τοὺς κύβους ἐμβάλ-  
 λουσιν, ὁ μὲν τὰ χρώματα εἰς τὸ ἐν κληρωτήριον, ὁ δὲ τῶν ἀρχῶν  
 τὰ ὀνόματα εἰς τὸ ἕτερον· ἢ δ' ἂν πρώτη λάχῃ τῶν ἀρχῶν, αὕτη  
 ἀναγορεύεται ὑπὸ τοῦ κήρυκος ὅτι χρήσεται τῷ πρώτῳ || λαχόντι [C  
 δικαστηρίῳ, ἢ δὲ δευτέρα τῷ δευτέρῳ, καὶ ὦ[σαύτως τοῖς ἄλλοις,  
 10 ἵ]να μηδεμίᾳ προειδ[ῆ] τίνι αὐτῶν χρήσεται], ἀλλ' οἷον ἂν λάχῃ  
 ἐκίστη, τούτῳ χρήσεται. ἐπειδὴν δ' ἔλθωσιν καὶ ν[ενεμημένοι] 2  
 ἐφ' ἕκαστον ὦ[σιν] οἱ δικασταί, ἢ ἀρχῆ ἢ [ἐφεστηκυῖα ἐν τ]ῷ δικα-  
 στηρίῳ ἐκάστῳ [ἔλκει ἐξ ἐκάστου τοῦ] κιβωτίου πινάκιον [ἔν,

16 ἐν [[ἐκάστῳ] τῷ δικαστηρίῳ K-W<sup>3</sup>. 17 ταῦ[τ]α [ἀπο]διδόναί, 'lectio non  
 certa' K<sup>4</sup> (Th); τὸ πάλ[ιν] διδόναι Wilcken; τόπον διδόναι K-W<sup>3</sup>; πέντε ἀποδιδόναί B<sup>4</sup>  
 cum Photiade. 18 τὰ πινάκια secl. K<sup>4</sup>, qui pέντε proposuit coll. c. 66 v. 19.  
 [κ]αλοῦντες ἀπο- K<sup>4</sup> (Th); σκοποῦντες [[ἔτι] Wilcken K-W<sup>3</sup>, σκοποῦντες ἀπο- B<sup>4</sup>.

LXVI 1 πλη[ρ]ῆ ἢ τὰ Photiades (K<sup>4</sup>, Th); πλη[ρ]ῶ[σ]ῃ τὰ Wilcken (K-W<sup>3</sup>); πα[ρα-  
 ὠν

δοθ]ῆ κατὰ B<sup>3,4</sup>. 5 ΕΚΑΤΕΡΟΥΣ: -ρος K-W<sup>3</sup>, -ρων K<sup>4</sup>, -ρους B<sup>4</sup>, Th. 9—11 Blas-  
 sium secutus supplevit K<sup>4</sup>. 9 [δ]ικα[σ]τηρίῳ] restituit B (K<sup>4</sup>, Th); 'ικα incertum,'  
 K<sup>4</sup>: ΗΔΗ Wilcken (K-W<sup>3</sup>). 11 ΚΑΙ Ν: καὶ εἰ- Wilcken (K-W<sup>3</sup>). 12 [οἱ δικασ]ταί  
 K<sup>4</sup> (Th): -ωται Wilcken, unde οἱ ἰδιῶται B<sup>3,4</sup>. ἢ [ἐφεστηκυῖα] K-W<sup>3</sup> (edd.).  
 13—15 restituit B<sup>2</sup>.

§ 4. τὰ κιβώτια κτλ.] The tickets  
 belonging to the dicasts in each court  
 have been sorted out into ten boxes; these  
 boxes are taken by the attendants of each  
 'tribe,' and handed over to the persons  
 who have been allotted the duty of re-  
 turning the tickets to the dicasts in that  
 court, in order that the officials may  
 (ultimately) call out the name on each  
 ticket and pay the dicast his fee. ἀριθμῷ  
 appears unintelligible, unless we either  
 (1) make it a synonym for δικαστηρίῳ  
 and read ἐν ἐκάστῳ τῷ ἀριθμῷ (so Kaibel,  
 264), or (2) accept Mr Kenyon's ἀριθμῷ  
 πέντε, and suppose that these persons  
 are the same as the five mentioned in  
 66 § 3.

LXVI § 1. ἐπειδὴν δὲ πάντα πλήρη  
 κτλ.] When the number of dicasts re-

quired for the several courts has been  
 supplied, the next step is to assign the  
 courts to their presiding officers. This is  
 done by two of the *thesmothetae*, one of  
 whom draws the colour of the court, and  
 the other the name of the presiding  
 officer. The officer is described in § 2 as  
 ἢ ἀρχῆ ἢ ἐφεστηκυῖα. His first act is to  
 draw the name of one dicast out of each  
 of the ten boxes corresponding to the ten  
 tribes. Of the ten thus drawn, the five  
 first drawn are allotted, one to attend to  
 the κλειψύδρα, and four to superintend the  
 voting. The other five receive the de-  
 tailed scheme, shewing in which parts of  
 the court the dicasts belonging to the  
 several tribes are ultimately to stand for  
 the purpose of receiving payment.



ἵνα γένωνται δέκα], εἰς ἕξ ἐκάστης τῆς φυ[λῆς, καὶ ταῦτα τὰ  
 πινάκ]ια [εἰς] ἕτερον κενὸν κ[ιβώτιον ἐμβάλλει· καὶ] τούτων <sup>15</sup>  
 πέντε τοὺς πρώτους λα[χόντας κληροῖ, ἕνα μὲν] ἐπὶ τὸ ὕδωρ,  
 τέτταρας δὲ [ἄλλους ἐπὶ τὰς ψή]φους, [ἵνα] μηδεὶς παρασκευάζη  
 μήτε τὸν ἐπὶ τὸ ὕδωρ μήτε τοὺς ἐπὶ τὰς ψήφους, μηδὲ γίγνηται  
 3 περὶ ταῦτα κακούργημα μηδέν. οἱ δὲ ἀπολαχόντες πέντε παρὰ  
 τούτων ἀπολαμβάνουσι τὸ πρόγραμμα, καθ' ὅτι τὸν μισθὸν λή- <sup>20</sup>  
 ψονται καὶ ὅπου ἕκασται αἱ φυλαὶ ἐν αὐτῷ τῷ δικαστηρίῳ,  
 ἐπειδὴν δικάσωσι[ν, ὅπως] διαστάντες ἕκαστοι κατ' ὀλίγους  
 λάβωσι καὶ μὴ πολλοὶ εἰς ταῦτὸ συγκλεισθέντες ἀλλήλοις  
 ἐνοχλῶσιν.

67. ταῦτα δὲ ποιήσαντες εἰσκαλοῦσι τοὺς ἀγῶνας, ὅταν μὲν  
 τὰ ἴδια δικάζωσι, τοὺς ἰδίους, τῷ ἀριθμῷ τέτταρας ἕξ ἐκάστων  
 τῶν δικῶν τῶν ἐκ τοῦ νόμου, καὶ διομνύουσιν οἱ ἀντίδικοι εἰς αὐτὸ  
 τὸ πρᾶγμα ἐρεῖν· ὅταν δὲ τὰ δημόσια, τοὺς δημοσίους, καὶ ἕνα  
 2 μόνον ἐκδικάζωσι. εἰσὶ δὲ κλεψύδραι αὐλ[ούς τε] ἔχουσ[αι καὶ ἕ]- 5

15—16 [καὶ] τοῦ[των ε'] κ<sup>4</sup> (Th): τοῦ[των δὲ] κ-w<sup>3</sup> (B<sup>4</sup>). 16 λα[χόντας κληροῖ,  
 ἕνα μὲν] κ<sup>4</sup>: δ[ιακ]ληροῖ, ἕνα μὲν τὸν κ-w<sup>3</sup>; δ[ιακ]ληροῖ, ἕνα μὲν B<sup>4</sup>, Th. ΛΔ (non Δ)  
 'videtur habere L, κ<sup>4</sup>. 17 [ἄλλους ἐπὶ τὰς ψή]φους, B<sup>2</sup> (κ<sup>4</sup>); [τοὺς ἐπὶ τὰς ψή]φους  
 κ-w<sup>3</sup> (Th). 20 τὸ π[ρόγ]ραμ[μα] B<sup>2</sup>, 'lectio non certa' κ<sup>4</sup>, Th: τῷ γ̄ Wilcken,  
 unde Photiades coniecit τὰ το[ῦ] γ̄ [σύμβολ]α, καθ' ἃ [ἔστι λαβεῖν] (B<sup>4</sup>). 22 δικά-  
 σωσι[ν, ὅπως] κ<sup>4</sup> (Th); δικάσωσι, [ἐλαχον] Photiades (B<sup>4</sup>); post -σι agnoscī posse δη  
 (Wilcken) negat κ<sup>4</sup>.

LXVII 2 τέτταρας ἕξ; ΔΕΞ, ut videtur (κ<sup>4</sup>); [δς ἄ]ν ᾗ B (Th). 3 τῶν alterum  
 del. κ-w<sup>3</sup> (Th). δ[ιο]μνύουσιν Wilcken (κ<sup>4</sup>, Th): διομνύονται B<sup>3,4</sup>. 5—10 κλεψύδραι  
 —οὐδεὶς fere omnia restituit Wilcken. 5 αὐλ[ούς τε] ἔχουσ[αι καὶ] praetuli;  
 αὐλ[ίσκου]ς ἔχουσ[αι] ceteri. ἔχουσ[αι] ξ[ικρο]υς B<sup>2-4</sup>, κ-w<sup>3</sup>, Th (agn. αἰε Wilcken):  
 ἔχουσ[αι] μ[ικρο]ύς Sakkellarios (κ<sup>4</sup>).

LXVII § 1. τῷ ἀριθμῷ τέτταρας] This  
 implies that exactly four private suits  
 were taken on each day on which private  
 suits were to be tried; but the time  
 allotted to the several suits would depend  
 on the nature of the suit (*infra*, § 2, and  
 Lipsius, *Att. Rechts*, 149, n. 46). The  
 alternative [δς ἄ]ν ᾗ leaves the number  
 undetermined.

εἰς αὐτὸ τὸ πρᾶγμα ἐρεῖν] Dem. 57  
*Eubul.* 7, τὸ γὰρ εἰς αὐτὸ τὸ πρᾶγμα πάντα  
 λέγειν τοῦτ' ἐγὼ ὑπολαμβάνω, and 60,  
 ἐρῶ δ' εἰς αὐτὸ τὸ πρᾶγμα.

κλεψύδραι αὐλοῦς τε ἔχουσ[αι] καὶ  
 ἕκρου] The *clepsydra* was a vessel  
 capable of containing a definite amount  
 of water. In the upper part was a hollow  
 semi-circular handle (αὐλός) with an  
 opening at the top (στόμα or πορθμός).  
 It was through this opening that the  
 vessel was filled, while the bottom of the  
 vessel was perforated (τρυπήματα or ἡθμός),

so as to allow of the gradual escape of  
 the water. So long as the opening at the  
 top remained open, the water continued  
 running; but, as soon as that opening  
 was closed, either by placing a lid upon  
 it, or by pressing it with the hand, the  
 water ceased to flow. The above des-  
 cription of the probable shape of the  
*clepsydra* is suggested by two earthen  
 vessels, the first of which is figured by  
 Zahn in *Mitth. D. Arch. Inst.*, 1899,  
 p. 339, and the second by Pottier in the  
*Revue Archéologique*, 1899 (1), p. 7.  
 Once supposed to be a kind of wine-  
 strainer, they were first connected with  
 the *clepsydra* by Maltézos in the *Ἐφ.*  
*Ἀρχ.* 1902, p. 18 f, while both of the  
 figures have since been reproduced by  
 Photiades in *Ἀθηνᾶ*, xvi, 1904, p. 55.

A passage in Empedocles, quoted by  
 Aristotle, *De Respiratione*, i 473 b, de-  
 scribes a *clepsydra*, used as a girl's play-

κρους, εἰς ἃς τὸ ὕδωρ ἐγγέουσι, πρὸς ὃ δεῖ λέγειν τὰς δίκας. δίδονται <δὲ> δεκάχους ταῖς ὑπὲρ πεντακισχιλίας καὶ τρίχους τῷ δευτέρῳ λόγῳ, ἐπτάχους δὲ ταῖς μέχρι πεντακισχιλίων καὶ δίχους, πεντάχους δὲ ταῖς ἐντὸς [χιλίων] καὶ δίχους, ἐξάχους  
 10 δὲ ταῖς διαδικασίαις, <αἷς> ὕστερον λόγος οὐκ ἔστιν οὐδεὶς.

6 καί, fortasse ante τὰς scriptum (κ<sup>4</sup>), seclisit Th. 8 δ[ευτέρῳ] κ<sup>4</sup>, Th: [ὑστερον] κ-W<sup>3</sup>, B<sup>4</sup>. 9 ἐν[τὸς] [χιλίων] conl. Photiades, coll. c. 53 § 3 (B<sup>4</sup>, κ<sup>4</sup>, Th): ἐν[μήνοισ] κ-W<sup>3</sup>. 10 <αἷς> κ-W<sup>3</sup>, κ<sup>4</sup>, Th: <καί> B<sup>4</sup>.

thing. It was a brasen vessel, into which the water could not pass upwards through the perforations, so long as the hand was placed on the πορθμός in the αὐλός, i.e. on the opening, or mouth, of the handle, or tube, at the top. The *clepsydra* described in Arist. *Probl.* xvi 8 has an αὐλός with a στόμα above, and τρυπήματα below; the water does not pass through the τρυπήματα in either direction, ἐπιληφθέντος τοῦ αὐλοῦ or πωμασθέντος τοῦ αὐλοῦ, but, as soon as the pressure on the αὐλός is removed, the water ἐκρεῖ. Cf. *ib.* ii 1.

Thus, each *clepsydra* has a supply-pipe or αὐλός, and an outlet or ἐκρους, and the sense required is given by the words proposed in the text. For ἔχουσαι with αὐλ[οῦς], cf. 68 § 2 αὐλίσκον [ἔχουσαι], and, with ἐκρους, 50, 12, ὀχετοῦς...ἐκρον ἔχοντας, and *Meteor.* i 13, 35<sup>a</sup> 10, λίμνη οὐκ ἔχουσα ἐκρον φανερόν.

πρὸς ὃ δεῖ λέγειν τὰς δίκας] Cf. δίκαι πρὸς ὕδωρ, and the use of πρὸς in Aeschin. 2, 126, πρὸς ἔνδεκα ἀμφορέας. τὰς δίκας is not needed, but may be defended by Isocr. 15 § 40, δίκας...λέγειν.

δεκάχους] *sc.* κλεψύδρα. The χοῦς,  $\frac{1}{2}$  of the ἀμφορέας, was equivalent to 12 κοτύλαι, i.e. to 5·76 English pints. Ten of these would be 57·6 pints or 2·16 gallons. πεντακισχιλίας, *sc.* δραχμῶν, or £200. δίχους, *ap.* Athen. 495 A. ἐξάχους, Plut. *Sol.* 23. ταῖς διαδικασίαις, 'rival claims,' as ἐπιτροπῆς in 58, 38, or τριηραρχίας in 61, 9. Cf. Meier and Schömann, pp. 471-5, Lips. In Dem. *Macart.* 78, in a case of κλήρον διαδικασία (361 B.C.), the archon was bound to supply an ἀμφορέας of water for each of the claimants and 3 χόες for the second speech; whereas the text shews that, a generation later, the time allowed was only half an ἀμφορέας (6 χόες), and there was no second speech.

The subject in general is elaborately discussed by Bruno Keil, in the appendix *Zum athenischen Gerichtswesen*, pp. 225—269 of his ed. of the *Anonymus Argenti-*

*nensis* (1902). Evidence of the use of the *clepsydra* is supplied by Aristophanes for the years B.C. 425 (*Ach.* 692) and 422 (*Vesp.* 93, 857). From Antiphon (*Or.* 6 § 37 f) we learn that, in his time, a trial might extend over two days, and, from Andocides (1 §§ 26, 35, 55, ἐν τῷ ἐμῷ λόγῳ), that there was a limit of time, and a certain relation between the length of the first and that of the second speech. ὕδωρ is used with reference to the *clepsydra* in Isocr. 18 § 51 (c. 400 B.C.), Lys. 23 §§ 4, 8, 11, 14, 15 (an early speech), Isaeus 2 § 34 (c. 350) and 3 §§ 12, 76 (c. 360), and in the earliest speech of Demosthenes, 27 § 12, and often afterwards. It is even introduced into the artificial speech of Isocrates, *Antid.* 320, αἰσθάνομαι...τὸ...ὕδωρ ἡμᾶς ἐπιλείπον. Probably about 370 B.C. the Athenian procedure was revised, and definite limits of time introduced; Plato, *Theaet.* (c. 370 B.C.) twice refers to the ὕδωρ of the law courts, 172 D and 201 B. But this new arrangement (exemplified in Dem. *Macart.* 78, 361 B.C.) did not remain unaltered. In the text we have a statement of the total number of *choë*s (13, 9, 7, 6) assigned to the speeches in a series of private suits. In view of this statement the length of the extant speeches has been examined by Keil, who comes to the conclusion that, in the age of Lysias, 80 lines of the Zürich ed. of the *Oratores Attici* (which would take little more than 4<sup>m</sup> 34<sup>s</sup> to deliver) may be taken as the equivalent of one χοῦς, and that, in the age of Demosthenes, the χοῦς corresponds to 70 lines, or 4<sup>m</sup>. The following are examples of the first two of the limits laid down in the text: Dem. *Or.* 47, *Ψευδομαρτυριῶν* (c. 353 B.C.), 719 lines = 10 *choë*s or 40<sup>m</sup>; *Or.* 45 *Steph.* A, *Ψευδομαρτυριῶν* (349-8 B.C.), in an action involving one talent, 717 lines = 10 *choë*s, and *Or.* 46, *Steph.* B, 211 lines = 3 *choë*s or 12<sup>m</sup> for the second speech.



34] 13 ὁ δ' ἐφ' ὕδωρ εἰληχῶς ἐπιλαμβάνει || τὸν αὐλόν, ὅταν ἡ ψήφισμα ἢ νόμον ἢ μαρ[τυρίαν ἢ σύμβολον ὁ γραμμ]ατεὺς ἀναγι[γνώσκειν μέλλη· ὅταν δὲ] ἢ [πρὸς] διαμεμετρημένην τὴν ἡμέραν ὁ [ἀγών,

11 αὐλόν praetuli; αὐλσκον ceteri. Post ὅταν, <ἡ> inserui. 11—13 [ὅταν ψήφισμα ἢ] νόμον ἢ μαρ[τυρίαν ἢ σύμβολον ὁ γραμμ]ατεὺς ἀναγιγνώσκει. ὅταν δὲ ὁ ἀγών πρὸς] K-W<sup>3</sup>; eadem, sed ἀναγιγνώσκειν μέλλη ὅταν δὲ] ἢ [πρὸς] K<sup>4</sup>; [ἐπειδὴν δ' ὁ ἀγών πρὸς] B<sup>3,4</sup>; eadem, sed ἐπειδὴν δὲ] ἢ [πρὸς] Th.

TESTIMONIA. LXVII § 3 \*Harp. διαμεμετρημένη ἡμέρα: μέτρον τί ἐστὶν ὕδατος πρὸς μεμετρημένον ἡμέρας διάστημα βέον. ἐμετρεῖτο δὲ τῷ Ποσειδεῶνι (melius Ποσειδεῶνι) μῆνι· πρὸς δὲ τοῦτο ἠγωνίζοντο οἱ μέγιστοι καὶ περὶ τῶν μεγίστων ἀγῶνες. διενέμετο δὲ τρία μέρη τὸ ὕδωρ, τὸ μὲν τῷ διώκοντι, τὸ δὲ τῷ φεύγοντι, τὸ δὲ τρίτον τοῖς δικάζουσι. ταῦτα δὲ σαφέστατα αὐτοὶ οἱ ῥήτορες δεδηλώκασι, ὥσπερ καὶ Αἰσχίνης ἐν τῷ κατὰ Κηφισοφώντος (§ 126). 'Αρ. δ' ἐν τῇ 'Αθ. πολ. διδάσκει περὶ τούτων... (Frag. 423<sup>2</sup>, 463<sup>3</sup>). Lex. Sabbaiticum, 10, 18 οἱ τοῖνον δημόσιοι καὶ μεγάλοι ἀγῶνες πρὸς τοῦτο τὸ ὕδωρ ἠγωνίζοντο. καὶ διενέμετο εἰς τρία μέρη ἡ ἡμέρα, ἡ μὲν πρώτη ἡμέρα τῷ κατηγορῶν, ἡ ἐφεξῆς δὲ τῷ κατηγορουμένῳ, καὶ ἡ τρίτη τοῖς δικάζουσιν εἰς τὸ σκέψασθαι τὴν ψήφον.

Schol. ad Aeschin. 2 § 126 "πρὸς ἔνδεκα γὰρ ἀμφορέας ἐν διαμεμετρημένη τῇ ἡμέρα κρῖνομαι": φασὶν ὅτι τὰς ἡμέρας τοῦ Ποσειδεῶνος μῆνός ἐπιλεξάμενοι (ἐκλεξ. K-W) οἱ Ἀθηναῖοι ὡς συμμετρουσ καὶ δυναμένας κατέχειν ἔνδεκα ἀμφορέας, πρὸς αὐτὰς καὶ ταῖς ἄλλαις ἡμέραις (τὰς ἄλλας ἡμέρας codd., corr. Sauppe) ἐσκεύαζον τὴν κλειψύδραν, μέγαλον πράγματος δηλονότι ἀγωνιζομένου (γυμναζομένου codd., corr. K-W). ἀπενέμοντο δὲ οἱ ἔνδεκα ἀμφορεῖς κατὰ τὸ τρίτον τοῖς ἀντιδίκους καὶ τοῖς δικασταῖς. Aliud schol. τοῖς περὶ τῶν μεγίστων ἀγωνιζομένοις διηρεῖτο ἡ ἡμέρα καὶ ἐδίδοτο αὐτοῖς ἡμισὸν μὲν τῷ κατηγορῶν, ἡμισὸν δὲ τῷ ἀπολογομένῳ, καὶ διεμετρεῖτο τὸ ὕδωρ ὅσον ἐπαρκεῖ εἰς τὰς ὥρας τοῦ ἡμισοῦ μέρους τῆς ἡμέρας. τοῦτο δὲ ἀπὸ μιᾶς ὥρας. Hesych. διαμεμετρημένην ἡμέραν· ἐπὶ τῶν μεγάλων δικῶν τὴν ἡμέραν ἐμέριζον εἰς διστήματα.

§ 3. ὁ ἐφ' ὕδωρ εἰληχῶς] 66, 6, ἐπὶ τὸ ὕδωρ. ἐπιλαμβάνει τὸν αὐλόν, lays his hand on the opening of the supply-pipe above, and thus stops the percolation of the water below. Cf. ἐπίλαβε τὸ ὕδωρ, 'stop the water,' in Lys. Pankleon, 4, 8, 11, 14 f, Isaeus Pyrrh. 12, Menekl. 34, Dem. c. Steph. A, 8, Conon 36, Eubul. 21; Herondas, ii 41—43, καίτοι λαβῶν μοι, γραμματεῦ, τῆς αἰκίας | τὸν νόμον ἄνειπε, καὶ σὺ τὴν ὀπὴν βύσον | τῆς κλειψύδρης, βέλτιστε, μέχρις οὗ εἶπη. ὁ γραμματεὺς] the clerk of the court.

ὅταν δὲ ἢ πρὸς διαμεμετρημένην τὴν ἡμέραν ὁ ἀγών] 'when the trial takes place on a day divided into several parts,' i.e. when a single day is assigned to a trial, and when the several parts of the day are assigned to the several parts of that trial. This is the procedure adopted for important trials (Harpocr. s.v. διαμεμετρημένη ἡμέρα), whereas, in ordinary private suits, several cases are taken on the same day, and a limited space of time is assigned to each speech, with deductions for the recitation of documents. In the more important trials there is no such deduction.

The loci classici on the ἡμέρα διαμεμετρημένην are as follows: In Xen. Hell. i 7,

20, Euryptolemus proposes that the generals in command at Arginusae should be tried individually, either under the decree of Cannōnus or under the law of treason, with the three parts of the day divided, διηρημένων τῆς ἡμέρας τριῶν μερῶν, one for the voting, one for the prosecution, and one for the defence. Aeschines, 3 (Ctesiph.), 197, says that, in a γραφή παρανόμων, the day is divided into three parts, εἰς τρία μέρη διαιρεῖται ἡ ἡμέρα, the first for the prosecution, the second for the defence, and the third for the assessment of the penalty. Demosthenes, F. L. 120, says of Aeschines, ἀγῶνας καινούς... πρὸς διαμεμετρημένην ἡμέραν αἰρεῖς διώκων, probably referring to εἰσαγγελίαι; and Aeschines, F. L. 126, says of himself πρὸς ἔνδεκα γὰρ ἀμφορέας ἐν διαμεμετρημένη τῇ ἡμέρα κρῖνομαι. (Here, either the 11 ἀμφορεῖς represent the duration of Aeschines' speech, and are a third of the legal day, so Photiades, Ἀθηνᾶ, xvi 20; or they are nearly the whole of the day, which probably had the duration of 12 ἀμφορεῖς, the speech of Aeschines lasting for 2; so Keil, l.c. 255.) There is also a passing reference in Dem. Nicostr. 17, εἰσελθὼν εἰς δικαστήριον πρὸς ἡμέραν διαμεμετρημένην.

τότ]ε δὲ οὐκ ἐπιλαμβ[άνει αὐτόν, ἀλλὰ δίδοτα]ι τὸ [ἴσο]ν ὕδωρ  
 15 τῷ τε κα[τηγοροῦντι καὶ τῷ ἀπο]λογ[ουμ]ένῳ. διαμετ[ρεῖται δὲ 4  
 πρὸς τὰς ἡμέ]ρας τοῦ Ποσιδεῶνος [μηνὸς.....] ἀρο... νται  
 χρώντ[αι.....] ια[...]τενταις τα κλι[.....]  
 ἀπ]ο... [..]ασιν οἱ δι[κ]ασ[ταὶ.....] ολ... [..] ἴσον ἔκα-  
 στοι λ[.....] τε.[..] γὰρ ἔσπευδον [.....]  
 20 πετ[...].ρος ἐξωθεῖν τοὺς [φεύγοντας.....]λει...ν ὕδωρ λαμ-  
 βά[ν.....] εἰ[σίν, ὁ] μὲν ἕτερος τοῖς δ[ιώκουσιν, ὁ δὲ  
 ἕτερος] τοῖς φ[εύγουσιν]. ἐν δὲ τοῖς [.....] ἀπο[...]  
 ἐξείλε τῷ διαψη[φισμῷ τῷ δευτέρ]ῳ. δι[αιρ]εῖται δ' ἡ ἡμέρα ἐπὶ  
 τοῖς [..... ἀγώ]νω[ν ὅ]σοις πρόσεστι δεσμ[ὸς ἢ θάνατος  
 25 ἢ φυγῇ ἢ ἀ]τιμία ἢ δήμευσις χρημάτ[ων, καὶ οὐ κείται ἐν τοῖς  
 νό]μοις [ὅ] τι χρῆ παθεῖν ἢ ἀποτεῖσαι.

15—16 κα[τηγοροῦντι—μηνὸς restituit B<sup>2</sup>. 15 δὲ post διαμετ[ρεῖται addidit  
 K<sup>4</sup> (Th). 16 ὅτι ἐν τούτῳ βραχυτέρας γίνονται? Th; malim τότε γὰρ β. γ.  
 18 ἀ[ποτι]θέ[σιν κ-ω<sup>3</sup>. ἴσον B<sup>2</sup> (κ-ω<sup>3</sup>, Th): εἰς δν κ<sup>4</sup>. 19 Ἄν λ[αμβάνουσιν  
 ὕδωρ]? s. Ἄν πρό[τερον] γὰρ? Th. 'Fere ἔσπευδον [ἂν εἰς βραχὺ τῆς ἡμέρας μέ]ρος  
 ἐξωθεῖν κτέ. cf. Thuc. vi 34, 6 (ἐξωσθῆναι ἂν τῆ ὥρα ἐς χειμῶνα), B<sup>2</sup>. 20 [φεύγοντας]  
 B<sup>2</sup> (Th). 21 [ἴν' οὖν] αἰε[ί] [ἴσο]ν ὕδωρ λαμβά[νωσιν, δύο κάδοι εἰσ]ίν, ὁ μὲν ἕτερος  
 conl. B<sup>3</sup>. 22 ἐν δὲ τοῖς [τιμητοῖς ἀγῶσι Photiades. 22—23 [τὸ] ἴσ[ον] ἐξείλε B<sup>3,4</sup>;  
 σι... ξῆ εἰσι Wilcken. 23 τῷ δευτέρ]ῳ Photiades; τῶν δικαστῶν B<sup>3</sup>. 24 τοῖς [γ.  
 μέγιστοι δὲ τῶν ἀγῶνων conl. B<sup>3</sup>; [γ. τιμητοὶ δὲ τῶν ἀγῶνων Photiades. ἢ θάνατος  
 B<sup>3</sup>, ἢ φυγῇ κ-ω<sup>3</sup>, utrumque K<sup>4</sup> (Th). 25 [καὶ οὐ κείται ἐν τοῖς νό]μοις Photiades  
 (K<sup>4</sup>): ἢ τιμῆσαι δε[ε]ῖ B<sup>3</sup> (Th), cf. 61 § 2, 69 § 2.

τὸ ἴσον ὕδωρ τῷ τε κατηγοροῦντι καὶ  
 τῷ ἀπολογουμένῳ] Aeschin. 3, 197,  
 ἐγχείται...τὸ μὲν πρῶτον ὕδωρ τῷ κατη-  
 γόρῳ...τὸ δὲ δεύτερον ὕδωρ τῷ τὴν γραφὴν  
 φεύγοντι...

διαμετρεῖται—Ποσιδεῶνος μηνός] The  
 standard adopted was a day in Posideon  
 (Dec.—Jan.), when the days were shortest.  
 The length of the shortest day at Athens  
 has been variously estimated at 9<sup>h</sup> 25<sup>m</sup> 8<sup>mm</sup>  
 ('*Ἀθηνᾶ*, xvi 1904, p. 10), or 9<sup>h</sup> 28<sup>m</sup>  
 (Bruno Keil, *l.c.*, 255). In any case, all  
 arrangements made as to the distribution  
 of legal business on that day would easily  
 fit into all the other days of the year.  
 When the standard day was in December,  
 if 12 ἀμφορεῖς of 12 χόες be (as Keil  
 suggests) the length of the day, the  
 duration of 4<sup>m</sup> for each χόες would give  
 us a day of 144 × 4<sup>m</sup> = 576<sup>m</sup> = 9<sup>h</sup> 36<sup>m</sup>.  
 (Photiades, '*Ἀθηνᾶ*, xvi 20, taking a day  
 of 9<sup>h</sup> 25<sup>m</sup> 8<sup>mm</sup> and making this equivalent to  
 33 ἀμφορεῖς, reduces the χόες to 1<sup>h</sup> 4<sup>m</sup>,  
 which would give us only 14<sup>m</sup> for a speech  
 of 10 χόες.)

But, in an earlier age, that of Lysias  
 (c. 403—380 B.C.), the speeches were  
 longer, and a χόες corresponds, not to  
 70 lines of text, as in the age of Demo-  
 sthenes, but to 80 lines of text or 4<sup>m</sup> 34<sup>mm</sup>

seconds of time. This, multiplied by  
 144, gives a day of 658<sup>m</sup> or 10<sup>h</sup> 58<sup>m</sup>, the  
 length of the day at Athens on Oct. 22  
 and Feb. 21. The former, which would  
 be a suitable day for beginning the winter  
 sessions, was apparently adopted as the  
 standard day for legal purposes in the time  
 of Lysias (Keil, 263).

However, at the time of this treatise,  
 the standard day was in mid-winter.  
 To ensure perfect accuracy it would be  
 necessary to make allowance for the fact  
 that the rate at which the water flowed  
 would depend on its temperature (cf.  
 Athen. p. 42; Plut. *Quaest. Nat.* c. 7).  
 I learn from Mr (now Sir Joseph) Larmor  
 that, when the level of the water in a  
 water-clock is maintained constant, the  
 rate at which it percolates through narrow  
 tubes or pores of any form depends only  
 on the degree of viscosity of water. Ac-  
 cording to the experiments of Poiseuille  
 (*Mémoires de l'Institut*, x), the rate of  
 percolation is increased by about one-  
 thirtieth for each degree Centigrade of  
 rise in the temperature. Thus a rise of  
 1° C. should make a water-clock go faster  
 by about two minutes every hour.

οὐ κείται—ἀποτεῖσαι] Harpocr. s.v.  
 ἀτίμητος ἀγὼν καὶ τιμητός: ὁ μὲν τιμητός



68. [τὰ δὲ πολλὰ] τῶν δικαστηρίων ἐστὶ  $\bar{\phi}$ [.....]  
 σο..[.]ασιν· ὅταν δὲ δέ[η τὰς μεγίστας γραφ]ὰς ε[ἰς ἂ εἰ]σαγα-  
 γεῖν, συν[έρχεται  $\bar{\beta}$  δικαστή]ρια εἰς τὴν ἡλιαίαν· τὰ ..[.....]  
 2 κῆρα..εἰς  $\bar{\phi}$  καὶ ἂ, τρία [δικαστήρια. ψῆφοι δέ] εἰσιν χαλκαῖ,  
 αὐλίσκον [ἔχουσαι ἐν τῷ μέσῳ, αἱ μ]ὲν ἡμίσειαι τετρυ[πημέναι, 5  
 αἱ δὲ ἡμίσειαι πλή]ρει[ς· οἱ] δὲ λαχόντες [ἐπὶ τὰς ψήφους, ἐπειδὴν  
 εἰρη]μένον ὧσιν οἱ [λόγοι, παραδιδόασιν ἐ]κάστῳ τῶν δικαστ[ῶν  
 δύο ψήφους, τετρυπ]ημένην καὶ πλήρη, [φανερὰς ὄρᾶν τοῖς ἀντιδί]-  
 κο[ις, ἴ]να μήτε πλή[ρεις μήτε τετρυπημένας] ἀμφοτέρας λαμβά-  
 ν[ωσιν. ὁ δὲ ταύτην τὴν ἀρχὴν] εἰληχῶς ἀπολα[μβάνει τὰς βακ- 10

LXVIII 1 [τὰ δὲ πολλὰ τῶν Wilcken, κ-w<sup>3</sup>, 'spatio non satis, nisi fuit intervallum ante τὰ' κ<sup>4</sup>, Th. [τὰ δὲ δημοσί]α τῶν Photiadēs. φ[ά β<sup>3</sup>, 'propter lineolam longiorem super lacunam manentem' (Th). 1—2 οἷς τὰ ἴδια ἀποδιδό]ασιν β<sup>4</sup>, ἀποδ., quod verum esse quondam negavit κ<sup>4</sup>, postea non reiecit. φ[ά καὶ τοῖτοις τὰ δημόσια διδόασιν Photiadēs. [οἷς κρίνει τὰς ἐλάττους διδó]ασιν sensum indicavit Th, 'neque enim de litibus privatis cogitandum,' cf. c. 53 § 3. 2—4 δέη—τρία δικαστήρια restitit. κ-w<sup>3</sup>; δέη τι ἐκ τῆς ἐκκλησίας κτλ. Photiadēs. 2 τὰς μεγίστας ex Lex. Patm. Lipsius; τὰς μείζους? Th; τὰς δημοσίας κ-w (β<sup>4</sup>, κ<sup>4</sup>). ε[ἰς ἂ] propter spatium addidit κ<sup>4</sup> (Th). 3 f. ταῖς δὲ μεγίσταις συνκινεῖται εἰς? Th, *Berl. Phil. Woch.* 1909, 702. 4—10 ψῆφοι—λαμβάνωσιν ex Harp. restituit κ. 10 [ὁ δὲ ταύτην τὴν ἀρχὴν] Th: [τότε δ' ὁ ἐπὶ τοῦτο] κ<sup>4</sup>. τὰς βακτηρίας Photiadēs (β<sup>4</sup>, κ<sup>4</sup>): τὰ σύμβολα Th.

TESTIMONIA. LXVIII § 1 Harp. ἡλιαία καὶ ἡλιαῖσι: ἡλιαία μὲν ἐστὶ τὸ μέγιστον δικαστήριον τῶν Ἀθηναίων, ἐν ᾧ τὰ δημόσια τῶν πραγμάτων ἐκρίνετο χιλίων δικαστῶν ἢ χιλίων καὶ  $\bar{\phi}$  συνιόντων. συνέσαν δὲ οἱ μὲν χιλιοὶ ἐκ δυοῖν δικαστηρίων, οἱ δὲ χιλιοὶ πεντακόσιοι ἐκ τριῶν... Lex. Patm. p. 137 ἡλιαία: τὸ μέγα δικαστήριον, ἐν ᾧ τὰ μέγιστα τῶν δημοσίων πραγμάτων ἐκρίνετο. ἦν δὲ ποτὲ μὲν χιλίων ἀνδρῶν καὶ πεντακοσίων καὶ ἐνός, <ποτὲ δὲ χιλίων καὶ ἐνός>. ἦσαν δὲ οἱ χιλιοὶ καὶ πεντακόσιοι ἐκ τριῶν δικαστηρίων· οἱ δὲ χιλιοὶ ἀπὸ δύο δικαστηρίων. ἐκλήθη δὲ οὕτως ἀπὸ τοῦ ἀλιζεσθαι. Cf. Bekk. *An.* 262, 10, Phot. et Schol. *Dem.* 24, 9.

§ 2, 4—10 \*Harp. τετρυπημένη... Ἄρ. ἐν Ἀθ. πολ. γράφει ταυτί: "ψῆφοι—λαμβάνωσιν" (4—10). Bekk. *An.* 307, 18 (= Photius<sup>1</sup>) τετρυπημένη ψῆφος: τῶν ψήφων οὐσῶν χαλκῶν καὶ αὐλίσκον ἔχουσῶν, αἱ μὲν ἦσαν τετρυπημέναι ὅσαι κατεψηφίζοντο, αἱ δὲ πληρεῖς <καὶ> ἀτρυπητοί, ὅσαι ἠφέλισαν τοὺς κρινόμενους (Frag. 424<sup>2</sup>, 464<sup>3</sup>). Pollux viii 123 ψήφους δ' εἶχον χαλκᾶς δύο, τετρυπημένην καὶ ἀτρυπητον. Bachmann, *Anec.* ii 333, 15—25 = 373 1—10.

10—12 Bekker, *Anecd.* 185, 4 ῥάβδον κατεῖχον οἱ δικάζοντες, καὶ σύμβολον ἐλάμβανον ἀντιτιδόντες διὰ τὸ κομισσασθαι τὸ τριώβολον.

ἐφ' ᾧ τίμημα ἐκ τῶν νόμων οὐ κεῖται, ἀλλὰ τοὺς δικαστὰς εἶδει τιμᾶσθαι ὅτι χρὴ παθεῖν ἢ ἀποτίσαι. *Ar. Probl.* 953 a 4, quoted on p. 263 b.

LXVIII § 1. δικαστήριον is here used of the normal unit of a court for the trial of public causes, viz. 500 dicasts, which may be doubled or trebled to 1000 or 1500 respectively.

§ 2. ψῆφοι—τετρυπημέναι—πλήρεις] In Aeschin. c. *Timarch.* 79, the herald standing by the side of the orator is described as proclaiming that of the two votes given to each dicast, that which was perforated, τῶν ψήφων ἢ τετρυπημένη, ὅτω δοκεῖ κτλ., was the vote of condemnation; that which was not, the vote of acquittal, ἢ δὲ πλήρης, ὅτω μὴ (with Schol.).

Cf. *Plut. Lyc.* 12, τῆς τετρημένης (ψήφου).

These ψῆφοι are identified with certain small discs of bronze which have been found at Athens, pierced with a short metal stem. In the two specimens given in figs. 6 and 7 this stem, the αὐλίσκος of the text, is in one case perforated, in the other not: the former is clearly a ψῆφος τετρυπημένη, the latter a ψ. πλήρης. On one side of the disc are the words ψῆφος δημοσία, on the other is punched a letter of the alphabet (Γ or Κ in the only two specimens at present known to us). These letters probably correspond to those of the heliastic divisions (A to K). Cf. Meier and Schöm. p. 936 Lips., and Daremberg and Saglio, iii 196.

τὰς βακτηρίας] c. 65, 2, 7, 11.

τηρίας, ἀνθ'] ὦ[ν] εἰς ἕκαστος ψηφίζ[όμενος λαμβάνει σύμβολο]ν  
χαλκοῦν || [μετὰ] τοῦ γ (ἀποδιδούς γὰρ γ λαμβάνει), ἵ[να] ψηφί- [Co  
[ζωντ]αι πάντες· οὐ γὰρ ἔστι λαβεῖν σύμβολον [οὔδεν]ί, ἐὰν μὴ  
ψηφίζηται. εἰσὶ δὲ ἀμφορεῖς [δύο κεί]μενοι ἐν τῷ δικαστηρίῳ, ὁ 3  
15 μὲν χαλκοῦς, [ὁ δὲ ξύ]λινος, διαιρετοὶ ὅπως μὴ λάθῃ ὑποβάλλων  
τις ψήφους, εἰς οὓς ψηφίζονται οἱ δικασταί, ὁ μὲν χαλκοῦς κύριος,  
ὁ δὲ ξύλινος ἄκυρος, ἔχων ὁ χαλκοῦς ἐπίθημα διερρινημένον, ὥστ'  
αὐτὴν μόνην χωρεῖν τὴν ψήφον, ἵνα μὴ δύο ὁ αὐτὸς [ἐμβάλλ]ῃ. ἐπει- 4  
δὰν δὲ διαψηφίζεσθαι μέλλωσιν οἱ δικασταί, ὁ κήρυξ <ἀν>αγορεύει  
20 πρῶτον, ἂν ἐπισκῆπτωνται οἱ ἀντίδικοι ταῖς μαρτυρίαις. οὐ γὰρ  
[ἔστιν] ἐπισκῆψασθαι, ὅταν ἄρξωνται διαψηφίζεσθαι. ἔπειτα  
πάλιν ἀνακηρύττει· “ἡ τετρυπημένη τοῦ πρότερον λέγοντος, ἡ  
δὲ πλήρης τοῦ ὕστερον λέγοντος.” ὁ δὲ δικαστῆς λα[βὼν ἅμα] ἐκ

11 λαμβάνει σύμβολον B<sup>3</sup>4 (K<sup>4</sup>, Th).

Photiades, idem ἵνα ψηφίζονται (K<sup>4</sup>, Th).

(K<sup>4</sup>, Th). 15 λ[άβ]ῃ ὑποβάλλων τις K<sup>4</sup> (Th).

ένβ. B, K-W<sup>3</sup>, Th). 19 [οἱ δικασ]ταί B<sup>2</sup> (edd.).

c. 69 v. 7, cf. etiam v. 22 ἀνακηρύττει.

20 ΕΠΙΣΚΕ: corr. K-W<sup>3</sup> (edd.). ΤΑC

ΜΑΡΤΥΡΙΑC: corr. K-W<sup>3</sup> e Plat. Leg. 937 B (edd.).

restit. B<sup>2</sup> (edd.). 23 λα[βὼν] B<sup>2</sup> (K-W<sup>3</sup>), + ἅμα B<sup>4</sup> (K<sup>4</sup>, Th).

12 μετὰ B<sup>2</sup> (K<sup>4</sup>, Th); ἀντὶ vel ὑπέρ

13—14 οὔδενί—κείμενοι restit. K-W<sup>3</sup>

18 [ἐμβάλλ]ῃ van Leeuwen (K,

<ἀν>αγορεύει coni. Th. coll.

20 ΕΠΙΣΚΕ: corr. K-W<sup>3</sup> (edd.). ΤΑC

20—22 οὐ—ἀνακηρύττει

restit. B<sup>2</sup> (edd.). 23 λα[βὼν] B<sup>2</sup> (K-W<sup>3</sup>), + ἅμα B<sup>4</sup> (K<sup>4</sup>, Th).

TEST. LXVIII § 3 Schol. Arist. *Eq.* 1150... ὕστερον δὲ ἀμφορεῖς δύο ἕσταντο ἐν τοῖς  
δικαστηρίοις, ὁ μὲν χαλκοῦς ὁ δὲ ξύλινος, καὶ ὁ μὲν κύριος ἦν, ὁ δ' ἄκυρος. ἔχει  
δὲ “ὁ μὲν χαλκοῦς,” ὡς φησὶν Ἄρ. διερρινημένον ἐπίθημα εἰς τὸ αὐτὴν μόνην τὴν  
ψήφον καθίεσθαι. Schol. Ar. *Vesp.* 987 δύο γὰρ ἀμφορεῖς εἰσὶν ὧν ὁ μὲν κύριος λεγό-  
μενος χαλκοῦς, εἰς δὲ τὴν κυρίαν ψήφον καθίεσαν οἱ δικασταὶ ἢ καταδικάζοντες ἢ ἀπολύοντες·  
ὁ δ' ἕτερος ξύλινος, εἰς δὲ τὰς ἀκύρους καθίεσαν. ὁπότε δὲ πάντες διεψηφίσαντο, εἰς τὸν  
χαλκοῦν κάδον διηριθμοῦντο αἱ ψήφοι, καὶ κατεδίκαζον μὲν αἱ τετρυπημέναι, ἀπέλυνον δὲ  
αἱ πλήρεις. Pollux viii 123 καὶ κάδον (εἰχον) ᾧ κημὸς ἐπέκειτο δι' οὗ καθίετο ἡ ψήφος·  
αὐτὸς δὲ δύο ἀμφορεῖς ὁ μὲν χαλκοῦς ὁ δὲ ξύλινος, ὁ μὲν κύριος ὁ δὲ ἄκυρος.  
τῷ δὲ χαλκῷ ἐπὶ τὸ ἐπίθημα μιᾷ ψήφῳ χώραν ἔχον (Frag. 426<sup>2</sup>, 466<sup>3</sup>).

σύμβολον] c. 65, 10. μετὰ τοῦ γ,  
‘inscribed with the letter γ.’ In γ λαμ-  
βάνει, γ = τριώβολον.

§ 3. ἀμφορεῖς] also called κάδοι or κα-  
δίσκοι; Pollux viii 17, καδίσκος... τὸ ἀγ-  
γεῖον ᾧ τὰς ψήφους ἐγκαθίεσαν. Harp.  
καδίσκος: Ἰσάιος ἐν τῷ περὶ τοῦ Ἀγνίου  
κλήρου (Or. II § 21 bis), ἀγγεῖον τι εἰς ὃ  
ἐψηφοφόρον οἱ δικασταί... Bekk. *Anec.* 275  
καδίσκοι: ὕδρια χαλκαῖ, εἰς ἃς καθίετο αἱ  
ψήφοι τῶν δικαζομένων. Schol. Arist.  
*Vesp.* 321 etc (Meier and Schöm. p. 938  
—942 Lips.). Lys. 13 § 37. Cf. the  
ὕδρια of Xen. *Hell.* i 7, 9, and CIA iv 1,  
I 16 h, p. 24.

ἐπίθημα] also called κημὸς Arist.  
*Vesp.* 754 (Pollux viii 16 δι' οὗ καθίεσαν  
αἱ ψήφοι ἐπικειμένου τῷ καδίσκῳ), *ib.* 123  
κάδον, ᾧ κημὸς ἐπέκειτο, δι' οὗ καθίετο ἡ  
ψήφος. Cf. Meier and Schöm. p. 938, n.

