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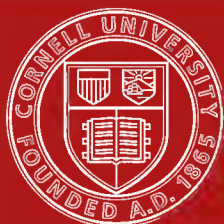
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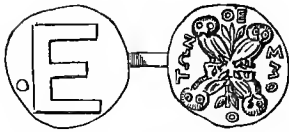
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ARISTOTLE'S
CONSTITUTION OF ATHENS





(1) ΠΙΝΑΚΙΟΝ ΔΙΚΑΣΤΙΚΟΝ (c. 63 § 4)



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



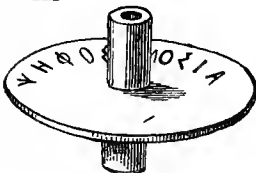
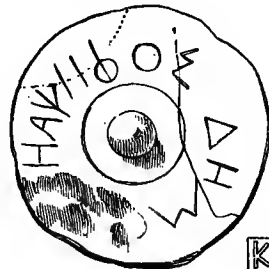
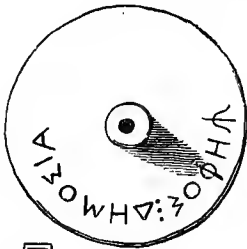
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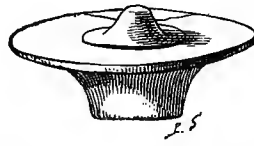
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(4) and (5) ΣΥΜΒΟΛΑ ΔΙΚΑΣΤΙΚΑ (col. 32, 14)



(6) ΨΗΦΟΣ ΤΕΤΡΥΠΗΜΕΝΗ



(7) ΨΗΦΟΣ ΠΛΗΡΗΣ (col. 35, 27—29)

ΣΚΕΥΗ ΔΙΚΑΣΤΙΚΑ

(See description on p. lxxvi)

ΑΡΙΣΤΟΤΕΛΟΥΣ ΑΘΗΝΑΙΩΝ ΠΟΛΙΤΕΙΑ

ARISTOTLE'S
CONSTITUTION OF ATHENS

A REVISED TEXT
WITH AN INTRODUCTION
CRITICAL AND EXPLANATORY NOTES
TESTIMONIA AND INDICES

BY

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HON. LITT.D. DUBLIN.



Tetradrachm of Athens, c. 590—525 B.C. (See note on page 39.)

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P R E F A C E.

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. An abstract of the contents of some of the more recent literature is included in the conspectus, wherever it seemed to be desirable. 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 publica-

tion; 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 ἰδία 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. 39, 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, 'Ἀθηνᾶ, 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*.

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 careful 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.

CONTENTS.

	PAGES
INTRODUCTION	
§ 1. <i>The political literature of Greece before the time of Aristotle</i>	ix—xii
§ 2. <i>Political works ascribed to Aristotle</i>	xii—xix
§ 3. <i>Evidence of ancient authorities on the authorship of the Πολιτεία</i>	xix—xxix
§ 4. <i>The later literature of the Πολιτεία</i>	xxix—xxxi
§ 5. <i>The Berlin Fragments of the Ἀθηναίων πολιτεία</i>	xxxi—xxxiii
§ 6. <i>The British Museum Papyrus</i>	xxxiv—xxxix
§ 7. <i>Date and Authorship of the treatise</i>	xxxix—liv
§ 8. <i>Authorities followed in it</i>	liv—lviii
§ 9. <i>Abstract of its contents</i>	lix—lxvii
§ 10. <i>Conspectus of the Literature of the subject</i>	lxvii—lxxv
§ 11. <i>List of Abbreviations used in the critical notes</i>	lxxvi
§ 12. <i>List of Illustrations</i>	lxxvi
CORRIGENDA	lxxvi
ADDENDA	lxxvii—lxxx
TEXT AND NOTES, including 'Fragmenta ex papyri paginis ultimis' (237—249)	1—249
HERACLIDIS EPITOMA	250
FRAGMENTA ex prima libri parte 251—3; dubia 253—4; aliena 254—5	251—5
FRAGMENTORUM IN PAPYRO LONDINENSI INVENTORUM INDEX	256
GREEK INDEX	257—296
ENGLISH INDEX	297—302



INTRODUCTION.

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

IN a brief preliminary survey of the political literature of Greece¹, 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 Alcibiades², and also to Critias³, 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'⁴; 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 establishments⁵.