492—3.

ἐπίθημα διερρινημένον κτλ.] ‘a lid filed  
through, so as to be only large enough to  
admit one vote.’

§ 4. ὁ κήρυξ] Arist. *Vesp.* 752, κείθι  
γενοίμαν, ἵν' ὁ κήρυξ φησί, τίς ἀψήφιστος;  
ἀνιστάσθω.

ἐπισκῆπτωνται] Plat. *Leg.* 937 B, ἐπι-  
σκῆπτεσθαι δὲ τῶν ἀντιδικῶν ἐκάτερον ὅλη  
τῇ μαρτυρίᾳ καὶ μέρει, ἐὰν τὰ ψευδῆ φῆ  
τινὰ μεμαρτυρηκέναι, πρὶν τὴν δίκην διακε-  
κρίσθαι (Meier and Schöm. p. 488 Lips.).

τοῦ πρότερον λέγοντος, the plaintiff:  
τοῦ ὕστερον, the defendant. Cf. 69, 8.  
Similarly in the trials of the generals  
after Arginussae, Xen. *Hell.* i 7, 9, the  
votes of condemnation are placed in what  
is briefly called the προτέρα ὕδρια; those  
of acquittal, in the ὑστέρα; cf. Lys. 13  
§ 37, and Arist. *Vesp.* 987—990.



τοῦ λυχνείου τὰς ψήφους, πιέζων τὸν [αὐλίσκον] τῆς ψήφου καὶ οὐ δεικνύων τοῖς ἀγωνιζομένοις οὔτε τὸ τετρυπημένον οὔτε τὸ 25 πλήρες, ἐμβάλλει τὴν μὲν κυρίαν εἰς τὸν χαλκοῦν ἀμφορέα, τὴν δὲ ἄκυρον εἰς τὸν ξύλινον.

69. πάντες δ' ἐπειδὴν ὧσι διεψηφισμένοι, λαβόντες οἱ ὑπηρέται τὸν ἀμφορέα τὸν κύριον ἐ[ξ]ερῶσιν ἐπὶ ἄβα[κα τρ]υπήματα ἔχοντα ὅσαιπερ εἰσὶν αἱ ψή[φοι, καὶ τ]αῦτα ὅ[πως] αἱ κύρ<ιαὶ προ>κείμεναι εὐαρίθμη[τοι ὧσι]ν, καὶ τὰ τρυπητὰ καὶ τὰ πλήρη δῆλα τοῖς ἀντιδίκους· οἱ δὲ ἐπὶ τὰς ψήφους εἰληχότες δια[ριθ- 5 μούσιν] αὐτὰς ἐπὶ τοῦ ἄβακος, χωρὶς μὲν τὰς πλήρεις, χωρὶς δὲ τὰς τετρυπημένας. καὶ ἀναγορεύει ὁ κῆρυξ τὸν ἀριθμὸν τῶν ψήφων, τοῦ μὲν διώκοντος τὰς τετρυπημένας, τοῦ δὲ φεύγοντος τὰς πλήρεις· ὅποτέρῳ δ' ἂν πλείων γένηται, οὗτος νικᾷ, ἂν δὲ 10 ἴσαι, ὁ φεύγων. ἔπειτα πάλιν τιμῶσι, ἂν δέη τιμῆσαι, τὸν αὐτὸν 10

24 [αὐλίσκον] Papageorgios (κ-w<sup>3</sup> 'num caperet spatium, dubium est' κ<sup>4</sup>, Th). 25 ἀγωνιζομένοις—πλήρες restit. B<sup>2</sup> (edd.). 26—27 [τὸν χαλ]κοῦν—[τὸν ξύλ]ινον κ-w<sup>3</sup> (edd.).

LXIX 1 διε[ψηφισ]μένοι Wilcken (edd.). 2 [τὸν ἀ]μφορέα κ-w. ἐ[ξ]ερῶσι B<sup>2</sup> (Th): -ων corr. κ-w<sup>3</sup> (κ<sup>4</sup>). 2—3 ἄβα[κα]—ψή[φοι B<sup>2</sup> (edd.). 3 καὶ τ]αῦτα ὅσαι αἱ κύρ<ιαὶ προ>κείμεναι κ<sup>4</sup>; ἴν' αὐτὰ [ι φανερὰ] προκείμεναι (κ-w<sup>3</sup>, Th); τος[αῦτα, ὅ]πως καὶ [διε]ρ[ηρ]ει[σ]μέ[γα] καὶ B<sup>3,4</sup>. 4 τρυπητὰ κ<sup>4</sup>, Th; [τρ]υπήμ[ατα δὴ]ντα B<sup>3,4</sup>; <τὰ > [τε]τρυπημένα Wilcken (κ-w<sup>3</sup>). 5 δῆλα [τοῖς ἀν]τιδ[ί]κοις B<sup>3,4</sup> (Th);

ΔΗ postea deletum; 'δηλονότι τοῖς ἀντιδίκους scholion esse vidit Diels' (κ<sup>4</sup>). 5—7 δια[ριθμ]ούσιν—τετρυπημένας B<sup>2</sup> (edd.). 7 ἀριθ]μὸν κ-w (edd.). 9 πλείων γένη[ται] B, κ<sup>4</sup>, Th; Πάλειος γένωνται κ-w e lex. Cantab.

TEST. LXIX § 1 ad fin. \*lex. rhet. Cantab. ἴσαι αἱ ψήφοι αὐτῶν· ἐγένοντο δὲ ἴσαι ψήφοι, ὡς Ἄρ. ἐν τῇ Ἄθ. πολ.· καὶ ἦσαν "τοῦ μὲν διώκοντος" αἱ τετρυπημένα, "τοῦ δὲ φεύγοντος" αἱ πλήρεις, "ὅποτέρῳ δ' ἂν πλείους γένωνται," οὗτος ἐνικά, ὅτε δὲ "ἴσαι, ὁ φεύγων" ἀπέφυγεν... (Frag. 425<sup>2</sup>, 465<sup>3</sup>). Harp. κἂν ἴσαι, Hesych. ἴσαι ψήφοι et κἂν ἴσαι, Append. prov. iii 30, 42, Schol. ad Arist. *Ran.* 685.

λυχνείου] a 'lamp-stand,' probably with two branches, each of them supporting a hollow disk, or pan (πινάκιον, Pollux, x 115). In the ordinary use of the λυχνεῖον, the two pans would be the proper place for the λύχνοι; in its present use, or rather in the metaphorical application of the term to part of the machinery of the law-courts, the two pans are the place for the two sets of ψήφοι. The contrivance probably resembled a very simple type of *epergne*.

αὐλίσκον] Cf. 68, 5.  
οὐ δεικνύων] Lys. 12 § 91, μηδ' ὀλεσθε κρύβδην τὴν ψήφον εἶναι, Dem. *F.L.* 239, κρύβδην ψηφίζεσθαι, Plat. *Leg.* 876 A. Meier and Schöm. p. 937 Lips.

LXIX § 1. ἐξερῶσιν] sc. τὰς ψήφους. Arist. *Vesp.* 993, φέρ' ἐξερᾶσω· πῶς ἂν ἡγωνίσμεθα; cf. Aesch. *Eum.* 742, ἐβάλλεθ' ὡς τάχιστα τευχέων κάλους.

ἄβακα] 'a reckoning-board,' Pollux x 105—6, here used to count the votes. Cf. Arist. *Vesp.* 332, ἢ δῆτα λίθον μεποίησον ἐφ' οὗ τὰς χοίρινας ἀριθμοῦσιν.

ἴσαι] *Probl.* 29, 13, διὰ τί ποτε, ὅταν τῷ φεύγοντι καὶ τῷ διώκοντι φαίνωνται αἱ ψήφοι ἴσαι, ὁ φεύγων νικᾷ; and 15. Aeschin. 3 § 252, Ant. *Herod.* 51, Arist. *Ran.* 685, Aesch. *Eum.* 732—3 (Meier and Schöm. p. 938, n. 495 Lips.).

§ 2. τιμῶσι—τὸν αὐτὸν τρόπον ψηφίζόμενοι] [Dem.] *Aristog.* 1, 83, θανάτου πάσιν ἐτιμᾶτο... καὶ ταῦτα πρὶν τὴν πρώτην ψήφον διενεχθῆναι. Aeschin. 3 § 197, Dem. *F.L.* § 290 (Meier and Schöm. p. 943 Lips.). In Plat. *Apol.* cc. 1—24 are supposed to have been spoken ἐπὶ τῆς πρώτης ψήφου, and 25—28 ἐν τῇ τιμῆσει (Shil-letto on *F.L.*, l.c.). Cf. Ar. *Probl.* 953 a 4 τιμῆσι τί χρῆ παθεῖν ἢ ἀποτίσαι.

τὸν αὐτὸν τρόπον—σύμβολον—βακτη-

τρόπον ψηφίζόμενοι, τὸ μὲν σύμβολον ἀποδιδόντες, βακτηρίαν δὲ πάλιν παραλαμβάνοντες. ἡ δὲ τίμησις ἐστὶν πρὸς ἡμίχουν ὕδατος ἑκατέρωφ. ἐπειδὴν δὲ αὐτοῖς ἢ δεδικασμένα τὰ ἐκ τῶν νόμων, ἀπολαμβάνουσιν τὸν μισθὸν ἐν τῷ μέρει οὐ ἔλαχον  
 15 ἕκαστοι.

ρίαν] 68, 10 f. The dicast has received the σύμβολον which entitles him to draw his pay; but, as a second voting is necessary and he is not entitled to his pay until this is completed, he gives up his σύμβολον and receives his βακτηρία instead.

τίμησις] Aeschin. 3, 197, τὸ τρίτον ὕδωρ ἐγγεῖται τῇ τιμῇσει, Dem. *Nicostr.*

18, ἐν τῇ τιμῇσει.

ἡμίχουν] 2'88 pints, representing, in Bruno Keil's view, 2 minutes; in that of Photiades, only 42 seconds, for each of the two speeches.

ἐν τῷ μέρει κτλ.] *i.e.* in the part allotted to them in the δικαστήριον. Cf. 66, 20 f.



## HERACLIDIS EPITOMA.

1. Ἀθηναῖοι τὸ μὲν ἐξ ἀρχῆς ἐχρῶντο βασιλεία· συνοικήσαντος δὲ Ἴωνος αὐτοῖς, τότε πρῶτον Ἴωνες ἐκλήθησαν (cf. frag. 1). Πανδίῳν δὲ βασιλεύσας μετὰ Ἐρεχθέα διένειμε τὴν ἀρχὴν τοῖς υἱοῖς. 2. καὶ διετέλουν οὗτοι στασιάζοντες. Θησεὺς δὲ ἐκήρυξε καὶ συνεβίβασε τούτους ἐπ' ἴση καὶ ὁμοίᾳ (cf. frag. 2). 5 οὗτος ἐλθὼν εἰς Σκύρον ἐτελεύτησεν ὡσθὲς κατὰ πετρῶν ὑπὸ Λυκομήδους, φοβηθέντος μὴ σφετερίσῃται τὴν νῆσον· Ἀθηναῖοι δὲ ὕστερον μετὰ τὰ Μηδικὰ μετεκόμισαν αὐτοῦ τὰ ὄστα (cf. frag. 4). 3. ἀπὸ δὲ Κοδριδῶν οὐκέτι βασιλεῖς ἤρουντο, διὰ τὸ δοκεῖν τρυφᾶν καὶ μαλακοὺς γεγονέαι. Ἴππομένης δὲ εἰς τῶν 10 Κοδριδῶν βουλόμενος ἀπόσασθαι τὴν διαβολήν, λαβὼν ἐπὶ τῇ θυγατρὶ Λειμώνῃ μοιχόν, ἐκείνου μὲν ἀνεῖλεν ὑποζεύξας [[μετὰ τῆς θυγατρὸς]] τῷ ἄρματι, τὴν δὲ ἵππῳ συνέκλεισεν ἕως ἀπόλετο.

4. τοὺς μετὰ Κύλωνος διὰ τὴν τυραννίδα ἐπὶ τὸν βωμὸν τῆς θεοῦ πεφευγότας οἱ περὶ Μεγακλέα ἀπέκτειναν. καὶ τοὺς δρᾶ- 15 σαντας ὡς ἐναγεῖς ἤλαυνον (Ἀθ. πολ. c. 1).

5. Σόλων νομοθετῶν Ἀθηναίοις καὶ χρεῶν ἀποκοπὰς ἐποίησε, τὴν σεισάχθειαν καλουμένην (6 § 1). ὡς δ' ἐνώχλουν αὐτῷ τινες περὶ τῶν νόμων, ἀπεδήμησεν εἰς Αἴγυπτον (11 § 1).

6. Πεισίστρατος τριάκοντα καὶ τρία ἔτη τυραννήσας γηράσας 20 ἀπέθανε (17 § 1). Ἴππαρχος ὁ υἱὸς Πεισιστράτου παιδιώδης ἦν καὶ ἐρωτικὸς καὶ φιλόμουσος, Θεσσαλὸς δὲ νεώτερος καὶ θρασύς (18 §§ 1, 2). τούτον τυραννοῦντα μὴ δυνηθέντες ἀνελεῖν Ἴππαρχον ἀπέκτειναν τὸν ἀδελφὸν αὐτοῦ (18 § 3). Ἴππίας δὲ πικρότατα ἐτυράννει (19 § 1). 25

7. καὶ τὸν περὶ ὄστρακισμοῦ νόμον εἰσηγήσατο, ὃς ἐτέθη διὰ τοὺς τυραννιδῶντας. καὶ ἄλλοι τε ὄστρακίσθησαν καὶ Ξάνθιππος καὶ Ἀριστείδης (22 §§ 1, 3, 5, 6).

8 (10). Θεμιστοκλῆς καὶ Ἀριστείδης (23 § 2). καὶ ἡ ἐξ Ἀρείου πάγου βουλὴ πολλὰ ἐδύνατο (23 § 1). 30

Ediderunt C. Peruscius (1545), Schneidewin (Heraclidis politiarum quae extant, 1847), Carolus Mueller (FHG II 208, 1848), Valentinus Rose (Ar. Frag. 611, ed. 1866, p. 370); item Ἀθ. πολ. in appendice K-W, B, K<sup>4</sup>, Th. 2 αὐτοῖς retinet Th, coll. Ἀθ. πολ. 3 § 2. αὐτοὺς K-W (K<sup>4</sup>), coll. 41 § 2. 3 Cf. Strab. 392, schol. Arist. Lys. 58, 59. 4 c. 41 § 2. 5 An συνεκήρυξε? Th, coll. Plut. Thes. 25 inii. μοῖρα sive τιμῆ in codd. additum delevit Schneidewin. 8 μετὰ K-W (edd.) coll. frag. 4: περι codd. 9, 10 Cf. c. 2 § 2. 10 Cf. schol. Aeschin. i § 182. 12, 13 μετὰ τ. θ. del. Koeler. 13 ἕως ἀπόλετο B, Th; ἕως ἀπόληται codd.; ἕως <ἀν> ἀπόληται K<sup>4</sup>; ὅπως ἀπόληται K-W. 18 δὲ διώχλουν codd.; δ' ἐνώχλουν K-W (B, K<sup>4</sup>) coll. c. 11 § 1; ἠνώχλουν Th. 23 τούτον: an Ἴππῖαν τὸν? Th. 29 f. <Κίμων> inseruit et ordinem §§ 8, 9, 10 restituit K<sup>4</sup>.

9. Κλέων παραλαβὼν διέφθειρε τὸ πολίτευμα (28 § 3), καὶ ἔτι μᾶλλον οἱ μετ' αὐτόν (28 §§ 4, 5; 35 § 3), οἱ πάντα ἀνομίας ἐνέπλησαν, καὶ ἀνείλον οὐκ ἐλάσσους χιλίων φ' (35 § 4). τούτων δὲ καταλυθέντων Θρασύβουλος καὶ Ῥίνων προειστήκεσαν, ὃς ἦν  
35 ἀνὴρ καλὸς καὶ ἀγαθός (37 § 1; 38 § 4). Ἐφιάλτης (25)\*\*\*.

10 (8). (Κίμων) τοὺς ἰδίους ἀγροὺς ὀπωρίζειν παρείχε τοῖς βουλομένοις, ἕξ ὧν πολλοὺς ἐδείπνιζε (27 § 3).

11. καὶ τῶν ὁδῶν ἐπιμελοῦνται, ὅπως μὴ τινες κατοικοδομῶσιν αὐτὰς ἢ δρυφάκτους ὑπερτείνωσιν (50 § 2). ὁμοίως δὲ  
40 καθιστᾶσι καὶ τοὺς ἔνδεκα τοὺς ἐπιμελησομένους τῶν ἐν τῷ δεσμοτηρίῳ (52 § 1). εἰσὶ δὲ καὶ ἑννέα ἄρχοντες, θεσμοθέται 5', οἱ δοκιμασθέντες ὁμνύουσι δικαίως ἄρξειν καὶ δῶρα μὴ λήψεσθαι ἢ ἀνδριάντα χρυσοῦν ἀναθήσειν (55 §§ 1, 2, 4). ὁ δὲ βασιλεὺς τὰ κατὰ τὰς θυσίας διοικεῖ (57 § 1). καὶ (ὁ πολέμαρχος) τὰ  
45 πολέμια (58 § 1).

## FRAGMENTA

ex prima libri parte

I (Rose, Frag. 381<sup>a</sup>)

τὸν Ἀπόλλωνα κοινῶς πατρῶον τιμῶσιν Ἀθηναῖοι ἀπὸ Ἰωνος· τούτου γὰρ (συν)οικήσαντος τὴν Ἀττικὴν, ὡς Ἀριστοτέλης φησι, τοὺς Ἀθηναίους Ἰωνας κληθῆναι καὶ Ἀπόλλωνα πατρῶον αὐτοῖς ὀνομασθῆναι. Harp. Ἀπ. πατρ.

5 πατρῶον τιμῶσιν Ἀπόλλωνα Ἀθηναῖοι, ἐπεὶ Ἰων ὁ πολέμαρχος Ἀθηναίων ἕξ Ἀπόλλωνος καὶ Κρεούσης τῆς Ξούθου (γυναικὸς) ἐγένετο. schol. Aristoph. *Av.* 1527; cf. Bekk. *An.* 291 = schol. Plat. *Euthydem.* p. 369 Bk. Heracl. *epit.* I.

2 (384<sup>b</sup>)

ἔτι δὲ μᾶλλον αὐξῆσαι τὴν πόλιν βουλόμενος (Theseus)  
10 ἐκάλει πάντας ἐπὶ τοῖς ἴσοις, καὶ τὸ 'δεῦρ' ἴτε, πάντες λεφ' κήρυγμα Θεσέως γενέσθαι φασὶ πανδημίαν τιὰ καθιστάντος. οὐ μὴν ἄτακτον οὐδὲ μεμιγμένην περιεῖδεν ὑπὸ πλήθους ἐπιχυθέντος ἀκρίτου γενομένην τὴν δημοκρατίαν, ἀλλὰ πρῶτος ἀποκρίνας χωρὶς εὐπατρίδας καὶ γεωμόρους καὶ δημιουργούς, εὐπατρίδαις

32 οἱ πάντας (πάντα B, K-W<sup>3</sup>, K<sup>4</sup>, Th) ἀνομίας ἐνέπλησαν codd.; om. K-W<sup>1,2</sup>.38 ἀνοικ. codd.; em. K-W (B, K<sup>4</sup>, Th). 40 ἔνδεκα [[τοὺς]] K-W, K<sup>4</sup>; ἔνδεκα <κληρω> τοὺς, Papageorg., B. 41 θεσμοθέται 5', οἱ Coraes (K-W, B, K<sup>4</sup>, Th); θεσμοθέται καὶ οἱ, θεσμοθετικοὶ καὶ οἱ et similia, codd.2 <συν>οικήσαντος K<sup>4</sup> coll. Heracl. *epit.* I, et Ἀθ. πολ. 41 § 2: οἰκήσαντος codd. 7 γυναικὸς add. Rose (B). 10 ἐπὶ τοῖς ἴσοις—κήρυγμα] Cf. Heracl. *epit.* 2 ἐκήρυξε... ἐπ' ἴσῃ καὶ ὁμοίᾳ.



δὲ (τὸ) γινώσκειν τὰ θεῖα καὶ παρέχειν (τοὺς) ἄρχοντας ἀποδοὺς 15  
καὶ νόμων διδασκάλους εἶναι καὶ ὁσίων καὶ ἱερῶν ἐξηγητάς, τοῖς  
ἄλλοις πολίταις ὥσπερ εἰς ἴσον κατέστησε, δόξῃ μὲν εὐπατριδῶν,  
χρεῖα δὲ γεωμόρων, πλήθει δὲ δημιουργῶν ὑπερέχειν δοκούντων.  
ὅτι δὲ πρῶτος ἀπέκλινε πρὸς τὸν ὄχλον, ὡς Ἀριστοτέλης  
φησί, καὶ ἀφήκε τὸ μοναρχεῖν, ἔοικε μαρτυρεῖν καὶ Ὅμηρος ἐν 20  
νεῶν καταλόγῳ (547), μόνους Ἀθηναίους δῆμον προσαγορεύσας.  
Plutarch. *Thes.* 23. Cf. Heracl. *epit.* 2; Ἀθ. πολ. 41, 10.

3 (385<sup>3</sup>)

γεννῆται. πάλαι τὸ τῶν Ἀθηναίων πλήθος, πρὶν ἢ Κλεισθένη  
διοικήσασθαι τὰ περὶ τὰς φυλάς, διήρητο εἰς γεωργοὺς καὶ δη-  
μιουργούς. καὶ φυλαὶ τούτων ἦσαν δ', τῶν δὲ φυλῶν ἐκάστη 25  
μοίρας εἶχε γ', ἅς φατρίας καὶ τριττύας ἐκάλουν. τούτων δὲ  
ἐκάστη συνειστήκει ἐκ τριάκοντα γενῶν, καὶ γένος ἕκαστον ἄνδρας  
εἶχε τριάκοντα τοὺς εἰς τὰ γένη τεταγμένους, οἵτινες γεννῆται  
ἐκαλοῦντο, (ἐξ) ὧν αἱ ἱερωσύναι (αἱ) ἐκάστοις προσήκουσαι  
ἐκληροῦντο, οἷον Εὐμολπίδαι καὶ Κήρυκες καὶ Ἐτεοβουτάδαι, ὡς 30  
ἰστορεῖ ἐν τῇ Ἀθ. πολ. Ἀρ. λέγων οὕτως· φυλάς δὲ αὐτῶν  
συννευεμῆσθαι δ' ἀπομιμησαμένων τὰς ἐν τοῖς ἐνιαυτοῖς  
ῥάρας, ἐκάστην δὲ διηρῆσθαι εἰς τρία μέρη τῶν φυλῶν,  
ὅπως γένηται τὰ πάντα δώδεκα μέρη, καθάπερ οἱ μῆνες  
εἰς τὸν ἐνιαυτόν, καλεῖσθαι δὲ αὐτὰ τριττύς καὶ φατρίας. 35  
εἰς δὲ τὴν φατρίαν τριάκοντα γένη διακεκοσμησθαι, κα-  
θάπερ αἱ ἡμέραι εἰς τὸν μῆνα, τὸ δὲ γένος εἶναι τριάκοντα  
ἀνδρῶν. *Lexicon Dem. Patm.* p. 152 Sakkelion (*Bull. de*  
*Corr. Hellén.* i 1887). Cf. schol. Plat. *Axioch.* 371<sup>a</sup>: Ἀριστο-  
τέλης φησὶ τοῦ ὄλου πλήθους διηρημένου Ἀθήνησιν εἰς τε τοὺς 40  
γεωργοὺς καὶ τοὺς δημιουργούς, φυλάς αὐτῶν εἶναι τέσσαρας, τῶν  
δὲ φυλῶν ἐκάστης μοίρας εἶναι τρεῖς, ἅς τριττύας τε καλοῦσι  
καὶ φρατρίας, ἐκάστης δὲ τούτων τριάκοντα εἶναι γένη, τὸ δὲ  
γένος ἐκ τριάκοντα ἕκαστον ἀνδρῶν συνεστάναι. τούτους δὲ  
τοὺς εἰς τὰ γένη τεταγμένους γεννήτας καλοῦσι.—Harp. τριττύς: 45  
τριττύς ἐστὶ τὸ τρίτον μέρος τῆς φυλῆς· αὕτη γὰρ διήρηται εἰς  
τρία μέρη, τριττύς καὶ ἔθνη καὶ φατρίας, ὡς φησιν Ἀρ. ἐν τῇ  
Ἀθ. πολ. Bekk. *Anecd.* 306, 24: τριττύς· τρίτον μέρος τῆς

15 <τὸ> γινώσκειν et <τοὺς> ἄρχοντας K-W. 16 τοῖς ἄλλοις πολίταις: τοὺς πολίτας K-W.

24 διήρητο ex ceteris testibus em. K-W et B: διηρέιτο cod. εἰς <εὐπατριδῶν καὶ> γεωργ. e frag. 2, 14, K-W, sed εὐπατριδῶν et in schol. Plat. et in Moeride omissos esse monet B, cum de plebe tantum sermo sit.

29 <ἐξ> et <αἱ> ex Harp. K-W, B. 32 ἀπὸ τῶν μισθωσαμένων cod., ex Suïda correctus.

φυλῆς· τριπτάρχοι· οἱ τῶν τριπτύων ἄρχοντες. Photius<sup>2</sup>:  
 50 τριπτύς: φυλῆς μέρος τρίτον, καὶ τριπτάρχος ὁ ἄρχων. Schol.  
 Plat. *Rep.* 175<sup>a</sup>: Ἀθήνησι δέκα μὲν ἦσαν φυλαί, διήρητο δ' ἐκάστη  
 τούτων εἰς τρία, εἰς τριπτύας, εἰς ἔθνη, εἰς φρατρίαν. οἱ οὖν  
 ἐκάστης τριπτύος ἄρχοντες τριπτάρχοί τε καλοῦνται καὶ τριπ-  
 55 τυναρχοῦσιν. Cf. schol. Plat. *Phileb.* 30<sup>d</sup>, Pollux viii 108, 111;  
 Moeris, Suid., Harp., s. v. γεννήται; Bekk. *Anecd.* 227, 9;  
 Eustath. p. 239, 37.

## 4 (frag. Rosio ignotum)

Ἀριστοτέλης ἱστορεῖ, ὅτι ἔλθων Θησεὺς εἰς Σκῦρον ἐπὶ κατα-  
 σκοπὴν εἰκότως διὰ τὴν Αἰγέως συγγένειαν ἐτελεύτησεν ὡσθεὶς  
 κατὰ πετρῶν, φοβηθέντος τοῦ Λυκομήδους τοῦ βασιλεύοντος (μὴ  
 60 σφετερίσθαι τὴν νῆσον). Ἀθηναῖοι δὲ μετὰ τὰ Μηδικὰ κατὰ  
 μαντείαν ἀνελόντες τὰ ὄστα αὐτοῦ ἔθαψαν. Schol. Vatic. ad  
 Eur. *Hipp.* 11 Schwartz. Cf. Apollod. bibl. iii 15, 5, ἔνιοι  
 Αἰγέα Σκυρίου εἶναι λέγουσιν. Plutarch. *Thes.* 35, *Cim.* 8;  
 schol. Lycophr. 1326. Frag. attulerunt K-W, B.

dubia

5 (447<sup>o</sup>)

65 Lex. rhet. Cantab., s. v. λογισταί, ad c. 54 § 2 laudatum.

6 (456<sup>o</sup>)

τὸ δὲ παρακαταβαλλόμενον ἐπὶ τῶν ἐφέσεων, ὅπερ οἱ νῦν  
 παραβόλιον καλοῦσι, παράβολον Ἀριστοτέλης λέγει (Pollux  
 viii 62). Res prope finem libri fortasse commemorata erat; sed  
 παράβολον nusquam alibi inventum et iure suspectum; παρα-  
 70 βόλιον condemnat Phrynichus.

7 (389<sup>o</sup>)

Photius, s. v. πελάται 2, οἱ μισθῶ δουλεύοντες, ἐπεὶ τὸ πέλας  
 ἐγγύς, οἶον ἐγγιστα διὰ πενίαν προσιόντες· Ἀριστοτέλης (cf.  
 Testimonia ad c. 2, 5). Quamquam πελάται in libro scriptum est,  
 Ἀριστοτέλης tamen K-W ex Ἀριστοφάνης corruptum putant,  
 75 cuius inter glossas politicas haec inventa sit (61 Fresen., Miller,  
*Mél. de litt. Gr.* 433).

Fragmenta aliena, Aristotelis reipublicae Atheniensium olim  
 attributa, et editionis prioris in paginis 253–5 allata, denuo  
 exscribere supervacaneum. Vid. frag. 382, 386, 392, 394, 399,  
 401, 415, ed. Rose 1886, et frag. 436 ed. Heitz.



FRAGMENTORUM IN PAPYRO LONDINENSI  
INVENTORUM INDEX.

Fragmentorum numeri e Rosii editione Teubneriana (1886) repetiti, editionis Berolinensis (1870) numeris in parenthesi praepositis.

1870	1886	'Αθ. πολ.	1870	1886	'Αθ. πολ.	1870	1886	'Αθ. πολ.
(345)	383	60 § 2	(378)	417	59	(404)	444	54 § 6
(349)	387	8 § 3	(379)	418	59 § 3	(405)	445	48 § 4
(350)	388	7 § 3	(380)	419	59 § 6	(406)	446	48, 54
(351)	389	2 § 2	(381)	420	56 §§ 5-7	(407)	447	54 § 2 (?)
(352)	390	7 § 1	(382)	421	56 § 6	(408)	448	50 § 2
(353)	391	8 § 5	(383)	422	56 § 6	(409)	449	51 § 1
(355)	393	15 § 3	(384)	423	56 § 7	(410)	450	51 § 4
(356)	394	19 § 3	(385)	424	57	(411)	451	51 § 3
(357)	395	19 §§ 4, 5	(386)	425	57 § 1	(412)	452	51 § 2
(358)	396	19 § 6	(387)	426	58	(413)	453	53 § 1
(359)	397	21 § 5	(388)	427	58 § 3	(414)	454	53 § 2
(360)	398	23 § 1	(389)	428	56 § 1	(415)	455	53 § 2
(362)	400	30 § 2	(deest)	429	52 § 1	(417)	457	57 § 3
(363)	402	27 § 3	(390)	430	61 § 1	(418)	458	57 § 3
(365)	403	27 § 4	(391)	431	61 § 4	(419)	459	57 § 3
(366)	404	25 § 3	(392)	432	61 § 5	(420)	460	65 § 2
(367)	405	25 § 4	(393)	433	43 § 2	(421)	461	28 § 3; 62 § 2
(368)	406	28 § 3	(394)	434	43 §§ 3-6	(422)	462	28 § 3
(369)	407	28 § 5	(395)	435	43 §§ 3, 4	(423)	463	67 § 3
(370)	408	34 § 1	(396)	436	43 §§ 4, 5	(424)	464	68 § 2
(371)	409	27 § 5	(397)	437	44 § 1	(425)	465	69 § 1
(372)	410	33 § 1	(398)	438	44 § 2	(426)	466	68 § 3
(373)	411	34 § 3	(399)	439	54 §§ 3-5	(427)	467	42 § 2
(374)	412	55 §§ 3, 5	(400)	440	48 §§ 1, 2	(428)	468	42 § 5
(deest)	413	3 § 5	(401)	441	47 §§ 2, 3	(429)	469	53 § 7
(375)	414	55 §§ 2, 3	(402)	442	47 § 1	(430)	470	49 § 4
(377)	416	7 § 1; 55 § 5	(403)	443	61 § 7	(431)	471	56 § 3

## GREEK INDEX

The numbers refer to the chapter and the line.

\*\* The double asterisk denotes words not found elsewhere; \* the single asterisk, words (\*—\* phrases) not found in the *Index Aristotelicus*, or only in the corresponding fragments of the 'Ath. πολ.

- ἄ = χίλιοι 68, 2, 4  
 \* ἄβαξ 69, 2, 6  
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- αἰρῶ· Νάξον ἔλῶν 15, 15. *mid.* αἰροῦμαι ('elect')· αἰροῦνται—αὐτοκράτορας 38, 5; κατηγοροῦς 42, 9; τρεῖς 42, 15; αἰρῶνται τὸ ἀριστον 29, 15 (decree); αἰρεῖσθαι πάντας τούτους 30, 11 (decree); αἰρουμένον τὰς ἀρχάς 3, 20; ἠροῦντο τοὺς ἀρχοντας 4, 5; τοὺς στρατηγοὺς 22, 8; εἰλετο—ἀπεχθέσθαι 11, 14; εἰλοντο—Σόλων 5, 4; τοὺς ἀναγράφοντας τὴν πολιτείαν 30, 2; δέκα 38, 18; ἔλῶνται, ἐκ προκρίτων 31, 4 (decree); ἐλέσθαι, ἀρχοντας 13, 8; and (in decrees) προβούλους 29, 10; καταλογεῖς 29, 37; δέκα ἄνδρας—αὐτοκράτορας 31, 11; ἵππαρχον κτλ 31, 14; τιμητὰς 39, 11; ἐλομένη τριηροποιοὺς 46, 8. *pass.* στρατηγὸς—ἠρέθη Ῥίνων 38, 32; ἠρέθησαν, θεσμοθέται 3, 19; οἱ πεντακχιλιοὶ λόγῳ μόνον ἠρέθησαν 32, 12; ἐφ' οἷς ἠρέθησαν (οἱ δέκα) 38, 7; αἰρεθεὶς ἀρχων 13, 6; τοὺς αἰρεθέντας τῆς βουλῆς 25, 16; οἱ αἰρεθέντες (πρόβουλοι) 29, 17, 21; 30, 1; οἱ αἰρεθέντες ἀνέγραψαν τὴν πολιτείαν 32, 1; τοὺς δέκα τοὺς πρώτους αἰρεθέντας 38, 18; and (in decrees) τοὺς αἰρεθέντας, προβούλους 29, 17; δέκα ἄνδρας—αὐτοκράτορας 31, 12. τῶν ἐπὶ τὸ θεωρικὸν ἠρημένων 47, 10
- αἰτία· (1) 'cause', διὰ τὴν αὐτὴν αἰτίαν 13, 5;—ταυτῶν αἰτίαν 19, 8;—ταύτην τὴν αἰτίαν 23, 8;—ταύτας τὰς αἰτίας 13, 1; 21, 1; τὴν αἰτίαν τῆς στάσεως ἀνάπτει τοῖς πλουσίοις 5, 20. (2) 'charge', ψευδῆ τὴν αἰτίαν εἶναι 6, 21; αἰτίαν ἔχη 57, 22;—ἔχων 57, 27; τὰς περὶ τῶν προτέρων αἰτίας ἐξήλειψαν 40, 19
- αἴτιος· ναυμαχίας αἰτία 23, 5; αἰτίων μάχιστα γενομένων 32, 9. αἰτιώτατοι (τῆς ἐκβολῆς τῶν τυράνων) 20, 18; (τῆς καταλύσεως) 33, 9
- αἰτιώμαι· *c. inf.* αἰτιᾶται 56, 35; αἰτιῶνται 27, 22
- αἰτοῦντος, Πεισιστράτου τὴν φυλακὴν 14, 9
- \* Ἀκαστος 3, 10 f.
- \* ἀκίβδηλος 51, 3 (*Rhet.* 1375 b 6 κίβδηλον δίκαιον)
- \* ἀκληρωσί 30, 30 (decree)
- ἀκολουθεῖν, τοῖς μὴ δυναμένοις 49, 3
- ἀκουτίξω 42, 23
- \* ἀκοσμοῦντας, ζημιούσα τοὺς 3, 36 (*Pol.* 1272 b 8 ἀκοσμία τῶν δυνατῶν)
- ἀκούσιος 57, 17
- ἀκούω· ἀκούσαντες *c. gen.* 37, 18; and (in decree) 29, 19
- ἄκριτον ἀποκτείνει 40, 12 (*Meteor.* 361 b 31 ἄκριτος καὶ χαλεπὸς ὁ Ὀρίων)
- ἀκρόπολις· (1) with article, κατέσχε τὴν ἄ. 14, 6; τὸ πρόπυλον τῆς ἄ. 15, 19; παρέδωκεν τὴν ἄ. 19, 36; κατέφηνον εἰς τὴν ἄ. 20, 14; τὴν ἄ. ἐφρούρουσαν 37, 19. (2) without article, ἐν ἄ. 7, 20; 18, 14; 60, 18; εἰς ἄ. 55, 33; 60, 16. See πόλις
- Ἄκτι 42, 22; στρατηγὸς εἰς τὴν Ἄ. 61, 7
- ἄκυρος ἢ βουλή 45, 21; ἀμφορεύς 68, 17; ψῆφον ἄκυρον 68, 26
- ἄκων 27, 10; ἀκόντων 23, 12; ἀκοντας 40, 6
- ἄλγεια 5, 7 (Solon)
- Ἄλεξις ἀρχων (405/4) 34, 14
- ἄληθής 18, 28
- ἄλσκομαι· ἄλῶναι 19, 34; ἄλῶ 61, 13; 63, 14
- ἄλκῃ 12, 53 (Solon)
- Ἄλκμειν· Μεγακλῆς ὁ Ἄλκμεινός 13, 17
- Ἄλκμεινίδαι· τὸ γένος ἐφύγεν 1, 3; (τῶν φυγᾶδων) προσιτήκεσαν 19, 9; Κλεισθένης τοῦ γένους τῶν Ἄ. 20, 3; 28, 8; τῶν ἐναγῶν 20, 7; αἰτιώτατοι τῆς ἐκβολῆς τῶν τυράνων 20, 19; πρότερον τῶν Ἄ. Κήδων ἐπέθετο τοῖς τυράνοις 20, 20 ἀλλὰ occurs about 37 times with negative preceding; one exception 40, 16. ἀλλὰ ἢ 53, 17; also 26, 14; 54, 23 (Blass); μήτε—ἀλλὰ 16, 8; cf. μήν
- ἄλλήλων 3, 23; 21, 16; ἀλλήλους 5, 4; 39, 11; 66, 23; πρὸς ἀλλήλους 13, 16; 20, 1; 23, 18
- ἄλλος· *Adj. sing.* ἄλλη (στάσις) 13, 19; τὸν ἄλλον κόσμον 47, 6; λόγον 15, 23; χρόνον 31, 18 (decree); 57, 27; 60, 18; τῆς ἄλλης πολιτείας 9, 14; τὴν ἄλλην πολιτείαν 29, 33; *pl.* οἱ ἄλλοι ἀρχοντες 55, 8; τῶν ἄλλων ἀρχῶν 31, 16; 44,

17; 62, 3; ταῖς ἄλλαις ἀρχαῖς 47, 1; 49, 30; τὰς ἄλλας ἀρχάς 4, 7, 15; 7, 10; 30, 12; 35, 4; τοὺς ἄλλους Ἀθηναίων 39, 9; τῶν ἄλλων Ἀθ. 42, 19; ἄλλαι νῆες 24, 19; τῶν ἄλλων ζῶων 57, 31; τοῖς ἄλλοις θεοῖς 30, 8; τοῖς ἄλλοις (δικαστηρίοις) 66, 9; σταθμοῖς 10, 9; ταῖς ἄλλαις ἐκκλησίαις 62, 6; ἐν ταῖς ἄλλαις πόλεσιν 40, 23; νόμους ἄλλους 7, 1; ἄλλους (νόμους) 22, 3; τοὺς ἄλλους ποιητὰς 18, 5; φυγάδας 20, 16; τὰς ἄλλας δίκας 53, 2

*Subst. sing.* ἄλλος ὡς ἐγὼ 12, 47 (Solon); εἰ γάρ τις ἄλλος 12, 62 (Solon); ἄλλον ἐκδίκως... ἄλλον δικαίως 12, 36 f (Solon); μήτε ἄλλω μηδενί 31, 17; *pl. masc.* οἱ ἄλλοι 6, 20; 12, 1; τῶν ἄλλων 18, 19; 22, 26; 28, 18; 29, 14; 30, 30; 31, 20; 37, 4; 42, 37; 47, 14; ἄλλους 18, 34; τοὺς ἄλλους 7, 27; 14, 15; 30, 16, 18; 38, 10; 40, 14; 61, 10. οἱ τε ἄλλοι καὶ δὴ καὶ 16, 40; πολλῶν μὲν καὶ ἄλλων, μάλιστα δὲ Θηβαίων 15, 10; τῶν ἄλλων τῷ βουλομένῳ 29, 14 (decree); *neut.* ἄλλα δ' οὐ μάτην ἔερδον 12, 23 (Solon); τὰ μὲν ἄλλα καθάπερ—εἶπεν 29, 16 (formula of amendment); τὰ μὲν ἄλλα 35, 3; τὰ μὲν... τὰ δ' ἄλλα 52, 18 f; τὰ μὲν οὖν ἄλλα πάντα 26, 12; τὰ τ' ἄλλα 8, 21; 44, 12; 47, 34; τὰλλ' ὅσα—ταῦτα 58, 10; τὰλλα πάντα 54, 15; τῶν ἄλλων πάντων 42, 28; ἐκ τῶν ἄλλων 5, 13; ἐπὶ τῶν ἄλλων πάντων 35, 17; περὶ τῶν ἄλλων πάντων 30, 21; 31, 7; 43, 28; ἐν τοῖς ἄλλοις 6, 13; 16, 4, 25, 31; 18, 10; 19, 11; 20, 21; 22, 11, 19; 37, 15; ἐπὶ τοῖς ἄλλοις 2, 12; τοῖς τε ἄλλοις πᾶσι καὶ δὴ καὶ 2, 3. *numerus coniunctum*, πρὸς δυοῖν ὀβολοῖν ἄλλον ὀβολόν 28, 22; ἄλλους εἴκοσι 29, 11; ἄλλους—δέκα 38, 18; τέτταρας ἄλλους 66, 17

\* ἄλλοσε δαπανῆσαι 29, 30 (decree)

ἀλλότριος· ἐπ' ἀλλοτρίας νεώς 34, 6

ἄλλως 34, 21

ἄλφιτα 51, 12

Ἄλωπεκῆθεν 22, 24; 45, 4

ἄμα *Adv.*, *de loco*, ἦσαν οὐχ ἄμα πάντες οἱ ἄρχοντες 3, 23. *de modo*, κατ' ἐμπορίαν ἄμα καὶ θεωρίαν 11, 4. *de tempore*, ἄμα—συνέβαιναν 11, 7; 16, 11; ἀσεβήσαιεν ἄμα καὶ γένοιεντο ἀσθενεῖς 18, 31; λαβῶν ἄμα 68, 23. *Praep.* προήλθεν ἡ πόλις ἄμα τῇ δημοκρατία—αὐξανόμενη 23, 1

ἀμαρτάνειν· *abs.* τοὺς ἀμαρτάνοντας ἠθύνουν 8, 22; τοῖς ἀμαρτάνουσι συγγνωμονικός 16, 5; συνέβη τὴν πόλιν διὰ τοὺς δημαγωγοὺς ἀμαρτάνειν 41, 19

ἀμαρτίαν, ἔγνωσαν τὴν 34, 14

ἀμείνονες, τὴν βίαν 12, 60 (Solon)

ἀμειψάμενος 7, 23 (epigr. anon.)

\* ἄμειποι 49, 7

ἀμίσθους ἀρχουν, τὰς ἀρχὰς 29, 30 (decree)

ἄμμωσις, ἡ 61, 28

Ἀμπρακίωτης 17, 14

ἀμφιβαλῶν 12, 8 (Solon)

ἀμφικτύονες εἰς Δῆλον 62, 14

ἀμφισβήτησις τῆς κρίσεως 28, 34; *pl.*

9, 9; ὑπὲρ τῶν ἱερῶν 57, 11

ἀμφισβητῶ· -τῇ (ἱερωσύνης πρὸς τινα) 57,

10; -τῶσιν 52, 4; -τούντων 3, 21

ἀμφορεῖς 60, 6; (in the lawcourts), 68, 14, 26; 69, 2

ἀμφοτέρος· *pl.* ἀμφοτέρων 12, 55; 28, 23;

39, 5; -οις 3, 15; 11, 13; 53, 8; πρὸς

ἀμφοτέροισι ἀπεχθέσθαι 11, 14; —ἐπεφύ-

κει καλῶς 16, 38; ἀμφοτέρας τὰς στάσεις

11, 9; 15, 4; —τὰς ψήφους 68, 9.

ἀμφοτέροισι 12, 8 (Solon); ὦν ἀμφο-

τέρων 36, 11; οἱ ἐξ ἀμφοτέρων γεγονότες

ἀστῶν 42, 2

ἄμφω· ἄμφοῖν ἀστοῖν γεγωνῶς, ἐξ 26, 23

ἄν· *c. opt.* παραλλάττοι, 3, 14; εἰποι 7,

30; ἔπιτοεν (12, 11), συμμαρτυροῖη (12,

30), αἰνοῦεν (12, 61) Solon. *c. ind. imp.*

συνέπιπτεν < ἄν > ἀναμίσγεσθαι 21,

11; *c. ind. aor.* κατέσχε (12, 49, 63),

ἐχρησθήη (12, 52), εἶδον (12, 59) Solon.

*c. conj.* ὅς ἂν et sim. in locis triginta

quinque, e.g. in legibus (7, 16; 8, 29;

26, 12) et decretis (29, 13, 32, 36);

ὅστις ἂν· καθ' ὅ τι ἂν λάχωσι 43, 8;

—δῶσιν 59, 3; cf. 39, 12; 63, 15, 17;

ὁπότερος ἂν· 46, 3; 69, 9; ὅσος ἂν·

47, 17; 51, 14; 56, 41; 64, 13; ὅσαπερ

ἂν· 63, 10; 64, 23; ὅσον ἂν 64, 21;

66, 10; ὅπου ἂν 64, 20; ὅπως ἂν 29,

24; 30, 20; ὡς ἂν δύνωνται ἄριστα 30,

21 (decree); ἕως ἂν 29, 31, 35 (decree);

56, 44; 63, 16; πρὶν ἂν 39, 18 (decree);

60, 17. *c. part.* ὡς ἂν 7, 19; 12, 39

(Solon). Cf. ἐάν.

ἄνὰ δισχιλίους ἢ τρισχιλίους 26, 10

ἀναβαίνω· ἀναβαίνειν ἐπὶ τοῦτον (τὸν λίθον)

55, 30; ἀναβῆναι—εἰς Ἀρειον πάγον

60, 17

ἀναβαλλομένων τὴν ἀπογραφὴν 10, 3

ἀναγιγνωσκέω 43, 20; 67, 12; ἀνα-

γνωσόμενος 54, 22; ἀναγνῶναι 54, 23.

*Probl.* and (omitted in *Index Ar.*)

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ἀναγκάζειν 51, 18; ἠναγκάσθησαν—κατα-

στῆσαι τὴν—πολιτείαν 29, 4; ὁ δῆμος

ἠναγκάσθη χειροτονεῖν τὴν ὀλιγαρχίαν

34, 26

ἀναγκαῖον *c. inf.* 44, 5; 48, 16; 53, 28;

65, 4; cf. ἐπάναγκες. ἀναγκαῖος ὑπὸ

χρεῖους 12, 37 (Solon)

ἀνάγκη *c. inf.* 9, 9; 47, 24; 48, 5; 54, 4;

55, 25; ἐν ταῖς ἀνάγκαις ('under torture')

18, 24

\* ἀναγορεύει, ὁ κήρυξ 68, 19; 69, 7; ἀνα-

γορεύεται ὑπὸ τοῦ κήρυκος 66, 8; ἀναγο-

ρεύουσι, τῶν δήμων 21, 18



ἀναγράφω· (1) *act.* τὰ θέσμα 3, 20; νόμους 41, 12; τοὺς νόμους εἰς τοὺς κύρβεις 7, 2; πολιτείαν 30, 2, 3; 31, 1; 32, 2; τὰς μισθώσεις—ἐν γραμματεῖσι λελευκωμένοις 47, 26; τὰ χωρία καὶ τὰς οἰκίας 47, 21; τὰ δημόσια τοῖς θεσμοθέταις 48, 25. *c. acc. pers.* 47, 18, and εἰς λελευκωμένα γραμματεῖα 47, 16. (2) *pass.* τὸ ὄνομα ἀναγράφεται 54, 37; ἐν ταῖς στήλαις ἀναγράφεται 54, 19; εἰς στήλην χαλκῆν ἀναγράφονται 53, 25; ἀναγεγραμμένα 47, 31  
ἀνάγω· ἀνήγαγον 12, 36 (Solon); (ἵπποις) ἀνάγουσι (?) 49, 3 (Blass)  
\* ἀνάγωγος· (ἵπποις) ἀναγ(ωγοῖς) (?) οἶσι 49, 3  
ἀνάδαστα ποιήσιν, πάντ' 11, 11; τὴν χώραν ἀνάδαστον ποιούσιν 40, 25  
ἀναθήματα 7, 19  
ἀναιρῶ· (1) ἀνελόντες τὰ ὄπλα 15, 20; (2) τοὺς—ἀπογιγνομένους ἀναιρούσιν 50, 14; (3) τὰς τῶν παρανόμων γραφὰς καὶ τὰς εἰσαγγελίας καὶ τὰς προσκλήσεις ἀνείλον 29, 24; ὄρους ἀνείλον 12, 33 (Solon); (4) τοὺς συκοφάντας ἀήρουν 35, 20; ἀνείλεν πολλοὺς 25, 6; ἀνελόντες τοὺς ἀναιτίους 18, 31; ἀνέλωσιν 40, 15; πολλοὺς ἀνρηκέναι 19, 3; ἀνρηκῆσαν (χιλίους πεντακοσίους) 35, 26; *pass.* ἀνρήθη 25, 23; ἀναιρεθέντος 37, 14; (5) ἀνείλεν ἢ Πυθία 25, 26  
ἀναιτίους, ἀνελόντες τοὺς 18, 31  
ἀνακαλεσαμένη 8, 9  
ἀνάκειται, εἰκὼν 7, 20; cf. ἀνατίθημι  
ἀνακηρύττει 68, 22  
\* ἀνακράζω· πρῶτος ἐπὶ τοῦ βήματος ἀνέκραγε (Cleon) 28, 17  
Ἀνακρέων 18, 5  
ἀνακρίνοντες (= ἐρωτῶντες) 11, 3; ἀνακρίνας (forensic term) 48, 23; 56, 30  
ἀναλαμβάνω· (τὴν ἀρχὴν) 16, 35  
ἀναλίσκειν ἐκ τοῦ ναυκρατικοῦ ἀργυρίου 8, 17 (decree); παρ' αὐτῶν ἀνήλισκον 56, 25; εἰς τὸ δέον ἀναλίσκηται 30, 20 (decree). *met.* ὥστε ἀναλίσκεσθαι τοὺς ἐπιεικεῖς 26, 11  
ἀναλογίζεται τὸν ἑκατέρου βίον, ἐάν τις 17, 7  
ἀνάλογον τῷ μεγέθει τοῦ τιμῆματος 7, 13  
ἀνάλωμα 22, 34; *pl.* 56, 24  
ἀναμίσγασθαι 21, 11; ἀναμείξει 21, 4 (ἀναμίσγναι *Rhet.*, ἀναμίσχῶσι *Pol.*)  
ἀναμίσφῆτητον τὴν πολιτείαν, ποιούντες 35, 13  
ἀναπληρῶ· ἢ μῶ—ἀνεπληρώθη 10, 6  
ἀνάπτει, τὴν αἰτίαν τῆς στάσεως 5, 20 (not thus used in Ar.)  
ἀναρχίαν ἐποίησαν 13, 5  
ἀνασώσασθαι—τὴν ἀρχὴν 15, 9  
ἀνατίθημι· ἀναθήσειν ἀνδριάντα 7, 5; 55, 32; ἀνήθηκε 7, 22 (epigr. anon.)  
ἀναφέρω· τὰς ἐκτίσεις εἰς πόλιν 8, 23  
Ἀναφλύστιος 29, 7

ἀνδάνει 12, 24 (Solon); ἦνδανεν 12, 50 (Solon)  
ἀνδραποδοστής· *pl.* 52, 3; *Frag.* 504<sup>2</sup>, p. 1560 b 35  
ἀνδραπόδων (δικαί) 52, 16  
ἀνδρείτερος 14, 10, 12  
ἀνδριάντα χρυσοῦν ἀναθήσει 7, 5; 55, 32  
\* ἀνερωτήσας 55, 19  
ἀνευ μισθοφορᾶς 30, 5 (decree); προχειροτονίας 43, 31; δικαστηρίου γνώσεως 45, 4  
ἀνέχων (?) vel ἄνω ἔχων 64, 18  
ἀνήρ, φιλοκτήμων 12, 48 (Solon); πολλῶν ἀνδρῶν 12, 52 (Solon); ἀγαθοῖς ἀνδράσιν 20, 24 (scol.); οἷους ἀνδρας ἀπώλεσας 19, 16 (scol.); ἀνδρὸς Ἀργείου 17, 13; ἀνδρῶν γεγεννημένων εὐ 32, 10; ἀνδρας—καλοὺς κάγαθοὺς 28, 31; ἀνδρας, πέντε 42, 9; 52, 11; δέκα 29, 37; 46, 7; 49, 9; 50, 2; 60, 2; ἑκατόν 30, 3, 17; 31, 12, 21; ἑπτακοσίους 24, 16 f; δισχιλίους 24, 20; δισμυρίους 24, 12. τελευτήσαντος τοῦ ἀνδρὸς, 56, 41; χορηγοῦς—ἀνδράσιν καὶ παισίν 56, 11 f  
Ἀνθελμιον, Διφίλου 7, 22  
\* ἀνθίστημι· ἀντέστη τοῖς γνωρίζοις ὁ δῆμος 5, 2; τῆς βουλῆς ἀντιστάσης 20, 12  
ἄνθρωπος 16, 22; *pl.* ἀνθρώποισιν 12, 14 (Solon); τῶν τυχόντων ἢ τῶν ἐπιεικῶν ἀνθρώπων 27, 24  
ἀνίσταται—τὴν πολιτείαν 26, 2; ἀνεθείς 12, 12 (Solon)  
ἀνοίγειν, τὰς θυρίδας εἰς τὴν ὁδὸν 50, 13; τὸν πύλακ' ἀνοίξαντες 49, 12  
\* ἀνοικοδόμησις, τευχῶν 23, 17  
\* ἀνοικοδομῶ· ἀνφοκδόμησε (τὸ Ἐπιλύκειον) 3, 29  
ἀνταράξας 12, 64 (Solon)  
\* ἀντεγράφω· ἀντεγράφων 36, 15  
ἀντί 3, 13?; 7, 23 (anon.); τῶν τεττάρων 21, 4; τετρακοσίων 21, 7; τῶν ναυκραριῶν 21, 21; ἀνθ' ὧν 68, 11  
\* ἀντιλαμβάνεται 54, (τάλλα πάντα) 15, (πάντας) 20  
\* ἀντιδημαγωγῶν 27, 12  
ἀντίδικος 53, 9; *pl.* 67, 3; 68, 8, 20; 69, 5  
ἀντίδοσις· *pl.* 56, 14; 61, 9  
Ἀντίδοτος ἀρχῶν (45/0) 26, 21  
\* ἀντικαθήμενος ἀλλήλοις 5, 3  
ἀντιλαμβάνεσθαι τῆς ἡγεμονίας 24, 2  
ἀντιλέξει 14, 9  
\* ἀντιστασιώτης 28, 8; *pl.* 14, 3  
Ἀντιφῶν 32, 10  
Ἄνυτος 27, 25; 34, 23  
ἀνύτω· ἦνυσα 12, 22 (Solon); οὐδὲν ἦνυσεν 14, 16 (ἀνύει *Rhet.* 1409 b 4)  
ἀξίος εἶναι παθεῖν 63, 15  
ἀξιοῦν *c. acc. c. inf.* 14, 15; *c. inf.* ἤξιον 37, 18  
ἀξίωμα 23, 8; *pl.* 18, 1; 35, 24  
ἀπαγαγῶν—ἐπὶ τὴν βουλήν 40, 11; τοὺς ἀπαγομένους κλέπτας 52, 2

ἀπαγωγήν, ἐνδειξιν—καὶ 29, 26 (decree);  
not used thus in Ar.

\* ἀπαλείφω (of debts) 47, 34; 48, 2

ἀπαλλάξῃ τοὺς κατηγοροὺς 55, 26

ἀπαντῶ· ἀπήνηται ὡς ἀπολογησόμενος  
16, 33

ἄπαξ ἄρξαι 31, 18 (decree); ἐπιστατῆσαι...  
προεδρεύειν 44, 14 bis

ἀπαρκεί, ὄσσον 12, 4 (Solon)

ἄπας· ἄπαντος τοῦ δήμου 38, 17; τῆς  
δ(ἐ) ἀπάσης στρατιᾶς 22, 9; ἄπασαν  
τὴν πολιτείαν 27, 6; ἄπαντα τὰ ἐπίθετα  
25, 8;—τὰ λεγόμενα 29, 22; ἐξ ἄπάντων  
Ἀθηναίων 56, 8; ἐξ Ἀθ. ἀπάντων 57,  
3; ἐξ ἀπάντων τῶν—31, 10; τῶν  
ἄλλων—χρημάτων ἀπάντων 30, 9;  
ἄπασι τούτοις 24, 21; ἐν ἄπασι τοῖς  
ἄλλοις 19, 19; πρὸς οὐδ ἄπαντας 54, 4;  
τοὺς ἀγῶνας ἄπαντας 57, 8; τὰς ἀμφισ-  
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*Sing. subst. neut.* ἄπαν παραδῶ 60,  
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22; 40, 4; ἀπάντων 40, 17; ἄπασι 40,  
15; ἐξ ἀπάντων 61, 3, 19; *neut.* 29,  
15; ἀπάντων—κύριον 41, 25; ἄπαντα—  
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ἄπας is only preferred to πᾶς after  
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δ' ἀπάσης 22, 9, and πολιτικῶταθ'  
ἀπάντων 40, 17 (Berlin Index, p. 95 b)

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*Poet.* 1458 ὅ 1)

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 \*ἀποφέρω· λόγον ἀπενεγκεῖν 54, 4  
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 \*ἀποχειροτονῶ· 49, 6, 7; 61, 12  
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- \*Ἀρεοπαγίτην βουλήν, τὴν 41, 8  
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 Ἄριφρονος, Ξάνθιππος ὁ 22, 28  
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 (2) 'rule', 'office', 'official'; the last two combined in 3, 4 πρώται τῶν ἀρχῶν ἦσαν βασιλεὺς κτλ' τούτων δὲ πρώτη μὲν ἢ τοῦ βασιλεως. *sing.*, of the rule of Peisistratus, 14, 17 f; 15, 9; 16, 25, 29, 35; 17, 1, 4, 18; of his sons, 17, 9; 18, 4. τὴν ἀρχὴν τῆς θαλάττης 32, 16; 41, 20. λαβόντες τὴν ἀρχὴν (= ἡγεμονίαν) 24, 6; φύλακας τῆς ἀρχῆς 24, 8. Of the Thirty, βλαίων τὴν ἀρχὴν 36, 11; of the Ten, 38, 6, 13; generally, of office held at Athens, *sing.* ἢ ἀρχὴ ἢ ἐφεστηκυῖα ('the official') 66, 12; ἀποδοῦναι τὴν ἀρχὴν 7, 14; οὐδεμίαν μετέχοντα ἀρχῆς 7, 28; κληροῦσθαι τιν' ἀρχὴν 7, 29; μὴ ἐξείναι—πλέον ἢ ἅπαξ ἀρχὴν τὴν αὐτὴν ἄρξαι 31, 18; μηδεμίαν ἀρχὴν εἶναι μισθοφόρον 33, 9; μὴ ἐξείναι ἄρχειν μηδεμίαν ἀρχὴν 39, 17; ἀρχὴν ἀρχῶν τινα 53, 31; τοῦ εἰληχότος ταύτην τὴν ἀ. 65, 10; esp. of the office of archon, νεωστὶ γέγονεν ἢ ἀρχὴ μεγάλη 3, 18;

- μόνη τῶν ἄ. οὐκ ἐγένετο πλείων ἐνιαυσίας 3, 21; ἐξηλάθη—τῆς ἄ. 13, 7; τῆς ἄ. ἕνεκα 55, 32; εἰς τὴν ἄ. εἰσέρχονται 55, 34; εἰσελθὼν εἰς τὴν ἄ.—μέχρι ἀρχῆς τέλους 56, 6 f. *pl.* τὰς ἄλλας (τὰς) ἐλάττους 4, 7; ταύτην καὶ τὰς ἄλλας ἄ. 4, 15; τὰς ἄ. τὰς περὶ τὴν ἐγκύκλιον διοίκησιν 43, 1; ἀρχαὶ ἔνδημοι, ἀρχαὶ ὑπερόριοι, 24, 16; ἀποστέλλονται ἀρχαὶ εἰς Σάμον κτλ 62, 16; ἀρχαὶ κληρωταὶ 8, 1, 5; 30, 12; 43, 2; 55, 1; 62, 1; αὶ κατὰ πόλεμον ἀρχαὶ 62, 18; αὶ πρὸς τὸν πόλεμον ἀρχαὶ 43, 5; 44, 17; 61, 1; τῶν ἀρχῶν 3, 4, 38; 8, 10; 31, 16; 45, 15; 66, 4, 7; ταῖς ἀρχαῖς 47, 1; 48, 8, 14; 49, 30; 59, 3, 12, 15; τὰς ἀρχὰς 3, 2, 20, 33; 4, 21; 7, 10; 9, 1; 29, 30; 30, 12; 31, 5; 35, 4; 43, 17; 45, 12; 54, 1, 4
- \* ἀρχηγέτας, ἑκατὸν 21, 25
- ἀρχιθέωρος, εἰς Δῆλον 56, 20 (οὐ τὸ αὐτὸ δαπάνημα τριπράρχῳ καὶ ἀρχιθεώρῳ *Eth.* 1122 a 24)
- Ἀρχίνος 34, 23; 40, 4
- Ἀρχίνος Ἀμπρακιώτης 17, 14
- ἀρχιτέκτονες—ἐπὶ τὰς ναῦς 46, 4
- ἀρχω· (1) 'begin', ἡγούμενοι τοῦτο πρῶτον ἀρχεῖν τῆς ὁμοιοῦς 40, 23. *mid.* ἤρξατο τὸ δεκάξειν 27, 24;—μνησικακεῖν 40, 11; ἀρξάμενοι ἀπὸ τῆς τετραδὸς ἱσταμένου 62, 13. (2) 'rule', *abs.* ἤρξεν 19, 39; 'rule over', ἤρχον τῆς πόλεως 32, 14; τοὺς τοῦ Πειραιέως ἀρξάντας 39, 22; ἀρχεῖν ὡν ἔτυχον ἀρχοντες 24, 9; *pass.* τὴν ἀρχὴν—τῶν ἀρχομένων ἤττω 36, 11. (3) 'hold office', ἀρχει 47, 4; 61, 14; ἀρχουσι 43, 4; 50, 5; 55, 9; 60, 3; ἀρχωσι 4, 21; ἀρχεῖν 4, 16; 7, 11; 62, 18; τὰς ἀρχὰς ἀμίσθους ἀρχεῖν ἀπάσας 29, 30; ἀρχεῖν—αὐτοκράτορας 31, 13; καλῶς ἀρχεῖν 43, 18; 61, 12; ἀρχὴν μηδεμίαν ἀρχεῖν 39, 17; ἀρχὴν ἀρχῶν τινα 53, 31; ἤρχεν 55, 11; ἤρχον 3, 3; τὰς ἐγκυκλίους (ἀρχὰς) ἤρχον 26, 18; ἤρξε 13, 7; 26, 16; ἤρξαν 13, 10; ἀρξαι τὴν αὐτὴν ἀρχὴν 31, 18; τοὺς τὰς ἀρχὰς ἀρξάντας 54, 4; τοὺς ἐν Πειραιεὶ ἀρξάντας 39, 23; δικαίως ἀρξεῖν 55, 31
- ἀρχων· *esp.* 56, 5—46; ἀρχων 3, 5; Δαμασσίας αἰρεθείς ἀρχων 13, 6; ὁ ἀρχων 3, 27; 13, 11; 56, 1, 5; 57, 1; 58, 10; 60, 9, 15; ὁ ἀρχων ἐφ' οὗ—53, 23 (*pl.* ἐκ τῶν ἀρχόντων 53, 20); τῷ ἀρχοντι 3, 13; ἀρχοντα 55, 5; ἀρχοντα Σόλωνα, εἴλοντο 5, 4; οὐ κατέστησαν ἀρχοντα 13, 4; τὸν ἀρχοντα 3, 16; ἀρχοντα 55, 1; τοῦ ἀρχοντος 3, 9; ἀπὸ τίνος ἀρχοντος 53, 36; ἐφ' οὗ ἀπέθανεν ἀρχοντος 17, 8; Νικοδήμου ἀρχοντος 22, 29; ἀρχοντος Ἰψιχίδου 22, 40; ἐπ' Ἀλεξίου ἀρχοντος 34, 14;—Ἀρισταίχμου—4, 2;—Ἀρπακτίδου—19, 37;—Ἐρμοκρέοντος—22, 6;—Εὐκλείδου—39, 1;—Ἡγησίου—14, 20;—Θεοπόμπου—33, 2;—Ἰσαγόρου—21, 3;—Καλλίου—32, 8;—Καλλίου τοῦ Ἀγγελῆθεν—34, 3;—Κηφισοφώντος—54, 33;—Κόνωνος—25, 8;—Κωμέου—14, 8;—Λυσικράτους—26, 19;—Ξεναϊνέτου—40, 27;—Πυθοδώρου—(432-1 B.C.) 27, 8; (404-3 B.C.) 35, 2; 41, 3;—Τελεσίου—22, 21;—Τιμοσθένους—23, 22;—Φαινίππου—22, 11;—Φιλονέω—17, 2; (ἐπ' Ἀντιδότου, *sc.* ἀρχοντος, 26, 21; ἤρξεν Μνησιθείδης 26, 16; Μνησίλοχος 33, 2). ὁ ἀρχων (= εἰς τῶν ἀρχόντων) 64, 12, 19, 23; τῷ ἀρχοντι τῷ ἐφεστηκῶτι 64, 19; οἱ ἄλλοι ἀρχοντες 55, 8. ἡ ἀρχοντα ἢ ιδιώτην 48, 12; ἀρχων εἰς Σαλαμίνα 54, 34, 36; 62, 11. (Πεισίστρατος) Νάξον ἐλὼν ἀρχοντα κατέστησε Λύγδαμιν 15, 15. *pl.* οἱ ἐννέα ἀρχοντες 3, 11, 24; 7, 4; 47, 15; 55, 2, 9; 59, 19; 63, 1; ἐννέα ἀρχοντες 62, 10; τῶν ἐννέα ἀρχόντων 8, 8; 26, 15; 29, 31; ἐννέα ἀρχόντων 62, 2; ἡ αἵρεσις τῶν ἀρχόντων 3, 37; τὴν τῶν ἐννέα ἀρχόντων αἵρεσιν 26, 13; τοὺς ἐννέα ἀρχοντας 4, 5; 7, 12; 8, 2; 22, 21; 30, 6, 25; 45, 18; 60, 1. ἀρχοντας ἐλέσθαι δέκα 13, 8; τοῦ Πειραιέως ἀρχοντας δέκα 35, 5; ἀρχοντες εἰς τὰ φρούρια 30, 27 (decree)
- ἀσαφεῖς ποιῆσαι τοὺς νόμους 9, 11
- ἀσεβείας, γραφὴ 57, 10
- ἀσεβήσασιν 18, 30
- ἀσελγηλαίς—παύσασθαι 36, 2
- ἀσθενεῖς 18, 31
- Ἀσκληπιῶ, πομπὴ 56, 21
- ἀσκῶν, τὰ πολέμια 23, 14 (*n. c.*); τὰ εἰς τὸν πόλεμον ἀσκήσαι 23, 10
- ἀσπίς 42, 31; *pl.* 60, 22
- ἀστὸς· ἐξ ἀμφοῖν ἀστοῖν—γεγονώς 26, 23; ἐξ ἀμφοτέρων—ἀστῶν 42, 3; τοῖς ἀστοῖς 31, 19 (*n. c.*)
- ἄστν· οἱ ἐν τῷ ἄστει 14, 30; τὰ ἐν τῷ ἄ. 19, 5; εἰς τὸ ἄστυ 6, 15; 39, 7 (decree); 51, 18; τὸν περὶ τὸ ἄστυ 21, 13; τῶν ἐκ τοῦ ἄστεως 19, 13; τοῖς ἐκ τοῦ ἄστεως 39, 7; οἱ ἐκ τοῦ ἄστεως (opp. οἱ ἐκ Πειραιέως) 38, 3; 39, 7; 40, 22; ἐν τῷ ἄστει 16, 8 (opp. κατὰ τὴν χώραν); 24, 3 (opp. ἐκ τῶν ἀγρῶν); 27, 9; 39, 18; τῶν ἐν ἄστει μεινάντων 38, 30; 39, 2 (decree); τῶν ἐν τῷ ἄ. 39, 17 (decree); τοὺς ἐν τῷ ἄ. 39, 24 (decree).—ἐν ἄστει (opp. ἐν Πειραιεὶ) 50, 5; εἰς ἄστυ (opp. εἰς Πειραιέα) 51, 2, 5, 9, *bis*
- ἀστυνόμοι 50, 4
- \* ἀτακτοῦντα, δῆσαι τὸν 61, 15
- ἄτε—ἔχων 27, 13
- ἀτέλεια 56, 17
- ἀτελής 56, 16; πάντων 16, 24; 42, 34; ἀτελεῖς 53, 32. χωρίον ἀτελεῖς 16, 18
- ἄτιμία 67, 25
- ἄτιμος 8, 30; 16, 44; 22, 42; 53, 30; 63, 12



\* ἀτιμοῦσθαι (τὸν διαιτητὴν) 53, 34  
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60, 15 f; *met.* τὰς δαπάνας τὰς γιγνο-  
μένας 8, 15; ἀμφισβητήσεις γίγνεσθαι  
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- γράφω· γράφειν 29, 15 (decree); θεσμοὺς ἔγραψα 12, 47 (Solon); ἔγραψεν 29, 17 (decree); 34, 27; ἔγραψαν 29, 21; γράφασι 31, 6 (decree); γράφας εἰς πινάκιον 48, 20; -αντος γρῶμην 14, 5; 29, 7; -αντες ἐν σανίδι 48, 9; ἐν τοῖς νόμοις τοῖς Σόλωνος γέγραπται 8, 17; μὴ γεγράφθαι τοὺς νόμους ἅπλως καὶ σαφῶς 9, 7; γεγραμμένην ἐν γραμματεῖῳ 53, 13; τὰ γεγραμμένα ποιεῖν 11, 7; κατὰ τὰ γεγραμμένα 31, 16. γραψάμενος τὸ ψηφίσμα—παρανόμων 40, 8
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- δειπνοῦσι, ἐν τῷ πρυτανείῳ 62, 12
- δέκα *passim*, e.g. 8, 3 f; ἀρχοντας 13, 8; ἐτῶν 11, 5; εἰς δ. φυλάς 21, 4; δ. (μέρη) 21, 13

οἱ δέκα· (1) under the Four Hundred, in 411, δ. αὐτοκράτορες 31, 10—12; 32, 13; (2) after the Thirty, in 404, αὐτοκράτορες ἐπὶ τὴν τοῦ πολέμου κατάλυσιν 38, 5; ἡ τῶν δέκα τυραννίς 41, 22 (39, 21); superseded by (3) another Board of Ten, τοὺς βελτίστους εἶναι δοκοῦντας, ἐφ' ὧν συνέβη καὶ τὰς διαλύσεις γενέσθαι καὶ κατελθεῖν τὸν δῆμον 38, 19 f. Other bodies of Ten (in 411), πρόβουλοι 29, 11; (καταλογεῖς) 29, 37; ταμίαι τῶν ἱερῶν χρημάτων, ἱεροποιοί, and ἐπιμεληταί 30, 8—10 (decree): (in 404) τοῦ Πειραιεύς ἄρχοντες δ. 35, 6; δ. διαλλακτῶν 38, 26. For official bodies of Ten under the normal constitution see ἀγορανόμοι, ἀθλοθέται, ἀποδέκται, ἀστυνόμοι, Διονυσίων ἐπιμεληταί, ἐμποροὶ ἐπιμεληταί, εὐθνιοὶ, ἱεροποιοί, ἱερῶν ἐπισκευασταί, ἱππέων καταλογεῖς, λογισταί (bis), λογιστῶν συνήγοροι, μετρονόμοι, πωληταί, (σιτοφύλακες), στρατηγοί, σωφρονισταί, ταμίαι τῆς Ἀθηνᾶς, ταξίαρχοι, τριηροποιοί, φύλαρχοι

\* δεκαετίαν, ἦρχον 3, 4  
 \* δεκάζειν 27, 25; δεκάσας τὸ δικαστήριον 27, 27  
 \* δεκαπλοῦν, τὸ γνωσθὲν ἀποτίνεται 54, 8 f; τὸ δ. 54, 12  
 δεκάτη, *decuma*, 16, 13, 22  
 δέκατος ὁ γραμματεὺς 59, 19; (πολιτεία) δεκάτη 41, 21; τῆς δεκάτης φυλῆς 63, 2  
 δικάχους 67, 7  
 Δεκέλεια 34, 8  
 Δελφίνιω, ἐπὶ 57, 21  
 Δελφοί· ὁ ἐν Δ. νεῶς 19, 20  
 δεξιά· δοῦναι τὴν δ. πίστews χάριν 18, 35; τὴν δ. δέδωκε 18, 36  
 δέομαι· ἐὰν μὴ δέωνται πλειόνων 30, 24 (decree); κἄν τι δέωνται 31, 13 (decree); κἄν τι δέωνται ἐπισκευάζουσι τὰ μάλιστα δεόμενα τῶν ἱερῶν 50, 4  
 δεσμός 67, 24  
 δεσμοτηρίου φύλακες 35, 6; ἐν τῷ δ. 52, 2  
 δεσμοτῶν φύλακες 24, 20  
 δεσποτικώτερος 24, 7  
 δεσποτῶν ἦθη 12, 41 (Solon)  
 δεύτερος 28, 6; δευτέρα 3, 6; 41, 9; 54, 30; ἡ δευτέρα, τῷ δευτέρῳ 66, 9; δευτέρον 30, 29; 42, 7; δευτέρῳ 14, 17; τῷ δευτέρῳ λόγῳ 67, 8; διαψη[φισμῷ τῷ δευτέρῳ] 67, 23. οὐδενὸς ὄντα δεύτερον 38, 11. Ἀπὸ τὸ δεύτερον 15, 2  
 δέχομαι· δέχονται τὰς καταβολὰς 48, 8; δεχόμενος—τὴν πομπήν 18, 15; (ἐγγυητὰς) δεχομένους 4, 13; ἐδέχοντο 14, 30  
 δέω· θανατοῦν καὶ δεῖν καὶ χρήμασιν ζημιῶν 45, 8; (ἡ βουλή) κυρία—δῆσαι 45, 2 (πρότερον); 48, 7; (στρατηγοὶ) κύριοι δῆσαι 61, 14; ἀνάγκη τὸ ἐλλειφθὲν καταβάλλειν ἢ δεδέσθαι 48, 6; δεδέσθαι 63, 16; cf. δεῖ

δῆ· διὰ ταύτην δὴ τὴν αἰτίαν 23, 8; πρὸς δὴ ταύτην τὴν χορηγίαν 27, 18. \* κάλλιστα δῆ\* καὶ πολιτικώτατα ἀπάντων 40, 17. καὶ δὴ καὶ 2, 3; 16, 5, 40  
 δῆϊον 12, 21 (Solon)  
 δῆλον 13, 10; 53, 20; δῆλα 69, 5  
 Δῆλον, ἀμφικτιόνες εἰς 62, 14 f; πεντητηρὶς εἰς 54, 29; χορηγοὶ and ἀρχιθέωρος 56, 20; ἐκ Δῆλου 62, 15  
 δημαγωγίαν, διεδέχοντο—τὴν 28, 26  
 δημαγωγὸς 22, 14; 41, 19  
 δημαγωγῶ· πρὸς τὸ δημαγωγεῖν ἐλθόντος Περικλέους 27, 1; διετέλουν οἱ ἐπιεικεῖς δημαγωγοῦντες 28, 5; τοὺς προθύμους δημαγωγούντας 26, 3  
 Δημάρετος 38, 11  
 \* δήμαρχοι 21, 19; δήμαρχος, εἰς Πειραιέα 54, 34  
 δημεομένων, τὰς ἀπογραφὰς τῶν 43, 20  
 δήμευσι χρημάτων 67, 25  
 δημηγορῶν 15, 20; ἐδημηγόρησε 28, 18  
 δῆμιος 45, 3  
 δημιουργοί 13, 9; frag. 2 and 3  
 δημοκρατία 23, 2; 29, 2, 5, 18; 38, 30; 40, 13; 41, 13, 21  
 δῆμος· (1) *pagus*, τὸ ὄνομα τοῦ δήμου 63, 19; ἐκ τοῦ δ. τῶν Παιανιέων 14, 26; ἐπ' ὧν οἱ δῆμοι 62, 4; δῆμων 21, 16, 21; τῶν δ. ἀναγορευομένων 21, 18; καλοῦσιν τῶν δ. 21, 19; πόθεν τῶν δ. 55, 13, 15; τῶν δῆμων τοὺς μὲν κτλ 21, 21; δῆμος ἀντὶ τῶν ναυκραριῶν 21, 20; κατὰ δῆμους 21, 12; οἱ κατὰ δ. δικασταί 16, 13; 26, 21; 48, 24; cf. 53, 3; διηροῦντο εἰς τοὺς δ. 62, 3; (βουλευτὰς καὶ φρουροὺς) εἰς τοὺς δῆμους ἀποδιδόσσι 62, 5  
 (2) *ropolis*, 12, 4, 11, 29, 49, 57, 63 (Solon). = τὸ πλῆθος 9, 6; 20, 4, 14, 17 f; 21, 1; opp. οἱ γνώριμοι; 11, 10; 28, 6, 10; οἱ ἐπιφανεῖς 28, 15; οἱ εὐποροὶ 26, 11; 28, 12; οἱ ὀλιγαρχικοὶ 34, 26; οἱ ἔτεροι 28, 13, 19; βουλή (οἱ πεντακόσιοι) 25, 10, 22; 41, 27; 43, 12, 14; 44, 8; 45, 22; 46, 3, 9. (= ἐκκλησία) 42, 18, 31; 43, 28; 54, 21; 56, 23; 57, 3; 59, 4. Cf. 6, 1; 8, 25; 9, 12; 14, 3, 6; 15, 14, 16; 18, 29; 22, 31; 25, 1; 27, 9; 28, 3; 29, 10; 34, 1, 7, 19; 35, 19; 38, 17, 20, 28; 41, 2, 4, 5, 25—7 etc. δῆμον προστάτης 2, 9; 23, 13; 25, 4; 28, 6; 36, 6. θαρροῦντος τοῦ δ. 22, 12; τῇ εἰρωθιᾷ τοῦ δ. πράττητι 22, 19; Περικλῆς προεστῆκει τοῦ δ. 28, 1; τοῦ δ. προεστῆκει Ξάνθιππος 28, 10. ἐπαναστὰς τῷ δῆμῳ 14, 6; τῷ δ. διανέμασθαι 22, 31; ἐν τῷ δ. 25, 22. συνέπεισε τὸν δῆμον 14, 3. pl. οἱ δῆμοι κρατήσαντες 40, 24  
 δημόσιος, ὁ 47, 31; 48, 4. ἴδιος and δημόσιος 6, 4; 43, 27; 48, 21, 24 f; 59, 16. δημοσία σφραγίς 44, 5; τὸ δημόσιον 63, 12; δημόσιοι ἐργάται 54, 2; ὑπρέται 50, 14; 65, 14; τὰ δόξαντα δημόσια



- εἶναι 52, 7. τὰ δημόσια 67, 4; τὰ οἰκοδομήματα τὰ δημ. 46, 8; *Adv.* δημόσια 49, 28; 65, 10
- δημότης· *pl.* 21, 16; 22, 22; 27, 14; 42, 3, 5, 9, 11, 13; 59, 12
- δημοτικῶν· τῷ ἦθει 16, 30; δημοτικὴν—πολιτείαν 29, 19; δημοτικά 10, 1; δημοτικώτερα 22, 1; 27, 3; 31, 14; δημοτικώτατος 13, 20; 14, 1; τρία—δημοτικώτατα 9, 2. οἱ δημοτικοί (democratical historians) 6, 8, 13; 18, 30; (opp. οἱ γνώριμοι) 16, 36; 34, 18
- διά· *c. gen.* (1) duration of time, διὰ βίον 3, 3, 39. (2) interval of time, διὰ τῶν αὐτῶν χρόνων 13, 6; adverbial \*διὰ τάχους\* 34, 1 (διὰ ταχέων in *Rhet.* 1386 b 1 etc.). (3) agent, δι' Ἀριστοδίκου 25, 24; τῶν φίλων 6, 8; δι' αὐτῶν 19, 9; 33, 12; ἐαυτῶν 35, 7; αὐτοῦ 41, 5. (4) means, διὰ τούτων 25, 1; δι' ὧν 25, 9. (5) distributed possession, ἡ γῆ δι' ὀλίγων ἦν 2, 6; 4, 24; ἐὰν δι' ὀλίγων ποιήσονται τὴν πολιτείαν 29, 9
- c. acc.* (1) *personae*, δι' ὧν 22, 16; διὰ Πανσανίαν 23, 20; τοὺς δημαγωγοῦντας 26, 3; τοὺς δημαγωγούς 41, 9; τοὺς παροργίσαντας 34, 7; (2) *rei*, διὰ τοῦτο 21, 8; ταῦτα 5, 22; 38, 31; τούτων 19, 8; ταύτην τὴν αἰτίαν 23, 8; τὴν αὐτὴν αἰτίαν 13, 5; ταύτας τὰς αἰτίας 13, 1; 21, 1; τὰ ἀξιώματα 18, 1; τὴν ἀπορίαν 13, 22; τὰς τῶν χρεῶν ἀποκοπὰς 11, 8; τὴν τῆς θαλάττης ἀρχὴν 41, 19; τὰς πατρικὰς δόξας 26, 9; τὴν εὐνοίαν 38, 28; τὰς ἡλικίας 18, 2; τὴν παρηγορίαν 16, 23; τὸ πλήθος τῶν πολιτῶν 26, 21; τὴν βριθμίαν 8, 28; τὴν σεισάχθειαν 12, 27; τὴν στάσιν 13, 4; τὴν συμμαχίαν 29, 4; τὴν Ξέρξου στρατείαν 22, 40; τὴν ὑποψίαν 22, 13; τὴν φιλεργίαν 16, 24; τὴν φιλονικίαν 13, 16; τὸν φόβον 13, 23.
- c. inf.* διὰ τὸ ἀνηρηκέναι 19, 2; ἀποβαλεῖν Πύλον 27, 26; βοηθῆσαι 19, 28; γενέσθαι 3, 7; 11, 9; 23, 4; δοκεῖν 20, 7; 11, 9; ἐκβεβληκέναι 19, 3; θανατῶσαι 16, 19; μεγάλῃν γεγονέναι μεταβολὴν 13, 15; μὴ βούλεσθαι 15, 3; μὴ γεγράφθαι 9, 7; μὴ δύνασθαι 9, 12; μὴ χρῆσθαι 22, 3; νομίειν 29, 8; ποιήσασθαι 41, 4; στασιάξειν 13, 8; συμβῆναι 28, 33; τιμωρεῖν 19, 2
- διαβάλλειν 6, 5; διαβάλλουσι 28, 36; διαβεβλημένους 23, 20
- \* διαβουλεύσαι, (κατελύθη) ἡ βουλή πρὶν 32, 4
- διαγιγνομαι· διαγεγένηται (ἡ πολιτεία) μέχρι τῆς νῦν *c. part.* 41, 23
- διάγω· διήγον ἐν ἡσυχίᾳ 13, 3; οὕτως διάγουσι 42, 29
- διαδέχομαι· διαδεξαμένων τῶν υἱῶν 16, 28 (cf. *Pol.* 1293 a 29 τῶν τελευτώντων διαδέχεσθαι τοὺς υἱεῖς); διεδέχοντο συνεχῶς τὴν δημαγωγίαν 28, 26
- διαδίδωμι· πορίσασα δραχμὰς ἐκάστῳ ὅκτω διέδωκε 23, 7; (διωβελία) διεδίδοτο (?) 28, 21
- διαδικάζει τοῖς γένεσι—τὰς ἀμφισβητήσεις 57, 10 (only in corresp. frag. and *Oec.* 1347 b 28)
- \* διαδικασία· ἐπιτροπῆς 56, 38; *pl.* ταῖς διαδικασίαις 67, 10; (τριηραρχῶν) 61, 9
- \* διαίρειτο, ἀμφορεῖς 68, 15
- διαίρω· 'divide', διαίρειται ἡ ἡμέρα 67, 23; τιμήματα διέλεν εἰς τέτταρα τέλη 7, 8; διήρητο 7, 9; διηροῦντο εἰς τοὺς δήμους 62, 3; διελόμενοι τὰς φυλάς, πέντε ἑκάτερος 61, 20; 'distinguish' τοῖς μέτροις διηρήσθη 7, 25
- διαίτας ἀποφαίνονται 55, 29; διανέμουσι 53, 28; ἐκδιαιτῶν 53, 29
- διαιτητής· 53, 30; *pl.* 53, 6; 55, 29, 33; 58, 8; ἐξηκοστὸν ἔτος 53, 19; διαιτητοῦ γνώσις 53, 12; παρὰ τοῦ δ. 53, 18; εἰσαγγέλλειν εἰς τοὺς διαιτητάς 53, 33
- \* διαίτω· διαιτησεῖ 53, 28; ὁ ἐπώνυμος ὁ—δεδιαιτηκῶς 53, 24
- \* διακληροῦσι 50, 8; διακληρῶσαι 30, 18 (decree)
- διάκονοι 20, 23 (scolium)
- διακόσιοι 24, 14; ἓνα καὶ διακοσίου (δικαστάς) 53, 16; διακόσια (μέτρα) 7, 26
- διακοσμοῦντα τὴν πομπήν 18, 20
- \* διακρίων (στάσις) 13, 20
- διαλέγομαι· διελέγετο μετὰ σπουδῆς αὐτοῖς 25, 17; διαλέξεται πρὸς τὸν δῆμον 43, 28
- διαλείπω· διαλιπόντες ἔτη δύο 22, 11
- \* διαλλακτὴν Σόλωνα, εἴλοντο 5, 4; τῶν (ἐκ Λακεδαιμόνος) δέκα διαλλακτῶν 38, 26
- διαλύσεις (ἐπ' Εὐκλείδου) 38, 20, 25; 39, 1; 40, 1
- διαλύων τοὺς διαφορομένους 16, 14; διαλύσαι 53, 7; διελύθησαν—πρὸς τοὺς ἐν Ἐλευσίνοι 40, 25
- διαμαρτάνων τῆς πρὸς αὐτὸν φιλίας 18, 9
- διαμένει ταῖς φυλαῖς τὸ δέκα κληροῦν ἐκάστην 8, 4; ἐν τῇ ἀρχῇ διέμεινε 17, 4; διέμεινε ἡ πολιτεία 25, 2; 33, 1
- διαμετρεῖται (τὸ ὕδωρ) 67, 15; πρὸς διαμετρημένην τὴν ἡμέραν 67, 13
- διαμφισβητεῖ, ὑπὲρ ἑκατέρων μάχεται καὶ 5, 10
- διαμφισβητήσεις εἶχον, τῶν Σόλωνοςθεσμῶν ὅσοι 35, 11
- διανέμω· διανέμουσι—τὰς διαίτας 53, 27; διανεμάντων 31, 20 (decree); διένειμε τὴν χώραν τριάκοντα μέρη 21, 12; διανείμαι σφᾶς τε αὐτοὺς καὶ τοὺς ἄλλους τέτταρα μέρη 30, 17 (decree); διανείμαντα (τὰς δίκας) δέκα μέρη 58, 6.

- διανείμασθαι τὴν γῆν 12, 15; τὸ ἀργύριον 22, 31  
 διαπέμπω· διεπέμποντο πρὸς τοὺς ἐν Πειραιεὶ 38, 23  
 διαπεσόντος βραχέος, χρόνου 35, 25  
 διαπραξάμενος, ταῦτα 20, 10  
 δια[ριθμοῦσιν] (τὰς ψήφους) 69, 5  
 διαρπάξαι, τὰς οὐσίας 35, 25  
 \*\* διαρρινῶ· ἐπίθημα διερρινημένον 68, 17  
 διασημαίνω· διεσήμηναν 15, 22  
 διασπείρω· διεσπαρμένοι κατὰ τὴν χώραν 16, 8; διεσπάρησαν οἱ λόγοι πρὸς τὸ πλῆθος 36, 4  
 \* διασφάλλομαι· ἐν—οἷς ἔπραττον διεσφάλλοτο 19, 11  
 διασφίξειν ἐπειρῶντων τὸν δῆμον 34, 18  
 διαταττοῖσι (τοὺς στρατηγοὺς) 61, 3; διέταξε τὴν πολιτείαν 7, 7; τὴν πολιτείαν διέταξαν 29, 28; διατάξας τὴν πολιτείαν 11, 1; διατάξασα 8, 11  
 διατελοῦσιν, χρώμενοι 8, 6; διετέλουν νοσοῦντες 13, 12; διετέλουν—δημαγωγοῦντες 28, 4; στασιάζοντες διετέλεσαν 20, 20  
 διατηρεῖν τοὺς νόμους 3, 34; διετήρει τὰς ἀρχάς 4, 20; τὰ πλεῖστα καὶ τὰ μέγιστα τῶν πολιτικῶν 8, 22  
 διατίθησιν, ἀγῶνα 57, 7; 58, 2  
 διατρέφεσθαι γεωργοῦντας 16, 7  
 διατρίβω· *c. part.* διέτριβε δημηγορῶν 15, 20. οὐ διέτριβεν 25, 16; ἐν τῷ ἄστει διατρίβωσιν 16, 8; διατρίβουσιν ἐν τοῖς φυλακτηρίοις 42, 33  
 διαφάδην οὐκ εἰδίσει 12, 57 (Solon)  
 διαφέρειν, δικαιοσύνη τῶν καθ' ἑαυτὸν 23, 15; συνείσει καὶ γνώμη διαφέρειν 32, 11.  
 διαφερόμενοι πρὸς ἀλλήλους 23, 17; τοὺς διαφερομένους 16, 15  
 διαφθεῖραι (1) 'corrupt', τὸν δῆμον 28, 16.  
 (2) 'kill', Θηραμένην διαφθεῖραι 37, 4;  
 διέφθειρεν αὐτὸν 18, 38  
 διάφορος *c. dat.* 11, 8  
 διαφυλάττω· διεφύλαττον τὴν δημοκρατίαν 29, 2  
 διαχειρίζωσι—χρήματα 30, 14 (decree); διαχειριοῦσιν 30, 10 (*ib.*), cf. 45, 13, and *Pol.* 1322 b 28  
 \* διαχειροτονοῦσιν 49, 17  
 \* διαψηφίζεσθαι 55, 25; 68, 19, 21; διαψηφίζονται 42, 4; ὡς διαψηφισμένοι, 69, 1  
 \* διαψηφισμός 13, 24; 67, 23  
 διδάξουσιν 42, 24  
 διδάσκαλοι (ἐφήβων) 42, 23  
 \* δίδραχμον 10, 7 (*Oec.* 1353 a 17)  
 δίδωμι· δίδοναι τοῖς πολλοῖς τὰ αὐτῶν 27, 21; δίδοναι δημοσίᾳ τροφὴν 49, 28; δίδωσι—εἰς τροφὴν 42, 24;—εἰς τὴν κατασκευὴν 56, 26;—τῷ εὐθύνῳ (πινάκιον) 48, 22;—ψήφον 55, 23;—βακτηρίαν 65, 2; δίκην (42, 34), ἐπιχειροτονίαν (43, 24; 55, 22), εὐθύνας (39, 23; 48, 18 f; 56, 3 f) δίδασιν. δίδωσι σῖτον 56, 46; οὐδεμίαν ἑαυτῷ πλεονεξίαν διδοῦς 16, 32; ἔδωκα τόσον γέρας 12, 4 (Solon); καθ' ὃ τι ἂν—δῶσω 59, 3; φυλακὴν ἑαυτῷ δοῦναι 14, 4; δοῦναι τὴν δεξιάν and τὴν δεξιὰν δέδωκε 18, 35 f; δοῦναι τὰ ἑαυτοῦ 35, 14; δοῦναι ταῖς ἀρχαῖς (τὰ δικαστήρια) 59, 2; (φάρμακον) δοῦς 57, 16; δῶρα δοῦς 59, 9; δοῦς κατηγορίαν καὶ ἀπολογίαν 55, 21. *Pass.* δίδοται (κλεψύδρα) 67, 7; ὕδωρ 67, 14; δοθειῶν—δωρεῶν 3, 13  
 \* διεγγυῶν 4, 10  
 διέρχομαι· διήλθον 12, 44 (Solon); χρόνον διελθόντος 4, 2; διελθόντων—ἐτῶν 42, 36  
 δικάζω· of the officials presiding at a trial, *abs.* δικάζουσιν 57, 25; δικάξῃ 57, 26; 63, 13; δικάζειν 59, 2; 63, 11; δικάσωσιν 66, 22; ἐδίκασον 53, 3. *Dat.* of person accused, τούτῳ—δικάζουσιν 57, 21, 23; *Acc.* τοὺς τὴν φυλὴν δικάζοντας 58, 7 (cf. 53, 14). ταῦτα—δικάζει 57, 17; δικάζουσι—ταῦτα 57, 24; δικάζει (τὰς δίκας) 57, 30; ταύτας (τὰς δίκας) δικάζουσιν 52, 17; τὰ ἴδια δικάζωσι 67, 2; τὰ μέχρι δέκα δραχμῶν αὐτελείς εἰσι δικάζειν 53, 5 f; *Pass.* ἐπειδὴν αὐτοῖς ἦ δεδικασμένα τὰ ἐκ τῶν νόμων 69, 13  
 δικαιοσύνη—διαφέρειν 23, 15  
 δίκαιος πρὸς τὴν πολιτείαν 25, 5; οὐ—δίκαιον 9, 13; 11, 6; δίκαιοις (μέτροις καὶ σταθμοῖς) 51, 7. *Adv.* δικαίως· 12, 37 (Solon); λαβεῖν τὴν ἐξουσίαν 41, 4; ἐγγράφεσθαι 42, 10; ὥνιος ἔσται 51, 11; ἄρξειν 55, 31  
 δικαστήριον· (1) in the age of Solon, τοῖς τὸ θητικὸν τελοῦσιν ἐκκλησίας καὶ δικαστήριον μετέδωκε μόνον 7, 15; ἢ εἰς δικαστήριον ἔφεσιν 9, 5; ἀνάγκη—πάντα βραβεύειν—τὸ δ. 9, 9.  
 (2) in later times, *sing.* ὃ τι ἂν προστιμήσῃ τὸ δ. 63, 17; δεκάσας τὸ δικ. (Anytus) 27, 7; ἀνευ δικαστηρίου γνώσεως 45, 4; κρίσεως ἐν δικαστηρίῳ γενομένης 45, 5; (ἡ βουλὴ) καταγοῦσα παραδίδωσι δικαστηρίῳ 46, 10; τάπογραφέντα καὶ πραθέντα ἐν τῷ δ. 47, 22; τῶν τὰς εὐθύνας ἐν τῷ δ. δεδωκότων 48, 18; κρίνει (τὰ παραδείγματα κτλ) τὸ δικαστήριον τὸ λαχὸν 49, 21; (ὁ γραμματεὺς τῶν θεσμοθετῶν) δοκιμάζεται ἐν δικαστηρίῳ 55, 7; οἱ ἐννέα ἀρχοντες δοκιμάζονται ἐν τε τῇ βουλῇ καὶ πάλιν ἐν δικαστηρίῳ 55, 10; (οἱ πάρεδροι) δοκιμάζονται ἐν τῷ δ. 56, 2 f; κρίνουσιν ἐν τῷ δ. 61, 12; εἰς δικαστήριον, συναγαγεῖν 64, 22;—εἰσάγει 29, 26; εἰς τὸ δικαστήριον, εἰσάγει 56, 30;—εἰσάγειν 45, 9 f; 56, 42;—εἰσάγουσιν 48, 26 f; 53, 15;—, εἰσάγοντες 52, 19; 54, 6;—, εἰσάζοντες 52, 4, 6. εἰς τὸ δικαστήριον, ἐφήσιν 42, 8;—, ἐφῆ 53, 9;—, ἔφεσι



45, 15 f; 55, 11 f;—, ἐφέσιμος 45, 13 f. τὸ τοῦ δ. ἐκάστων (στοιχείων) 64, 25; εἰσελθεῖν εἰς—δικαστήριον 65, 4; βαδίζει εἰς τὸ δ. 65, 8; (κιβώτιον) ἐν ἐπὶ τὸ δ. ἕκαστον 65, 15; βακτηρίαν ὁμόχρων τῷ δ. 65, 2 f; ἐν τῷ δ. 55, 23; 65, 12; 66, 12;—, ἀμφορεῖς δύο κείμεναι 68, 14; ἐν αὐτῷ τῷ δ. 66, 21; ἐν ἑκάστῳ τῷ δ. 65, 17; χρήσεται τῷ πρώτῳ λαχόντι δ. 66, 9

pl. δικαστηρίων μετέδωκε (Solon) 7, 15; τὰ δὲ τῷ δήμῳ καὶ τοῖς δ. ἀπέδωκεν (Ephialtes) 25, 10; ἐποίησε—μισθοφόρα τὰ δ. Περικλῆς 27, 11 f; (μισθοφορεῖ) τρεῖς ὀβολοὺς 62, 7; πάντα διοικεῖται (passive) ψηφίσμασιν καὶ δικαστηρίοις 41, 25; οἱ θεσμοθετεῖται—τοῦ προγράψαι τὰ δικαστήριά εἰσι κύριοι κτλ 59, 1; ἐπικληροῦσι τοῖς ἀρχαῖς οἱ θεσμοθετεῖται τὰ δ. τὰ ἴδια καὶ τὰ δημόσια 59, 15; τὰ δ. κληροῦσιν οἱ ἐννέα ἀρχοντες κατὰ φυλάς 63, 1; τὰ γράμματα ἃ δεῖ προσπατεῖσθαι τοῖς δ. 63, 2; ὅσαπερ ἂν μέλλῃ τὰ δ. πληρωθῆσθαι 63, 11; 64, 24; ἐπειδὴν πάντα πληρῆ ἦ τὰ δ. 66, 1; [τὰ πολλὰ] τῶν δ. ἐστὶ φ̄ 68, 1; β̄ δικαστήρια 68, 3; τρία δ. 68, 4; ἐν ἑκάστῳ τῶν δ. 65, 16; ἀποδιδόναι τοῖς δ. (τὰ πινάκια) 65, 17; ἐν τῷ πρώτῳ τῶν δ. 66, 2; εἰσοδοὶ εἰς τὰ δ. 63, 3; ἐν τῷ ἔμπροσθεν τῆς εἰσόδου 64, 1 f; τοῖς δ. χρώμα ἐπιγέγραπται ἑκάστῳ ἐπὶ τῷ σφηκίσκῳ τῆς εἰσόδου 65, 6 f; τὰ χρώματα τῶν δ. 66, 3. (δικαστήρια) ἐν Ἀρείῳ πάγῳ 57, 15, 24; ἐπὶ Παλλαδίῳ 57, 18; ἐπὶ Δελφίνῳ 57, 21; ἐν Φρεάτου 57, 22; ἐπὶ Πρυτανείῳ 57, 30 n.