The *Λακεδαιμονίων πολιτεία*, though regarded as spurious by Deme-

¹ Cf. Henkel, *Studien zur Geschichte der Griechischen Lehre vom Staat*, esp. pp. 1—17, *die politischen Schriften der Philosophen*.

² W. Helbig, *Rhein. Mus.*, xvi 511 ff.
³ e.g. by Boeckh, *Public Economy of*

Athens, III v, vol. i p. 390 Fränkel.

⁴ Jebb, *Primer of Gr. Lit.*, p. 114.

⁵ Col. Mure's *Literature of Greece*, v 422—5. See also A. Kirchhoff, in the *Abhandlungen* of the Berlin Academy for 1874.

trius 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. Its date is possibly later than the battle of Leuctra (371); but is more probably between 403 and 401. It is a work inspired throughout by admiration of Spartan institutions. The *Κύρου 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 government¹.

The pamphlet entitled *πόροι* [*ἡ περὶ προσόδων*] was probably not the work of Xenophon, but 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. 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 perversions². In the eighth book³ 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 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;

¹ Introduction to Holden's ed.

³ p. 544, compared with iv *ult.*

² Jowett, *Introd.* to the *Republic*, p. 3.

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, Πολιτεῖαι τε αἱ κλεινὰ καὶ οἱ θεοπέσσιοι Νόμοι. 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 value¹. The lofty conception of the 'rule of Philosophers' is here abandoned, and the state described is the best which is practically possible under the existing limitations of Greek life. 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. In the Platonic dialogue, entitled the Πολιτικός, or an 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 (ἢ 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 not². 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 Aristotle³. 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* dis-

¹ See esp. K. F. Hermann, *De vestigiis institutorum veterum, imprimis Atticorum, per Platonis de Legibus libros indagandis*, 1836.

² *Politicus*, pp. 291, 302.

³ *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.

cusses the definition of Law; but neither of these can be reckoned among the genuine works of Plato.

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"¹. '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 ideal States is often on the point of losing its interest in politics; but this was far from being the case with Aristotle'².

§ 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 Spengel³, 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

¹ Mr W. L. Newman's *Politics*, vol. i
p. 15.

² *ib.* p. 89.

³ *Ueber die Pol. des Ar.*, pp. 44 ff.

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 old¹. 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. 1). 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 author next delineates his Ideal State, and deals with the subject of Marriage and of Education, Bk iv (vii). The latter should be national and also liberal; its two main branches are 'music' and 'gymnastic', Bk v (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 (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

¹ 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.

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 (VI). The author's design is now nearly completed. He has still to speak of the motives, objects and occasions of revolutions in states. 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 Cicero¹. The anonymous list of his works, now ascribed to Hesychius, includes the *περὶ ῥήτορος ἢ πολιτικοῦ*. That of Diogenes Laertius, a work entitled *περὶ βασιλείας*, said to have been addressed to Alexander²; and a dialogue on colonisation under the name of Ἀλέξανδρος ἢ ὑπὲρ ἀποικιῶν α' ³. 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 Philip⁴. 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 Τυρρηγῶν*. An abstract of this existed at one time under the name of *νομίμων βαρβαρικῶν συναγωγή*⁵.

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 pages⁶. It is generally supposed

¹ *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.

² Cf. Bernays, *l. c.*, pp. 53, 154; published by Lippert (1891) from an Arabic translation.

³ Bernays, *l. c.*, pp. 56, 156.

⁴ Rose, *Aristotelis qui ferebantur librorum fragmenta*, (Teubner) 1886, frag. 612—614.

⁵ *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*.

⁶ Rose, *Aristoteles Pseudepigraphus*, p. 395; *Fragmenta*, 381—603, ed. 1886.

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. 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'¹.

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 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 ἰδιῶται. 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

¹ Mahaffy's *Hist. of Classical Gk. Literature*, ii 414.

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 subjects¹, published them, and drew up the lists which were current in the time of Plutarch².

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 Andronicus³. 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 class⁴. As examples of these, the list suggested by Grote⁵ includes the dialogues; the legendary and historical collections; and the constitutional histories of various Hellenic cities. 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 show 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 view⁶; 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. and was a pupil of Callimachus, the chief librarian of the Alexandrian Museum⁷. Such a list is preserved by Diogenes Laertius⁸, 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

¹ Porphyry, *life of Plotinus*, c. 24, p. 117 Didot.