δικαστῆς· δικασταί—ἐξακισχίλιοι 24, 12. ἔχει δ' ἕκαστος δικαστῆς τὸ πινάκιον πύξινον 63, 18; παραδιδόσιν ἑκάστῳ τῶν δ. δύο ψήφους 68, 7; ψηφίζονται οἱ δ. 68, 16; διαψηφίζεσθαι μέλλωσιν οἱ δ. 68, 19; καταγιγνώσκουσιν 54, 7; νεμένηνται κατὰ φυλάς οἱ δ. 63, 20; νενεμημένοι—οἱ δ. 66, 11; ἐμβάλωσιν οἱ δ. τὰ πινάκια 64, 3; οἱ δικασταὶ 67, 18; ὅσοιπερ οἱ δ. 63, 7; ὄσους ἂν δέη λαχεῖν δ. 64, 13; τῶν λαχόντων δ. 63, 6; κατεσκεύασε μισθοφορὰν τοῖς δ. (Pericles) 27, 22. ὅ τι ἂν γνῶσιν οἱ δ. 48, 27;—οἱ δ. ψηφίζονται 45, 11; ἂν καταγιγνώσιν οἱ δ. 54, 9. προστιμῶσιν αὐτῷ οἱ δ. 63, 14. τὸ κύρος δ' ἦν ἐν τοῖς δ. κατέλυσαν 35, 12; ἐπὶ τοῖς δ. 55, 26; τοὺς δ. κληροῦσι πάντες οἱ ἐννέα ἀρχοντες, δέκατος δ' ὁ γραμματεὺς τῶν θεσμοθετῶν 59, 18. τοὺς κατὰ δήμους δικαστὰς 16, 13; cf. 26, 20; 48, 24; 53, 3

δικη· Solon in c. 12, ἐν δικῇ χρόνου l. 30; βίαν τε καὶ δικήν l. 43; εὐθείαν δικήν l. 46

δικήν οὕτε διδῶσιν οὕτε λαγχάνουσιν 43, 34; ἐξ ἑκάστων τῶν δικῶν τῶν ἐκ

τοῦ νόμου 67, 3; εἰσάγει δίκας (ὁ ἀρχων) 56, 29; (τοῖς μετοίκους ὁ πολέμαρχος) 58, 8; δίκας κρίνειν 3, 32; δίκας λαγχάνουσιν 53, 2; δίκαι λαγχάνονται πρὸς αὐτὸν (archon) 56, 29; (polemarch) 58, 4; τὸ ὕδωρ πρὸς ὃ δεῖ λέγειν τὰς δίκας 67, 6; ἔχει τέλος ἡ δικη 53, 9

δίκαι· αἰκείας 52, 15; ἀνδραποδῶν 52, 16; ἀποστασίον, ἀπροστασίον, 58, 9; εἰς διατηρῶν αἴρεσιν 56, 36; εἰς ἐμφανῶν κατάστασιν 56, 38; εἰς ἐπιτροπῆς διαδικασίαν 56, 38; εἰς ἐπιτροπῆς κατάστασιν 56, 37; δούλων ἂν τις τὸν ἐλεύθερον κακῶς λέγῃ 59, 14; ἐπιτροπῆ 52, 11—20; ἐμπορικαὶ 59, 14; ἐπιτροπὴν αὐτὸν ἐγγράψαι 56, 39; ἐραρικαὶ 52, 15; ἴσων 57, 31; ἴδια 58, 5; 59, 13; κλήρων καὶ ἐπικλήρων 43, 21; 56, 39; 58, 9; κοινωνικαὶ 52, 15; μεταλλικαὶ 59, 14; παρανοίας 56, 35; προικός 52, 12; ἀπὸ τῶν συμβόλων 59, 17; τραπεζιτικαὶ 52, 16; τριηραρχίας 52, 16; ὑποζυγίων 52, 16; (ψευδομαρτυρίων) cf. 68, 20 f; τὰ ψευδομαρτύρια τὰ ἐξ Ἀρείου πάγου 59, 17. For δίκαι ἀδικίου, κακώσεως, κλοπῆς (δημοσίων χρημάτων), πυρκαϊῆς, τραύματος, φόνου, see γραφαί

δίμηνον ἦρξεν 33, 2

διὸ καὶ 3, 17, 21, 38; 5, 20; 8, 16; 16, 13, 26, 34; 17, 4; 20, 21; 23, 15, 20; 27, 20; 47, 28; διὸ καὶ νῦν 7, 28

διοικεῖν, μηδὲν τῶν πατρῶν τὸν ἀρχοντα, 3, 16; πάντα 16, 31; 44, 12; τὴν πολιτείαν 27, 11. διοικεῖ—ἀγῶνα 56, 27; τὰς πατρίους θυσίας 57, 9. διοικοῦσι, πεντητηρίδας 54, 28; πομπήν 60, 4. διώκει τὰ πλεῖστα καὶ τὰ μέγιστα 3, 35; τὰ κοινὰ 14, 17; τὰ περὶ τὴν πόλιν 16, 2; τὴν πόλιν 23, 3. τὰ ἄλλα πάντα διώκουν 26, 12. διώκησαν, τευχῶν ἀνοικοδόμησιν 23, 17. πάντα διοικεῖται ψηφίσμασι καὶ δικαστηρίοις 41, 25; τὰ ὑπὸ τῆς βουλῆς διοικουμένα 50, 1; περὶ τῶν διωκτιμῶν 25, 7

διοίκησις, ἀπὸ τῶν κοινῶν 24, 21; ἐγκύκλιον διοίκησιν 43, 1

διομνύουσιν 67, 3

Διονύσια 56, 11, 12, 28; Δ. τῶν μεγάλων 56, 22; τῶν ἐπὶ Ἀθῆναις 57, 4; in Salamis and Peiraeus 54, 35

Διόνυσος 3, 26

διπλάσιον—καταβάλλειν 48, 5

διπλοῦται 54, 12 bis

δις τὸν αὐτὸν μὴ ἀρχεῖν 4, 15; οὐκ ἔστιν (ἐπιστάτην) δις τὸν αὐτὸν γενέσθαι 44, 3; (ἔξεστι) βουλευσαί δις 62, 19

\* δισμύριοι 24, 12

\* δισχιλίοι 24, 18; ἀπὸ τοῦ κνάμου 24, 20; δισχιλίου 26, 10

Δίφιλος 7, 20, 22

δίχα 61, 27

\*διχους 67, 9 bis

διωβελια 28, 20 (διωβολια Pol. 1267 b. 2)

\*διώβολον 41, 34

διώκειν, 'prosecute', 56, 31; τοῦ διώκοντος, 'the plaintiff', 53, 11; 69, 8; τοῖς διώκουσιν 67, 21. διώκειν τὴν μέσην πολιτείαν 13, 18; τὴν πάτριον πολιτείαν 35, 9

δόγμα· οὐδενὶ δόγματι λαβοῦσα τὴν ἡγεμονίαν 23, 4

δοκιμάζει (ἢ βουλή) τοὺς ἐγγραφέντας 42, 12; —βουλευτάς 45, 17; —θ' ἄρχοντας 45, 17; —ἴππους, προδρόμους, ἀμίππους, 49, 1, 5, 7; —ἀδυνάτους 49, 25, 27. δοκιμάζωσιν (τοὺς ἄρχοντας) 55, 13; *pass.* δοκιμάζονται (οἱ ἄρχοντες) 55, 6; (οἱ πάρεδροι) 56, 3. πάντες—δοκιμασθέντες ἄρχουσιν 55, 9. δοκιμασθέντες (οἱ ἄρχοντες) 55, 27; (οἱ ἀθλοθέται) 60, 3; δοκιμασθῶσιν οἱ ἐφηβοὶ 42, 14

δοκιμασία· (τὸ δικαστήριον) κύριόν ἐστι τῆς δοκιμασίας 55, 12; *pass.* δοκιμασίας ταῖς ἀρχαῖς ἀπάσαις, εἰσάγουσιν (οἱ θεσμοθέται) 59, 11

δοκῶ (1) 'seem'; *c. inf. praes.* εἶναι 6, 12; 9, 2; 13, 21; 14, 1; 23, 14; 25, 5; 27, 20; 38, 19; 49, 5; 52, 7; ἀδικεῖν 46, 9; 48, 2; καλῶς ἄρχειν 43, 17; 61, 11. Also 10, 1; 13, 18; 28, 35; 32, 11; 34, 22; 41, 28; 49, 21; ellipse of *inf.* εἰ τις δοκοῖη μείζων 22, 27. *fut.* ἐδόκουν—εὐρήσειν 12, 18 (Solon); ἢ ἂν δοκῇ αὐτοῖς ἄριστα ξεῖν 30, 19; *c. inf. aor.* 28, 16; 33, 12; 40, 7, 17; 41, 3; 42, 5; *c. inf. perf.* γεγονέναι 28, 28; 42, 5 (ellipse of *inf.* κἂν μὴ δόξωσι 42, 6).

(2) 'seem good', 'think fit', ὃ τι ἂν δοκῇ 48, 22; 63, 15; καθ' ὃ τι ἂν—δοκῇ 44, 17 f; ἐδοξεν αὐτοῖς—ἄρχοντας ἐλέσθαι δέκα 13, 8; ὅτε—δόξειεν—ἐκφέρειν 36, 14; εἰ δοκεῖ ποιεῖν ἢ μὴ 43, 24; τὰ δόξαντα περὶ τῆς πολιτείας 35, 3

δολοφονηθεὶς 25, 24. δολοφονηθέντος Διομήδους, *de Admir.* 83b a 16; δολοφονία *Eth.* 1131 a 7

δόξα· τῇ φύσει καὶ τῇ δόξῃ 5, 12; διὰ τὰς πατρικὰς δόξας 26, 9

δόρυ 42, 31

δορυφόροι (of Hippias) 18, 22

δουλεύει 2, 11; ἐδούλευον οἱ πένητες τοῖς πλουσίοις 2, 3; τῶν πολλῶν δουλευόντων τοῖς ὀλίγοις 5, 2; τῶν δουλευόντων 12, 26. Γῆ—δουλεύουσα 12, 34 (Solon)

δουλίην ἀεικέα 12, 40 (Solon)

δούλων δίκαι 59, 14; φανερώς δούλοι 40, 10

Δρακοντίδης 34, 27

Δράκων 3, 1; 4, 3; 7, 2; 41, 11

\*δραχμῆ· 30, 33; 42, 25; 62, 7, 12, 14; ἐπὶ δραχμῇ δανεισάμενος 52, 13; μέχρι δέκα δραχμῶν 52, 19; 53, 5; ἢ μᾶλλον πρότερον ἔχουσα σταθμῶν ἐβδομήκοντα

δραχμάς 10, 6. Omitted ἐντὸς χιλίων—ὑπὲρ χιλίας 53, 15 f. (συναλλάγματα) δραχμιαῖα καὶ πεντάδραχμα *Pol.* 1300 b 33

\*δρύφακτος· *pl.* 50, 11

δρῶ· τοῦτ' ἔδρων καὶ ἐπὶ τῶν ἄλλων 35, 17; βουλόμενοι τι δρᾶσαι πρὸ τῆς συλλήψεως 18, 18; τῷ δρᾶσαντι λαγχάνει 57, 30

δύναμιν, εἶχον 12, 6 (Solon); μεγίστην εἶχον δ. 13, 11; τὴν ναυτικὴν δ. 27, 5; περιελλοντο τὴν δ. 25, 22; ἐπιλειπόμενος τῇ δυνάμει 19, 5; τῶν ἐν ταῖς δυνάμειν 22, 13 (cf. τῶν ἐν ταῖς ἐξουσίαις *Eth.* 1095 b 21)

δύνασθαι, μὴ 9, 12; μὴ δ. τῷ σώματι ἱππεύειν ἢ τῇ οὐσίᾳ 49, 16; ἐργάζεσθαι 49, 27; particip. 7, 18; 49, 3; ἐδύνατο 18, 33; ἐδύνατο 18, 25; 19, 9; ὡς ἂν δύνωνται ἄριστα 30, 21 (decree); δύνωνται διαλύσαι 53, 7

δυναστεία, καταλύση τὴν (of the Thirty) 36, 6

δυνατός, καθ' ὅσον ἦν 14, 14; μὴ δυνατοῦς εἶναι τοῖς σώμασιν ἱππεύειν 49, 14; τοῖς δυνατωτάτοις καὶ τοῖς σώμασιν καὶ τοῖς χρήμασιν λητουργεῖν 29, 34 (decree)

δύο τὰ ἐναντιώτατα 36, 10; ἔτη δύο (22, 11; 42, 33), + καὶ δύο μῆνας 13, 7; ἡμέρας 20, 14; παρέδρους 48, 16; 56, 2; ἱπάρχους 61, 19; τῶν θεσμοθετῶν 66, 5; κληρωτήρια 63, 4; 66, 2; δικαστήρια 68, 8; ὑδρία 63, 6; ψήφους 68, 8, 18; ἀμοφορεῖς 68, 14; ὀβολοὺς 49, 28; μέρη 51, 17. Also 40, 19; 13, 9; 20, 14; 37, 5; 42, 22; 43, 28; 53, 4; 57, 3; 61, 6; *gen.* τῶν θυνῶν ἐτῶν 42, 37; θυνῶν δραχμῶν 50, 7; θυνῶν χάριν 16, 7. *dat.* θυνῶν φυλαῖν 52, 12; 56, 13; πρὸς τοῖν θυνῶν ὀβολοῖν 28, 32. Cf. Kühner, ed. Blass, i p. 633

δυσκολλίας, τὰς παρούσας 35, 15

δυσχεραίνοντες, τῇ πολιτείᾳ 13, 15 (οἱ ἐν τῇ πολιτείᾳ δυσχεράναντες *Pol.* 1306 b 4; ὑπομένουσι τὴν δεσποτικὴν ἀρχὴν οὐδὲν δυσχεραίνοντες 1285 a 22); ἐπὶ τοῖς ἄλλοις ἐδυσχέρανον 2, 12

δώδεκα 8, 13; 21, 9, 11

δώδεκατῷ, ἔτει 14, 20; 22, 10

δωρεᾶν οὐκ ἔστιν αὐτοῖς λαβεῖν 46, 6; δωρεῶν 3, 13

δώρων· δῶρα δοῦς 59, 9; λαβόντα 54, 8; μὴ ληφείσθαι 55, 31. δώρων γραφή 59, 9; δώρων τιμῶσιν 54, 9

\*δωροξενία γραφή 59, 8

ἐάν· *c. coni. praes.* 16, 42 (law); 17, 7; 22, 34 etc.; *c. coni. aor.* 7, 6; 29, 9 etc.; ἂν 42, 7; 45, 8 etc.; ἂν τε... ἂν τε 48, 20; κἂν *et si, c. coni. praes.* κἂν τις βούληται 48, 17 etc.; *c. coni. aor.* κἂν ἐξαπατηθῇ 28, 24 etc. elliptical in ἐάν μὴ μανιῶν κτλ 35, 15 (law); and ἂν δέ



ἴσαι 69, 10. *kān etiamsi, c. conī. praes.*  
*kān pān pēnēs* ἦ 47, 4  
 ἑαυτοῦ· τὸ ἐφ' ἑαυτοῦ γιγνόμενον 60, 15;  
 ἑαυτῷ δοῦναι 14, 4; — διδους 16, 32;  
 ἑαυτῷ ξένον 20, 6; ἑαυτόν, καταρρυπαί-  
 νειν 6, 18; —, καταπραυματίας 14, 3;  
 —, οὐ κατέσχευεν 18, 37; σφῆζειν —, 23,  
 6; τῶν καθ' ἑαυτόν 23, 15; δι' ἑαυτῶν  
 37, 7; ἑαυτῶν, αὐτοκράτορες 39, 4;  
 ἑαυτοῖς συμπολεμήσειν 29, 9; νοσοῦντες  
 τὰ πρὸς ἑαυτοὺς (= ἀλλήλους) 13, 12  
 αὐτοῦ· δι' αὐτοῦ 41, 4; ἐξ αὐτῆς 46,  
 7; παρ' αὐτοῦ 56, 24; αὐτῷ δοῦναι 18,  
 35; διέφθειρεν αὐτόν 18, 38; ἀπάντων  
 αὐτὸς αὐτόν πεποίηκεν ὁ δῆμος κύριον  
 41, 25; κρίνασα καθ' αὐτήν 8, 10; δι'  
 αὐτῶν 19, 9; 33, 12; ἐξ αὐτῶν 42, 9;  
 48, 13; παρ' αὐτοῖς 36, 13; βοηθεῖν  
 αὐτοῖς 37, 17; ἄγειν εἰς αὐτοὺς τὴν  
 πολιτείαν 27, 7. μετ' αὐτοῦ (for μεθ'  
 αὐτοῦ) 14, 28  
*possessive.* τὸ ὄνομα τὸ ἑαυτοῦ 63,  
 19; τὰ ἑαυτοῦ 35, 14; τὰ ἑαυτῶν 19,  
 35; τὸνομα τὸ [θ' αὐτοῦ] 48, 21; τὰ  
 αὐτῶν 27, 22; 39, 4; τῶν φυλετῶν  
 τῶν αὐτοῦ 42, 26; τοὺς τῆς αὐτοῦ  
 φυλῆς 59, 20  
 ἑβδομήκοντα 10, 6  
 ἑβδομος 15, 2; 41, 16  
 ἐγγίγνεται 54, 32  
 ἐγγραφή τῶν πολιτῶν 42, 38  
 ἐγγράφονται—εἰς τοὺς δημότας 42, 3, 4;  
 ἐγγράφειν 42, 11; ἐγγράφαντας 42, 13;  
 δικαίως ἐγγράφεσθαι 42, 10; τοὺς ἐγγρα-  
 φέντας 42, 12; οἱ δ' ἐφηβοὶ οἱ ἐγγραφό-  
 μενοι — εἰς λελευκωμένα γραμματεῖα  
 ἐνεγράψοντο, — ἐνεγράφησαν 53, 22 f.  
 ἐγγέγραπται ἐν ταῖς βαλάνοις 62, 9  
 (ἱππέας) ἐγγράφουσιν εἰς τὸν πίνακα  
 48, 18; (ἱππέων) τῶν πρότερον ἐγγε-  
 γραμμένων 49, 13. τῶν ἐγγεγραμμένων  
 (εἰς τὸν τῶν τρισχίλων κατάλογον) 36, 15  
 ἐπίτροπον αὐτόν ἐγγράψαι 56, 39.  
*kān tis allipē katabolhēn, en taūth' ēg-*  
*gēgrapta* 48, 5; (cf. πράξεις τῶν  
 προτιθεμένων κατὰ τὰς ἐγγραφάς *Pol.*  
 1322 a)  
 ἐγγυηταί 4, 12  
 ἐγκαλῆ, ὅ τι ἂν 48, 22; οὐδεὶς οὐδὲν ἐνε-  
 κάλεσεν αὐτοῖς 38, 30  
 \*ἐγκατεγήρασε τῆ ἀρχῇ 17, 1  
 ἐγκρατέστερον ἔσχον, τὴν πόλιν 35, 22  
 (cf. ἐγκρατῶς ἔσχον τὴν ἀρχήν *Pol.*  
 1284 a 40)  
 ἐγκύκλιον (ἀρχαί) 26, 18; τὰς ἀρχὰς τὰς  
 περὶ τὴν ἐγκύκλιον διοικήσιν 43, 1  
 ἔγχε 22, 23 (scolium): τὸ ὕδωρ ἐγχεόσι  
 67, 6  
 \*ἐγχειρίδια 18, 27  
 ἐγῶ· Solon 12, 28, 32, 47, 65; μοι 12,  
 20, 23; με 12, 19, 61  
 ἔδρα βουλῆς ἢ ἐκκλησίας 4, 17; τὰς ἔδρας  
 — τῆς βουλῆς 30, 24 (decree)

ἔερδον 12, 23 (Solon)  
 ἐθέλω· *post. cons.* πρὸς οὓς ἂν ἐθέλωσιν  
 (συντίθεσθαι) 29, 37 (decree); ὃν ἂν  
 ἐθέλη (ἐπεισκαλεῖν) 30, 23 (decree); ᾧ  
 ἂν ἐθέλη (δοῦναι) 35, 14 (law); τοὺς  
 ἐθέλοντας 30, 28; 39, 25 (decrees).  
*post. voc.* οἱ ἐθέλοντες 29, 24 (decree).  
*trans.* εἰ γὰρ ἤθελον ἂ τοῖς ἐναντίοισιν  
 ἦνδανεν τότε 12, 49 (Solon)  
 θέλω *post. voc.* ἐὰν (δέ) τι θέλωσιν  
 βουλευσασθαι 30, 22 (decree); τοῖς μὴ  
 θέλουσι μένειν 49, 3; ἐὰν τις μὴ θέλη  
 κοινὰ τὰ ὄντα νέμεσθαι 56, 37  
 ἔθνος· *pl.* (ἢ φυλῆ) διήρηται εἰς τρία μέρη,  
 τριττῦς καὶ ἔθνη καὶ πατρίδας frag. 3 ad  
 fin.  
 εἰ *c. ind. praes.* εἰ χρή 12, 57 (Solon) and  
 20, 24 (scol.); *c. ind. imperf.* εἰ ἤθελον  
 12, 49 (Solon); εἰ μὴ τι παρεωράτο 26,  
 18; *c. ind. fut.* εἰ μὴ—ἀφήσουσιν 32,  
 16; *aor.* ἔτυχεν 12, 62; ἔκτεινεν 39,  
 19; *c. opt. iterative,* ἀποδιδοῖεν 2, 7;  
 ἐκλείπει 4, 17; δοκοῖν 22, 26; ἐξορῶσειεν  
 —κατάξειεν 60, 10 f; καταγνοῖη 60, 12.  
 εἰ δὲ μὴ, *elliptical,* 22, 35; 49, 18; 52,  
 5; 54, 11. *indirect interrog.,* δοκεῖ 43,  
 24; δοκοῦσιν 42, 5; 43, 17; 61, 11;  
 also (with other verbs) 40, 13; 42, 7;  
 48, 11; 55, 15, 17, 18  
 εἶδον 12, 59 (Solon); ἰδῶν—τινὰ σκάπτοντα  
 16, 18; ἰδόντες τινὰ — ἐντυγχάνοντα  
 18, 16  
 εἰκόσ 6, 13; 9, 12  
 εἰκοσι 17, 4; 24, 19; 29, 11; 30, 10; 39,  
 15; 51, 9; 63, 4  
 εἰκών, Διφίλου 7, 20  
 εἰμί· ἔστιν, 'is' or 'exists', ἔστι—ἐπιστά-  
 τῆς εἰς 44, 1; εἰσι—φόνου δίκαι 57, 14;  
 εἰσίν—ἔστι 54, 29; ὁ μὲν νόμος ἔστιν ἢ  
 δὲ κρίσις καταλέλυται 60, 13; τὴν νῦν  
 οὔσαν πολιτείαν 41, 3. *corūla, passim,*  
*e.g.* ἦν ἢ πολιτεία—διχαρική 2, 2; ἦν  
 2, 6, 10; ἦσαν 2, 9; Κλεομένην, ὄντα  
 ἑαυτῷ ξένον 20, 6. with participle or  
 verbal subst., *e.g.* Ἀριστέδης ἦν ὁ προ-  
 τρέψας...τοὺς φόρους οὗτος ἦν ὁ τάξας  
 23, 19, 21; μὴ πρόφασις ἦ τοῦ ἀπίνεαι  
 42, 35; 'is permitted', ἔφεσις τοῦτοις  
 ἔστιν 45, 15 (cf. 45, 19; 53, 34). ἔστιν  
 εἰσαγγέλλειν 53, 32; οὐκ ἔστιν 46, 2,  
 6; 60, 17; 68, 13, 20 f; 'continues',  
 ἔως ἂν ἦ ὁ πόλεμος 29, 31, 35 (decree);  
 'is held', ὅταν ἦ τὰ Παναθηναῖα. *c.*  
*dat. possessivis,* οὓς ἂν ἐξηκοστὸν ἔτος ἦ  
 53, 14; ἔστιν αὐτῷ 55, 16; ἔστι τῇ  
 πόλει 60, 15; ἔστι—ἄθλα—τοῖς νικῶσιν  
 60, 20; *c. gen. subiecti,* τῆς πόλεως  
 εἶναι τὴν δαπάνην 22, 34; *c. gen. partit.*  
 ἦν—τῶν πρώτων—τῶν μέσων 5, 12;  
 τῶν ἐπιφανῶν—ἦσαν 18, 24 f; τοῦ γέ-  
 νους ὦν τῶν Ἀλκμεωνιδῶν 20, 3; 28, 8;  
 ἦν τῶν Ἀρεοπαγιτῶν 25, 11 f; τοὺς ἄν-  
 εἶναι 30, 5; ὦν ἦν Ἀρχίνοσ κτλ 34, 23

*c. प्राचर.* ἅπασι—ἀπὸ τῶν κοινῶν ἢ διακρίσει ἦν 25, 21; ἢ γῆ δι' ὀλίγων ἦν 2, 6; 4, 24; τῶν γνωρίμων οἱ ἐν ταῖς ἐταιρείαις ὄντες 34, 19 f; τὸ κύρος δ' ἦν ἐν τοῖς δικασταῖς 35, 12; ἐξ ἰππέων κτλ ἦσαν 26, 17; ἐπὶ τῶν ἰδίων εἶναι 15, 25; ἐπὶ τοῖς σώμασιν ἦσαν 2, 8; 4, 23; μετὰ τῶν ἄλλων εἰσὶν 42, 37; περὶ τῶν ἄλλων εἰσὶν 43, 28 f; πρὸς τοῖς ἰδίοις ὄντες 16, 9; εἰσι γραφαὶ πρὸς αὐτοὺς 69, 9  
τὸ νῦν εἶναι 31, 9 (decree). κοινὰ τὰ ὄντα νέμεσθαι 56, 37  
εἰμι· τὸν μὴ ἴοντα εἰς τὸ βουλευτήριον 30, 31 (decree); μήτε—εἰς τὸ ἄστν —, μήτε—'Ελευσινάδε ἵναμι 39, 7  
εἰπεῖν 2, 12; 14, 9; ὡς εἰπεῖν 2, 12; ὡς ἔπος εἰπεῖν 49, 31; 57, 8. ἂν — εἰποι 7, 30; εἰπῶν 10, 5; 11, 1; Περικλέους εἰπόντος 26, 22; εἰπόντος τὸν πρὸ τοῦ ψηφίσματος λόγον Μηλοβίου 29, 6; τὰ μὲν ἄλλα καθάπερ Πυθόδωρος εἶπεν 29, 16; εἶπα 12, 22 (Solon). Cf. εἰρηται εἰργεσθαι τῶν νομίμων 57, 13; εἰργεται τῶν ἱερῶν 57, 28  
εἰρήνην ἄγειν 34, 9; παρεσκευάζειν εἰρ. 16, 26; ἐπὶ πέρας ἤγαγε τὴν εἰρήνην 38, 25; ἐκώλυσε γενέσθαι τὴν εἰρήνην 34, 10; τῆς εἰρ. γενομένης αὐτοῖς 34, 17; μετὰ τὴν εἰρ. 34, 20  
εἰρηται· καθάπερ εἰρηται 4, 24; ὥσπερ εἰρηται 16, 3; ὅνπερ εἰρηται τρόπον 11, 1; ὅν τρόπον καθίσταντο εἰρηται 55, 3; τῆς ἡλικίας τῆς εἰρημένης 30, 15 (decree); τῶν εἰρημένων 16, 30; 55, 2; τοῖς εἰρημένοις 43, 23; εἰρημένοι ὡσιν οἱ λόγοι 68, 7. Cf. εἰπεῖν, and ἐρεῖν  
εἰς· (1) of place, εἰς Ἀλυπτον 11, 5; Λακεδαίμονα 37, 17; 38, 7; Δῆλον 54, 29; 62, 14; Σαλαμίνα 54, 34; 62, 11; τὰς ναῦς 23, 7; τὸ ἐμπόριον 51, 16; Πειραιεῖα, ἄστν 51, 1 f, 5 f, 8 f; τὸ ἄστν 16, 15; 51, 18; πόλιν (= ἀκρόπολι) 8, 24; τὴν ὁδὸν 50, 12 f; τὴν χώραν 16, 14; τοὺς — τόπους 15, 7; τὴν ἀγοράν 38, 4; 57, 28; Ἄρειον πάγον 16, 33; τὸ Θεσμοβέτιον 3, 31; τὸ ἱερόν 57, 29; τὰ — οἰκήματα 15, 21; τὸ δικαστήριον 45, 10, 13, 16, 19; 55, 11; 56, 30; 63, 37; 65, 4; γραμματεῖα 47, 17, 19; ἐχίνους 53, 10, 18; τὸ κιβώτιον 64, 4; τὴν κανονίδα 64, 8; (κλεψύδρα) εἰς ἄσ τὸ ὕδωρ ἐγχεόσιν 67, 6; (ἀμφορεῖς) εἰς οὐδ ψηφίζονται 68, 16  
εἰς τὴν ἀρχὴν 55, 34; 56, 7; τὴν βουλὴν 37, 5; τὸν δῆμον 41, 27; 45, 21; τοὺς διαιτητάς 53, 33; τὸ συμμαχικόν 39, 8 (decree); αὐτοὺς 27, 7; τοὺς — ἄρχοντας 8, 2; παῖδας 42, 6; τέτταρα τέλη 7, 8; τὴν φυλὴν ἐκάστην 21, 15; τὸν ἀριθμὸν 64, 16  
'ον', ἦδον εἰς τοῦτον 20, 21; εἰς αὐτὸ τὸ πρᾶγμα ἐρεῖν 67, 4; 'for', εἰς τὰ ἴδια 16, 37; εἰς दाτητῶν αἰρεσιν 56,

36; εἰς τὸν πόλεμον 23, 10; 29, 30; 39, 25; εἰς τὸ δέον 30, 30 (decree); εἰς τροφήν 42, 24; εἰς Διονύσια 56, 11 f; εἰς Θαργῆλια 56, 12 f; εἰς Παναθήναια 49, 23

'of measure or limit', εἰς ἑπτακοσίους ἄνδρας 24, 16 f

(2) of time, εἰς ἐνιαυτὸν 30, 19; τρία ἔτη 47, 12; (δέκα) ἔτη 47, 13; ἔτη δέκα 47, 28; ἑκατὸν ἔτη 7, 7; ἐκ Παναθηναίων εἰς Παναθήναια 43, 4; εἰς τὰς ἐσχάτας ἡμέρας 40, 3; τὸ μέλλον 6, 2; and (in decrees) τὸν λοιπὸν χρ. 30, 15; τὸν μέλλοντα χρ. 31, 1; τὸν ἄλλον χρόνον 31, 18

εἰς· *passim*. οὐδ' ἂν εἰς 7, 29; εἰς ἕκαστος 68, 11; εἰς ἐνέβαλλε τὴν ψῆφον 55, 24; ὁ μὲν εἰς — ὁ δ' ἕτερος 37, 6 f; τὸ ἐν — τὸ ἕτερον 66, 5 f; γράμμα ἐν 63, 19; πανάκιον ἐν 64, 7; 66, 13; ἐν (κιβώτιον) 65, 14; ἐνὸς δεῖν 19, 39; 27, 27; ἐνὸς δέοντα 17, 4; (εἰσοδος) μία 63, 3; (στάσεις) μία μὲν—ἄλλη δὲ—τρίτη δὲ 13, 17 (cf. πεντητηρίδες) 54, 29 f; μᾶ χειροτονία 34, 5; μίαν (δραχμὴν) 4, 19

\* εἰσαγγελία· Σόλωνος θέντος νόμον εἰσαγγελίας 8, 26; *pl.* 29, 23; 43, 19; τὰς εἰσαγγελίας εἰσαγγέλλουσιν εἰς τὸν δῆμον 59, 4

εἰσαγγέλλειν, πρὸς τὴν τῶν Ἀρεοπαγιτῶν βουλὴν 4, 22; εἰς τοὺς διαιτητάς 53, 32; (οἱ θεσμοθέται) τὰς εἰσαγγελίας εἰσαγγέλλουσιν εἰς τὸν δῆμον 59, 4; ἔξεστι καὶ τοῖς ἰδιώταις εἰσαγγέλλειν ἦν ἂν βούλωνται τῶν ἀρχῶν μὴ χρῆσθαι τοῖς νόμοις 45, 14 (not found in Ar. in technical sense)

εἰσάγω· εἶν — εἰσάγη εἰς δικαστήριον 29, 26 (decree); τὰς καταγνώσεις καὶ τὰς ἐπισημώσεις εἰσάγειν τοὺς θεσμοθέτας 45, 10 (law); οἱ θεσμοθέται — εἰσάγουσιν ταύτην τὴν εὐθύναν εἰς τὸ δικαστήριον 48, 26; τὰς καταχειροτονίας καὶ τὰς προβολὰς ἀπάσας εἰσάγουσιν (οἱ θεσμοθέται) — εἰσάγουσι δὲ καὶ τὰς δοκιμασίας, — εἰσάγουσι δὲ καὶ δίκας ἰδίας, — καὶ τὰς δίκας τὰς ἀπὸ τῶν συμβόλων εἰσάγουσι κτλ 59, 5, 11, 13, 17; (τοὺς ἐνδεκα) τοὺς — κλέπτας κτλ εἰσάζοντας εἰς τὸ δ., — καὶ τὰ ἀπογραφόμενα χωρὶα καὶ οἰκίας εἰσάζοντας, — καὶ τὰς ἐνδείξεις εἰσάζοντας 52, 2, 3, 6; τοῖς δικασταῖς τοῖς τὴν φυλὴν ταύτην εἰσάγουσιν 48, 25; (οἱ τὴν φυλὴν τοῦ φεύγοντος δικάζοντες) εἰσάγουσιν εἰς τὸ δ. 53, 15; (οἱ λογισταὶ) τὰς εὐθύναν εἰς τὸ δ. εἰσάγοντες 54, 6; (οἱ εἰσαγωγεῖς) τὰς ἐμμήνους εἰσάγουσι δίκας, — ἐμμήνους εἰσάγοντες 52, 11 f, 17; (οἱ ἀποδέκται) εἰς τὸ δ. εἰσάγουσιν ἔμμηνα 52, 19; (ὁ ἀρχων γραφὰς καὶ δίκας) εἰς τὸ δ. εἰσάγει, — κύριός ἐστι (τοὺς ἀδικούντας) εἰσάγειν εἰς τὸ δ. 56, 30, 42; (τοῖς χορηγοῖς) τὰς



σκήψεις εισάγει 56, 15; (φόνου δικας τῶν) εισάγει ὁ βασιλεὺς 57, 25; (ὁ πολέμαρχος) εισάγει δικας—τοῖς μετοίκους 58, 8; (ὁ στρατηγὸς ὁ ἐπὶ τὰς συμμορίας) τὰς διαδικασίας (τοῖς τριηράρχοις) εισάγει 61, 9; ὅταν δὴ τὰς μεγίστας (?) γραφὰς εἰς ἅ εισαγαγεῖν 68, 2; *Pass.* ἂν—τις δικάζῃ οἷς μὴ ἔξεστω, ἐνδείκνυται καὶ εἰς δ. εισάγεται 63, 14

\* εισαγωγεῖς· εισαγωγέας πέντε οἱ τὰς ἐμμήνους εισάγουσι δικας 52, 11

εἰσειμι· οἱ τετρακόσιοι εἰσήσαν 32, 5; ἔδει τὴν—βουλὴν εἰσεῖναι 32, 6; ἔν' εἰς οἶον ἂν λάχῃ (δικαστήριον) εἰσή 64, 21; τὸν εἰσιόντα ἐνιαυτῶν 31, 13 (decree). *v.* εἰσέρχομαι

\* εἰσελαύνω· ἐφ' ἄρματος εἰσήλαυε 14, 29

εἰσέρχομαι· εἰσελθόντες εἰς τὸ βουλευτήριον 32, 13; εἰσελθεῖν εἰς τὸ δικαστήριον 65, 4; εἰσή (εἰς δικαστήριον) 64, 21; εἰσελθῶν εἰς τὸ ἱερόν 57, 29. *Met.* εἰς τὴν ἀρχὴν εἰσέρχονται 55, 35; εἰσελθεῖν εἰς τὴν ἀρχὴν 56, 6; *Abs.* εὐθὺς εἰσελθῶν 56, 5. *v.* εἰσειμι

εἰσηγήσατο, ὥσπερ Ἀριστείδης 24, 10

\* εἰσηγητής, τῶν πολλῶν 27, 20

εἰσκαλοῦσι τοὺς ἀγῶνας 67, 1

εἰσοδοί· εἰσοδοὶ εἰς τὰ δικαστήρια δέκα, μία τῇ φυλῇ ἐκάστη 63, 3; κατὰ τὴν εἰσοδὸν ἐκάστην 63, 7; ἐμπροσθεν τῆς εἰσοδοῦ 64, 2; ἐπὶ τῷ σφηκίσκῳ τῆς εἰσοδοῦ 65, 7

\* εἰσπράττω· τοὺς ναυκράρους εἰσπράττειν 8, 17 (law of Solon); ταῦτα εἰσπράττει τῇ βουλῇ—κυρία 48, 6; τοὺς ἐπιτρόπους εἰσπράττει 56, 46; εἰσπράττει τοὺς τὰ χωρία κεκτημένους—τριῖ ἡμκοτύλια 60, 8

εἰσφέρει—τὰς μισθώσεις 47, 26. τὸν μερισμὸν εἰσφέρουσι γράψαντες ἐν σανίδι 48, 9; τὸν κατάλογον εἰς τὴν βουλὴν 49, 11. νόμους εἰσήνεγκαν εἰς τὴν βουλὴν 37, 5. εἰσφέρεται—εἰς τὴν βουλὴν τὰ γραμματεῖα 47, 30

εἰσφορά· *pl.* 8, 15

εἶτα· εἶτ' 8, 4; 13, 7; 22, 34; 28, 12, 18. εἶτ' 24, 5; 39, 25; 62, 8; πρῶτον μὲν—μετὰ δὲ ταῦτα—εἶτα—ἔπειτα 55, 17; πρῶτον μὲν—ἔπειτα—εἶτ'—ἔπειτα—ἔπειτα 62, 6—11

εἶωθεν 28, 24; εἰώθασιν 40, 4; τῇ εἰωθειᾷ—πραβήτη 22, 19

ἐκ (before vowels ἐξ)· (1) place, (a) 'from', *passim*, e.g. τοὺς ἐκ τοῦ ἄστεως καὶ τοὺς ἐκ τοῦ Πειραιέως 40, 22; ἐξ Ἀργίου 17, 12; Ἀρείου πάγου 35, 11; ἐκ Δεκελείας 34, 8; Λακεδαιμόνος 38, 27; τῆς Εὐβοίας 33, 6; Δήλου 62, 15; τῶν ἀργῶν 24, 3; τῆς οἰκείας 7, 16; τοῦ κτήματος 60, 14; τοῦ—ἀργυρίου 8, 18 (decree); ἐκ τούτων καλοῦντες (of calling names on tickets)

65, 18. (b) 'out of', ἐκ τούτων 8, 4; 44, 9; τῶν τάφων 1, 2; τῶν ὑπὲρ τετταράκοντα ἔτη γεγονότων 29, 11; τῶν ὄπλα παρεχομένων 4, 7; τῶν προκρίτων 8, 1; τῶν ἔργων 16, 16; τοῦ χωρίου 19, 5; ἐξ ἐκάστου τοῦ κιβωτίου 64, 6; ἐκάστης φυλῆς 55, 5; αὐτῶν 42, 9; πρῶτος ἦρξεν ἐξ αὐτῶν 26, 16; 33, 2; ἐξ ἀπάντων Ἀθηναίων 56, 8; ἐξ ἀπάντων τῶ ἀρίστον 29, 15; ἐξ ἐκάστων τῶν δικῶν 67, 12; τοὺς λαχόντας ἐκ τῆς πολιτείας 4, 14; — ἐκ τῆς βουλῆς 30, 26; 'belonging to', τῶν ἐκ τῆς αὐτῆς ἡλικίας 30, 23 (decree); ἐκ τοῦ δήμου τῶν Παιανίων 14, 26. (c) origin, ἐκ γαμετῆς γυναικός 4, 9; 17, 10; τῆς Ἀργείας 17, 11; ἐξ ἀμφοῖν ἀστοῖν γεγονός 26, 23; τὰς καταγνώσεις τὰς ἐκ τῆς βουλῆς 59, 13; ἐκ τεττάρων φυλῶν δώδεκα τριττύς 21, 11. (d) cause, \*ἐκ τῶν ἄλλων\* ὁμολογεῖται 5, 13; τὴν ναυτικὴν δύναμιν ἐξ ἧς θαρρήσαντες 27, 5; ναυμαχίαν ἐξ ἧς συνέβη 34, 15; δῆλον ἐκ τῶν ἀρχόντων 53, 20; ἐκ προνοίας 57, 15; (e) 'ac-cording to', ἐκ τῶν τιμημάτων 8, 5; ἐκ τῶν ὄπλων 33, 8, 14; ἐκ τῶν νῦν γεγο- μένων, ἐκ τῆς ἄλλης πολιτείας, θεωρεῖν 9, 13; τὴν ἡλικίαν τὴν ἐκ τοῦ νόμου 42, 6

(2) time, ἐξ ἀρχῆς (= ἐν ἀρχῇ) 16, 1; 28, 5; 41, 7; 55, 3; ἐξ ὑπαρχῆς, *ἀμμο*, 4, 16 (*Pol.* 1293 a 2, *initio*); ἐξ οὗ 60, 12; ἐκ Παναθηναίων εἰς Π. 43, 4

ἐκαστος· *Subst. sing.* κάδοκου ἐκαστος αὐτῶν 12, 18 (Solon); εἰς ἐκαστον 12, 46 (Solon); εἰς ἐκαστος 68, 11; ἄς ἂν ἐκαστος λάχῃ 53, 29; οἱ εἰσάγουσι δύοιν φυλαῖν ἐκαστος 52, 12; ἐκάστη 21, 15; ἐκαστον τὰ γεγραμμένα ποιεῖν 11, 6; σφίξειν ἐκαστον ἑαυτὸν 23, 6; φέρειν τρεῖς ὀβολοὺς ἐκαστον 29, 33; ἐκάστω ναυπηγοῦμεν — μίαν 22, 37; δραχμὰς ἐκάστω ὀκτῶ διέδωκε 23, 7; δύο ὀβολοὺς ἐκάστω 49, 28 (law); τοῖς πλουσιωτάτοις Ἀθηναίων ἐκαστον ἐκάστω τάλαντον 22, 23. with partitive gen. ἐκάστη τῶν φυλῶν 8, 2; τῶν φυλῶν ἐκάστη 43, 7; ἐκάστω τῶν εὐθύνων 48, 16; ἐφ' ἐκάστη τῶν ἀρχῶν 8, 10; ἐν ἐκάστω τῶν δήμων 21, 16; — τῶν κληρωτηρίων 64, 11; — τῶν δικαστηρίων 65, 16. *Subst. pl.* ἐκάστος ἀνάλογον 7, 13; εἶχον ἐκαστοὶ τὰς ἐπωνυμίας 13, 25; ἐκαστοὶ 67, 18; 69, 15; ἐκάστους 21, 24

Used as predicate, (a) *prefixed* to subst. *with* article, ἐκάστην τὴν ἡμέραν 27, 16; *COIT.* 30, 27; ἐκάστην τὴν φυλὴν 64, 2; ἐκάστης τῆς φυλῆς 66, 14; ἐκάστη τῇ φυλῇ 58, 7; ἐκάστη τὴν φυλὴν 64, 2; ἐκάστων τῶν δικῶν 67, 2; (b) *affixed* to subst. *with* article, ὁ σωφρονιστῆς ἐκαστος 42, 27; τῆς φυλῆς ἐκάστης 8, 12; 29, 37; 42, 18; 44, 8;

48, 15, 17; 53, 2; 56, 25; 60, 3; 61, 17; 65, 14; τῆ φυλῆ ἐκάστη 63, 3, 4, 5; τὴν φυλὴν ἐκάστην 21, 15; τῆς ἡμέρας ἐκάστης 30, 33; 62, 15; τῆς πρωτανείας ἐκάστης 43, 14; 44, 15; τὴν πρ. ἐκάστην 48, 14; 61, 11; τὴν εἰσοδὸν ἐκάστην 63, 7; τὸ δικαστήριον ἕκαστον 65, 15; τοῦ δ. ἐκάστου 64, 25; τῷ δ. ἐκάστῳ 66, 12; τὴν καταβολὴν ἐκάστην 47, 20; τὴν λῆξιν ἐκάστην 30, 17; τοῦ στελέχους ἐκάστου 60, 9

(c) *prefixed, without article*, ἕκαστος δικαστής 63, 18; ἐκάστης φυλῆς 8, 19; 21, 8; 22, 8; 31, 3; 55, 5

(d) *affixed, without article*, φυλῆς ἐκάστης 43, 6; στοιχείον ἕκαστον 64, 24; πρωτανείαν ἐκάστην 47, 18  
ἐκάτερος· ἐκατέρου βίον 17, 8; τιμητὰς ἐλέσθαι τρεῖς ἐκάτερον 39, 11 f; διελόμενοι τὰς φυλάς πέντε ἐκάτερος 61, 20; ἡ τιμησίς ἐστιν πρὸς ἡμίχουν ὕδατος ἐκατέρῳ 69, 13; ἐκατέρα τῶν φυλῶν 56, 14; *pl.* ἐφ' οἷς ἐκατέροι τυγχάνουσιν ἔχουτες 32, 15; ἐφ' οἷς ἔχουσιν ἐκατέροι 34, 8; πρὸς ἐκατέρους ὑπὲρ ἐκατέρων μάχεται 5, 10; ἐκατέρων 43, 25; 66, 5; ἐκατέρους 30, 11; 39, 8; 40, 21

ἐκατέρωθι 54, 35

Ἐκατομβαιῶν 62, 13

ἐκατὸν ἀρχηγετῶν 21, 25; ἐξ ἐκάστης φυλῆς 8, 19 (cf. 21, 8); ἀνδρας, τοὺς ἀναγραφόντας τὴν πολιτείαν 30, 3, 17; 31, 21; 32, 1. τοῖς πλουσιωτάτοις 22, 33. τριήρεις 22, 35 f. ἔτη 7, 7; ἔτεσιν 32, 8. μῶν 4, 9; μῶς 56, 26; τάλαντα 22, 30; (δραχμαῖς) 10, 6. κιβώτια 63, 4

ἐκβάλλω· ἐξέβαλον (Πεισίστρατον) 14, 19; πολλοὺς—ἐκβεβληκέναι 19, 3; ἐκ τῶν τάφων ἐξεβλήθησαν 1, 2

ἐκβολή· τῶν τυράννων 20, 19; 32, 9

\* ἐκδιαιτᾶν, διαίτας 53, 29

ἐκδικάζουσι 67, 5

ἐκδίκως 12, 36 (Solon)

ἐκεῖ 55, 34; *pap.* 19, 6

ἐκεῖθεν 15, 6

ἐκεῖνος, the person aforesaid, 9, 14; 10, 4;

15, 20; 22, 15; *pl.* 32, 16. *Adj.* κατ' ἐκείνου τοὺς καιρούς 16, 40; ἐν ἐκείνῳ

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ἐκεῖ(σε) 19, 6

\* ἐκθύματα 54, 24

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ἐ. κυρία 43, 17; 62, 7. ἐλθὼν εἰς τὴν

ἐ. 34, 11. ἐ. ἐν τῷ θεάτρῳ 42, 30. (ἀρχαιρεσίαι) ἐν τῇ ἐ. 44, 17. μισθο-

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\* ἐκμαρτυρῶν, παρέστηκεν ἵππος 7, 24

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6; ὅτ' ἐκπέσοι 16, 35; ἐκπεσόντα 17,

17. ὡς ἐξέπεσον (ἐκ τῆς πόλεως) οἱ περὶ

τὸν Ἰσαγόραν 28, 9

\* ἐκπολιορκῶ· ἐξεπολιορκήθησαν ὑπὸ τῶν

τυράννων 19, 13

ἔκρουν ἔχοντας, ὀχετοὺς μετεώρους εἰς τὴν

ὄδον 50, 12; κλεψύδραι... ἔχουσαι ἔκρους

67, 5

\* ἐκτήμοροι, πελάται καὶ 2, 5

ἐκτίνω· ἐὰν—ἐκτείσῃ τις 54, 11; ἕως ἂν

ἐκτείσῃ 63, 16; ἐκτίνεσθαι 8, 24 ([*Ar.*]

*Rhet. ad Alex.* 1444 b 2)

ἐκτίσεις 8, 23

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ἐκφανεῖν 12, 19 (Solon)

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ψαν καὶ ἐξήνεγκαν τάδε 30, 4

ἐκῶν 27, 10

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ἐλάττων· v. ὀλίγος

ἐλαύνειν τὸ ἄγος 20, 7; τοὺς δράσαντας ὡς

ἐναγεῖς ἤλαιον Heracl. epit. § 4. ἡλά-

σατε 5, 17 (Solon)

\* ἐλεγείας, ποιήσαντι τὴν 5, 6; cf. 5, 21

ἐλευθέρας 42, 7 f; ἂν τις τὸν ἐλευθέρον

κακῶς λέγῃ 59, 14. οὐσίαν—ἐλευθέραν

4, 6, 9; ἐλευθέρα 12, 34 (Solon); ἐλευ-

θέρους ἔθηκα 12, 42 (*id.*)

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ἠλευθέρωσε 6, 2; ἐλευθερωθέντων διὰ

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Ἐλευσίς 39, 3. Ἐλευσίην 39, 10, 17; ἐν—

40, 26. Ἐλευσινόθεν, Ἐλευσινάδε 39,

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64, 17

ἐλλείπω· κἂν τις ἑλλίπῃ καταβολὴν—δι-

πλάσιον ἀνάγκη τὸ ἐλλειφθὲν καταβάλ-

λειν 48, 5 f

Ἐλληνες 23, 11

\* ἐλληνοταμίαι 30, 9, 13 (decree)

ἐπιδ'—ἀφνέαν 12, 17 (Solon)

ἐμβάλλει (α) (τὴν ψῆφον) 68, 26; ἐμβάλλῃ

ψήφους 68, 18; εἰς ἐνέβαλλε τὴν ψῆφον

55, 24. (β) ἐμβάλλει τὸ πινάκιον, 64,

19; τὰ πινάκια εἰς... κιβώτιον 66, 15;

εμβάλωσιν—τὰ πινάκια εἰς τὸ κιβώτιον

64, 3; ἐμβάλλεται—τὰ πινάκια 63, 5.

(c) βάλαναι εἰς τὴν ὑδρίαν ἐμβάλλονται

63, 8. (d) ἐμβάλλῃ τοὺς κύβους 64, 11;



τοὺς κύβους ἐμβάλλουσιν 66, 6; ἐμβάλλονται λευκοὶ (κύβοι) 64, 14, (ε) ἐμβαλόντες τὰς μαρτυρίας—εἰς ἐχίνους 53, 10; μαρτυρίας—εἰς τοὺς ἐχίνους ἐμβεβλημένοις 53, 18. *Mid.* εἰθύναν—ἐμβαλέσθαι 48, 20. *Intr.* εἰς τὴν ἀγορὰν—ἐμβαλεῖν 57, 28

\*ἐμβιβάζω· ἐνεβίβασεν 23, 7

ἐμμένειν, τοῖς ὄρκοις 40, 13; κἂν—ἐμμένωσι (τοῖς γνωσθεῖσι) 53, 8

\*ἐμμηνοὶ δίκαι 52, 11—20; τὰς ἐμμήνουσιν εἰσάγουσι δίκας 52, 11; εἰσάγοντες ἐμμηνα 52, 20

ἐμπήγνουσι τὰ πινάκια 64, 7; ἐμπηγνύων 64, 10

\*ἐμπήκτης 64, 7, 16; 65, 13

ἐμπορίαν, κατ' 11, 4

ἐμπορικὰς, δίκας 59, 14

ἐμπορίου ἐπιμελητὰς—τῶν ἐμπορίων ἐπιμελεῖσθαι 51, 15, 16; τὸ σιτικὸν ἐμπορίον 51, 17

ἐμποροὶ 51, 17

ἐμπροσθεν 64, 1

ἐμφανῶν κατάστασιν, εἰς 56, 38

ἐμφρών 18, 3

ἐν· ἐνὶ φρεσὶ 4, 15 (Solon); ἐν κυσίν πολιταῖσιν 12, 54 (Solon); μεταίχμῳ 12, 65 (Solon); μετρίοσι 5, 18 (Solon)

(1) of place, ἐν Ἐρετρίᾳ 15, 12; τῷ Ἰμῆττι 16, 17; Μαραθῶνι 22, 10; Φρεάτου 57, 22; ἐν τῷ ἄστει 14, 30; 16, 8; 19, 5; 24, 3; 27, 9; 39, 18; ἀκροπόλει 7, 20; 18, 14; 60, 18; τῇ πόλει 24, 15; Ἀρείῳ πάγῳ 8, 9; 23, 3; 57, 15, 24; ἀγορᾷ 51, 10; 52, 14; τῇ στοᾷ 7, 3; ἐκάστῳ τῶν δῆμων 21, 16; ταῖς ὁδοῖς 50, 19; τῷ πελάγει 23, 24. ἐν τε τῇ βουλῇ καὶ πάλιν ἐν δικαστηρίῳ 55, 10; ἐν μὲν τῇ βουλῇ—ἐν δὲ τῷ δικαστηρίῳ 55, 22; ἐν τῇ βουλῇ 48, 10; 55, 6;—τῷ βουλευτηρίῳ 48, 3, 10; τῷ δήμῳ (=τῇ ἐκκλησίᾳ) 25, 22; δικαστηρίῳ 55, 7; τῷ δ. 47, 22; 48, 18; 55, 22; 56, 3; 61, 12; τῇ ἐκκλησίᾳ 44, 17 (cf. 43, 17, 27, 29); τῷ ἐμπροσθεν τῆς εἰσόδου 64, 1; ἐν ᾧ (κιβωτίῳ) 65, 15; ἐν ταῖς ἀνάγκαις 18, 24; ἔμεινεν ἐν τῇ ἀρχῇ 16, 35 (cf. 17, 3); ἐν τοῖς δικασταῖς (τὸ κύρος ἦν) 35, 12; οἱ ἐν ταῖς ἐταιρείαις ὄντες 34, 19, 21; τῶν ἐν τοῖς ἰππεύσι 38, 14; ἐν τοῖς νόμοις 10, 1; 11, 1; 26, 18 etc.; ἐν οἷς (ψημίσμασιν καὶ δικαστηρίοις) 41, 26; ἐξέτασιν (ἐν) ὀπλοῖς 31, 11; ὡς ἐν τούτῳ τῷ πλήθει τῆς ἀρετῆς ὠρισμένης 36, 10; ἐν ἀρχῇ τῆς ἐλεγγείας 7, 21; τῇ ποιήσει 12, 2; τοῖς ποιήμασιν 5, 14; 6, 19; τοῖς σκολοῖς 19, 14; 20, 22. ἐν τῷ αὐτῷ (τόπῳ?) 54, 31; τῷ μέσῳ 68, 5; τῷ μέρει 69, 14

(2) of mode, circumstances, etc., ἐν μέρει 43, 7; 56, 13; τοῖς ἄλλοις 6, 13; 16, 4, 25, 31; 20, 21; 22, 11, 19; 37, 15;

ἐν τούτοις ὧν 19, 6; adverbial use, ἐν κόσμῳ 28, 18; ἐν ἡσυχίᾳ 13, 3

(3) of time, ἐν ᾧ 15, 20; ἐν ('within') πέντε ἔτεσιν 47, 23; ἐν τούτοις τοῖς χρόνοις 3, 14; τοῖς τότε χρ. 26, 8; τοῖς πρότερον χρ. 28, 4; τοῖς ὑστερον καιροῖς 41, 1; τῷ παρόντι 6, 2; + καιρῷ 31, 2; ἐν ἐκάστη τῇ ἡμέρᾳ 43, 15; ταύτῃ τῇ ἡμ. 43, 19; 47, 33; τῷ ἐνιαυτῷ 44, 14; ἐν πολέμῳ 57, 20; ἐν τῷ πολ. 17, 6; 58, 3; ἐν ταῖς στρατείαις 27, 10; ταῖς ταραχαῖς 22, 18; ἐν ὀλιγαρχίᾳ 38, 29

\*ἐνάγων, εἶναι τῶν 20, 8; τοῖς δράσαντας ὡς ἐναγεῖς ἤλανον Heracl. epit. § 4

\*ἐναγίσματα 58, 4

ἐναντίον τι, c. dat. 37, 10; ἐναντιώτατα 36, 10; τοῖς ἐναντίοισιν 12, 50 (Solon)

ἐναντίον τῆς βουλῆς 47, 6, 10, 14; 48, 3; and (in decree) 30, 28

ἐναντιωθέντες 36, 4; ἀμφοτέροις ἠναντιώθη 11, 13

ἐνατος· ἐνάτῃ φθίνοντος 32, 5; τῆς ἐνάτης πρυτανείας 47, 21, 25, 28

ἐνδείκνυται 63, 13; ἐνεδείχθη 63, 17 (not in Ar. in technical sense)

\*ἐνδειξιν—καὶ ἀπαγωγὴν 29, 26 (decree); *pl.* 52, 8, 9

ἐνδεκα, οἱ 7, 12; 29, 27; 39, 21; esp. 52, 1—10. τοῦ δεσποτηρίου φύλακας ἐνδεκα 35, 6

\*ἐνδέκατος· ἐνδεκάτῳ—ἔτει 15, 8; ἐνδεκάτῃ (μεταβολῇ) 41, 5, 22; ἀπὸ τοῦ ἐνδεκάτου 63, 10

ἐνδέχεται 17, 7

ἐνδομοί, ἀρχαί 24, 16

ἐνδοθεν 5, 7 (Solon)

ἐνδοξάτατος 54, 16

ἐνδύω· θώρακα ἐνδεδυκώς 34, 11

ἐνεκα, τῆς ἀρχῆς 55, 32; γήρωσ (ἐνεκα) 35, 16; τῶν οὐνεκα 12, 28, 53 (Solon)

ἐνεστιν 65, 15

ἐνθαδ' αὐτοῦ 12, 40 (Solon)

ἐνιαυσίος· (ἀρχή) πλείων ἐνιαυσίας 3, 22 (ἀρχαί ἐνιαυσίαι *Pol.* 1299 a 7)

ἐνιαυτός· κατὰ σελήνην ἀγοῦσι τὸν ἐνιαυτὸν 43, 10; τὸν μετὰ Δαμασίαν ἐνιαυτὸν 13, 10; τὸν εἰσιόντα ἐν. 31, 13; τὸν μὲν πρῶτον ἐνιαυτὸν οὕτως διάγοῦσι· τὸν δ' ὑστερον 42, 29; τὸν ὑστερον ἐν. 45, 17; εἰς ἐν. 30, 19; 47, 16; ἐπ' ἐν. 8, 10; κατ' ἐν. 3, 20; 30, 4; 54, 27; ἐν ἐκείνῳ τῷ ἐνιαυτῷ 53, 31; ἀπαξ ἐν τῷ ἐν. 44, 14; τρίς τοῦ ἐν. 47, 19

ἐνοι 7, 17; 14, 26; 18, 32; 27, 4; 40, 10; with partitive gen. 8, 27; 38, 14; οἱ μὲν...ἐνοι δὲ 3, 10; οἱ μὲν...οἱ δὲ... ἐνοι δὲ 13, 5; ἐνοι μὲν..., τὸ δὲ πλήθος 34, 9

ἐνίοτε 43, 30

ἐνίστημι· ἐνέστη φιλία 17, 15; πόλεμος 27, 9. τὴν ἐνεστώσαν φιλονικίαν 5, 11; ἐχθρας ἐνεστώσης 5, 22; τοῦ χειμῶνος

ἐνεστῶτος 37, 1. ἐνεστήσαντο τὴν νῦν οὖσαν πολιτείαν 41, 2  
 ἐννέα (ὀβολούς) 62, 7; προέδρους ἐννέα 44, 8; see also ἄρχοντες, οἱ ἐννέα  
 ἔτους, τοὺς ἰπάρχους τοὺς 4, 11 (cf. *Pol.* 1322 a 11)  
 ἐνοχλῶ· περὶ τῶν νόμων ἠνώχλων 11, 2; ἀλλήλοις ἐνοχλῶσιν 66, 24  
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 ἐντὸς χιλιῶν 53, 15; 67, 9; τριῶν μῶν 49, 26; τριῶν ἡμερῶν 48, 18; δέκα σταδίων 50, 9  
 ἐντυγχάνοντα, φιλανθρώπως, c. dat. 18, 17  
 Ἐνυάλιος 58, 2  
 ἐξ, see ἐκ  
 ἐξ 43, 8, 9; 55, 4  
 ἐξάγω· στρατιὰν ἢ ἐξήγαγον 37, 3  
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 \*ἐξαλείφουσι, τοὺς ἐξομνυμένους τῶν—ἐγγεγραμμένων 49, 13; ἐξήλειπον, opp. ἀντενέγαρον 36, 15. *Mel.* τὰς περὶ τῶν προτέρων αἰτίας ἐξήλειψαν 40, 19  
 ἐξαπατηθέντος τοῦ δήμου 34, 6; ἐξαπατηθέντες ὑπὸ Κλεοφώντος 34, 10; κὰν ἐξαπατηθῆ τὸ πλῆθος 28, 24  
 \*ἐξαπορῶ· ἐξαπορησάντων τοῖς πράγμασι 23, 5  
 \*ἐξάρχους 67, 9  
 ἐξέλαισαι 22, 17; ἐξηλάθη—τῆς ἀρχῆς 13, 7  
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 ἐξέρχομαι· πρὸ τοῦ πάντας ἐξελεῖν 4, 16. ἐξῆι πολλάκις εἰς τὴν χώραν 16, 14. (Of troops) τῶν ἐξιόντων 26, 10; ἀν ἐξίωσι 61, 4; cf. ἐξοδος. τῶν χρόνων μὴ ἐξεληλυθότων 56, 17  
 ἐξερῶσι, τὸν ἀμφορέα 69, 2  
 ἐξεστι, with inf. alone 44, 14; 62, 18; οὐκ ἐξεστι 44, 13; 53, 17; μὴ ἐξεῖναι 29, 14; 31, 8; 39, 21; with inf. and dat. pers. ἐξεστι 45, 14; 63, 11; οὐκ ἐξεστι 45, 22; μὴ ἐξεστι 63, 13; ἐξῆν 4, 21; 27, 15; ἐξῆ 27, 17; ἐξεῖναι 9, 4; 29, 14; μὴ ἐξεῖναι 29, 29; 31, 17; 39, 6, 16; ἐξόν 6, 14; 11, 3  
 ἐξετάζει τὰ γένη 21, 6; ἐξετάζει—τὰ οἰκοδομήματα 46, 8  
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\*ἐξηγεῖσθαι, τοὺς νόμους 11, 6  
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 \*ἐξηκοστὸν ἔτος 53, 19  
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 ἐξοικεῖν ἔχειν· Ἐλευσίνα 39, 3 (decree); ἐξ. τοὺς ἐθέλοντας 39, 25 (*ib.*); τοῖς βουλομένοις ἐξ. 39, 14 (*ib.*); ἐπινοούντων ἐξ. 40, 3  
 \*ἐξοίκησις 39, 15 (decree); 40, 26  
 \*ἐξόμνυμι· τοὺς ἐξομνυμένους—μὴ δυνατοὺς εἶναι—ἰππεύειν 49, 13; ἐξομόσθαι 49, 15; μὴ ἐξομνυμένον 49, 16. ἐξόμνυται τὰς μαρτυρίας 55, 30. (ἐξόμνυσθαι τὴν ἀρχὴν *Pol.* 1297 a 20)  
 \*ἐξοπλάσις 15, 16 (ἐξοπλίσαι *Probl.* 922 b 14)  
 ἐξορῶσι, ἐλαίαν μορίαν 60, 11 (ἐξορυσόμενοι τόποι, [Ar.] *de Admir.* 833 b 4)  
 ἐξουσία 6, 18; 41, 24  
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 \*ἐπὰν c. coni. aor. 42, 14; 56, 4 (*Eth. Nic.* 1132 a 32)  
 ἐπάναγκες—ἐπιψηφίσει 29, 21 (decree); ἐγγράφειν 42, 11  
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 \*ἐπαναχωρήσαντες 38, 3  
 ἐπανίστημι· ἐπαναστὰς τῷ δήμῳ 14, 6. ἐάν τινες τυραννεῖν ἐπανιστῶνται 16, 43. (Used in literal sense in Ar.)  
 ἐπανορθοῦντες—τὴν πολιτείαν 35, 12 (ἐπανορθῶσαι πολιτείαν *Pol.* 1289 a 3)  
 ἐπί· (1) temporal, c. *ind.* aor. 3, 28; 15, 23; 19, 30; 24, 17; 29, 2; 35, 21; 36, 4; 40, 10; (2) causal, c. *ind.* *impf.* 14, 12; 19, 4; 27, 21  
 ἐπειδάν· c. coni. *praes.* 56, 1; 68, 19; (2) *perf.* 68, 6; 69, 1, 13; (3) aor. 7, 28; 31, 11; 39, 16; 44, 7; 55, 19; 63, 21; 64, 3, 15, 19; 65, 9; 66, 22; (4) aor. *et perf.* 66, 10  
 ἐπειδή c. *impf.* 11, 1; 62, 3  
 ἐπεί, τὸ αὐτὸ γράμμα 64, 9  
 \*ἐπεικαλεῖν, and \*\*ἐπεισκλητός, 30, 22 f (decree)  
 ἐπειτα 6, 7; 28, 11; 42, 7; 69, 10. πρῶτον μὲν (*q. v.*), often followed by ἐπειτα, never by ἐπειτα δέ. Cf. εἶτα ἐπερωτῶσιν, ἐπερωτᾶ 55, 13, 20  
 ἐπί· (1) c. *gen.* (a) of place, etc., ἐπὶ τοῦ βήματος 28, 17; ἐπ' ἀλλοτρίαις νεώς 34, 6; ἐπὶ τοῦ ἀβακος 69, 6; ἐπ' αὐτῶν 64, 2; ἐπ' ἄρματος 14, 29; ἐφ' οὐ 55, 28; 64, 4; ἐφ' ἧς 64, 8. ἐπὶ τῶν ἰδίων εἶναι 15, 25. (b) 'in the case of,' ἐπὶ τῶν ἄλλων 35, 17. (c) 'over,' ἐπὶ τῶν ναυκραριῶν 8, 14. (d) of time, ἐπὶ τῆς



ἔκτης πρυτανείας 43, 22; cf. 44, 15; 47, 21, 25, 28, 29. ἐπὶ τῆς ὑστερον βουλῆς 46, 6; ἐπὶ Κρόνου 16, 27; ἑαυτοῦ 60, 15; ἐκείνου 10, 4; Θησέως 41, 10; ἐπὶ Μέδοντος—Ἀκάστου 3, 9 f; Δράκοντος 41, 11; Σόλωνος 3, 30; 41, 12; Πεισιστράτου 41, 13; τῶν τετρακοσίων 29, 5. ἐπ' Ἀντιδότου (sc. ἄρχοντας) 26, 21; ἡ βουλή (ἡ) ἐπὶ Καλλίου 32, 3; ἐφ' οὗ ἄρχοντας 17, 8; ἐφ' οὗ (sc. ἄρχοντας) 53, 23. ἐπὶ (τοῦ δεῦνος) ἄρχοντας (22 times) 4, 2; 14, 8, 20; 17, 2; 19, 37; 21, 3; 22, 6, 11, 21; 23, 22; 25, 8; 26, 19; 27, 8; 32, 8; 33, 2; 34, 2, 14; 35, 1; 39, 1; 40, 26; 41, 3; 54, 33; ἐπὶ omitted only twice:—Νικοδήμου ἄρχοντας 22, 29, and ἄρχοντας Ἰψιχίδου 22, 40. ἐφ' ὧν ('under the authority of') 38, 19. (sc. ἡμερῶν) 44, 18

(2) *c. dat.* (a) of place, 'upon', ἐφ' ἧ 7, 21; 'at', or 'near', ἐπὶ Παλληνίδι 15, 13; 17, 16; ἐπὶ Δελφινίῳ 57, 20; ἐπὶ Ἀθναίῳ 57, 5; ἐπὶ Παλλαδίῳ 57, 18; τῷ πινακίῳ 64, 5; τῷ σφηκίσκῳ 65, 7. (b) condition, ἐφ' οἷς 23, 24; 32, 15; 34, 8; ἐπὶ τούτοις 1, 3 (?); 22, 36; ἐπὶ τῇ σωτηρίᾳ 19, 35; ἐφ' ᾧ τε 14, 22; 34, 17; 'at the interest of', ἐπὶ δραχμῇ 52, 13. (c) ground or reason, ἐπὶ τοῖς ἄλλοις ἐδυσχέρανον 2, 12; χαλεπῶς φερόντων ἐπὶ τούτοις 38, 8; χαλεπῶς ἐνεγκόντες ἐπὶ τῇ συμφορᾷ 33, 5; ἀγανακτῶν ἐπὶ τοῖς γιγνομένοις 36, 2; ἐφ' οἷς ἔχαιρον ἡ πόλις 35, 20; ἐφ' ᾧ 63, 17. (d) object, ἐφ' ἄρπαγαῖσιν 12, 17 (Solon); ἐπὶ καταλύσει τοῦ δήμου 8, 25;—τῆς πολιτείας 25, 15; [[ἐπὶ τυραννίδι] 16, 43; ἐφ' οἷς 38, 6; 'for', ἐφ' ἐκάστῳ τῶν ἀρχῶν 8, 10. (e) 'over', ἐφ' ἧ τεταγμένος ἦν 13, 20. (f) 'in the power of', ἐπὶ τοῖς δικασταῖς 55, 26. (g) 'on the security of', ἐπὶ τοῖς σώμασιν 2, 8; 4, 23; 6, 3; 9, 3. (h) of succession of time, τετραδί ἐπὶ δέκα 32, 6 f

(3) *c. acc.* 'upon', ἐπὶ τὸν βωμόν 25, 19; ἐπὶ τούτων (τὸν λίθον) 55, 30; τὴν γνάθον 49, 4; ἄβακα 69, 2; ἐφ' ἕκαστον τὸ δικαστήριον 63, 23. 'over', ἐπὶ πάντα 42, 19; τὸ θεωρικόν 43, 2; 47, 10; τὰ ἐκθύματα 54, 24; τοὺς ὀπλίτας, τὴν χώραν, κτλ 61, 4—8; τὰς ναῦς 46, 4; τοὺς νόμους 54, 19; τὸ ὕδωρ 66, 16; τὰς ψήφους 66, 17; 68, 6; 69, 5; ἐφ' ἕκαστον 66, 12; 'for', ἐπὶ τὸ νομοφυλακεῖν 8, 20; τὴν τοῦ πολέμου κατάλυσιν 38, 5; τὸ δικαστήριον ἕκαστον 65, 15. 'to', ἐπὶ τὴν ἀπόστασιν 23, 18; τὴν βουλὴν 40, 11; πέρας 38, 24; τὴν ναυτικὴν δύναμιν 27, 5. 'throughout', ἐπ' ἐνιαυτὸν 8, 10; ἔτη τέτταρα 13, 3;—τρία 22, 25

ἐπιβάλλειν *abs.* 56, 42; 61, 16; ἐπιβολὴν 61, 15; τροχόν 49, 4

\* ἐπιβολῆ 61, 15

ἐπιγραφάμενος, τίμημα 48, 23. ἐπεγράφοντο (τοῖς ἐφήβοις) 53, 23. ἐπιγέγραπται 7, 20; 64, 2; 65, 6; 66, 3; πινακίον ἐπιγεγραμμένον τὸ ὄνομα 63, 18; ἐπιγεγραμμένον τὸ γράμμα 64, 4; τὸ στοιχεῖον 64, 20. 'allege', ἐπιγράφουσα τὴν πρόφασιν 8, 24

ἐπιδείξωσιν, τινα δῶρα λαβόντα 54, 8

ἐπιδημιῶ· 39, 14, 16 (decree)

\* ἐπιδιανέμω· ἐπιδιενεμήθησαν 10, 8

ἐπιδίδωμι· ἐπέδοσαν πρὸς *c. acc.*, 37, 16

\* ἐπιδικασταί, κλήρων καὶ ἐπικλήρων 56, 39

ἐπιεικεῖς, οἱ 28, 5; τοῖς ἐπ. 36, 9; παρὰ τοῖς ἐπ. 28, 4; τῶν ἐπ. (opp. τῶν τυχόντων) ἀνθρώπων 27, 24. τοὺς ἐπ. καὶ τοὺς δήμους καὶ τῶν εὐπόρων 26, 11. τοὺς ἐπιεικστέρους 26, 4

\* ἐπιζημιώσεις 45, 9 (law)

ἐπιθετον· *pl.* 3, 17 f; 25, 9 (not found elsewhere in same sense)

\* ἐπίθημα 68, 17

ἐπιθυμῶσι 16, 10; ἐπεθύμουν 34, 21

ἐπικαλούμενος, ὁ βασιλεὺς 41, 34. ἐπικαλεσάμενος *c. acc.* 20, 6

ἐπικατέστη 3, 6 (τὴν τῶν ἐφόρων ἀρχὴν ἐπικαταστήσας *Pol.* 1313 a 27)

ἐπικηρυκευσάμενος, πρὸς *c. acc.*, 14, 21. ἐπικηρύττειν ἀργύριον (ἐπιτίμιον) [*Ag.*]

*Oec.* ii 1351 ὁ 31

ἐπικλήρος· ἐπικλήρου κακώσεως 56, 32; περὶ κλήρου καὶ ἐπικλήρου 42, 35; τῶν κλήρων καὶ ἐπικλήρων 9, 8; 43, 21; 56, 39; 58, 9; τῶν ἐπικλήρων 56, 40, 44

\* ἐπικληροῦσιν (τὰς διαίτας) 53, 28; τὰ δικαστήρια 59, 15; ἐπικληρώσῃ τὰ γράμματα 63, 22

ἐπικρατῶ· ἐπεκράτουν τῷ πολέμῳ 38, 17 (ἐπικρατούσιν οἱ δήμοι τῶν εὐπόρων *Pol.* 1321 a 19)

\* ἐπικυρωθέντων τούτων ὑπὸ τοῦ πλήθους 32, 2; ἐπ. τῶν νόμων 37, 12

\* ἐπικύρωσιν—χειροτονίας 41, 32

\* ἐπιλαμβάνει τὸν αὐτὸν] 67, 11, 14

ἐπιλειπεσθαι, οὐδενὸς τῶν πολιτῶν 34, 22. ἐπιλειπόμενος τῇ δυνάμει 20, 5; τῇ οὐσίᾳ 27, 18 (*act.* in *Ar.*)

ἐπιλήθω 20, 23 (scolium)

\* ἐπίλοιπος· τοὺς ἐπίλοιπους δέκα μῆνας 33, 3

Ἐπίλυκος 3, 29; Ἐπιλύκειον 3, 28, 30

ἐπιμέλεια 21, 20; 26, 2; 38, 29

ἐπιμεληταί (under the 400) 30, 10 (decree); Διονυσίων 56, 23; ἐμπορίου 51, 15; μυστηρίων 57, 2, 6; κρηνῶν ἐπιμελητῆς 43, 3

ἐπιμελούμαι· (1) *c. gen.* τῶν κοινῶν 15, 25; 16, 10;—ἄλλων πάντων 39, 5; ἐφήβων 42, 17;—ἄλλων πάντων 42, 28; τῆς εὐκοσμίας 44, 11; τῶν τριήρων

46, 1;—ὠνίων ὅπως 51, 3;—μέτρων ὅπως κτλ 51, 6 f;—ἐμπορίων 51, 16; τῶν ἐν τῷ δεσμοτηρίῳ 52, 1 f; πομπῶν 56, 21, 26; ἑορτῶν 56, 29; τῶν ὄρφανῶν κτλ 56, 39; τούτων 57, 1; μυστηρίων 57, 2; τῆς φυλακῆς 61, 7; τῶν ἱππέων 61, 26. (2) *abs. sc.* τοῦ ἱεροῦ 39, 5 (decree). (3) followed by ὅπως *c. fut. ind.* 50, 10; 51, 10—12; cf. 51, 3, 6 f ἐπιμελῶς 27, 23  
 Ἐπιμενίδης ὁ Κρής 1, 3  
 ἐπινοούντων ἐξοικεῖν 40, 2 (the *Index Ar.* quotes *περὶ κόσμου* only)  
 ἐπισκευάζειν, τὰς ὁδοὺς 54, 2; τὰ μάλιστα δεόμενα τῶν ἱερῶν 50, 3  
 \*ἐπισκευασταί, ἱερῶν 50, 2  
 \*ἐπισκήπτωνται—ταῖς μαρτυρίαις 68, 20; ἐπισκῆψασθαι *ib.* 21 (πρῶτος ἐποίησε τὴν ἐπίσκηψιν *Pol.* 1274 b 7)  
 \*ἐπίσκοπος τῆς πολιτείας 8, 20  
 ἐπισκοπῶν 16, 14  
 \*ἐπιστατεῖ 44, 2; ἐπιστατούσης 41, 16; ἐπεστάτει 18, 3; ἐπιστατῆσαι 44, 13 (only found in *Rhet. ad Alex.* 1422 b 17, and that in another sense)  
 ἐπιστάτης τῶν πρυτάνεων 44, 1; τῶν προέδρων 44, 9  
 \*ἐπιστατική, γραφή 59, 7 (in this sense, here only)  
 ἐπιστολὰς φέροντες, οἱ τὰς 43, 32  
 \*ἐπιστυλίων, ἀπὸ τῶν 47, 33  
 \*ἐπιτάφιος, ἀγών 58, 2  
 ἐπιτελῶ· ἐπέτελεσεν (πολιτείαν) 41, 17; τὸν ἄλλον λόγον 15, 23  
 ἐπιτήδειος· τὸν ἐπιτήδειον ἐφ' ἐκάστη τῶν ἀρχῶν 8, 10; νόμον μὴ ἐπιτήδειον θείναι 59, 6; προδρομεύειν 49, 6; ἱππεύειν 49, 17; ἐπιτηδειοτάτους 42, 17. τὰ ἐπιτήδεια 42, 27  
 ἐπιτήδες 9, 11; 18, 30  
 ἐπιτιθήμι· ἐπιθήσει (= προσθήσει) πρὸς τοῖν δυοῖν ὀβολοῖν ἄλλον 28, 22. ἐπέθηκε—τὸ γράμμα 63, 23. *Mid.* ἐπιτιθέμενον τυραννίδι 14, 11; ἐπέθετο τοῖς τυράννοις 20, 21; τῇ βουλῇ 25, 6  
 \*ἐπιτίμως καὶ κυρίους καὶ αὐτοκράτορας ἑαυτῶν 39, 3 (decree)  
 ἐπιτιμῶ· τὰ μὲν ἐπιτιμῶντες 11, 2. *c. dat.* ἐπιτιμᾶ καὶ τούτους 36, 8  
 ἐπιτρέπω· τὴν πολιτείαν ἐπέτρεψαν (Σόλωνι) 5, 5;—ἐπιτρέψαι—τοῖς δυνατωτάτοις 29, 33 (decree); *abs.* οὐ φάσκων ἐπιτρέψω 34, 12  
 \*ἐπιτροπῆς κατάστασιν, εἰς 56, 37; εἰς ἐπ. διαδικασίαν 56, 38  
 ἐπίτροπος· ἐπίτροπον αὐτὸν ἐγγράψαι 56, 38; κατὰ τῶν ἐπιτρόπων 56, 32, 33, 35; τοὺς ἐπιτρόπους 56, 45  
 ἐπιφανεῖς 18, 24; 28, 14  
 \*ἐπιφέρουσι, τεκμήριον 3, 11; ἀγῶνας ἐπιφέρων 25, 7  
 \*ἐπιχειροτονεῖν 37, 6; 43, 17  
 \*ἐπιχειροτονία 43, 23; 55, 22; 61, 10, 22

ἐπιχειρῶ *c. inf.*, ἐπεχείρει 15, 10, 17; ἐπεχείρησε 19, 5  
 ἐπιψηφίζειν, τοὺς πρυτάνεις 29, 22 (decree); τὸν ἐπιψηφιούντα 30, 27 decree; ἐπιψηφίζουσιν, γνώμας 48, 12; ἐπιψηφίσαντος Ἀριστομάχου 32, 3  
 ἔπειτο, ἔπηται, 12, 11, 13 (Solon)  
 ἐπονόμασας 21, 14 (ἐπονόμασαι *Ar. ap.* *Strab.* 445; *Rose, Frag.* 601<sup>3</sup>)  
 ἐπορεύεσθαι 12, 5 (Solon)  
 ἔπος· ὡς ἔπος εἰπεῖν 49, 30; 57, 8  
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 \*ἐπτακόσιοι 20, 9; 24, 16, 17; 37, 19  
 \*\*ἐπτάχους 67, 8  
 \*\*ἐπτετηρῆς 54, 29  
 ἐπωνυμία 45, 6; *pl.* 13, 25  
 ἐπώνυμοι (τῶν φυλῶν) 21, 25; 48, 17; 53, 21, 26. (2) τῶν ἡλικιῶν 53, 21, 27; ὁ ἐπώνυμος ὁ—δεδιαιτηκῶς 53, 24; χρῶνται τοῖς ἐπώνυμοις καὶ πρὸς τὰς στρατείας 53, 35 (found in *περὶ κόσμου*, and in a quotation in *Rhet.*)  
 \*ἐρανοικαὶ δίκαι 52, 15  
 ἐργάζεσθαι, μὴδὲν ἔργον 49, 27; ἐν ἀγορᾷ βουλούμενος ἔργ. 52, 14; ἐργαζόμενον, πέτρας 16, 19; ἡργάζοντο τοὺς ἀγρούς 2, 5  
 ἐργασίας, πρὸς τὰς 16, 6  
 ἐργάσιμος· τὰ μέταλλα τὰ ἐργάσιμα 47, 12 (ἐργάσιμα χωρὶα *Probl.* 924 a 1)  
 ἐργάτας, δημοσίους 54, 2  
 ἔργον, ἀγαθοῦ πολίτου 28, 38; ἔργον ἐργάζεσθαι 49, 27; τῶν ἔργων ('agriculture') 16, 16; ἔργα (=μέταλλα) 22, 30  
 ἐρεῖν, εἰς αὐτὸ τὸ πράγμα 67, 4. See *εἶπον, εἴρηται, and λέγειν*  
 Ἐρέτρια 15, 8; ἐν Ἐρετρίᾳ 15, 12. τῇ περὶ Ἐρέτριαν ναυμαχίᾳ 33, 4  
 Ἐρεχθεὺς *Heracl. epit.* l. 3  
 ἔρημον γενόμενον 43, 2  
 ἔρκεϊος, Ζεὺς 55, 16 (see *Jebb* on *Soph. Ant.* 487); only in *περὶ κόσμου* 401 a 20  
 Ἐρμοκρέων ἄρχων (501[0?]), 22, 6  
 ἔρομαι· ἔρηται 7, 28; ἐρέσθαι 16, 20 (ἐρομένην *Rhet.* 1391 a 10)  
 ἔρχομαι· ἐφ' ἀρπαγαῖσιν ἦλθον 12, 17 (Solon). ἔλθων εἰς Ἐρέτριαν 15, 8;—εἰς τὴν ἐκκλησίαν 34, 11; ἐλθόντι παρ' αὐτὸν 27, 16; ἐλθόντες πρὸς τὸν Πεισίστρατον 15, 22; *abs.* ἐλθόντες 37, 20; ἐλθεῖν 38, 27; ἔλθωσιν 66, 11; *met.* πρὸς τὸ δημαγωγεῖν ἐλθόντος 27, 1; αἱ τῆς βουλῆς κρίσεις εἰς τὸν δῆμον ἐγλύθασιν 41, 27  
 ἐρώμενον 17, 5; ἐρασθεῖς 18, 8  
 ἐρωτικός 18, 4  
 ἐσθλοῦς 12, 25 (Solon)  
 ἐσορῶν 5, 8 (Solon)  
 ἐσχάτας ἡμέρας, εἰς τὰς 40, 3  
 ἔταιρεία· οἱ ἐν ἔταιρείᾳ οὐδεμᾶ σγκαθεσταῖτες 34, 21; τῶν γνωρίμων οἱ ἐν ταῖς ἔταιρείαις ὄντες 34, 19; ἡττώμενος ταῖς ἔταιρείαις 20, 4



Ἐτεοβουτάδαι frag. 3, 1. 30  
 ἕτερος· *subst.* ὁ ἕτερος—τῶν ἀντιδίκων 53, 9; ὁ μὲν εἰς—ὁ δ' ἕτερος 37, 6 f; ὁ μὲν ἕτερος—ὁ δὲ ἕτερος 67, 21 f; κληροῦσι δὲ καὶ ἐπὶ τοὺς νόμους ἕτερον 54, 20; *pl.* οὔτεροι 12, 5i (Solon); τοὺς ἑτέρους 6, 14; ἕτεροι πολλοὶ 34, 24; ἑτέρους δέκα 54, 26; τῶν ἑτέρων (opp. τοῦ δήμου) 28, 13, 19; μηδὲ μεθ' ἑτέρων 8, 30; *adj.* μηδ' ἑτέρους (νόμους) θέσθαι 31, 9; ἑτέραν (ἐκκλησίαν) 43, 26;—(λητουργίαν) 56, 16; ἕτεροι κύβοι 66, 3; ἕτερον κιβώτιον 66, 15; *pl.* 63, 15; εἰς τὸ ἐν κληρωτήριον—εἰς τὸ ἕτερον 66, 5 f  
 ἑτέρωθι πον 12, 15  
 ἔτι· of time, ἔτι καὶ νῦν 3, 25; 7, 6; 8, 6; 22, 7; ἔτι 8, 3; 13, 2; 21, 23 (?); 47, 4; of degree, ἔτι προστιθέασιν 40, 24; with compar., ἔτι πρότερον 20, 20; δωμοτικώτερον ἔτι 27, 3; 'and besides', ἔτι δὲ καὶ 9, 7; ἔτι δὲ 15, 11; 24, 20; 27, 16; 52, 15; 55, 4; 59, 4; πρῶτον μὲν—ἔπειτα—ἔτι δὲ 59, 4  
 ἔτος· ἐξηκοστὸν 53, 19; τῷ προτέρῳ ἔτει 53, 24; τῷ ὑστέρῳ ἔτει 22, 20; τῷ ὑστερον ἔτει 34, 14; ἔτει δευτέρῳ κτλ 14, 7; τρίτῳ 22, 28; 23, 21; 40, 26; τετάρτῳ 19, 3; 21, 2; 22, 26, 39; πέμπτῳ 13, 4; 22, 5; 26, 19; ἔκτῳ 14, 19; 26, 14; 34, 2; ἐβδόμῳ 15, 2; ἑνδεκάτῳ 15, 9; δωδεκάτῳ 14, 20; 22, 10; ἐνὸς δεῦν) πεντηκοστῷ 27, 8. *pl.* τὰ ἔτη μὴ γεγονέναι 56, 18; τὰ δύο ἔτη 42, 33; ἔτη δύο 13, 6; 22, 11; τρία 22, 25; 47, 12 f; τεττάρα 13, 3; 60, 3; ὑπέρ—ἔτη 4, 10, 25; 29, 12, 38; 30, 5; 31, 4; 42, 16; 56, 19; 63, 11; ἔτη 7, 7; 17, 3; 19, 38; 25, 1; 42, 3; 47, 28; τῶν δυεῖν ἐτῶν 42, 37; δέκα ἐτῶν 11, 5 (cf. 42, 13); πολλοῖς ὑστερον ἔτεσιν 3, 19; ἔτεσιν ὑστερον ἑκατόν 32, 8  
 εὖ ποιεῖ 55, 17; γεγεννημένων εὖ 32, 10  
 \*εὐανδρία 60, 21  
 εὐαρίθμητοι 69, 4  
 Εὐβόλας ἀποστάσης 33, 4; ἐκ τῆς Εὐβ. 33, 6  
 εὐγενής, *pl.* 28, 7  
 εὐδιαφοροῦτεροι 41, 28 (ὁμοιοῦσα ὀλιγαρχία οὐκ εὐδιάφορος *Pol.* 130b a 10)  
 εὐδοκιμῆσαι, παρὰ τοῖς Ἕλλησιν 23, 11; πρῶτον εὐδοκιμησάντος, ὅτε 27, 2; οὐκ εὐδοκιμοῦντα παρὰ τοῖς ἐπικλείων 28, 3; σφόδρ' εὐδοκιμῶς ἐν τῷ—πολέμῳ 14, 2  
 εὐδοντες 12, 59 (Solon)  
 εὐθναν—ἐμβαλέσθαι 48, 20; εἰσάγουσι 48, 26; 59, 7; cf. 54, 6. εὐθνας διδώσιν and δοῦναι 39, 23 (decree); διδώσω 56, 4; ἔδωκε 48, 19; ἔδοσαν 38, 29; δεδωκότων 48, 18. κατηγορήσῃ τὰς εὐθνας 27, 2; μέχρι εὐθνῶν 4, 12; περὶ τῶν εὐθνῶν 31, 7 (decree)  
 εὐθνωσ 48, 23; *pl.* 48, 15, 16  
 εὐθνώ· τοὺς ἀμαρτάνοντας ἠθῆθεν 8, 22

εὐθύς 22, 20; 38, 32; 55, 23. εὐθύς εἰσελθῶν 56, 5. εὐθέως 18, 21. εὐθείαν—δίκην 12, 46 (Solon)  
 Εὐκλείδης ἄρχων (403/2) 39, 1  
 εὐκοσμία ἐπιμελοῦνται 44, 11  
 εὐλογώτερον *c. inf.* 7, 25  
 Εὐμολπίδης ὁ Ἀλωπεκῆθεν 45, 3  
 Εὐμολπίδαι 39, 6; 57, 4; frag. 3, 1. 30  
 εὐνοια· εἰς τὸν δήμον 38, 28  
 \*εὐπατρίδαι 13, 9; frag. 2, 1. 14; 19, 17 (scolium)  
 εὐπορία τροφῆς 24, 10; τὴν Κίμωνος εὐπ. 27, 13  
 εὐποροῦντες τῶν μετρίων 16, 9; εὐπόρησαν χρημάτων 19, 20  
 εὐπόρων, τῶν (opp. τοῦ δήμου) 26, 12; 28, 12  
 εὐρισκόμενος ἀφῆσιν 30, 33 (decree); ὄλβον εὐρήσειν πολλὸν 12, 18 (Solon)  
 \*εὐσημία 44, 19  
 \*ἐφέσιμος (κρίσις) 45, 13  
 ἐφῆσιν (εἰς τὸ δικαστήριον) 9, 6; 45, 15, 19; 53, 34; 55, 11 (not found in Ar. in technical sense)  
 \*ἐφέται (?) 57, 24  
 ἐφηβοὶ 42, 14, 17, 20, 25, 38; 53, 22, 34 (ἐφήβων ἢ φρουρῶν τάξις *Pol.* 1322 b 28)  
 Ἐφιάλτης 25, 4, 13, 17, 18, 21, 23; 26, 14; 28, 11; 35, 9; 41, 17  
 ἐφήσιν εἰς τὸ δικαστήριον 42, 8; ἐφῆ εἰς τὸ δ. 53, 9 (not found in Ar. in technical sense)  
 ἐφίστημι· στρατηγῶν ἐφισταμένων 26, 8; τῷ ἀρχοντι τῷ ἐφεστηκότι 64, 19; ἢ ἀρχῆ ἢ ἐφεστηκυῖα 66, 12  
 ἐφοδος, ὅπως μὴ ἢ τοῖς συκοφάνταις 35, 17  
 ἐχθρα 5, 22  
 ἐχθρὸν εἶναι καὶ φίλον, ὥστε τὸν αὐτὸν 23, 23  
 ἐχίνος· *pl.* 53, 11, 18 (not found in Ar. in technical sense)  
 ἐχω· μηδὲν ἀεικὲς ἔχειν 12, 7; ἐλπιδ' εἶχον ἀφνεάν 12, 17; ἃ νῦν ἔχουσιν 12, 58; δουλίην 12, 41; δύναμιν 12, 6; ἰσομοίριαν 12, 25 (Solon)  
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- εἶχον 38, 12; σταθμόν 10, 5; τάξιν 3, 35; 41, 9; τέλος 53, 8. ἐφ' οἷς ἐκάτεροι ἔχουσιν 34, 8 (cf. 32, 15); ὅσα τις εἶχεν—ταύτ' ἔχειν 56, 6  
 'inhabit', τὸ Βουκολεῖον 3, 25; τὸ θεσμοθετεῖον 3, 30; Ἐλευσίνα 39, 3  
*intrans.* ἀριστα 30, 20 (decree); κακῶς 19, 4; καλῶς 28, 25; οἰκείως 36, 5; ὀπότερος 3, 14; τόνδε τὸν τρόπον 4, 4; 42, 1; τοῦτον τὸν τρόπον 3, 33; 9, 1; 12, 1; 43, 2; 60, 1  
 ἐῷ· *c. inf.* εἶσεν ἔχειν 21, 24; εἶων οἰκεῖν 22, 18. ἐώντες τὰς πολιτείας παρ' αὐτοῖς καὶ ἀρχεῖν ὧν ἔτυχον ἀρχοντες 24, 8. εἶασ' 12, 9 (Solon)  
 ἔως ἐθάρρησαν 40, 7; ἐξήλαθη 13, 7; ἦν 29, 1; περιεἴλοντο 25, 22; προειστήκει 28, 1; προύτρεψε 19, 22. *c. opt.* ἔως μηδὲν παρανομοῖεν 28, 37. ἔως ἂν—ἦ 29, 31, 35 (decree);—γένηται 56, 44;—ἐκτελεσθ 63, 16  
 \* ζευγίσιον 7, 26  
 ζευγίτης 4, 19; 7, 10; *pl.* 8, 11; 26, 15, 18 (*Pol.* 1274 a 20)  
 Ζεὺς ἐρκείος 55, 16. Διὶ τῷ Σωτήρῃ, πομπῇ 56, 27  
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 ζῶων, δίκαι 57, 31  
 ἦ *passim*; ('than') 2, 17 etc. μὴ ἄλλοσε—ἦ 29, 30. πότερον—ἦ οὐ 47, 17 f; ἀλλ' ἦ 53, 17 f; 54, 23 *n.c.*; ἦ—ἦ 11, 11; 48, 11. ἦ—ἦ—ἦ 29, 25; 56, 15–17. ἦ ('or else') 22, 43 (law); 48, 6  
 \* ἦ μὴν συγγράψειν, ὀμόσαντες 29, 12 (decree); omitted by author in 2, 11; 7, 5; 55, 31  
 ἡγεμονία *abs.* 23, 4; 24, 2, 5; τῆς θαλάττης 23, 11  
 ἡγεμών 20, 18; 22, 9, 20; 26, 4. ἡγεμόνευον 12, 11 (Solon)  
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 Ἡγησίστρατος 17, 11, 16  
 ἡγοῦμαι, (1) 'lead', *c. gen.* 13, 19; 61, 4, 18, 20, 24; *abs.* 61, 14  
 (2) 'think', 29, 13 (decree); 31, 7 (decree); 35, 21; 40, 22; 42, 16 (ἡγήσασθαι *c. inf.* quoted only from *Meteor.* 339 b 22)  
 ἦδη· (1) *iam*, 3, 9; 14, 14; 18, 14; 22, 12; 24, 1; 37, 1; 45, 3. (2) *iam*, 15, 14; 28, 26; 42, 37  
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 ἡλικία· γεγονέαι τὴν ἡλικίαν τὴν ἐκ τοῦ νόμου 42, 5; τῆς ἡλικίας αὐτῷ καθηκούσης 53, 30; ἐκ τῆς ἡλ. τῆς εἰρημένης, τῶν ἐκ τῆς αὐτῆς ἡλ. 30, 15, 23 (decree); 'those of the military age', ὅταν ἡλικίαν ἐκπέμπωσιν 53, 36. *Pl.* ταῖς ἡλικίας 17, 7; διὰ τὰς ἡλικίας 18, 2; ἐπώνυμοι—τῶν ἡλικίων 53, 21  
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 ἡμίσειαι· αἰ—ἡμίσειαι *bis*, 68, 5 f  
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τώσαντας 52, 5 (θανατώσαι, opp. φυγα-  
δέουσαι, *Oec.* ii 1347 ὁ 33; θανατωθήναι  
*de Adm.* 836 a 6)  
Θαργήλια 56, 12 f, 27 f. (Θ. μετὰ τὰ  
Διούσια *Met.* 1023 ὁ 11)  
Θαργηλιών 32, 4 f  
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θαυμάζειν 15, 24; θαυμάζοντες 14, 30;  
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θεάτρῳ, ἐκκλησία ἐν τῷ 42, 30  
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21; 28, 11  
θεόκτιτον, πατρίδ' εἰς 12, 35 (Solon)  
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θεός· ἀνέθηκε θεοῖς 7, 23 (epigr.); σὺν  
θεοῖσιν ἦνυσα 12, 12 (Solon). ἡ θεός  
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Θερμαῖος κόλπος 15, 6  
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1289 a 22, 1298 a 18)  
\*θέσμα, ἀναγράφαντες τὰ 3, 20; θέσμα—  
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45, 10; 48, 25 f; 55, 4; esp. 59, 1—20;  
εἰσάγουσι τῶν ἐνδείξεων τινὰς 52, 9;  
τῶν θ. δύο 66, 5; γραμματεῖς τῶν θ.  
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11; θεσμοῦς—ἔγραφα 12, 45 f (Solon);  
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Θετταλός 19, 28; Θετταλοί 19, 30  
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2 and 4  
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(opp. τῇ βουλῇ) 45, 14  
ιερεῖσι 57, 11  
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οἰών) 30, 8 (decree); ἱερῶν, 'sacred  
things', 30, 29 (decree); 43, 29; ὑπὲρ  
τῶν ἱερῶν 57, 12  
*subst.* (a) τὸ ἱερόν, 'the temple', at  
Eleusis, 39, 5; ἐν ἱερῷ 57, 26; τὸ  
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42, 20; ἱερῶν ἐπισκευασταί, ὄ—ἐπι-  
σκευάζουσι τὰ μάλιστα δεόμενα τῶν  
ἱερῶν 50, 2—4; τὰς τῶν ἱερῶν (κλείς)  
44, 4; εἰργεταὶ τῶν ἱερῶν 57, 28  
(b) *pl.* 'sacrifices', ὁμώσαντες, καθ'  
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(decree); τὰ μαντευτὰ ἱερά θύουσιν 54, 25  
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26 (τὴν ἱκητηρίαν αἰσχυρθέντες ap. *Rhet.*  
1411 ὁ 7)  
\*Ἴμβρον, ἀρχαί εἰς 62, 16  
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(cf. Eucken, i 52) as in γεγωνῆ 15, 19;  
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μὴ—κακουργῆ 64, 10; εἰσῆται καὶ μὴ—  
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μηδεμία προειδῆ—ἀλλὰ—χρησῆται 66,  
10; γένωνται 66, 14; μηδεὶς παρα-  
σκευάζῃ—μηδὲ γίγνηται 66, 17 f; μήτε  
—λαμβάνωσιν 68, 9; ψηφίζονται 68,  
12; μὴ ἐμβάλλῃ 68, 18  
*c. opt.* ἀσεβήσαιεν—καὶ γένωντο ἀσθε-  
νεῖς 18, 30

Ἰοφῶν 17, 11

ἰππάδα (τελείν) 7, 17; 7, 23 (anon.); 7, 24 (*Pol.* 1274 a 21)

\*Ἰππαρχος εἰς Λήμνον 61, 25. Ἰππαρχον ἕνα 31, 14 (decree in 411). Ἰππαρχοί 4, 8, 11, 13; 30, 7; 44, 16; 49, 10; esp. 61, 19 (ἰππαρχαίαι καὶ ταξιαρχαίαι *Pol.* 1322 ὁ 3)

Ἰππαρχος, son of Peisistratus, 17, 10; 18, 2, 4, 16, 19; 19, 4

\*Ἰππαρχος Χάρμον Κολλυτεύς 22, 15, 20

ἰππεύς 4, 19; 7, 9, 11. ἰππεῖς 24, 14; 26, 17; 38, 14; 49, 8, 13; 61, 20, 24. ἰππεῖς (ἐν Ἐρετριᾷ) 15, 12; ἐν Ἀθήνῃ 61, 26. Thessalians 19, 29, 31

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\*ἰπποδρομία 60, 5, 22

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\*ἰπποτροφεῖν 7, 18 (ἰπποτροφαίαι *Pol.* 1321 a 11)

Ἰσαγόρας ὁ Τεισάνδρου 20, 2, 5, 11, 13; 28, 9. ἀρχων (508/7) 21, 3

ἰσομοίριαν ἔχειν 12, 25 (Solon)

ἰσόρροπα τὰ πράγματα 29, 1

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\*ἰσοτελέσει, δίκαι τοῖς 58, 5

ἴστημι· ἔστησαν (τοὺς νόμους) 7, 3. ἔστην 12, 8 (Solon). ἴσταται ἢ στήλη 53, 25; (μηνὸς) ἰσταμένου 62, 14

ἰσχυρᾶς τῆς στάσεως οὐσης 5, 3; ἰσχυρότερα 29, 3

ἰσχυκέναι τὸ πλῆθος 9, 5; πάλιν ἰσχυσεν ἢ ἐν Ἀρείῳ πάγῃ βουλή 23, 3

ἴσως (= μάλιστα) τέτταρας μῆνας 33, 1 (seems not to occur in Ar. in this sense)

ἴχνος τῆς πράξεως, λαβεῖν οὐδέν 18, 26

\*Ἴων 3, 8; 41, 7; Heracl. epit. § 1; frag. 1

Ἰώνων ἀπόστασις 23, 18; ὄρκοι 23, 23

κ 63, 20; 64, 3

καθαίρω· Ἐπιμενίδης—ἐκάθηρε τὴν πόλιν 1, 4

καθαίρω· τοὺς—νόμους καθείλον ἐξ Ἀρείου πάγου 35, 10; καθελὼν (τὰ γραμματεῖα) 47, 32

καθάπαξ, ἀτίμους εἶναι 22, 43 (law); κύριον ποιήσαντες καθάπαξ 35, 15 (*Pol.* 1259 b 36; 1332 b 23)

καθάπερ ἐπὶ Ἀκάστου quoted in 3, 11; κ. εἰρηται 4, 24; κ. πρότερον 7, 9; 8, 11;

κ. τοὺς πεντακοσιομεδίμους 7, 25. τὰ μὲν ἄλλα καθάπερ κτλ (formula of amendment) 29, 16; καθάπερ τοὺς ἄλλους 39, 9 (decree)

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καθῆκων (νόμος) 16, 41. τῆς ἡλικίας καθηκούσης 53, 30

καθῆσθαι 48, 17. καθήμενον 45, 3

καθίζει—ἐπὶ τὸν βωμόν 25, 18; καθίζειν (τὴν βουλὴν) 43, 15; [καθίζουσιν] ἐν τῷ δικαστηρίῳ 65, 11

καθίημι· τοὺς μύδρους ἐν τῷ πελάγει καθείσαν 23, 24

καθίστημι· χορηγοὺς τραγωδοῖς καθίστησι 56, 7;—εἰς Δῆλον 56, 19; χ. κωμωδοῖς καθίστη 56, 9; λοχαγοῦς καθίστησιν 61, 18; καθίστη τὴν δημοκρατίαν 29, 18 (decree); κυρίους καθίσταναι 20, 11. καθιστᾶσι τοὺς ἑνδεκά 52, 1; χορηγοὺς καθιστᾶσιν 54, 36;

καθίστασαν, ἀρχὰς 3, 2. πολιτεῖαν κατέστησε 7, 1; ἀρχοντα κατέστησε Λύγαμιν 15, 5; βουλὴν—κατέστησεν 21, 7; κατέστησε—δημάρχους 21, 19; οὐ κατέστησαν ἀρχοντα 13, 4; κατέστησαν—εὐπορίαν τροφῆς 24, 9; καταστήσαι τὴν—πολιτείαν 29, 5; τὰς ἀρχὰς 31, 5; τοὺς τριάκοντα 34, 16;

τοὺς φυλοβασιλεῖς 41, 9; καταστήσαντες (ἀρχὰς) 35, 4. ὄρος κατέστην 12, 65 (Solon); κατέστη 16, 1; 17, 2; 22, 15; 32, 7; κατέστησαν 26, 20; 35, 1; καταστή 31, 11 (decree). καθίσταντο (οἱ Ἀρεοπαγῖται) 3, 38; (οἱ ἐννέα ἀρχοντες) 55, 3. ἀρχὴ καθεστηκυῖα 8, 14. πολέμου καθεστῶτος 33, 14

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καθ' ὅ τι ἂν 43, 7; καθῶτι—ἂν 59, 3; καθ' ὅ τι 66, 20

καί· *passim*. καὶ γάρ 19, 2; 21, 20; 22, 2; 41, 26; 47, 23. καί—καί 2, 7; 3, 36; 4, 14; 6, 2, 3; 16, 36, 44; 18, 24; 25, 5; 26, 11; 29, 34; 32, 10; 38, 19 f; 41, 29; 43, 12; 43, 31; 55, 8; 69, 3; καὶ ἰδίᾳ καὶ κοινῇ 40, 17; καὶ ἰδίων καὶ δημοσίων 43, 27. *iter*, 45, 1 f; 46, 1 f; 61, 14; *quinqvies*, 34, 23. τὲ—καί always separated except in κληρωταὶ τε καὶ κύριαι 55, 1, and [πομπή τε καὶ ἀγών] 57, 5. καὶ ταῦτα 69, 3

καὶ *adv.*, *etiam*, καὶ αὐτὸν 6, 9; καὶ τοὺς ἄλλους 14, 15. ἅμα δὲ καὶ 11, 7; ἔτι δὲ καὶ 9, 7; [πάλιν] δὲ καὶ 12, 26; ὑπάρχει—64, 10; χειροτονεῖ—61, 17, 12, 23, 25, 27. διὸ καὶ (v. διὸ), διὸ καὶ νῦν 7, 28; δι' ἐν καὶ μάλιστα 22, 16. ἀφ' οὗ καὶ συνέβη 18, 7. καὶ δὴ καὶ 2,



3; 16, 5, 40. καὶ πρότερον 7, 9; 8, 20; 26, 13. ἔτι καὶ νῦν 3, 25; 7, 6; 8, 6; 22, 7; καὶ νῦν 3, 39. οὐ μὴν ἀλλὰ καὶ ἐπὶ τοῖς ἄλλοις 2, 11; οὐ μόνον—ἀλλὰ καὶ 28, 31 f; 40, 18 f; οὐχ οἶον—ἀλλὰ καὶ 40, 23 f  
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 \*κακοπράγμων· *pl.* 35, 19  
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 καλῶ· καλεῖ τοὺς εἰληχότας 64, 15.  
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 \*κανηφορεῖν 18, 11  
 \*κανονίς 64, 8; *pl.* 64, 10  
 καρπός 60, 10  
 \*καρπουμένους, τὰ αὐτῶν 39, 4 (decree)  
 καρτερὸν ἦτορ 5, 16 (Solon)  
 κατὰ· *c. gen.* (1) καθ' ἑρῶν ὁμόσαντες 1,

1; ὁμόσαντες καθ' ἑρῶν τελείων 29, 39. (2) κατὰ τῶν τελωνῶν 52, 18; —τῶν ἐπιτροπῶν 56, 32, 33, 34. (3) κύριοι—εἰσω—κατὰ τῶν ὀπλιτῶν 61, 21  
*c. acc.* (1) of place, (a) κατὰ θάλατταν, ἦγν, 19, 26, 30; τὴν χώραν 16, 8; τὴν εἰσοδὸν 63, 7; τὴν πολιτείαν 2, 11; 28, 2. (b) 'opposite', τὸν ἐπώνυμον 48, 17. (c) of distribution, καθ' ἐκάστην (φυλὴν) 8, 13; καθ' ἐκάστην τὴν φυλὴν 64, 2; κατὰ φυλάς 22, 8, 21; 42, 15, 28; 48, 1; 56, 12; 63, 1, 20. μερίζων κατὰ τὰς προῦπαρχούσας τριττύς 21, 10. διένειμα τὴν χώραν κατὰ δῆμους 21, 12; οἱ κατὰ δῆμους δικασταὶ 16, 13; 26, 21; 48, 24; κατὰ δῆμους περιβύοντες 53, 3; κατὰ τὴν καταβολὴν ἐκάστην 47, 20; κατὰ τὰς καταβολὰς 47, 30; κατὰ μέρος 55, 5; κατὰ κληροῦσιον 64, 12; κατὰ πέντε πινᾶκια εἰς 64, 12; κατ' ὀλίγους 66, 22; (d) 'according to', τοὺς νόμους 4, 21; 16, 31; 42, 7; 48, 7; 55, 31; 57, 19; τὸν—νόμον 47, 3; τὰ πάτρια 21, 24, and (in decrees) 31, 3; 39, 6, 19; πάσας (πολιτείας) 28, 37; τὰ γεγραμμένα 31, 15; τὰς συνθήκας 39, 2; σελήνην 43, 10; καθ' ὅσον ἦν δυνατός 14, 14; καθ' ὅ τι ἄν—43, 7; 59, 3; —δοκῆ 44, 17; αὐτὰ ταῦτα 45, 23; ταῦτα 39, 16; καθ' αὐτήν 8, 10; 'in respect to', τῶν κατὰ τὴν πολιτείαν 2, 11; nearly equivalent to διὰ in κατὰ τὸ γένος ἱερωσύνην 42, 36; (of rent) ταύτην τὴν μίσθωσιν 2, 5; (e) of object, ἐμπορίαν καὶ θεωρίαν 11, 4  
 (2) of time, (a) parts of time, ἐναντὶν 3, 19; 30, 4 (decree); 54, 27; ἐκάστην τὴν ἡμέραν 27, 16; 30, 27 (decree); πρυτανεῖαν 54, 13; +ἐκάστην 47, 18; 48, 14; 61, 11; πενθήμερον 30, 24 (decree); τὴν ἀρχὴν 16, 25; τὰς ἀρχάς 35, 18; μικρὸν 23, 2; 25, 3; (b) of periods of time, ἐκείνους τοὺς καιροὺς 16, 40; τούτους τοὺς κ. 23, 9, 13; 33, 13; τοὺς κ. τούτους 26, 4; (τὸν) πόλεμον 26, 7; 29, 1; 62, 18; τὴν στρατίαν 37, 2; κατ' αὐτόν 28, 33; καθ' ἑαυτόν 23, 15  
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- γνώσις 54, 10. (αὐτῶν) καταγνώ 45, 16; (τινός) καταγνώσις 53, 34; εἰ του καταγνοίη 60, 12. *Abs.* καταγνώ 48, 23; καταγνώσις 54, 9; καταγνοῖσα (?) 46, 10. *Pass.* καταγνωσθέντος τοῦ ἄγους 1, 2
- κατάγνυμι· ἐλαλίαν—κατάξειεν 60, 11
- \* καταγνώσεις, εἰσάγειν 45, 9 (decree); cf. 59, 13
- κατάγω· κατήγαγεν—καταγούσης 14, 23 f (*Pol.* 1311 b 19)
- καταδείξαντος, πρώτου 27, 25 (κατέδειξεν ἐναργῶς *Ar.* 1583 a 15 in epigram on Plato)
- καταδέχομαι· κατεδέξαντο—τοὺς ὠστρακισμένους 22, 39 (*de Respir.* 476 a 29 καταδέχσθαι τὴν τροφήν)
- κατακλείω· κατέκλεισεν τοὺς νόμους 7, 7; κατακλείσαντες εἰς τὰ—οἰκήματα 15, 21; κατακλείσας—εἰς τὸ—τείχος 19, 31; κατακλειθεῖς—ἐν τῷ ἄστει 27, 9
- κατακούειν *abs.* 15, 18. (ἐὰν κατακούωσιν αὐλοῦντος *Eth.* 1175 b 4; κατακούεσθαι τὴν φωνήν *Hist. An.* 614 b 23)
- \* κατακυρῶ· κατακυροῦσι (οἱ ἐννέα ἄρχοντες) 47, 15
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- καταλέγω· τὸν μερισμὸν 48, 10; τοὺς ἱππέας 49, 8, 10; τοὺς πεντακισχιλίους 29, 37 (decree); τρισχιλίους 36, 7; τριηράρχους 61, 8. τοὺς κατελιγεμένους καλοῦσι 49, 15 (πληρωμάτων κατελιγεμένων εἰς ἐκατὸν ναῦς *Oec.* ii 1353 a 19, the only authority for this sense in *Index Ar.*)
- \* καταλογεῖς· (ἱππέων) 49, 9; (in 411) 29, 38 note
- κατάλογος· τῆς στρατείας γιγνομένης ἐκ καταλόγου 26, 8; τὸν κ. τῶν τρισχιλίων ὑπερεβάλλοντο 36, 12; τοῦ κ. (τῶν τρισχιλίων) μετέχοντας 37, 7; εἰσφέρουσι τὸν (τῶν ἱππέων) κ. εἰς τὴν βουλὴν 49, 10
- κατάλυσις· τοῦ πολέμου 38, 6. τῶν τυράνων 13, 24; 21, 3; 41, 14; (τῶν τετρακοσίων) 33, 10; 34, 2. ἐπὶ κατάλυσει τοῦ δήμου συσταμένους 8, 25; συσταμένους ἐπὶ τῇ κ. τῆς πολιτείας 25, 15 (κατάλυσις τῆς ὀλιγαρχίας *Pol.* 1305 a 3; κατάλυσις τυραννίδων 1312 b 21)
- καταλύω· τὴν τυραννίδα 19, 8; τὴν βουλὴν 20, 10; 41, 18; πάσας τὰς πολιτείας 28, 36; τὴν δυναστείαν 36, 6; τὸ κύρος 35, 12; τοὺς τετρακοσίους 33, 7; τοὺς τριάκοντα 38, 5; τοὺς δέκα 38, 18. κατέλυσε (τὴν διωβελίαν) 28, 21
- Pass.* καταλυθῆναι τὴν βουλὴν 25, 13; κατελύθη, *sc.* ἡ βουλή, 32, 4; καταλυθείσης τῆς τυραννίδος 20, 1; 28, 7; ἡ κρίσις καταλύεται 60, 14; *c. gen.* μὴ καταλυθῶσιν τῆς ἀρχῆς 38, 10. *Mid.* κατελύοντο τὸν πόλεμον 32, 15
- καταπάλην ἀφίενα 42, 24
- καταπαύειν τὴν ἐνεστῶσαν φιλονικίαν 5, 11
- καταπλέοντος, τοῦ σίτου τοῦ 51, 16
- καταπλαγείς 25, 18; 34, 26. καταπλήξαι 38, 10
- \* καταρρυπαίνειν 6, 18
- \* κατασεσημασμένα τὰ ὄνματα τῶν ἱππέων 49, 12. (τοὺς ἐχίνοισ) κατασημηνάμενοι 53, 12
- κατασιωπῶσιν 14, 12
- \* κατασκάψαντες, τὸ τεῖχος 37, 9
- κατασκευάζω· κατεσκεύασε δικαστὰς 16, 13. τὴν ἀρχὴν—κατασκευάζοντες 36, 12. κατεσκεύασε (τὸ πολεμαρχεῖον) 3, 29; τοῦτο 18, 29; μισθοφορὰν τοῖς δικασταῖς 27, 22. κατασκευάσαι τὴν—ὀλιγαρχίαν 37, 10
- κατασκευή, (πομπῆς) 56, 26
- κατασκοπήν, ἐπὶ, frag. 4 init.
- κατάστασις· (1) τῆς πολιτείας 42, 1; cf. 11, 10; 14, 20; 16, 41; 22, 6; τῶν τετρακοσίων 41, 20; (2) ἐπιτροπῆς 56, 37. (3) ἐμφανῶν 56, 38
- \* κατατραυματίσας ἑαυτὸν 14, 2
- \* καταφατιζῶ· *imprf.* 7, 5 (κατάφασις, καταφατικός, *Ar. saepius, e.g. Categ.* 12 b 7 ἢ κατάφασις λόγος ἐστὶ καταφατικός)
- καταφεύγω· κατέφηνγον 20, 13
- καταχαρίζεσθαι τὴν κρίσιν 49, 21 (πολλὰ τῶν κοινῶν *Pol.* 1271 b 3)
- \* καταχειροτονία 59, 4
- κατελθῆναι· τοὺς ἀπὸ Φυλῆς 38, 15; τὸν δῆμον 38, 20. τῶν φυγάδων οἰ—κατελθόντες 34, 20; τῶν ἐκ Πειραιῶς κατελθόντων 38, 31. τῶν κατεληλυθόντων 40, 11
- κατέχω· (1) 'restrain', οὐ κατεῖχε τὴν ὀργὴν 18, 9. κατέσχε δῆμον 12, 49 and 63 (Solon); ἑαυτὸν 18, 37. (2) 'retain', βουλόμενος κατασχεῖν αὐτοῦς 40, 5. (3) 'hold'; 'gain, or keep, possession of'; τὴν ἀκρόπολιν κατέσχε 14, 6; κατεῖχον τὴν ἀρχὴν 17, 9; κατέχοντα τὴν ἀρχὴν 17, 18; κατασχῆσειν τὴν ἡγεμονίαν 24, 5; κατασχόντος τοῦ δήμου τὰ πράγματα 20, 17; κατεῖχον τὴν πόλιν δι' ἑαυτῶν 35, 7; κατεῖχεν τὴν τυραννίδα 15, 13; κατασχόντες τὴν τυρ. 19, 37; *abs.* κατεῖχεν 15, 3
- κατηγορίαν δοῦς 55, 21
- \* κατήγορος 55, 21; *pl.* 42, 9; 55, 26
- κατηγορῶ· *c. gen.* 18, 23, 29; 25, 20; 37, 17; 55, 21. κατηγόρησε τὰς εὐθύνas Κίμωνος 27, 2; *abs.* κατηγορεῖν 55, 23; τῷ κατηγοροῦντι 67, 15
- \* κατοικοδομεῖν, τὰς ὁδοὺς 50, 11
- κατοικῶ· 22, 42; 39, 17 f (decree); 40, 26
- κεῖται 5, 7 (Solon): ὄνομα—κείμενον 7, 19; cf. τίθεναι
- κελεύει 8, 6; 49, 26; 51, 14; 53, 31. κελεύουσιν 43, 29; 53, 34. κελεύη 44, 7. ἐκέλευεν 15, 18; 16, 20. κελεύων



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(τριτῶν) ἐκλήρωσεν τρεῖς εἰς τὴν φυλὴν ἐκάστην 21, 14

*Mid.* κληροῦσθαι (τὰς ἀρχὰς) τοὺς ὑπὲρ τριάκοντα ἔτη γεγονότας 4, 14; τὸν μέλλοντα κληροῦσθαι τιν' ἀρχὴν 7, 28; (of dicasts) κληροῦμένους—μᾶλλον τῶν τυχόντων ἢ τῶν ἐπιεικῶν ἀνθρώπων 27, 23; τοὺς κληρωσομένους τῶν ἐννέα ἀρχόντων 26, 15

*Pass.* κληροῦσθαι—τὸν ἐπιψηφιοῦντα 30, 27 (decree). βουλή κληροῦται 43, 6. (τῶν πωλητῶν) κληροῦται εἰς ἐκ τῆς φυλῆς 47, 2; (τῶν ταμίων τῆς Ἀθηνᾶς) κλ. εἰς ἐκ τῆς φυλῆς 47, 7; (ἐμπήκτης) 64, 19. κληροῦνται ἀγορανόμοι 51, 1; ἱερῶν ἐπισκευασταὶ 50, 2; μετρονόμοι 51, 5. (ἀρχαί) μετ' ἐννέα ἀρχόντων ἐκ τῆς φυλῆς ὅλης κληροῦμεναι 62, 2; (ἀρχαί) ἐν Θησείῳ κληροῦμεναι 62, 3; (ἀποδέκται) κεκληρωμένοι κατὰ φυλάς 48, 1

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κληρωτὸς (γραμματεὺς κατὰ πρυτανείαν) 54, 19; (ταμίαις) 49, 29. κληρωτοὶ (οἱ ἑνδεκα) 52, 1; (σιτοφύλακες) 51, 8. ἀρχαὶ κληρωταὶ 8, 1, 5; 30, 13 (decree); 43, 2; 55, 1; 62, 1; πάντες—καὶ οἱ κληρωτοὶ καὶ οἱ χειροτονητοὶ δοκιμασθέντες ἀρχουσιν 55, 8

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Κοδρίδα 3, 13; Heracl. epit. § 3

κοινῇ 5, 4, 11; 23, 17; 40, 18, 21; 57, 6  
 κοινόν, μέτριον καὶ 6, 14 (of Solon). τὸ ἱερὸν εἶναι κοινὸν ἀμφοτέρων 39, 5 (decree). τὰς κοινὰς λητουργίας 27, 14; κοινὰ τὰ ὄντα νέμεσθαι 56, 37; τὰ κοινὰ 9, 10; τῶν κοινῶν 15, 25; 16, 10; διψεῖ τὰ κοινὰ 14, 17; τὰ κοινὰ πράττουσι 24, 5; ἀπὸ τῶν κοινῶν 24, 21; εἰς τὸ κοινόν 42, 28

κοινωνεῖν 6, 9; *c. gen.* τῶν κοινωνούντων τῆς πράξεως 18, 16; πολλῶν κοινωνούντων τῆς πολιτείας 13, 24; κοινωνεῖν τῆς—πολιτείας 37, 8; ἀμφοτέρων κεκοινωνηκώς 37, 11

κοινωνικὰ δίκαια 52, 15 (not found in Ar. in technical sense)

κολάζουσα καὶ ζημιούσα 3, 36; ζημιοῦν καὶ κολάζειν 8, 23

Κολλυτὸς 14, 26. Κολλυτεὺς 22, 16

κόλπος, Θερμαῖος 15, 6

κομίξειν (σίτον) 51, 18; κομισαντος (of troops) 17, 16. *Mid.* κομισασθαι τὰ χρήματα παρὰ τῶν δανεισαμένων 22, 35  
 Κόρινθος ἄρχων (462/1) 25, 8  
 κόπρος, 50, 10; \* κοπρολόγοι 50, 9  
 κόρος 12, 13 (Solon)  
 \* κορυνηφόροι 14, 5  
 \* κοσμητής 42, 19  
 κόσμος· τὴν θεὸν ἀπομνησάμενος τῷ κόσμῳ 14, 28; τὸν ἄλλον κόσμον (of the Parthenon) 47, 6. ἐν κόσμῳ λεγόντων 28, 18  
 κρατεῖν, ἔχειν καὶ 56, 7; ὁ δῆμος ἐστὶν ὁ κρατῶν 41, 26; οἱ δῆμοι κρατήσαντες 40, 24  
 κρατερὸν σάκος 12, 8 (Solon)  
 κράτος· κράτε νόμου 12, 42 (Solon)  
 Κρέουσα frag. 1, 6  
 κρηῶν ἐπιμελητής 43, 3  
 Κρής, ὁ 1, 3  
 κριθαί 51, 12  
 κρίνω· (1) 'choose', κρίνασα—τὸν ἐπιτήδειον 8, 9. (2) 'try', τὰς δίκας—κρίνειν 3, 32; τὰς χειροτονίας—, 30, 26; κρίνουσιν (στρατηγόν) 61, 12; τοὺς—συνισταμένους ἔκρινεν 8, 25; ἔκρινεν τὰ παραδείγματα καὶ τὸν πέπλον ἢ βουλή 49, 20; εἰ τις ἐξορύξειεν ἐλαίαν—, ἔκρινεν ἢ ἐξ' Ἀρείου πάγου βουλή 60, 11. *pass.* κρίνόμενος ὑπὸ τινων 27, 26; κρίνεσθαι Μηδισμῷ 25, 12; κριθῆναι μὰ χειροτονία πάντας 34, 5  
 κρίσις, οὐ κύρια (ἀλλ' ἐφέσιμος εἰς τὸ δικαστήριον) 45, 13; ἢ κ. καταλέλυται 60, 14. τῆς κρίσεως ὁ δῆμος κύριος 9, 11; κρίσεως ἐν δικαστηρίῳ γενομένης 45, 5; ἀμφισβήτησις τῆς κρίσεως 28, 34. πρὸς τὴν τῶν ἀμφισβητούντων κρίσιν 3, 21; καταχαρίζεσθαι τὴν κρίσιν 49, 22. αἱ τῆς βουλῆς κρίσεις εἰς τὸν δῆμον ἐληλύθασιν 41, 27  
 Κρόνος· ὁ ἐπὶ Κρόνου βίος 16, 27  
 κτεῖνω· ἔκτεινεν 39, 19  
 κτήμα· τὸ ἐλαίον ἐκ τοῦ κτήματος 60, 14  
 κτίζω· ἀπὸ τῶν κτισάντων 21, 22 (*Pol.* 1275 ὁ 33, 1310 ὁ 38)  
 κτώμαι· οὐσίαν κεκτημένους 4, 6; ἐντὸς τριῶν μῶν κεκτημένους 49, 26; συμπείθειν τὸν κεκτημένον 39, 10 (decree); ὁ τὸ χωρὶον κεκτημένος 60, 13; *pl.* 60, 8  
 \* κυαμεύειν, ἐκ τούτων 8, 4; ἐκυάμευσαν τοὺς ἐννέα ἄρχοντας 22, 21  
 κύμας· τοὺς ἀπὸ τοῦ κυάμου δισχίλιους ἄνδρας 24, 20; τὴν εἰληχίαν τῷ κυάμῳ βουλὴν 32, 6  
 κύβοι 64, 11 f; 66, 2, 5  
 (Κύλων) 1, 1—3 notes; Heracl. epit. § 4  
 κύρβεις 7, 3 (only in *de Mundo* 400 ὁ 30, τὰ ἐν κύρβεσιν ἀναγεγραμμένα)  
 κύριος· ὁ νόμος 47, 4; οὐ κυρία ἢ κρίσις 45, 13; κυρία ἐκκλησία 43, 17; 62, 7; ἀμφορεύς κύριος, ἄκυρος, 68, 16 f; 69, 1; κυρίαν (ψῆφον) 68, 26; αἱ κύριαι (ψῆφοι) 69, 3; ὁ τι ἂν οἱ δικασταὶ ψηφίσωνται,

τοῦτο κύριον εἶναι 45, 11; ὁ τι ἂν γνώσιν οἱ δικασταί, τοῦτο κύριον ἐστὶ 48, 27 f; περὶ τοῦ δοῦναι—κύριον ποιήσαντες 30, 14; κυρίους 39, 3; ὄντες κύριοι 52, 19  
*c. gen.* ἀπάντων 41, 25; τοῦ ἀφείναι 44, 13; τῶν αὐτῶν 61, 21; τῶν γραμμάτων 54, 14; τῆς δοκιμασίας 55, 12; ἑαυτῶν 39, 3; τῶν εἰρημένων 55, 1; τῆς κρίσεως 9, 12; οὐδενός 54, 22; τῆς πόλεως 20, 11; 34, 16; 35, 2; τῆς πολιτείας 9, 7; τῶν πραγμάτων 6, 1; 18, 1; 41, 2; 55, 1; τῆς ψήφου 9, 6  
*c. inf.* 3, 31; 8, 23; 29, 36 (decree); 44, 13; 45, 1, 19; 56, 42; 59, 1; 61, 14  
*c. part.* κυρίους εἶναι θανατοῦντας 37, 13  
 κυρίως, ζημιούσα 3, 36  
 \* κύρος, ὁ ἦν ἐν τοῖς δικασταῖς· κατέλυσαν τὸ 35, 12  
 κυροῦσι (οἱ θεσμοθέται), τὰ σύμβολα τὰ πρὸς τὰς πόλεις 59, 16; (οἱ πωληταὶ) τὰ τέλη κυροῦσιν (?) 47, 10; κυρωθέντων δὲ τούτων 30, 1 (only ἐν τῇ Τενεδίων πολιτείᾳ p. 1569 a 27, frag. 5933, ἐκύρωσε καὶ περὶ τοῦ ἰδίου παιδὸς τηρηθῆναι τὸν νόμον)  
 Κυψελίδαί 17, 14  
 κύειν 56, 42  
 κύων· κύσιν πολλαῖσιν 12, 54 (Solon)  
 \* κωλακρέται 7, 12  
 κωλύω· ἐκώλυσεν 18, 11; 22, 32. *c. inf.* γενέσθαι τὴν εἰρήμην 34, 10; δανείζειν 6, 2; κατοικοδομεῖν 50, 11; κοινωνεῖν 37, 8; παριέναι 19, 31; as in Ar. (*Index* p. 419 ὁ 32) never followed by μή  
 Κωμέας ἄρχων (561/0 or 560/59) 14, 8  
 κωμφοδοίς, χορηγοῖς 56, 9, 11 (κωμφοδοῖς χορηγῶν *Eth.* 1123 a 23; χορὸν κωμφοδῶν ὄψέ ποτε ὁ ἄρχων ἔδωκεν *Poet.* 1449 ὁ 1)  
 κωτίλλοντα 12, 19 (Solon)  
 λαγχάνω· δίκας λαγχάνουσι (πρὸς) 53, 2; τῷ δράσαντι λαγχάνει 57, 30; ἄς ἂν λάχῃ διαίτας 53, 12; ὅσους ἂν δέψα λαχεῖν δικαστάς 64, 13; οὗ ἔλαχον ἕκαστος 69, 14; ὅσον ἂν λάχῃ (δικαστήριον), 64, 21; 66, 10; ἢ ἂν πρώτη λάχῃ τῶν ἀρχῶν 66, 7; καθ' ὅ τι ἂν λάχωσιν 43, 7; ὁ λαχὼν 47, 4; εἰς ὁ λαχὼν 44, 1; τὸ λαχὼν μέρος 30, 16 (decree); 58, 7; τὸ γράμμα τὸ λαχὼν 63, 24; τὸ δικαστήριον τὸ λαχὼν 49, 21; τῷ λαχόντι 50, 9; τῷ πρώτῳ λαχόντι δικαστηρίῳ 66, 8; λαχόντες 66, 4; οἱ λαχόντες 57, 24; + ἐπὶ τὰς ψήφους 68, 6; τῶν λαχόντων δικαστῶν 63, 6; τοὺς λαχόντας 4, 14; 30, 26, 28 (τοὺς πρώτους λ. 66, 16); + ἐκ τῆς πολιτείας 4, 14. εἰσελθεῖν εἰς δὲ εἴληχε δικαστήριον 65, 4; ὁ ἐφ' ὕδωρ εἴληχώς 67, 11; [ὁ ταύτην τὴν ἀρχὴν]



- ελληχώς 68, 10; (στοιχείον) τὸ τοῦ δικαστηρίου ἐκάστον ελληχός 64, 25; τοῦ ελληχότος ταύτην τὴν ἀρχὴν 65, 10; τὴν ελληχίαν τῷ κυάμῳ βουλὴν 32, 6; οἱ ἐπὶ τὰς ψήφους ελληχότες 69, 5; τοῖς ελληχόσι 65, 16; τοὺς ελληχότας 64, 16
- Pass.* γραφαὶ καὶ δίκαι λαγχάνονται πρὸς αὐτόν 56, 29; γραφαὶ λ. πρὸς αὐτόν 57, 9; δίκαι λ. πρὸς αὐτόν 58, 4; λ. δίκαι 57, 12
- Λακεδαίμονιοι 19, 7, 21; 23, 12, 19; 29, 3; 32, 14; 34, 8; 37, 18; 38, 25; 40, 20
- Λακεδαίμων 37, 17; 38, 7, 27
- Λακιάδαι 27, 15
- Λάκωνες, οἱ 19, 7, 21, 25; 23, 20
- λαμβάνει ἀποτιμήματα 56, 45; ᾧ λαμβάνει 68, 12; τιμὴν λαμβάνειν 39, 12 (decree); δίκην οὔτε διδάσιν οὔτε λαμβάνουσι 42, 34; λ. δωρεάν 46, 7; λ. παρέδρους 56, 1; εἰς σίτησιν λ. 62, 10, 15. οἰκίαν λαμβάνουσι 39, 10; ἀμφοτέρας (τὰς ψήφους) λ. 68, 9; λαμβάνων 42, 26; λαμβάνοντες ἀργυρίου 43, 11; λ. τριάκοντα μνᾶς 50, 3. τὴν θυγατέρα αὐτοῦ λήψεται 14, 23. ἔλαβεν (τὴν δεξιάν) 18, 35; προστάτην ἔλαβεν ὁ δῆμος 28, 3. λαβεῖν (αὐλητριδα) 50, 8; λ. τὴν δεκάτην 16, 22; τὴν ἡγεμονίαν λ. 23, 11; λ. τὴν πολιτείαν 41, 4. λ. ἔχρος 18, 25; σύμβολον 68, 13. λαβών 22, 36; λ. τὴν ἀρχὴν 14, 16; 15, 13; 24, 6; δωρεάν λ. 46, 6; λ. τὴν ἐπιμέλειαν 38, 29; κέντρον λ. 12, 47 (Solon); λ. τὰς ψήφους 68, 23 f; λ. τοὺς κορυνηφόρους 14, 5; λ. τὴν πόλιν 15, 13; μοιχὸν λ. 57, 19; λ. τὴν βακτηρίαν 65, 7; λ. τοῦτο (τὸ πινάκιον) 48, 23; λαβοῦσα τὴν ἡγεμονίαν 23, 4; δῶρα λαβόντα 54, 8; λαβόντα (τὰς δίκας) 58, 6; λαβόντες ἀσπίδα 42, 31; τὴν ἐπιμέλειαν 38, 29; τὸν τελευταῖον τῶν ἐπινομίων λαβόντες 53, 27. τὸν μισθὸν λήψονται 66, 20; δῶρα λήψεσθαι and λάβωσι 55, 32. ληφθέντων (= ἀλόγων) 19, 34
- λαμπάδων ἀγῶνες 57, 7
- λαμπρῶς, ἐλητούργει 27, 14 (χορηγεῖν λαμπρῶς *Eth.* 1122 b 22)
- λανθάνω· μηδένα λάθῃ μηδὲν ἔρημον γινόμενον 43, 22; μὴ λάθῃ ὑποβάλλων τις ψήφους 68, 15
- λέγω· λέγει 12, 15; ὡς οἱ δημοτικοὶ λέγουσι 6, 8; ὡς ἔνιοι λ. 14, 26; 18, 32; λέγων τὰς δίκας 67, 6; λέγων ὅτι 40, 12 (ἔλεγον ὅτι 25, 14); λέγων οὐκ ἔπειθε 14, 12; οὐ λέγων ὅ τι χρήσεται τοῖς χρήμασι 22, 32; τοῦ πρότερον (opp. τοῦ ὕστερον) λέγοντος 68, 21 f; ἐν κόσμῳ λεγόντων 28, 18; ἂν τις τὸν ἐλεύθερον κακῶς λέγῃ 59, 14
- Pass.* λέγεται c. acc. et inf. 14, 8. ὁ λεγόμενος λόγος 18, 26; τὰ λεγόμενα 29, 22; ὅθεν ἐλέχθη 21, 5. v. εἰπεῖν and εἶρηται
- Λειμώνη (Ἴππομένους) Heracl. epit. l. 12
- λείπω· (δίκη) ἔλειπεν 16, 34
- Λειψύδριον 19, 12, 15
- λείως, κωτίλλοντα 12, 19 (Solon)
- Λέσβιοι 24, 7
- λευκοί, κύβητοι 64, 13 f
- λευκῶ· πινάκιον λευκωμένον 48, 20; λευκωμένα γραμματεῖα 47, 16, 27; 53, 22 (only in *Phys. Ausc.* 185 b 29 ὁ ἀνθρώπος οὐ λευκός ἐστίν ἀλλὰ λελεύκωται)
- Λευκόρειον 18, 20
- Λήμμον, ἀρχαὶ εἰς 62, 16; ἵππαρχος εἰς 61, 25; τῶν ἱππέων τῶν ἐν Λήμμῳ 61, 26
- Ληναίος, ἐπὶ 57, 5
- λήξις· λήξεις κλήρων καὶ ἐπικλήρων 43, 21; νεῖμαι—τοὺς ἄλλους πρὸς τὴν λήξιν ἐκάστην 30, 17 (decree); ἵνα νεμηθῶσιν εἰς τὰς τέτταρας λήξεις 31, 19 (decree) (only in *de Mundo* 401 b 20 ἢ κατὰ φύσιν λήξις)
- \* ληροῦσιν 17, 5 (λήρος *Pol.* 1257 b 10; ληρώδης *Rhet.* 1414 b 16; ὁ δὲ λεχθεὶς μῦθος,—ληρώδης ἐστίν *Hist. An.* 579 b 3)
- λητούργια 27, 14; 56, 16
- λητούργω· 27, 14; 29, 35 (decree); 56, 15 f
- λίαν 12, 12 (Solon); ἀρχαίως καὶ λίαν ἀπλῶς 14, 22 (λίαν ἀρχαίως *Pol.* 1330 b 33; λίαν ἀπλοῦν *Meteor.* 339 b 34; ἀπλῶς 365 a 26)
- λίθος· ὁμνύντες πρὸς τῷ λίθῳ 7, 5; βαδίζουσι πρὸς τὸν λίθον 55, 28
- λογιζόμενοι, οἱ τοῖς ὑπευθύνους 54, 5; τοῖς λογιζομένοις ταῖς ἀρχαῖς 48, 14
- λογισταὶ δέκα (τῆς βουλῆς) 48, 13. λογισταὶ δέκα καὶ συνήγοροι 54, 3
- λόγος· (1) 'speech', τὸν ἄλλον λόγον ἐπέτελεσεν 15, 23; τὸν πρὸ τοῦ ψηφίσματος λόγον 29, 6; in the law-courts, τῷ δευτέρῳ λόγῳ 67, 8; ὕστερον λόγος 67, 10; (εἰρημνεοί) οἱ λόγοι 68, 7. (2) 'current account', ὁ τῶν δημοτικῶν λόγος 6, 13 (= ὡς οἱ δημοτικοὶ λέγουσι 6, 8); ὁ λεγόμενος λόγος 18, 26; 'rumour', 'report', προδιασπείρας λόγον 14, 24; διεσπάρησαν οἱ λόγοι πρὸς τὸ πλῆθος 36, 4. (3) 'in name alone', λόγῳ μόνον 32, 12. (4) 'accounts', λόγον ἀπενεγκεῖν 54, 4
- λοιδορήσας 18, 12; ἐλοιδορήσατο 28, 17
- λοιπός· τὸ λοιπὸν 22, 41; 31, 15 (decree); εἰς τὸν λοιπὸν χρόνον 30, 15 (decree); τὸ λοιπὸν (ἔτη) 17, 4
- λοξὸν—ὀρώσι 12, 21 (Solon)
- λοχαγοὶ 61, 18 (*de Mundo* 399 b 6; *Oec.* ii 1350 b 11; λοχαγαὶ *Pol.* 1322 b 4)
- Λύγδαμος ὁ Νάξιος 15, 11, 15
- Λυκομήδης Σκύριος Heracl. epit. l. 7
- λύκος 12, 54 (Solon)
- Λυκούργος (τῶν πεδιακῶν ἡγήετο) 13, 20; 14, 19

λυμῖνομαι· τὴν ὄλην ἐλυμῖναντο πράξι  
18, 21

\*λυροποῖός, Κλεοφῶν ὁ 28, 20

Λύσανδρος, Spartan general 34, 16, 25

Λυσικράτης ἀρχων (453/2) 26, 19

Λυσίμαχος, father of Aristides, 22, 39; 23,

13

Λυσίμαχος ὁ ἀπὸ τοῦ τυπάνου 45, 2-7

\*λυχνεῖον 68, 24

λωποδύτης· *pl.* 52, 3

μαλακός 3, 7; 18, 12

μᾶλλον· *compar.* γεγωνῆ μ. 15, 19; ἀνίσ-  
θαι μ. 26, 2 f; μ. ἄγειν 27, 6; μ. συμ-  
πολεμήσειν 29, 8; πολιτικῶς μ. ἢ τυραν-  
νικῶς 14, 17; 16, 3; αἰεὶ μᾶλλον 27, 23  
*superl.* μάλιστα 9, 5; 13, 18; 22, 16;  
25, 2; 27, 4; 28, 16, 27; 29, 7; 32,  
9; 34, 25; 38, 15, 21; 45, 12; 50, 4;  
τῶν προγεγενημένων 33, 5; πολλῶν μὲν  
καὶ ἄλλων, μάλιστα δὲ Θηβαίων 15, 11;  
οἱ τε ἄλλοι καὶ—μάλιστα 16, 40; αἰτίων  
μ. γενομένων Πεισάνδρου κτλ 32, 9;  
μάλιστα with numbers 15, 2; 19, 4, 38;  
25, 2; 32, 9. μάλα does not occur

μανιῶν (ἔνεκα) 35, 15 (law)

\*μαντευτὰ ἱερά 54, 25

μάντεω, μετὰ τῶν 54, 26

Μαραθῶνι, ἐν 22, 10

μαρτυρία 67, 12; *pl.* 53, 10, 17; 55; 30;  
68, 20

μαρτυρεῖ 5, 14; 6, 19

μάρτυς· οἱ μάρτυρες ἐξόμνουνται τὰς μαρτυ-  
ρίας 55, 30. κάλει τούτων τοὺς μάρτυρας  
55, 19; ἐπειδὴν παράσχηται τοὺς μ. 55,  
20

Μαρωνεία 22, 29

\*μαστιγοφόρους—ὑπηρέτας 35, 6

μάτην ἔερδον 12, 23 (Solon)

μάχαιραν, σπασάμενος τὴν 18, 38

μάχεται, πρὸς ἑκατέρους ὑπὲρ ἑκατέρων 5,  
10

μάχην, τὴν ἐπὶ Παλληνίδι 15, 13; 17, 16;  
τὴν ἐν Μαραθῶνι 22, 10. (τῶν ἀπὸ  
Φυλῆς) νικησάντων μάχη τοὺς μετὰ τῶν  
τριάκοντα 38, 2

Μεγακλῆς (the slayer of Cylon) Heracl.  
*epit.* l. 15

Μεγακλῆς ὁ Ἀλκμέωνος (παραλίω προεισ-  
τήκει) 13, 17; οἱ περὶ τὸν Μεγακλέα 14,  
18; τῆ τῆς Μεγακλέους θυγατρὶ 15, 4

Μεγακλῆς Ἰπποκράτους Ἀλωπεκήθην 22,  
24

Μεγαρέας· ἐν τῷ πρὸς Μ. πολέμῳ 14, 2;  
(+ περὶ Σαλαμῖνος) 17, 6

μέγας· μέγαν νόον 5, 17 (Solon); γέγονεν  
ἡ ἀρχὴ μεγάλη 3, 18; μεγάλην γερονέ-  
ναι μεταβολὴν 13, 15; γυναῖκα μεγάλην  
καὶ καλὴν 14, 25; Διονυσίων τῶν μεγά-  
λων 56, 22

*compar.* μείζων ('too powerful') 22,  
27; τὰς προσόδους μείζους 16, 11; τὰ  
μέτρα μείζω 10, 4; στόλον—μείζω 19,

30; μείζους καὶ βίαν ἀμείνοves 12, 60  
(Solon)

*superl.* μήτηρ μεγίστη 12, 31 (Solon);  
μέγιστα καὶ πρῶται τῶν ἀρχῶν 3, 4;  
τὰ πλείστα καὶ τὰ μέγιστα 3, 35; 8, 22;  
πρῶτον καὶ μέγιστον 9, 3; μεγίστην  
ἔχεν δύναμιν 13, 11; μέγιστον πάντων  
ἦν 16, 29

μέγεθος τοῦ τιμήματος 7, 13

Μέδων (βασιλεὺς) 3, 9

\*μεθιδρυσόμενος, ἐκεῖ(σε) 19, 6

μεθίστατο 22, 27

μεθύων 34, 11

μέλανες, κύβοι 64, 13, 15; Γῆ μέλαινα 12,  
32 (Solon)

μέλλω *c. inf.* *praes.* 6, 6; 7, 28; 18, 11;  
24, 12, 14; 45, 3; 67, 13; 68, 19

*c. inf. fut.* 63, 10 and 64, 24 μέλλη  
πληρωθήσεσθαι (not noted either by H-L,  
or in *Class. Rev.* v 185 b)

εἰς τὸ μέλλον 6, 2; εἰς τὸν μέλλοντα  
χρόνον 31, 1

μέμνηται 6, 20; 12, 2

μεμψιμοῖρα· *pl.* 12, 55 (only in *de Virt.*  
1251 b 25); μεμψιμοῖρος in *Hist. An.*  
608 b 10)

μὲν—δέ *passim*, 1, 2 f; 3, 2 f etc. μὲν  
without δέ 19, 9; 48, 23; 58, 5. μὲν  
in irregular position 48, 24; μὲν—δέ—  
δέ 4, 18 f; 21, 13. μὲν οὖν, continuing  
a narrative, 2, 10; 9, 10; 14, 15; 16,  
22; 17, 1; 19, 26; 21, 3; 22, 5, 24;  
23, 16; 26, 12; 28, 1, 23; 29, 1; 33,  
1; 35, 18; 43, 13 (?); 47, 30; 48, 7;  
52, 17; 54, 16; 57, 5; concluding a  
narrative, 3, 14, 22, 33; 4, 1; 6, 21;  
8, 8; 9, 1; 10, 1; 13, 1; 15, 1; 16, 1;  
21, 1; 23, 1; 25, 1; 26, 1; 30, 1; 31,  
1; 32, 1, 7; 34, 1; 35, 1; 36, 1; 41,  
1; 43, 1; 45, 21; 50, 1; 55, 1; 56,  
28; 60, 1

μὲν(τοι) 28, 35

μὲν· μένεν—ἔως ἐθάρρησαν 40, 6; μένεν  
ἐν τῇ θόλῳ 44, 5; μὴ θέλουσι μένεν 49,  
3; ἔμεινεν ἐν τῇ ἀρχῇ 16, 35; τῶν ἐν  
ἄστει μεινάντων 38, 31; 39, 3; μόνη τῶν  
ἀρχῶν—μεμένηκε διὰ βίου 3, 38

μερίζω κατὰ τὰς—τριτῆς 21, 10; (τὰς  
καταβολὰς) μερίζουσι ταῖς ἀρχαῖς 48, 8

μερισμός 48, 9, 11 (*Met.* 1027 b 20 Bz μ.  
ἀντιφάσεως)

μέρος, κατὰ 55, 5; τὸ λαχὸν μέρος 30, 16  
(decree); 58, 7; ἐν μέρει 43, 7; 56, 13;  
ἐν τῷ μέρει 69, 14. τὰ δύο μέρη 51, 17.  
διένειμε τὴν χώραν—τριάκοντα μέρη 21,  
12; διανεῖμαι τέτταρα μ. 30, 17 (decree);  
διανεῖμαντα δέκα μ. 58, 6; νενέμνηται  
—δέκα μ. 63, 20

μετὰ *c. gen.*, *passim*, e.g. τῶν Ἀθηναίων  
19, 33; αὐτοῦ 14, 28; 20, 11, 15; τού-  
των 14, 6; τῶν ἄλλων 42, 37; τῆς  
βουλῆς 31, 14; 60, 6; τῶν ἐννέα ἀρχόν-  
των 62, 1; τῶν ἐπιμελητῶν 56, 23; τῶν



προβούλων 29, 11; μεθ' ὀποτέρων ἐβού-  
λετο 11, 13; μηδὲ μεθ' ἑτέρων (= μετὰ  
μηδετέρων) 8, 30; σύμβολον—μετὰ τοῦ  
γ 68, 12; μεθ' ὄπλων 18, 28; μετὰ  
σπουδῆς 25, 17

*c. acc.* τὴν Σόλωνος ἀρχήν 13, 3; τὴν  
τῶν νόμων θέσιν 14, 7;—κάθοδον 15, 2;  
41, 22;—τῶν τυράννων κατάλυσιν 13, 23;  
21, 2;—κατάστασιν 14, 19; 22, 6;—  
ναυμαχίαν 23, 22;—νίκην 22, 11;—Ὀλι-  
γαρχίαν 53, 4;—ἐν Σικελίᾳ συμφοράν  
29, 2;—τοῦ πατρὸς τελευτήν 19, 38;—  
τυραννίδα 22, 23;—τὸν θάνατον 19, 4;  
—οὐ πολλὸν χρόνον 25, 24; 34, 13;—οὐ  
πολύ 6, 10;—ταύτην 41, 9, 11, 17, 21;  
—τὰ Μηδικὰ 23, 2; 25, 2; 41, 15;—  
τούτους 28, 11; βέλτιστοι μετὰ τοὺς ἀρ-  
χάσιους 28, 29; μετὰ ταῦτα 2, 1; 10, 3;  
14, 20; 15, 1; 19, 1; 22, 26, 28; 24,  
1; etc. πρῶτον μὲν—μετὰ δὲ ταῦτα 55,  
15

μεταβολή 13, 15; *pl.* 16, 2; 41, 5  
μεταδίδωμι· τοῖς τὸ θητικὸν τελούσιν ἐκκλη-  
σίας καὶ δικαστηρίων μετέδωκε μόνον 7,  
15; ὡς μεταδώσαντες τῆς πολιτείας 36,  
7; βουλόμενοι μεταδοῦναι τοῖς ἐπικρέσει,  
τρισχίλοις μόνοις μεταδίδασσι 36, 9;  
μεταδοῦναι τῶν πραγμάτων τοῖς βελτίσ-  
τοις 36, 3; μετεδίδου τῆς πολιτείας πᾶσι  
τοῖς—συγκατελθοῦσι 40, 9

μεταιχιμῶ, ἐν 12, 65 (Solon)  
μετακινεῖν (τοὺς νόμους) 31, 9 (decree)

\* μεταλλικὰ δίκαι 59, 14  
μέταλλον· τὰ μέταλλα τὰ ἐν Μαρωνείᾳ 22,  
29; τὰ μ. πωλοῦσι 47, 8; τὰ πρᾶθέντα  
μ. 47, 11

\* μεταπέμπομαι· τὸν Ἴωνα μετεπέμψαντο  
3, 8; τοὺς περὶ Ἀνακρέοντα κτλ οὗτος ἦν  
ὁ μεταπεμπόμενος 18, 6; τοὺς—φυγάδας  
μετεπέμψαντο 20, 17; βόθησιαν μετα-  
πεμπόμενοι 38, 8

μετάστασις (τῶν ἐξ ἀρχῆς) 41, 6  
μετατίθημι· τὰς στάσεις ἀμφοτέρας μετα-  
θέσθαι 11, 9

μετέχω· οὐδενὸς 2, 12; οὐδεμιᾶς ἀρχῆς 7,  
29; τοῦ καταλόγου 37, 7; τῆς πόλεως  
8, 30; 26, 22; τῆς πολιτείας 21, 5; 42,  
2; πάντων τῶν τόπων 21, 15; *abs.*  
μετεχόντων πολλῶν *sc.* τῆς πράξεως 18,  
14

μετέωρος, ὀχετοῦς 50, 12  
μετοίκος· (*opp.* οἰκέτης, ξένος) 57, 18; *pl.*  
(*opp.* τῶν Ἀθηναίων) τῶν μετοίκων  
43, 25; εἰσάγει δίκας—τοῖς μετοίκους—  
ἴσα τοῖς πολίταις ὁ ἀρχων, ταῦτα τοῖς  
μετοίκους ὁ πολέμαρχος 58, 10 f; τοῖς  
μετοίκους καὶ τοῖς ἰσοτελέσι καὶ τοῖς  
προξένους 58, 5

μέτριος· μέτριον γενέσθαι καὶ κοινόν 6, 14  
(of Solon); μέτριοι τοῖς πολίταις 35, 8;  
εὐποροῦντες τῶν μετρίων 16, 9; ἔχων  
τὰ μέτρια 27, 16. ἐν μετρίοις 5, 18  
(Solon)

μετρίως 16, 3  
μέτρον· *pl.* πεντακόσια μέτρα 7, 16; μέτρα  
10, 4; μέτρων καὶ σταθμῶν 10, 3; 51,  
6; τοῖς μέτροις διηρησθαι 7, 25

\* μετρονόμεοι 51, 5  
μέχρι δέκα δραχμῶν 52, 18; 53, 5; εὐ-  
θύνων 4, 12; Σόλωνος 2, 9; τούτου 23,  
1; ἀρχῆς τέλους 56, 7; τίνων 53, 37;  
τῆς νῦν (*sc.* πολιτείας καταστάσεως?) 41,  
23 (τοῦ νῦν usurpat Ar.); τοῦ κ 63, 20;  
64, 3; τριῶν 43, 25; πεντακισχιλίων  
67, 8

μή· (1) *c. conj.* φοβηθέντες μή 36, 5;  
φοβούμενοι μή 38, 9. ἐάν μή 30, 24,  
33 f; 34, 12; *elliptical* 35, 15; 39, 11;  
ἂν μή 46, 5; 53, 29; κἂν μή 42, 6, 10;  
43, 26; 52, 13; 53, 7; 56, 30, 45;  
68, 13. ἴνα μή 21, 17; 42, 35; 47, 3 f;  
64, 10, 21 f; 68, 18. ὅπως μή 16, 15;  
21, 9; 35, 16; 66, 22 f; 68, 15; ὅταν  
μή 57, 29; ὅς ἂν μή 8, 29; 26, 22 f; ὅ τι  
ἂν μή 45, 21; ὅσοις μή 12, 14 (Solon)

(2) *c. opt.* εἰ μή ἀποδιδόειν 2, 7; ὅσοι  
μή συνεχέσμεθα 22, 18

(3) *c. ind.* εἰ μή τι παρεωράτο 26, 18;  
εἰ μή ἀφήσουσιν 32, 16; ὅσοι—μή ὀφεί-  
λουσιν 63, 12; οἷς μή ἔξεστι 63, 13;  
ὅπως μή μισθωθῆσονται 50, 7

εἰ δὲ μή, *elliptical* 22, 35; 49, 18;  
52, 5; 54, 11

*c. inf.* after ἀποψηφίσονται 42, 8;  
ἔγνωσαν 26, 22; ἔδει 4, 16; δοκεῖν 43,  
24; εἰσαγγέλλειν 45, 15 (cf. 59, 6);  
ἐσοπυμένους 49, 14 f; ὀμνύουσιν 55,  
31; παραινῶν 5, 15; νόμον ἔθηκε 8, 30;  
τὴν πολιτείαν διέταξαν 29, 29, 35; *sim.*  
30, 13; 14; 31, 8, 17; 39, 6, 16;  
ἐσοπυδαζον 38, 15; φῆ 56, 18

*c. inf.*, *c. articulo*, τὸ μή δανείζειν  
9, 3; τὸ μή φυλοκρινεῖν 21, 6; διὰ τὸ  
μὴ γεγράφθαι (9, 7), δύνασθαι (9, 12),  
βούλεσθαι (15, 3), χρῆσθαι (22, 3).  
ὥστε μή δυνατοὺς εἶναι 49, 27

μηδέ· *c. imperat.* 20, 23 (scolium); after  
ἴνα μή, 64, 22; 66, 18; after *inf.* with  
μή, 9, 8; 31, 9; 39, 22; before *inf.* 8,  
29; 26, 4

μηδεῖς· after ἐάν 55, 23; ἔως 28, 37; ἴνα  
66, 10, 17, 19; ὅπως 43, 22; 50, 9.  
*c. inf.* μή ἐξείναι μήτε τοῖσι μήτε  
ἄλλῳ μηδενί 31, 17; μηδενί πρὸς μηδένα  
μνηστικακείν ἐξείναι 39, 20; τὸ μηδὲν—  
διοικεῖν 3, 16; μηδὲν ἀεικέες ἔχειν 12, 7  
(Solon); ὥστε μή δύνασθαι μηδὲν ἔργον  
ἐργάζεσθαι 49, 27; ψηφισάμενοι μηδε-  
μίαν ἀρχὴν εἶναι μισθοφόρον 33, 9

Μηδικὰ, μετὰ τὰ 23, 2; 25, 2; 41, 16;  
Heracl. epit. l. 8; frag. 4

\* μηδισμοῦ, κρινεσθαι 25, 12

Μηλόβιος 29, 6

μῆν· οὐ μῆν ἀλλά 6, 12; 7, 20; + καὶ 2,  
11. οὐ μῆν εἰκὸς ἀλλά 9, 12. ἦ· μῆν  
29, 12 (decree)

μήν, ὁ· μηνὸς Θαραγηλιῶνος 32, 4; τοῦ Ποσειδεῶνος μηνὸς 67, 16; τὸν Ἑκατομβαιῶνα μῆνα 62, 13; δύο μῆνας ἤρξεν 13, 7; μῆνας τέτταρας 33, 1; δέκα μῆνας 33, 3; καθάπερ οἱ μῆνες εἰς τὸν ἑνιαυτὸν (διήρηται) frag. 3  
 μηνύειν 18, 18; ἐμήνυεν 18, 33; μηνύσων 18, 34  
 μήτε—μήτε· 12, 12 (Solon); *c. inf.* 11, 3; 31, 17; 39, 6 (decree); ἴνα—66, 18; ἴνα μήτε—ἀλλά—καὶ ὅπως μήτε—μήτε 16, 8—10; μήτηρ μεγίστη δαιμόνων 12, 31 (Solon); τίς μήτηρ καὶ τίς μητρός πατήρ 55, 14  
 μικρός· [χρόνον] μικρὸν 15, 18; ἐν οὕτω μικροῖς 6, 17; *adv.* μικρὸν ἂν παραλλάττοι 3, 14; μ. παρεγκλίνουσα 41, 10; κατὰ μ. ἀξαναομένη 23, 2; ὑποφερομένη κατὰ μ. 25, 3  
 Μιλτιάδης 26, 5; 28, 10  
 μισθοὶ τοὺς οἴκους τῶν ὀρφανῶν 56, 43; μισθοῦσι τὰ μισθώματα 47, 8; τῷ λαχόντι μισθοῦσιν 50, 9. *Pass.* ὅπως—μὴ μισθωθῆσονται 50, 7. *Mid.* στρατιώτας μισθωσάμενος 15, 8; ἐμισθώσαντο τὸν ἐν Δελφοῖς νεῶν οἰκοδομῆν 19, 20  
 μισθὸς (δικαστικός) 65, 19; 66, 20; 69, 14; *cf.* τρεῖς ὀβολοῖς 62, 7. μ. (ἐκκλησιαστικός) 41, 29—35; 62, 6 f  
 μισθοφορὰ· κατεσκεύασε μισθοφορὰν τοῖς δικασταῖς (Pericles) 27, 22; ἄνευ μισθοφορᾶς 30, 5 (decree). (μισθοφορὰν πορίζειν *Pol.* 1304 b 27)  
 μισθοφόρα τὰ δικαστήρια, ἐποίησε 27, 11; μηδεμίαν ἀρχὴν εἶναι μισθοφόρον 33, 9; μισθοφόρον ἐκκλησίαν—ἀπέγνωσαν ποιεῖν 41, 29. *Cf.* *Pol.* 1303 b 1; *Rhet.* 1399 b 2  
 μισθοφορεῖν, ἐν ταῖς στρατείαις 27, 10; μισθοφοροῦσι δραχμὴν 62, 6; πέπαιται μισθοφορῶν 49, 8. *Cf.* *Pol.* 1317 b 35  
 \*μισθώματα 47, 8  
 μίσθωσις 47, 27; μισθώσεις τῶν τεμενῶν 47, 26. κατὰ ταύτην τὴν μίσθωσιν 2, 5; τὰς μισθώσεις ἀποδιοδοῖεν 2, 7  
 μισῶ· μισεῖν 28, 24  
 μῆνᾶ 10, 5, 8, 9; δέκα μῆνῶν 4, 6; ἑκατὸν μῆνῶν 4, 9; ἐντὸς τριῶν μῆνῶν 49, 26; τριάκοντα μῆνας 50, 3; ἑκατὸν μῆνας 56, 26  
 Μνησιθείδης ἄρχων (457/6) 26, 16  
 \*μνησικακεῖν 39, 20 (decree); 40, 11. ἐμνησικάκησε 40, 16 (μνησικακος *Rhet.* 1381 b 4; *Eth.* 1125 a 5)  
 Μνησίλοχος, ἤρξεν—διήμενον (411 B.C.) 33, 2  
 \*μοῖρα (= μέρος)· συνεβάλλετο δ' οὐκ ἐλάττω μοῖραν 19, 24  
 μοιχείας γραφὴ 59, 11  
 μοιχὸν λαβῶν 57, 19; Heracl. epit. § 3  
 μόνος, *c. gen.* 3, 21, 38; ἴνα μόνον 67, 5; αὐτὴν μόνην 68, 18; οὗτοι—μόνοι 53, 32; 54, 5; ταῦτα—μόνα 57, 16; τρισχιλοῖς μόνους 36, 9. *Adv.* 7, 15;

λόγῳ μόνον 32, 12; ἐν δικαστηρίῳ μόνον 55, 8; οὐ μόνον—ἀλλὰ καὶ 28, 31; 40, 18  
 \*μονοχίτων 25, 18  
 \*μορίαί 60, 8, 9; ἐλαίαν μορίαν 60, 11  
 Μουνιχία 19, 5; 38, 2, 16; 42, 21. (στρατηγός) εἰς τὴν Μ. 61, 6  
 μουσικῆς, ἀγῶν τῆς 60, 5. τοῖς τὴν μουσικὴν νικῶσιν 60, 21  
 μύδρος· τοὺς μύδρους ἐν τῷ πελάγει καθεῖσαν 23, 24 (only in *de Mundo* 395 b 23 μύδρους διαπύρους)  
 \*μυλωθροὶ 51, 11  
 Μύρων 1, 1  
 \*μύσται, ὅταν οἰκουρῶσι 56, 22  
 μυστήρια *pl.*, ὁ βασιλεὺς μυστηρίων ἐπιμελεῖται 57, 2; μὴ ἐξεῖναι Ἐλευσινιάδε ἰέναι πλὴν μυστηρίοις 39, 8 (decree)  
 Νάξιος 15, 11  
 Νάξος 15, 15  
 \*ναυκραρίαί 8, 13 f; τοὺς δήμους ἀντι τῶν ναυκραριῶν ἐποίησεν 21, 21  
 \*ναυκραρικοῦ ἀργυρίου, ἐκ τοῦ 8, 18 (decree)  
 \*ναύκραροι 8, 14, 17; 21, 30  
 ναυμαχία, ἡ περὶ Σαλαμίνα 23, 5; ἐν Σαλαμῖνι 23, 22; 27, 7. ἡ περὶ Ἐρέτριαν 33, 4. ἐν Ἀργινοῦσαις 34, 4. ἐν Αἰγὸς ποταμοῖς 34, 15. ἠτύχησαν—ναυμαχίαν 34, 15  
 ναυμαχῶν· ἐναυμάχησαν ἐν Σαλαμῖνι πρὸς τοὺς βαρβάρους 22, 37  
 ναυπηγουμένου 22, 37; ἐναυπηγήσατο 22, 36 (only in *Oec.* 1349 a 25 ναυπηγεῖσθαι τριήρεις μέλλων. ναυπηγὸς and ναυπηγία in *Pol.*; ναυπηγική in *Eth.*)  
 ναῦς· ἐπ' ἄλλοτριάς νεῶς 34, 6; νῆες φρουρίδες 24, 18; ἄλλαι νῆες 24, 19; ἐνεβίβασεν εἰς τὰς ναῦς 23, 7; ἀρχιτέκτονας ἐπὶ τὰς ναῦς 46, 4  
 ναυτικὴν δυνάμιν, τὴν 27, 5  
 νέμω· νέμμαι—τοὺς ἄλλους πρὸς τὴν λῆξιν ἐκάστην 30, 16 (decree); ἴνα νευμηθῶσιν—εἰς τὰς τέτταρας λήξεις 31, 18 (decree); ἐκ τῆς φυλῆς ἐκάστης νευμημέναι τριττύες τρεῖς 8, 13; νευμηνται κατὰ φυλὰς δέκα μέρη οἱ δικασταί 63, 20; ἐφ' ἑκάστον δικαστήριον νευμημένοι... ὧσιν οἱ δικαστὰ 66, 11. *Mid.* ἐάν τις μὴ ἔλθῃ κοινὰ τὰ ὄντα νέμεισθαι 56, 37  
 Νεοκλῆς 23, 14  
 \*νεοπολίτας, τοὺς 21, 17  
 νέος ὢν 27, 3; τῇ νέᾳ βουλῇ 46, 5. νεώτερος 18, 6; ν. ὀκτωκαίδεκ' ἐτῶν 42, 13; νεώτερον (?) 26, 5  
 \*νεωρίων, φρουροὶ 24, 15  
 νεῶς ὁ ἐν Δελφοῖς 19, 20  
 \*νεῶσοικοι 46, 2, 4  
 νεωστή 3, 18  
 νίκη, μετὰ τὴν 22, 11. τῶν Νικῶν 49, 22; τὰς Νίκας 47, 5  
 Νικίας 28, 15, 29



Νικόδημος (or Νικομήδης) ἄρχων (c. 483/2)  
22, 29

νικῶ νικᾶν 12, 9 (Solon). ἐνίκησεν (τοὺς ἰππεῖς) 19, 31. *c. acc. cogn.* νικήσας τὴν ἐπὶ Παλληνίδι μάχην 15, 12; νικήσας τὴν ἐν Μαραθῶνι μάχην 22, 10; τοὺς νικῶσι—τοῖς τὴν μουσικὴν νικῶσιν—τὴν εὐανδρίαν—τὸν γυμνικὸν ἀγῶνα καὶ τὴν ἵπποδρομίαν 60, 20 f. *c. dat.* νικησάντων μάχῃ 38, 2; τοὺς τῇ ναυμαχίᾳ νικῶντας 34, 5. ὁ νικήσας (of one who gets a decree passed) 45, 24. (In the law-courts) ἐὰν δὲ νικήσῃ 42, 11; οὗτος νικᾷ 69, 9

νομίζειν 6, 21; 29, 8; νομίσαντες 18, 18  
νομίμων, εἰργεσθαι τῶν 57, 14  
νόμισμα, πρὸς τὸ, 10, 7; τὴν τοῦ νομί-  
σματος ἀξίῃσιν 10, 4

νομοθεσία 10, 2

νομοθετῶ· ἐνομοθέτησεν περὶ τῶν ἐννέα  
ἀρχόντων 8, 8; τὰ βέλτιστα νομοθετή-  
σας 11, 15 (both of Solon)

νόμος· ὁ νόμος κύριός ἐστιν 47, 4; ὁ μὲν  
νόμος ἔστιν, ἢ δὲ κρίσις καταλέλυται 60,  
13; οὐδ' εἰς τὴν ἀγορὰν νόμος ἐμβλεῖν  
αὐτῷ 57, 29; κράτει νόμος (?) 12, 43  
(Solon); ὁ νόμος κελεύει 8, 6; 49, 26;  
51, 14; 53, 29 f; κελεύουσιν οἱ ν. 43,  
29; 53, 34. νόμον ἀναγιγνώσκω 67,  
12; ἀναγράφαντες τοὺς ν. 7, 3; νόμους  
ἀνεγράψαν 41, 12; τοὺς—νόμους ἀφα-  
νίσαι 22, 2; μὴ γεγράφθαι τοὺς ν.  
ἁπλῶς μηδὲ σαφῶς 9, 7 (ἀσαφεῖς ποιῆσαι  
τοὺς ν. 9, 11); ἐν τοῖς ν. γέγραπται 8,  
16; διατηρεῖν τοὺς ν. 3, 35; ἐμβάλοντες  
τοὺς ν. εἰς ἐχίλους 53, 10; τοὺς ν.  
ἐξηγεῖσθαι 11, 6; νόμον ἔθηκε 8, 28;  
22, 16; νόμους ἔθηκε 6, 3; 7, 1; 29,  
17; ἐν τοῖς νόμοις ταῦτα θείναι 10, 1;  
νόμον μὴ ἐπιτήδειον θείναι 59, 6; Σό-  
λωνος θέντος νόμον 8, 26; τὴν τῶν  
νόμων θέσιν 14, 7; νόμον ἔθετο (ὁ  
δῆμος) 45, 8; νόμος ἐτέθη 22, 4, 13,  
26; οὐ κεῖται ἐν τοῖς ν. 67, 26; νόμους  
εἰσήνεγκαν εἰς τὴν βουλὴν 37, 5; ἐπι-  
κυρωθέντων τῶν ν. 37, 12; κατέκλεισεν  
τοὺς ν. εἰς ἑκατὸν ἔτη 7, 7; ἐὰν τινα  
παραβῶσι τῶν ν. 7, 6; τοῖς ν. προσέ-  
χοντες 26, 13; χρῆσθαι τοῖς ν. 22, 3,  
12; 31, 8; 45, 15; 55, 17. νόμους  
εἰσαγγελλίας 8, 26; ὀστρακισμοῦ ν. 22,  
5, 13. περὶ τῶν ἀγορανόμων 51, 2;  
— ἀδυνάτων 49, 26; — Ἀρεοπαγιτῶν  
35, 10; — διαιτητῶν 53, 29 f; — σιτο-  
φυλάκων 51, 14; — ταμιῶν 8, 6; —  
τυράνων, τυραννίδος 16, 39, 41. τὴν  
ἡλικίαν τὴν ἐκ τοῦ ν. 42, 5; τὰ ἐκ τῶν  
ν. 69, 13; τῶν δικῶν τῶν ἐκ τῶν ν.  
67, 3; ἐλ μὴ τι παρεωράτο τῶν ἐν τοῖς  
ν. 26, 19; ἐπὶ τοῖς ν. (γραμματεῖα) 54,  
19; κατὰ τὸν Σόλωνος νόμον 47, 3;  
κατὰ τοὺς ν. 4, 21; 16, 31; 48, 7; 55,  
31; 57, 19; παρ' ὃν ἀδικεῖται νόμον 4,

23; περὶ τῶν ν. 11, 2; 31, 6; ὑπὸ τῶν  
ν. 51, 2

\*νομοφυλακεῖν, ἐπὶ τὸ 8, 20 (νομοφύλακες  
and νομοφυλακία in Pol.)

νοσήσας 17, 2. Μετ' τὰ πράγματα νοσ-  
οῦντα 6, 19; διετέλουν νοσοῦντες 13, 12  
νοῦς· νόος ἄριστος 12, 14; μέγαν νόον 5,  
17; τραχύν—νόον 12, 19 (Solon)

νόκτα καὶ ἡμέραν 44, 2

νῦν 3, 24; 32, 9, 13; 12, 58 (Solon); 41,  
3, 24; 42, 1; 54, 32; *c. fut.* 40, 12;  
after *imperf.* 51, 9. καὶ νῦν 3, 39; 7, 29;  
ἔτι καὶ νῦν 3, 25; 7, 6; 8, 6; 22, 7.  
τὸ νῦν εἶναι 31, 9 (decree). πρόσθεν—  
νῦν 12, 34 (Solon); τότε—νῦν δέ 12, 12  
(Solon); (opp. τὸ μὲν ἐξ ἀρχῆς) 55, 4;  
(opp. πρότερον μὲν) 45, 19; 53, 24;  
54, 19; 55, 11, 25; 56, 25; 61, 2;  
(opp. πρότερον δέ) 56, 9; (opp. ποτέ)  
49, 21

Ξάνθιππος ὁ Ἀρίφρονος 22, 28; 28, 10

Ξεναίετος ἄρχων (401/0) 40, 27

ξενίας γραφὴ 59, 8; ἀποφογγὴ τὴν ξενίαν  
59, 9

ξένος· (1) 'guest-friend', Κλεομένην ὄντα  
ἑαυτῷ ξένον 20, 6; καίπερ ὄντων ξένων  
αὐτοῖς 19, 23; (2) 'foreigner', 57, 18

Ξέρξου στρατεία 22, 40

Ξηρά καὶ ὕγρα, μέτρα 7, 16

Ξοῦθος· frag. I, 6

ξύλιος (ἀμφορεύς) 68, 15, 17, 27

ξυνήγαγον 12, 28 (Solon)

ὁ, ἡ, τό, the article used (1) as a demon-  
strative, τοῖς and τοῖσιν 12, 7, 50  
(Solon); ὁ δέ 15, 23; οἱ δέ 36, 3; ὁ  
μὲν—ὁ δέ 23, 14; οἱ μὲν—οἱ δέ 13, 13 f;  
ἀπὸ τὰ μὲν—τὰ δέ 27, 10. (2) as a  
relative, τῶν μὲν ὄντων, and τῆς ἐγὼ  
ποτε, 12, 28, 32 (Solon). (3) after  
subst. *without* article, e.g. Λεψιδόριον  
τὸ ὑπὲρ Πάρνητος 19, 12; Ἀθηναίων  
τῶν ἐν ἄστει μεινάντων 39, 2. (4) after  
subst. *with* article, e.g. ἡ βουλὴ ἡ ἐξ  
Ἀρείου πάγου 4, 20; τῆς—πολιτείας  
τῆς πρὸ Δράκοντος 3, 1. (5) in place  
of repeated subst. ὡς—παραπλησίαν  
οὔσαν τὴν Κλεισθένους πολιτείαν τῇ  
Σόλωνος 29, 20. (6) with predicate,  
ὁ δῆμος ἐστὶν ὁ κρατῶν 41, 26; ἔστι δ'  
ἐπιστάτης εἰς ὁ λαχῶν 44, 1; ὁ προαγο-  
ρευῶν οὗτός ἐστιν 57, 13. (7) for  
ἕκαστος· δύο ὀβολοὺς ἕκάστῳ τῆς ἡμέρας  
49, 28 (law); τρεῖς ὀβολοὺς ἕκαστον τῆς  
ἡμέρας 29, 32; δραχμὴν τῆς ἡμέρας 62,  
12. ἀπαξ ἐν τῷ ἐνιαυτῷ 44, 14; εἰς ἐκ  
τῆς φυλῆς 47, 3, 8; ἕνα τῆς φυλῆς 61,  
23. (8) in periphrastic phrases, οἱ περὶ  
τὸν Μεγακλέα καὶ τὸν Λυκοῦργον 14,  
18; οἱ περὶ Ἀνακρέοντα καὶ Σιμωνί-  
δην κτλ 18, 5; οἱ περὶ τὸν Κλεο-  
μένην κτλ 20, 12; ἴων ἐπὶ τὸ θεωρικόν

- 43, 3; τῶν ἐν τῇ πολιτείᾳ 38, 9; τὰ κατὰ τὴν πολιτείαν 2, 10; 29, 1 f; τὰ περὶ τὰς ἀρχάς 3, 33; τὰ πρὸς ἑαυτοῦς 13, 13; τὰ εἰς τὸν πόλεμον 23, 10; τὰ τοῦ πολέμου 30, 30 (decree); μήτε τὸν ἐπὶ τὸ ὕδωρ μήτε τοὺς ἐπὶ τὰς ψήφους 66, 18. (9) with *adv.*, as τὸ μὲν ἐξ ἀρχῆς 55, 3; and with *inf.*, as διὰ τὸ ἀποβαλεῖν Πύλον 27, 26. Omitted with certain words and phrases; cf. Neustadt's *Indices* to Berlin ed. See, also, ἕκαστος, ὅδε, and τρόπος
- ὀβολός· 41, 33; 62, 9. δύο ὀβολοῦς (τοῖς ἀδυνάτοις) 49, 28; πρὸς δυοῖν ὀβολοῖν ἄλλον ὀβολὸν 28, 22; τρεῖς ὀβολοῦς 29, 32; 62, 8; τέτταρας 42, 26; 62, 10; πέντε 62, 8; ἑννέα 62, 7
- ὀγδόη 41, 20
- ὅδε· ἡδ' ἐχρήρωθη πόλις 12, 52 (Solon); τήνδ' ἀνέθηκε 7, 32 (epigr.). ὅδε 16, 42; τήνδε 31, 2; τάδε 7, 21; 16, 42; 30, 4; τοῖσδε 12, 3; + τοῖς 5, 14; τάσδε 39, 2; + τὰς 54, 1. Article omitted in papyrus after ὅδε, in 7, 8; 29, 29; 37, 5; but not in τόνδε τὸν τρόπον, 4, 4; 15, 16; 42, 1.
- \*ὄδοποιόι 54, 1
- ὄδος 50, 11—14; 54, 2
- ὄδυνα 16, 21
- ὄθεν (1) 'whence', (of place) 15, 7; (of origin etc.) ὄθεν φασὶ γενέσθαι 6, 11; — συνέβη 18, 12; — εὐπόρησαν χρημάτων 19, 20; — ἐλέχθη τὸ φυλοκρινεῖν 21, 5. (2) 'wherefore', ὄθεν καὶ 3, 8; 17, 15; 21, 18; — ἔτι 8, 3; + καὶ νῦν 7, 6; — ὕστερον 19, 13
- οἶδα· εἴ τίς τινα οἶδεν ἀδικοῦντα 48, 11; ὅταν μὴ εἰδῆ τὸν ποιήσαντα 57, 30; ὅσοι εἰδότες κατασιπώσιν 14, 12
- Οἴθηεν 27, 19
- οἰκείας, ἐκ τῆς 7, 16; τῶν οἰκείων 40, 24
- οἰκείως εἶχον, πρὸς τὸν Θηραμένην 36, 5
- οἰκέτην ἀποκτείνῃ 57, 17
- οἰκήματα 15, 21
- οἰκία· ἐὰν—οἰκίαν λαμβάνωσιν 39, 10; οἰκίας 20, 9; τὰ χωρία καὶ τὰς οἰκίας 47, 21; 52, 6; τῶν οἰκιῶν—τὴν τιμὴν 47, 23
- οικοδομεῖν 19, 20
- οικοδομήματα δημόσια 46, 8
- οἴκου ὄρφανικοῦ κακώσεως 56, 34; οἴκου ὄρφανῶν καὶ ἐπικλήρων 56, 43
- \*οἰκουρῶσι μύσται, ὅταν 56, 22
- οἰκῶ· *c. acc.* οἰκεῖν τὴν πόλιν 22, 19; *c. praep.* τοὺς οἰκοῦντας ἐν ἐκάστῳ τῶν δήμων 21, 16; οἰκεῖν ἐν τῷ ἄστει 24, 3
- οἶνοχοεῖν 20, 24 (scol.)
- οἶομαι· *c. acc. c. inf.* οἴονται 9, 10; οἴεσθαι 11, 6; ᾤετο 11, 10
- οἶος· οἶους ἀνδρας ἀπώλεσας 19, 16 (scol.); ἔδειξαν οἶων πατέρων ἔσαν 19, 18 (scol.). *relat.* ἕν' εἰς οἶον ἂν λάχῃ εἰσίῃ καὶ μὴ εἰς οἶον ἂν βούληται 64, 20 f; οἶον ἂν
- λάχῃ 66, 10. 'for example', 35, 14; 57, 19. \*οὐχ οἶον\*—ἀλλὰ καὶ 40, 23
- ὀκτώ 23, 7. ὀκτωκαίδεκα ἔτη 42, 3, 13
- ὄλβος 12, 13, 18 (Solon)
- ὀλιγαρχία κατέστη 32, 7; ὀλιγαρχίας ἐπέθύουον 34, 20; ἐν ὀλιγαρχίᾳ 38, 29; τὴν ὀλιγαρχίαν ἐξήτουν 13, 19; χειροποτεῖν τὴν ὄλ. 34, 26; τὴν προτέραν ὄλ. 37, 11; τὴν ἐπὶ τῶν τριάκοντα ὄλ. 53, 4
- ὀλιγαρχική, ἡ πολιτεία 2, 2; *pl.* προσθεμένου τοῖς ὀλιγαρχικοῖς 34, 25
- ὀλίγος· μετ' ὀλίγων τῶν Ἀθηναίων 20, 9; κατ' ὀλίγους 66, 2. (In political sense, opp. το οἱ πολλοί), τῶν πολλῶν δουλεύοντων τοῖς ὀλίγοις 5, 2; εὐδιαφορότεροι (οἱ) ὀλίγοι τῶν πολλῶν 41, 28; ἡ γῆ δι' ὀλίγων ἦν 2, 6; 4, 24; δι' ὀλίγων ποιήσονται τὴν πολιτείαν 29, 9. *compar.* οὐκ ἐλάττω 4, 6; 19, 24; οὐκ ἐλάττους 35, 26; *adv.* οὐκ ἔλαττον 4, 8; μὴ ἔλαττον 29, 35
- ὀλιγαρῶ· τούτων μὲν ὀλιγαύρησαν 36, 12
- ὄλος· τὴν ἄλην—πραΐξιν 18, 21; ἐκ τῆς φυλῆς ἄλης 62, 2; τῆς Εὐβοίας ἄλης 33, 4
- Ὀλυμπίων, δαιμόνων 12, 31 (Solon)
- ὄλως 5, 20; 13, 12
- ὀμιλίας—προσήγετο, ταῖς 16, 37
- ὀμιλοῦντας, τῷ δῆμῳ πρὸς χάριν 35, 19
- ὄμνυμι· (ἄρκον) ὀμνύουσιν 22, 7; — ὀμόσαι 31, 6 (decree); (ἄρκους) ὤμοσεν τοῖς Ἴωσι 23, 23; — ὀμόσωσιν 39, 15; οὐτως ὀμνύουσι 7, 6; ταῦτά —, 55, 34. *Adv.* ὀμόσαντες 42, 4, 15; 55, 29, 33. ὀμνύντες πρὸς τῷ λίθῳ 7, 5; ὀμόσαντες — καθ' ἱερῶν 1, 1; — καθ' ἱερῶν τελεῶν 29, 39. *c. inf. fut.* ὀμνύουσιν ποιήσιν 3, 11; — δικαίως ἄρξεν 55, 31; ὤμοσαν χρήσεσθαι 7, 4; ὀμόσαντες ἡ μὴν συγγράψιν 29, 12 (decree)
- ὀμοίως 12, 45 (Solon); οὐχ ὀμοίως καὶ πρότερον 26, 12; ὀμοίως—καὶ ἐπὶ τῶν ἄλλων 35, 17
- ὀμολογία 19, 35
- ὀμολογῶ· ὀμολογοῦσιν 28, 31; ὀμολογῆ 57, 19; ὀμολογῶσι 52, 3; ὀμολογεῖται 5, 13; 28, 31
- ὀμονοίας, ἄρχειν τῆς 40, 23
- \*ὀμοφρονήσαντες 14, 18
- ὀμόχρων τῷ δικαστηρίῳ, βακτηρίαν 65, 2; δικαστήριον ὀμόχρων τῆ βακτηρίᾳ 65, 8
- ὄνειδίζω 12, 55; ὄνειδίσας 18, 36; ὄνειδίσαι 12, 57 (Solon)
- ὄνομα 7, 18; 14, 27; 17, 13; 48, 20; 54, 36; 63, 19; *pl.* 49, 12; 65, 15; 66, 4
- ὄπλα, ἀνελόντες 15, 21; ἐξαράμενος 14, 13; μὴ θῆται 8, 29; παρείλετο 15, 15; παρείλοντο 37, 14; παρελέσθαι 37, 4; παρελόμενος 15, 13; παρεχόμενοι 4, 5, 7. ἀπὸ τῶν ὄπλων 18, 27; τοῖς ἐκ τῶν ὄπλων 33, 8; ἐκ τῶν ὄπλων τῆς πολιτείας οὐσης 33, 14; μεθ' ὄπλων 18,



28; περί τῶν ὄπλων 15, 24. ἐξέτασιν ἐν ὄπλοις 31, 11 (decree)  
 ὀπλίται 24, 18; 61, 21, 24. (στρατηγός)  
 ἐπὶ τοὺς ὀπλίτας 61, 4; ἡγείται τῶν ὀπλιτῶν 61, 4  
 \*ὀπλομαχεῖν 42, 23  
 ὀπότερον ἂν 46, 3; 69, 9; μεθ' ὀπότερων 11, 13; ὀπότερος ποτ' ἔχει 3, 14  
 ὄπου 66, 21; — καθίζειν 43, 15; ὄπου ἂν ἦ ἐπιγεγραμμένον 64, 20  
 ὄπώρα· τῆς ὄπώρας ἀπολαύειν 27, 17  
 ὄπως (1) with *subj. pres.* (a) after present tense, ἀποδιδῶσι 65, 18; ὤσιν 69, 4; (b) after past tense, ἀρχωσιν 4, 21; ἐξῆ 27, 17; ἦ 9, 11; μετέχῃ 21, 15; προσιστῆται 41, 31; φυλάττωσιν 3, 21; μήτ' ἐπιθυμῶσι μήτε σχολάζουσιν 16, 10; μή ἦ 35, 16; μή παραμελῶσι 16, 15; μή συμβαίη 21, 9  
 (2) with *subj. aor.* (a) after present tense βουλεύσονται 29, 18 (decree); λήδνα λάθη 43, 22; μή λάθη 68, 15; λάβωσι καὶ μή—ἐνοχλῶσιν 66, 23 f; (b) after past tense, μετάσχωσι 21, 5  
 (3) ὄπως ἂν συμβουλευοῦσι 29, 24 (decree); ἂν σῶα ἦ 30, 20 (decree)  
 (4) with *fut. inf.* (after ἐπιμελοῦνται), ὄπως—πωλήσεται 51, 4 (πωλήται MS); ὄπως—ἔσται—, ὄπως—πωλήσουσιν 51, 10 f; μηδεὶς καταβαλεῖ 50, 9; χρήσονται (χρήσονται MS) 51, 7; (after σκοποῦσιν), ὄπως μή—μισθωθήσονται 50, 7  
 ὄργεῶνες frag. 3  
 ὄργη· ὑπὸ τῆς ὄργης οὐ κατέσχευ ἐαυτόν 18, 37; οὐ κατέχε τὴν ὄργην 18, 9  
 ὄρέξας (βάλανον) 64, 18  
 ὄρθως, ποιεῖν 41, 28  
 ὀρίζω· ὤρισαν τοῖς ὄστρακίζομένοις—κατοικεῖν 22, 41; ὡς ἐν τούτῳ τῷ πλήθει τῆς ἀρετῆς ὤρισμένης 36, 10  
 \*ὄρκια ποιήσεν 3, 12  
 ὄρκον ἐποίησαν 22, 7; περί τοῦ ὄρκου 31, 6; ὄρκους ὤμοσεν 23, 23; ὀμῶσιν τοὺς ὄρκους 39, 15; τοῖς ὄρκοις ἐμμένειν 40, 13  
 ὄρμη 19, 24; ὄρμαις (?) 28, 16  
 ὄρος 12, 33, 66 (Solon)  
 ὄρφανοί 24, 20; ὄρφανῶν, ἐπιμελεῖται 56, 40; ὄρφανῶν κακώσεως 56, 32; οἴκους ὄρφανῶν 56, 43  
 ὄρφανικός· οἴκου ὄρφανικοῦ κακώσεως 56, 34  
 ὄρω· λοξὸν ὀφθαλμοῖς ὀρώσι 12, 21 (Solon); φανεράς ὄραν 68, 8; *c. part.* ὀρών 8, 26; ἰδῶν 16, 18; ἰδόντες 18, 16; εἶδον 12, 59 (Solon); ὡς εἶδεν 25, 18; ἐπειδὴν ἰδῆ 64, 19  
 ὄς· ἄ 19, 18 (scol.); οἱ δέ 12, 6, 17; ἄ 12, 29, 50, 51, 58; τῆς 12, 32; τῶν 12, 28, 53 (all in Solon)  
 In Ar. *passim*, e.g. χρεῶν ἀποκοπὰς ἄς σεισάχθειαν καλοῦσιν 6, 4; τὴν πρόφασιν δι' ὃ τὸ ἐκτινεσθαι 8, 24; τῶν

ἐπιμελητῶν ἂν ὁ δῆμος χειροτονεῖ 57, 2; σὺν οἷς ὁ πατὴρ ἦρξεν ἐνὸς δεῖν πενηκοντα (ἔτη). ὅς ἂν 7, 16; 8, 29; 26, 23; οἱ ἂν 29, 32; ἀφ' ἧς ἂν ὀμῶσιν τοὺς ὄρκους δέκα ἡμερῶν 39, 14. ἀφ' οὗ 17, 2; ἐξ οὗ 60, 12; ἐφ' ᾧ τε 14, 22; 34, 17; οὗ 25, 16; ἦ ἂν δοκῇ αὐτοῖς ἀρίστα ἔξειν 30, 19; ἦ ἂν ἡγῶνται συμφέρειν 31, 7 (decree). *v.* ὄσπερ, ὅστις  
 ὄσιον 43, 30; + χρημάτων 30, 9 (decree)  
 ὄσος· τόσον—ὄσσον 12, 4; ὄσοι δὲ μείζους 12, 60; ἀνθρώποισιν ὄσοις 12, 14 (all in Solon)  
 ὄσοι 14, 10 f; 35, 11; 37, 9; 40, 1; ὄσοι μή 22, 18; 63, 12; ὄσοις 67, 24; ὄσαι 45, 12; 62, 16; ὄσαι ἡμέραι, 'daily', 43, 13; ὄσα 43, 14; 58, 10; ὄσα κακὰ 16, 20; ὄσα τις εἶχεν 56, 5. καθ' ὄσον ἦν δυνατός 14, 14; ὄσον ἂν πρήηται 47, 17; ὄσον ἂν—τάξουσιν 51, 14; ὄσαι ἂν—σκήπτωνται 56, 41; ὄσοις ἂν δέη λαχεῖν δικαστὰς 64, 13  
 ὄσοσπερ, used for ὄσος, to avoid *hiatus*. βακτηρία παρατίθενται—ὄσοιπερ οἱ δικασταὶ 63, 7; τρηπήματα—ὄσαιπερ εἰσὶν αἱ ψῆφοι 69, 3; ὄσαιπερ ἂν μέλλῃ τὰ δικαστήρια πληρωθήσεσθαι 63, 10; 64, 23  
 ὄσπερ, used for ὄς, to avoid *hiatus*. τὸ αὐτὸ ὄπερ 64, 5, 9, 21; 65, 3, 9; τοῦ αὐτοῦ—οὐπερ 4, 13; ὄπερ ἐγένετο 38, 11; ὄπερ καὶ συνέπεσεν 40, 15; ὄπερ εἰώθασι ποιεῖν ἅπαντες 40, 4; ὄπερ ἐστὶν ἀγαθὸν πολλοῦ ἔργου 28, 38; ὄνπερ εἰρηται τρόπον 11, 1; ὄπερ ἂν ἦ 64, 25  
 ὄστις· ὃ τι χρήσεται 22, 31; ὃ τι (δεῖ χρηματίζειν) 43, 15; ὃ τι χρῆ παθεῖν 61, 13; 67, 26; ὄντων ἀποδοκιμάσειεν ἢ βουλή 55, 11; οἵτινες διδάξουσιν 42, 23; — συγγράφουσι 29, 12; — καταλέξουσιν 29, 38; οἵτινες ἂν δοκῶσιν 49, 5; ἦντων ἂν τάξουσιν 39, 12; ὃ τι ἂν γνώσιν 48, 27; — δοκῇ 48, 22; 63, 15; — ἐγκαλῆ 48, 21; — προστιμῆση 63, 17; — ψηφίσωνται 45, 10; — μὴ προγράψωσιν 45, 22; ὄτω ἂν—χειροτονήση 47, 11; καθ' ὅτι ἂν δοκῇ 44, 17; — λάχουσιν 43, 7; cf. καθότι  
 ὄστρακίζω· τοὺς τῶν τυράννων φίλους ὄστράκισον 22, 25; Δαμωνίδην 27, 20. *pass.* Ἰππαρχος 22, 15; Μεγακλῆς 22, 24; Ξάνθιππος 22, 28; Ἀριστείδης 22, 39. κατεδέξαντο πάντας τοὺς ὄστρακισμένους 22, 40; ὤρισαν τοῖς ὄστρακίζομένοις 22, 41  
 ὄστρακισμός 22, 5, 13  
 ὄστρακοφορία 43, 23  
 ὄταν· *c. coni. praes.* 12, 13 (Solon); 4, 17; 30, 30; 31, 19; 42, 4; 47, 31; 53, 36; 55, 13; 56, 22; 57, 26, 29; 61, 14; 62, 13; 67, 1, 11, 13; 68, 2.

*c. coni. aor.* 64, 11; 68, 21. elliptical, *ἔταν δὲ τὰ δημόσια* (δικάζωσι) 67, 4  
*ἔτε c. imperf.* 29, 18; *c. ind. aor.* 27, 2; *c. opt. iterativo* 16, 35; 36, 14  
*ὅτι* δῆλον ὅτι 13, 10; σημείον ὅτι 3, 15; 8, 5; 13, 23; τεκμήριον ὅτι 3, 11. After ἀναγορεύεται 66, 8; ἔλεγεν 25, 14; λέγων 40, 12; μαρτυρεῖ 6, 18; συμφωνοῦσι 12, 1; ἐπιτιμᾶ 36, 8, 10; ὀνειδίσας 18, 36. 'because', 22, 14  
*οὐ* πότερον—ἢ οὐ 49, 28; οὐκ ἐλάττω 4, 6; 19, 24; οὐκ ἐλάττων 4, 8; οὐκ ἐλάττους 35, 26; μετ' οὐ πολύ 6, 10; μετ' οὐ πολὺν χρόνον 25, 24; 34, 13; οὐ χρησάμενοι καλῶς τοῖς πράγμασι 34, 13. οὐ μὴν ἀλλὰ 6, 12; 7, 25; 9, 12; + καὶ 2, 11. οὐχὶ πλαττόμενος, ἀλλὰ 18, 32  
*οὐδέ* 'nor', 12, 23 f, 63 (Solon); 45, 22. 'not even', 15, 24; 17, 25; 34, 5; 57, 28. οὐδ' ἂν εἰς εἴποι 7, 30  
*οὐδείς* *adj.* λόγος—οὐδεῖς 67, 10; οὐδὲν ἔχνος 18, 25; οὐδενὶ δόγματι 27, 8; οὐδεμῆς ἀρχῆς 7, 27; ἐν ἑταιρεία οὐδεμᾶ 34, 21; οὐδεμίαν πλεονεξίαν 16, 32. *subst.* οὐδὲν οὐδὲν ἐνεκάλεσεν αὐτοῖς 38, 30; οὐδεῖς 28, 8; 40, 16; οὐδενός (*neut.*) 2, 12; 54, 22; οὐδενὶ 68, 13; οὐδὲν 14, 16; 33, 12; οὐδὲν ἀπροβούλευτον 45, 22. *c. gen. part.* τούτων οὐδεμία 54, 31; τῶν ἄλλων οὐδεμίαν 62, 19; οὐδένος—τῶν πολιτῶν 34, 22; 35, 22; 38, 11; οὐδένα τῶν πολιτῶν 45, 5. οὐδέν (=κατ' οὐδέν) 16, 24  
*οὐδέτερος* *pl.* 12, 9 (Solon)  
*οὐκέτι* γλώσσαν οὐκέτ' Ἀττικὴν ἰέντας 12, 38 (Solon); ἐν τοῖς νόμοις τοῖς Σόλωνος οἷς οὐκέτι χρώνται 8, 16  
*οὖν* *resumptive*, 19, 19; 60, 15; μὲν οὖν, *v. μὲν*  
*οὐνεκα* *v. ἔνεκα*  
*οὐποτ'* ὀφθαλμοῖσιν ἂν εἶδοντες εἶδον 12, 58 (Solon)  
*οὐπω* 14, 17  
*οὐσία* οὐσίαν κεκτημένους 4, 6; ἀποφαίνοντας—4, 8; τυραννικὴν ἔχων—27, 13; τῇ οὐσίᾳ καὶ τοῖς πράγμασι 5, 12; ἐπιλειπόμενος τῇ οὐσίᾳ 27, 19; τῷ σώματι ἢ τῇ οὐσίᾳ 49, 16; *pl.* ταῖς οὐσίαις—προέχοντας 35, 23; τὰς οὐσίας διαρπάζειν 35, 25; τὰς οὐσίας—πωλοῦσιν 47, 13  
*οὐτε*—*οὐτε*, 5, 18 f; 12, 5 (Solon). Cf. 38, 30 f; 42, 34; 44, 2 f; 68, 25  
*οὐτεροί* 12, 51 (Solon)  
*οὕτως* ταῦτα 12, 30, 42; τούτων 12, 65 (Solon). retrospective use, Ar. *passim*. καὶ ταῦτα 69, 3; partitive gen. τούτων εἶνα 30, 5 (decree); demonstrative after relative, τῶν μὲν—τούτων 12, 29 (Solon); cf. 14, 11; 16, 21; 45, 11; 48, 28; 56, 6; 58, 10; 59, 3; 66, 7,

11; 69, 9; after conditional clause, κἂν τις ἀδικεῖν αὐτῇ δοκῇ, τούτων 46, 9; εἰ του καταγορή, — τούτων 60, 12; *reus*, τούτων βούλεται τις κατηγορεῖν; 55, 20. διὰ τούτο—ὄπως 21, 8; εἰς τοῦθ' ἕως 19, 22; τρία ταῦτα—πρῶτον μὲν—ἔπειτα—τρίτον δέ 9, 2  
*οὕτως*, before vowel, 7, 6; 8, 8; 32, 17; 39, 25; before cons. δ, 36, 1; 42, 29  
*οὕτω* before cons. δ, 6, 17; 55, 22; κ, 24, 5; μ, 6, 13; π, 18, 36  
*οὐχί* *v. οὐ*  
*ὀφείλει*ν δραχμὴν τῆς ἡμέρας ἐκάστης 30, 33 (decree); ὀφείλων (προῖκα) 52, 13; ὀφείλουσι τῷ δημοσίῳ 63, 12  
*ὀφθαλμοῖσ'* 12, 20 (Solon), -μοῖσιν 12, 58 (*id.*)  
*\*ὄφλημα* 63, 16 (ὀφελήμα *Eth.* 1162 b 28, 1165 a 3)  
*ὄχετοῖς* μετεώρους—ποιεῖν 50, 12  
*ὄψέ* 26, 6

Πάγγαιον 15, 7  
*πάγος*, Ἄρειος *v.* Ἄρειος  
*Παιανιεύς* 14, 26; 28, 22; 38, 22  
*παιδιώδης* 18, 4  
*παιδοτρῖβης* 42, 22  
*παῖς* παῖδες 'children', 2, 8; 4, 9; 19, 35; 'boys', ἀπέρχονται πάλιν εἰς παῖδας 24, 6; ἀνδράσιν καὶ παισὶν 56, 11 f; (opp. ἐπίτροποι), ἐὰν μὴ διδώσι τοῖς παισὶν τὸν σίτον 56, 46; 'slave', τὸν παῖδα 16, 19  
*\*παλαιόπλουτοι* 6, 12  
*πάλιν* 11, 11; 12, 55; 13, 4; 14, 21; 15, 9; 16, 35; 20, 6; 23, 2; 25, 21; 26, 20; 36, 8; 39, 18; 41, 21, 33; 55, 34; 61, 14; 65, 1; 69, 10, 12; πάλιν ἐξ ὑπάρχης 4, 16; πάλιν δέ 12, 10, 15, 26  
*Παλλαδίῳ*, οἱ ἐπὶ 57, 18  
*Παλληνίδι*, ἐπὶ 15, 13; 17, 6  
*Παναθηναία* 18, 11, 15; 43, 4; 49, 23; 54, 28, 31; 60, 4, 19; 62, 13  
*Πανδίων* Heracl. epit. l. 3  
*παντελῶς* (?) 16, 18  
*πάντοθεν* 12, 53 (Solon)  
*πάνυ πένης* 47, 4  
*παρὰ* *c. gen.* παρὰ τῶν ἀποδεκτῶν 50, 3; αὐτῶν 56, 20; τῶν δανεισαμένων 22, 35; τοῦ διαιτητοῦ 53, 18; τοῦ εἰληχότος ταύτην τὴν ἀρχὴν 65, 10; τῆς πόλεως 42, 31; 43, 11; τινός 52, 15; τούτων 66, 19  
*c. dat.* παρ' αὐτοῖς 24, 8; αὐτοῖς 36, 13; παρὰ τοῖς Ἑλλῆσιν 23, 11; τοῖς ἐπιεικέσιν 28, 4  
*c. acc. loci*, παρ' αὐτῶν 27, 16; τοὺς ἐπαιθόμενος 53, 26; τὸ Λεωκόρειον 18, 20. *contra*, παρ' ἃν ἀδικεῖται νόμον 4, 23; παρὰ τὸ βέλτιστον 35, 19  
*παράβολον* frag. dubium 6 (not found elsewhere in this sense)



παραβῶσι τῶν νόμων, ἕαν τινα 7, 6  
 παράδειγμα ποιήσῃν 40, 15. *pl.*, 'plans',  
 49, 20  
 παραδίδωσι δικαστηρίῳ 46, 10; (τὰ γραμ-  
 ματεῖα) τοῖς ἀποδέκταις 47, 32; τὰ μὲν  
 ἴδια τοῖς δικασταῖς 48, 24; τὸ πρόγραμμα  
 44, 10; (τὸ ἔλαιον) τοῖς ταμίαις 60, 16.  
 παραδίδοσι (τὸν πριάμενον) τῇ βουλῇ  
 47, 17; (τὸν κατάλογον) τοῖς ἱππάρχοις  
 49, 10; τὸ τίμημα τοῖς διαιτηταῖς 53, 6;  
 (τὰς δίκας) τοῖς—δικάζουσιν 53, 14; τὰ  
 κιβώτια 65, 14; τοῖς ελληχοῖσι 65, 16;  
 ἐκάστῳ τῶν δικαστῶν δύο ψήφους 68,  
 7. παραδῶσοντας τοῖς πωληταῖς 52, 7.  
 παρέδωκαν τὴν ἀκρόπολιν 19, 36; τὰ  
 πράγματα 33, 8. παραδῶ τοῖς ταμίαις  
 60, 17; παραδῶσιν ἐξειργασμένα 46, 5;  
 παραδοῦναι τοῖς ἕνδεκα 29, 27 (decree)  
 παράδοξον 11, 9  
 \*παραϊβατούσης τῆς γυναικός 14, 29  
 \*παραίνω· 5, 11, 14; 36, 2  
 \*παραιροῦμαι· τῶν Ἀρεοπαγιτῶν ἕνια παρ-  
 εἴλετο 27, 4. (Of ὄπλα) παρελόμενος 15,  
 13; παρείλετο 15, 15; παρελέσθαι 37,  
 4; παρείλοντο 37, 14. Cf. περιαιροῦ-  
 μαι  
 παρακάθηται τῇ βουλῇ 54, 15, 20 (only  
 quoted from *de Admiv.* 845 b 28 ἐγεί-  
 ρειν τὸν υἱὸν παρακαθήμενον)  
 παρακαλῶν *abs.* 14, 16  
 παράκειται τῷ ἄρχοντι κιβώτια 64, 23  
 παραλαμβάνει σύμβολον 65, 9; παρα-  
 λαμβάνουσι τὸ ἀγαλμα τῆς Ἀθηνᾶς 47,  
 5; βακτηρίαν πάλιν παραλαμβάνοντες  
 69, 12. ἕαν παραλάβωσιν (τὰ δημόσια)  
 48, 26; (εἰθνην) 48, 26. παραλαβῶν  
 τοὺς χορηγούς 56, 10; παραλαβόντες τὴν  
 ἀρχὴν 38, 6; τὰ γραμματεῖα 48, 2;  
 (τὰς δίκας) 53, 7, 14; (ἱππέων κατὰ-  
 λογον) 49, 11; (τὸ πρόγραμμα) 44, 10  
 παραλία, ἡ 21, 13. παραλίω (στάσις) 13,  
 17  
 παραλλάττοι, μικρὸν ἂν 3, 14; μικρὸν  
 παραλλάξειν 11, 12 (*Pol.* 1254 b 24  
 παραλλάττει μικρὸν)  
 Πάραλος 61, 27  
 παραμελῶσι τῶν ἔργων 16, 15 (ἐνέργεια  
 παρημελημένη *Eth.* 1175 a 10)  
 παρανομίας, δίκη 56, 35. Cf. *de Part. An.*  
 635 b 5  
 παρανομοῖεν 28, 37; παρανομοῦσαις 28, 38  
 παρὰ νόμων γραφῇ 45, 24; *pl.* 29, 23;  
 59, 6. γραψάμενος παρὰ νόμων 40, 8  
 (*Pol.* 1255 a 9)  
 \*παρανοοῦντα 56, 35  
 παραπλησίαν *c. dat.* 29, 20  
 παραπλησίως ἴσοι 63, 21  
 παρασκευάζω· παρσκευάζειν εἰρήνην 16,  
 25; παρσκευάζη 66, 17  
 παράστασις τίθεται 59, 8 (found in *Pol.* in  
 different senses)  
 \*παρστρατηγηθῆναι διὰ τῶν φίλων 6, 8  
 παρστηροῦντες 18, 14

παρατίθενται κατὰ τὴν εἴσοδον βακτηρίαί  
 63, 7  
 \*παρατρέφουσι κήρυκα καὶ αἰλητὴν (of the  
 archons) 62, 11  
 παρανίκα· πρὸς τὰ π. βλέποντες 28, 28  
 παραχρῆμα 18, 25  
 παραχωρήσαντων τῶν Κοδριδῶν—3, 12;  
 παρεχώρουσιν αὐτῆς τῷ ἀξιωματί 23, 8  
 παρεγκλίνουσα τῆς βασιλικῆς, μικρὸν 41,  
 10  
 \*παρεδρεύειν, πρὶν 56, 3; ἐπὶν παρεδρεύ-  
 σωσιν 56, 4  
 \*πάρεδροι (to the ἄρχων, βασιλεῖς and  
 πολέμαρχος) 56, 1; (to the εὐθνηοί) 48,  
 85  
 πάρεμι (εἰμι)· παρῶν 11, 4, 6; τῆς παρ-  
 οῦσης πολιτείας 37, 8; ἐν τῷ παρόντι 6,  
 2; + καιρῷ 31, 2; τῶν παρόντων (*masc.*)  
 38, 13; πρὸς τὰ παρόντα πράγματα 61,  
 10  
 πάρεμι (εἰμι)· εἰς τὴν Ἀττικὴν παριέναι  
 19, 31  
 παρενοχλῶ· παρ(ην)ώχλει 16, 25  
 παρέργως 28, 35  
 παρέρχομαι· παρήλθεν εἰς τοὺς—τόπους 15,  
 7; τῶν παρεληλυθότων—μνησικακεῖν 39,  
 20 (decree)  
 παρέχει δ' ἐν μέρει ἑκάτερα τῶν φυλῶν τοῦ-  
 τον 56, 13. *Mid.* τοῖς ὄπλα παρεχο-  
 μένοις 4, 4; τῶν ὄπλα παρεχομένων 4,  
 7. τιμηματα παρεχομένοις 39, 24.  
 παράσχηται τοὺς μάρτυρας 55, 20  
 παρίστημι· παρίστηκεν ἵππος 7, 24  
 Πάρνης 19, 12  
 παροξυνθέντα 18, 13; παρώξυνε 18, 36  
 παροργισαντας, διὰ τοὺς 34, 7 (*Act.* hither-  
 to found in Gk Test. alone)  
 παρορῶ· τὰ δόξαντα—παρεῶρων 35, 3; εἰ  
 μή τι παρεωράτο 26, 18  
 παρρησία 16, 23  
 \*παρωνύμιον 17, 12  
 πᾶς, after vowels, *passim*, e.g. συμφωνοῦσι  
 πάντες 12, 2; φέτο πάντ' ἀνάδαστα  
 ποιήσῃν αὐτόν 11, 11; οὐκ ἐδύνατο  
 πάντα ποιῶν ἀποθανεῖν 18, 33; rarely  
 after consonants (instead of *ἅπας q.v.*),  
 οὗτος πάντας 54, 21; οὗτος πάσας 57,  
 9; πολιτείας πᾶσι 40, 9; τῶν εἰρημένων  
 [πάντων] 55, 2; ἄρχοντας (πάντες κτλ.)  
 55, 8; τὰς π[άσα]ς (K-W<sup>3</sup>) 48, 8  
 πάσχω· ὑπὸ τῶν ἀντιστασιωτῶν ταῦτα πε-  
 πονθῶς 14, 4; παθεῖν ἢ ἀποτεῖσαι 61,  
 13; 63, 15; 67, 26; (ἵππος) ὁ τοῦτο  
 παθῶν 49, 4  
 πατήρ, 19, 39; τίς σοι πατήρ, καὶ τίς  
 πατὴρ 55. 13 f; οἷων πατέρων  
 ἔσαν 19, 18 (*scol.*); οἱ πατέρες (τῶν  
 ἐφήβων). 42, 14  
 πατρικὰς δόξας, τιμωμένων διὰ τὰς 26, 9  
 πατρικῶς χρωμένους; τῇ πόλει πάση 28, 32  
 πάτριος (ἀρχή) 3, 6; πάτριον πολιτείας  
 34, 18, 22; 35, 9; πατριῶς νόμων 29,  
 17 (decree);—θυσίας 57, 8; μηδὲν τῶν

- πατρῶν τὸν ἄρχοντα διοικεῖν 3, 16; θέσμια καὶ πάτρια 16, 42 (law); κατὰ τὰ πάτρια 21, 24, and (in decrees) 31, 3; 39, 6, 19
- πατρίς· 12, 25, 35 (Solon). σώσας τὴν πατρίδα 11, 14; βεβοθηκέναι τῇ πατρίδι 14, 14; χθονὸς πατρίδος 12, 25 (Solon); πατρίδα 12, 35 (*id.*)
- \*πατρόθεν προσαγορεύοντες 21, 17; τὸ ὄνομα τὸ ἑαυτοῦ πατρόθεν 63, 19
- πατρώος, Ἐπόλλων 55, 16; frag. 1 (only in *Pol.* 1303 ὁ 34 ἢ τῶν πατρῶων νομή)
- Παυσανίας, Spartan general in Persian war, 23, 20
- Παυσανίας Λακεδαιμονίων βασιλεὺς 38, 23, 25
- παύω· *Mid.* ἐπαυσάμην 12, 29; ἐπαύσατο 12, 63 (Solon). ἐπαύσαντο χρώμενοι 7, 2; πέπναι μισθοφορῶν 49, 8. τῆς ἀσελείας παύσασθαι 36, 2
- πδιακῶν (στάσις) 13, 19
- πειθῶ· οὐκ ἐπειθεν 14, 12. πείσας 18, 34; 40, 12. *Pass.* πεισθέντες—ταῦτα 24, 6. *Mid.* γυναικὶ πιδόμενος 35, 16 (law of Solon). πεισόμεθ' 5, 19 (Solon).
- Πειραιεύς. Πειραιεύς· τοῦ Π. ἄρχοντας δέκα 35, 5; τῶν ἐκ Π. κατελθόντων 38, 31; τοὺς τοῦ Π. ἄρξαντας 39, 22; τοὺς ἐκ Π. συγκατελθοῦσιν 40, 9; τοὺς ἐκ τοῦ Π. 40, 22; τὴν ἐκ Π. κάθοδον 41, 23. Πειραιεὺς 38, 23; 39, 23 f; 50, 5; 61, 7. Πειραιέα· 38, 16; 42, 21; 51, 1, 6, 9, 10; εἰς Π. δήμαρχος 54, 34; (στρατηγὸς) ἐπὶ τὸν Π. 61, 6
- πειρῶμαι· *c. inf.* 6, 5; 20, 10; 34, 19
- Πείσανδρος 32, 9
- Πεισιστρατίδα 19, 24 f, 34
- Πεισιστρατος 13, 20; 14 *passim*; 15, 22; 16 and 17 *passim*; 23, 14; 28, 6; 41, 13
- πέλαγος 23, 24
- Πελαργικὸν τεῖχος 19, 32
- \*πέλαγος 2, 5; cf. frag. 7
- Πελοποννησίους πόλεμος, ὁ πρὸς 27, 8; τῶν Π. 38, 13
- πέμπτω (ἔτει) 13, 3, 5; 22, 5; 26, 19; πέμπτη (μεταβολή) 41, 14; (πεντητηρίς) 54, 31
- πέμπω· οὐ γὰρ ἐπεμπον—μεθ' ὄπλων 18, 28; τὴν πομπήν—πέμπουσιν 57, 6; πρέσβεις πέμφαντες 37, 16; *ads.* ἐπεμπον 38, 7
- πένης 47, 4; πένητες 2, 3; πένησιν 13, 14
- \*πενθήμερον, κατὰ 30, 24 (decree)
- \*πεντακισχίλιοι, οἱ 29, 35, 39 (decree); 30, 2; 31, 10 (decree); 32, 1, 12; 33, 8, 12
- πεντακόσιοι, οἱ 22, 7; 25, 10, 20. π. 21, 7; 22, 22; 24, 14 f, 18; 35, 26; 55, 6; 68, 1, 4. π. βουλευτάς 35, 3; 43, 6. πεντακόσια μέτρα 7, 17
- πεντακοσιομέδιμνος· 4, 18; 7, 9; τελεῖν πεντακοσιομέδιμνον 7, 15; *pl.* ἐκ π. 7, 11; 8, 7; 26, 17; 50, 1. τοὺς π. 7, 26
- πεντάμοσχοι 67, 9
- πέντε· days, 19, 36; 43, 9; years, 47, 23; obols, 62, 8; tribes, 61, 20; officials, etc., 13, 8; 30, 26, 28; 42, 9; 50, 5; 51, 1, 5, 8, 9; 52, 11; 54, 1; 56, 9; 66, 16, 19; κανονίδες 64, 10; πινάκια 64, 14
- πεντεκαίδεκα 51, 9
- πεντητηρίδες 54, 28—32 (διὰ πενταετηρίδος *Pol.* 1308 ὁ 1)
- πεντήκοντα 19, 39; 21, 8; 24, 15; 43, 16
- \*πέπλος (of Athena) 49, 20; 60, 6
- πέρας, ἐπὶ 38, 24
- περὶ· *c. gen.* περὶ Θηραμένων 28, 33; Νικίου καὶ Θουκυδίδου 28, 30; Σαλαμίνο 17, 7; κλήρου καὶ ἐπικλήρου 42, 35; πλείονος 6, 16; σίτου καὶ φυλακῆς τῆς χώρας 43, 18; αὐτῶν 8, 26; 12, 2; 42, 4; 55, 25; τούτων 44, 19. τοῦ δοῦναι 35, 14; τοῦ ἔρκου 31, 5; ὄστρακισμοῦ 22, 5; πλήθους 12, 10. τῆς ἀποκοπῆς 12, 26; ἀρχῆς 13, 11; ὄστρακοφορίας 43, 23; πολιτείας 35, 3; σωτηρίας 29, 14, 22 (decree). τῶν ἄλλων 30, 21; 31, 7; 43, 23; Ἀρεοπαγιτῶν 35, 10; βουλομένων 12, 15; δικημένων 25, 7; ἐννέα ἀρχόντων 8, 8; εὐθυνῶν 31, 7; κλήρου καὶ ἐπικλήρων 9, 8; νόμων 11, 2; 31, 6; ὄπλων 15, 23; πολιτικῶν 31, 8; προκειμένων 29, 24; προτέρων 40, 19; ταμιῶν 8, 5; τυράννων 16, 39; χρημάτων 30, 20
- c. acc.* local, περὶ τὸ ἄστυ 21, 13; Ἐρέτριαν 33, 4; τὸν Θερμαῖον κόλπον 15, 6; Παγγαῖον 15, 7; Σαλαμίνα 23, 4. οἱ περὶ Ἀνακρέοντα καὶ Σιμωνίδην 18, 5; —τὸν Κλεομένην καὶ Ἰσαγόραν 20, 13; —τὸν Ἰσαγόραν 28, 9; —τὸν Μεγακλέα καὶ τὸν Λυκούργον 14, 18; —τὸν Ρίωνα 38, 28; τὰς ἀρχὰς τὰς περὶ τὴν ἐγκύκλιον διοίκησιν 43, 1; τὰ περὶ τὰς ἀρχὰς 3, 33; 9, 1; —τοὺς ἐννέα ἄρχοντας 60, 1; —τὴν πόλιν 16, 3; —τὴν τῶν πολιτῶν ἐγγραφήν 42, 38; —τὰς τάξεις 42, 31; —τὸν ἐν τῷ Ἱμητῷ γεωργοῦντα 16, 17. περὶ τὸν μερισμὸν 48, 11; τὸν ὄστρακισμὸν 22, 13; ταῦτα 66, 19. Of time, περὶ τὸν χρόνον τούτων 23, 10
- περιαρῶ· περιαιρεῖται τὸν στέφανον 57, 26; ἅπαντα περιελε(το) τὰ ἐπίθετα 25, 8; περιελιοντο αὐτῶν τὴν δύναμιν 25, 22. Cf. παραιρῶ
- περιεγένετο τῇ πόλει τάλαντα ἑκατόν 22, 30
- \*περιελέγετο μερισμὸν τῇ στάσει 14, 21
- περιέρχομαι· τὰ ἱερά περιήλθον 42, 20; κατὰ δήμους περιεόντες 53, 3
- περιζωσάμενος ἐδημηγόρησε 28, 17 (περιεζῶσθαι τὴν φορβείαν *Pol.* 1324 ὁ 16)
- Περικλῆς· (law concerning citizenship) 26, 22; πρὸς τὸ δημαγωγεῖν ἐλθόντος Π. 27, 1; ἐποίησε μισθοφόρα τὰ δικαστήρια 27, 12; πρὸς ταύτην τὴν χορηγίαν ἐπιλει-



- πόμενος 27, 18; ἕως Π. προειστήκει τοῦ δήμου 28, 1; τοῦ δήμου (προστάτης) 28, 12  
 περιλαβεῖν· καθόλου π. τὸ βέλτιστον 9, 13  
 περιπολοῦσι τὴν χώραν 42, 32 (not found in technical sense; occurs only in frag. 12<sup>2</sup>, 1476 a 6, ἤλιον περιπολοῦντα)  
 πέτρας σκάπτοντα 16, 19  
 πήγνυμι· ὄρους—πεπηγότες 12, 33 (Solon)  
 πηρώ· τὸ σώμα πεπηρωμένους 49, 26  
 πῖαρ 12, 64 (Solon)  
 πιέζων τὸν αὐλίσκον τῆς ψήφου 68, 24  
 πιέρας χθονός 12, 24 (Solon)  
 πιθανώτερος ὁ τῶν δημοτικῶν λόγος 6, 12  
 πικρός· πᾶσιν ἦν ἄπιστος καὶ πικρός 19, 3; πικρότατον ἦν τὸ δουλεύειν 2, 10. *adv.* ἐνεσημαίνετο πικρῶς  
 πινάκιον λελευκωμένον 48, 20. (δικαστοῦ)  
 π. πύξινον 63, 18; πινάκιον 64, 5, 7, 20; 66, 13; *pl.* 63, 6; 64, 8, 14; 65, 18; 66, 15. ἐν τοῖς δικαστηρίοις... φέρουσιν ἕκαστον πινάκιον (of Hippodamus) *Pol.* 1268 a 2  
 πίναξ 49, 12, 18 (πίναξ δὲν ἀνέθηκε—χορηγίας *Pol.* 1341 a 36)  
 \*πιπράσκω· πραθέντας 12, 36 (Solon); τὰ πραθέντα μέταλλα 47, 11; μ. πεπραμένα 47, 12 f; τέλη πεπραμένα 47, 16; τὰ πραθέντα 47, 22 (πραθέντων ἢ μισθωθέντων *Rhet.* ad *Alex.* 1425 b 23)  
 πιστεύω· ἐπίστευεν 21, 1  
 πίστειως χάριν 18, 35  
 πιστότατος 54, 17  
 πλανωμένους 12, 39 (Solon)  
 πλάττω· *Mid.* οὐχὶ πλαττόμενος 18, 32  
 πλεονάκις 62, 18  
 πλεονεκτεῖν 4, 15  
 πλεονεξία 6, 17; 16, 32  
 πλήθος, τὸ 2, 2; 9, 5; 12, 10; 16, 24; 20, 5, 13; 21, 2, 12; 22, 4; 25, 4; 28, 24; 32, 3; 34, 9; 36, 4; 41, 24, 32. πλήθος, 'number', 36, 10; 40, 4; τὸ πλ. τῶν πολιτῶν 26, 21  
 πλῆν· *c. gen.* 7, 2; 24, 7; 29, 31; 31, 16; 33, 5; 37, 15; 43, 2; 44, 9; 54, 28; 55, 4; 57, 24; 62, 4. πλῆν βουλευσαί δις 62, 19; πλῆν μυστηρίοις 39, 7 (*decree*); πλῆν πρὸς τοὺς τριάκοντα 39, 21 (*decree*); πλῆν περὶ κλήρου καὶ ἐπικλήρου 42, 35; πλῆν ἐὰν ἀφέσιμος ᾖ 43, 13; πλῆν ἐὰν τύχη—ἀρχῶν 53, 31  
 πλήρης, ψήφος (opp. τετραπημένῃ) 68, 6, 8, 9; τὰ τρυπητὰ καὶ τὰ πλήρη 69, 4. πλήρη—δικαστήρια 66, 1  
 πληρωθῆσθεσθαι, δικαστήρια 63, 11; 64, 24 (not found in *Ar.* in this technical sense)  
 πλοῖον *c. gen.* 3, 25. τὰ πλ. οἰκήματα 15, 21  
 πλοῖον, ἐν 57, 23  
 πλούσιος· οἱ πλούσιοι (opp. οἱ πένητες) 2, 4, 6; 4, 14, 19; 5, 20. *Superl.* τοῖς πλουσιωτάτοις Ἀθηναίων ἑκατὸν 22, 23;
- τρεῖς ἐξ ἀπάντων Ἀθηναίων τοὺς πλουσιωτάτους 56, 8  
 πλουτίνδην 3, 2, 37  
 πλουτῶ· *imperf.* 6, 11  
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- 2, 1. τέ—καί—καί 6, 1 etc.; τέ—καί—καί—καί 47, 5 etc.; τέ—(καί *quater*) 44, 11; ὁ τ' ἄλλοι καὶ δὴ καὶ 16, 40; τοῖς τε ἄλλοις—2, 2; ἔν τε τοῖς ἄλλοις—16, 4; ἐφ' ᾧ τε *c. fin.* 14, 22; 34, 17. Cf. Kaibel 77 f
- Τελευτάνορος 19, 2
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- Τελοσίους ἀρχῶν (487/6) 22, 21
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- τελῶ· τοῖς τὸ θητικὸν τελούσιν 7, 14; τελεῖν 7, 15, 26; ποῖον τέλος τελεῖ 7, 30; τὰ τέλη τελεῖ 55, 18 (quoted in this sense from the fragments only)
- τελώναι· τοῖς τελώναις καὶ κατὰ τῶν τελωνῶν 52, 18
- τεμενῶν, μισθώσεις 47, 26
- τετάρτῳ, ἔτει 19, 4; 21, 2; 22, 26, 39; τεταρτῇ (μεταβολῇ) 41, 13; (πεντητηρίς) 54, 30; πρῶτον μὲν, δεύτερον δέ, τρίτον, τέταρτον 30, 29
- τετράδι ἐπὶ δέκα, μηνός 32, 4, 6; ἀπὸ τῆς τετράδος ἱσταμένου 62, 14
- τετράκις τῆς πρταναεῖας ἐκάστης 43, 14
- τετρακοσίους καὶ ἕνα (βουλὴν Dracontis), βουλευεῖν 4, 13; (Solonius) τετρακοσίους 8, 19; βουλὴν πεντακοσίους ἀντὶ τετρακοσίων κατέστησεν (Cleisthenes) 31, 2. τὴν ἐπὶ τῶν τετρακοσίων πολιτείαν 29, 5; ἡ τῶν τ. πολιτεία 33, 1; ἡ τῶν τ. κατάστασις 41, 20; οἱ τ. 31, 19; 32, 5, 13; κατέλυσαν τοὺς τ. 33, 7; τοῖς ὑπὸ τῶν τ. γιγνομένοις 33, 11; τοῖς τ. 37, 10; τὴν τῶν τ. κατάλυσιν 34, 2. τὰ ὑπὲρ χιλίας εἰς ἕνα καὶ τετρακοσίους (δικαστὰς εἰσάγουσιν) 53, 16
- τετρήρεις, καινὰς 46, 3 (frag. 558<sup>2</sup>)
- \*τετταρακαυδέκετις 56, 44
- τετταράκοντα ἔτη, ὑπὲρ, 29, 12, 37; 42, 16; 56, 19; τετταράκοντα ἐξ ἐκάστης φυλῆς 31, 3. οἱ τετταράκοντα (κατὰ δῆμον δικασταί) 53, 1 f, 27 (quoted from frag. 413<sup>2</sup>). (ἐπώνυμοι τῶν ἡλικιῶν) δύο καὶ τετταράκοντα 53, 21
- τέτταρες, τέτταρα· τέλη 7, 8; φυλαί 8, 12; 21, 4, 10; 41, 8; αἱ πρῶται τέτταρες φυλαί 43, 8; τέτταρας ἐκ τῆς φυλῆς ἐκάστης 53, 1; τοῖς τέτταρσι τοῖς τὴν φυλὴν—δικάζουσιν 53, 14; φυλοβασιλεῖς 8, 12; ἐγγυητὰς 4, 12; βουλὰς 30, 51; μέρη 30, 18; λήξεις 31, 19; ἐπὶ τὰς ψήφους 66, 17; δίκας 67, 2; ἔτη 13, 13; 60, 3; μῆνας 33, 1; ὀβολοὺς 42, 26; 62, 10
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- Pass.*, of laws, (νόμος) ἐτέθη 21, 4; 22, 13, 26; τοὺς νόμους οἱ ἀν τεθῶσι 31, 8 (decree). παράστασις τίθεται 59, 8;—κληρωτήρια 66, 1. Cf. κείμαι
- Mid.*, of the people, ὁ δῆμος—νόμον ἔθετο 45, 8; μηδ' ἐτέρους (νόμους) θέσθαι 31, 9. ὅς ἀν μὴ θῆται τὰ ὄπλα μηδὲ μεθ' ἐτέρων 8, 29. ἐν μετρίοις τίθεσθε ἕβαν νόον 5, 18 (Solon)
- τίκτει—κόρος ἕβριν 12, 13 (Solon)
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- τιμῆν, ἀποδοῖναι τὴν 47, 24; λαμβάνειν 39, 12 (decree); πρὸς τὰς τιμὰς τῶν κριθῶν τὰ ἄλφита καὶ πρὸς τὰς τιμὰς τῶν πυρῶν τοὺς ἄρτους (πωλεῖν) 51, 12. τιμῆς 12, 5, 62 (Solon)
- τιμῆσις 69, 12
- τιμητὰς ἐλεῖσθαι τρεῖς 39, 11 (decree).
- τιμηταὶ ζημίας οἱ δικασταί *Rhet. ad Alex.* 1427 b 6 (the only ref.)
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- τιμῶ· *litem aestimare*, δῶρον τιμῶσιν 54, 9; ἀδικίον 54, 10; ὅ τι χρῆ παθεῖν ἢ ἀποτεῖσαι 61, 13. *Abs.* πάλιν τιμῶσι, ἀν δὲ τιμῆσαι 69, 10; *pass.* ἐὰν ἀργυρίου τιμηθῆ 63, 16; 'honoured', τιμώμενον διὰ τὰς πατρικὰς δόξας 26, 9
- Τιμώνασσα 17, 13
- τιμωρεῖν τὰδελφῶ 19, 2 (cf. *Pol.* 1311 b 21, *Rhet.* 1401 a 10); ὑπὲρ τῶν ἀδικου-

- μένων 9, 4 (τιμωρεῖσθαι ὑπέρ τινος *Rhet.* 1372 b 4)  
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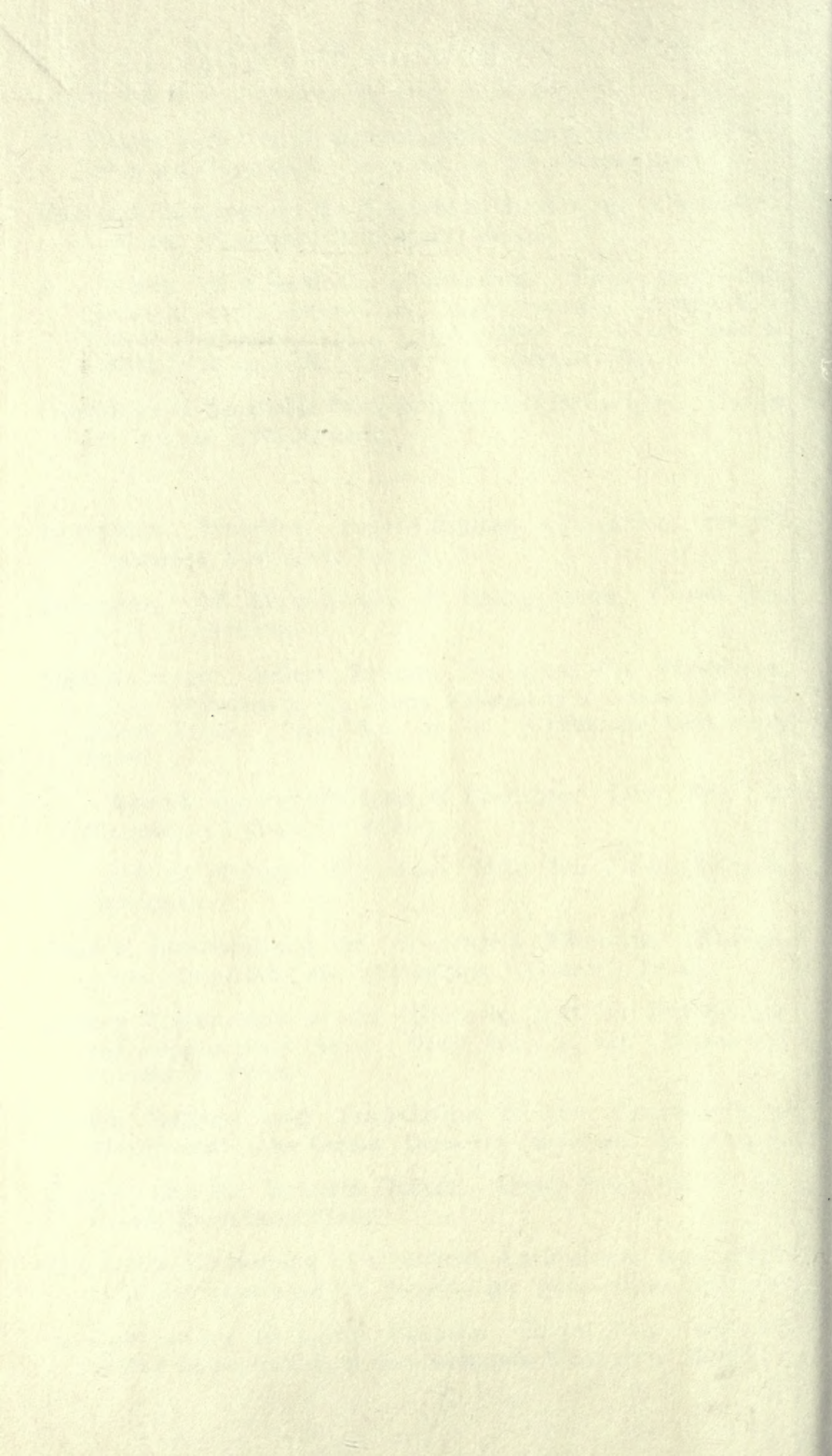
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