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

³ Rose, *Ar. Pseud.*, p. 8; *Frag.* (1886) p. 1.

⁴ Strabo, p. 609, *συνέβη δὲ τοῖς ἐκ τῶν περιπάτων τοῖς μὲν πάλαι τοῖς μετὰ Θεοφραστον οὐκ ἔχουσιν ὅλως τὰ βιβλία πληρῶς ὀλίγων, καὶ μάλιστα τῶν ἑξωτερικῶν.*

⁵ *Aristotle*, p. 55.

⁶ Zeller, *Phil. d. Griechen*, II ii p. 145—153³.

⁷ Schol. in Theophr. *Met.* τούτο τὸ βιβλίον Ἀνδρόνικος μὲν καὶ Ἑρμιππος ἀγνοοῦσιν. οὐδὲ γὰρ μνησάντων ὅλως πεποιοῦνται 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 II.

⁸ V 21—27.

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 poems¹. 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-matter²; and this is not the only reason for regarding it as independent of Andronicus³. 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 one⁴.

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 place⁵.

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), <κοιναῖ> 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]⁶'.

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

¹ Mr W. L. Newman's ed. of *Ar. Pol.* vol. i p. vi.

² Porphyry, ref. on p. xvi, note 1.

³ Zeller, II ii, 51 f.

⁴ Grote's *Ar.* i 40.

⁵ 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.

⁶ Rose, *Frag.* pp. 8, 16, 21³.

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 number¹ 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 authority².

The total number of πολιτεῖαι included in modern collections of their fragments is 99. In 51 of these the name of Aristotle and the title of the πολιτεία are expressly mentioned, generally thus: Ἀριστοτέλης 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	Ἰμεραίων	Μηλιέων	Ἄντανδρίων	Ἀμφιπολιτῶν	Καρχηδονίων	
Αἰγυπιαίων	Κελίων	Ναξίων	Ἄτραμυτηνῶν	Ἀντισσαίων	Καταναίων	
Αἰτωλῶν	Κερκυραίων	Νεσπολιτῶν	Ἐπιδαυρίων	Ἀπολλωνιατῶν	Κλαζομενίων	
Ἀκαρνανῶν	Κιανῶν	Ὀπουντίων	Θηβαίων	Ἀπολλωνιατῶν	Κνιδίων	
Ἀκραγανθίων	Κολοφωνίων	Ὀρχομενίων	Ἰασέων	ἐν Πόντῳ	Κῶων	
Ἀμβρακικῶν	Κορινθίων	Παρίων	Κρητῶν	Ἀρυσθίων	Λαρισσαίων	
Ἀργείων	Κυθνίων	Πελληνέων	Κροτωνιατῶν	Ἄφυνταίων	Λεοντίνων	
Ἀρκάδων	Κυμαίων	Σαμίων	Κυθηρίων	Βυζαντίων	Μαγνητῶν	
Ἀχαιῶν	Κυπρίων	Σαμοθράκων	Μηλίων	Ἐπιδαμνίων	Μαντινέων	
Βοττιαίων	Κυρηναίων	Σικυωνίων	Μιλησίων	Ἐρετριέων	Μολοσσῶν	
Γελῶν	Λακεδαιμονίων	Συνάπείων	Ῥηγίων	Ἐρυθραίων	Μυτιληναίων	
Δελφῶν	Λευκαδίων	Συρακοσίων	Ῥοδίων	Ἔσθιαίων	Ῥοδίων	
Δηλίων	Λοκρῶν	Ταραντίνων	Σολέων	Ζαγκαλαίων	Φαρσαλίων	
Ἠλείων	Λυκίων	Τεγεατῶν	Συβαριτῶν	Ἡρακείων	Χαλκιδέων	
Ἡπειρωτῶν	Μασσαλιωτῶν	Τενεδίων	Τηρίων	Ἡρακλεωτῶν	Χίων	
Θετταλῶν	Μεγαρέων	Τροιζηνίων	Χαλκηδονίων.	Θηραίων	Ὠρειωτῶν.	
Ἰθακησίων	Μεθωναίων	Φωκαϊέων.		Ἰστριέων		

¹ *Vita Ar. vulg.*, Rose, *Frag.* p. 258^b.

² A division of the πολιτεῖαι into genuine and spurious seems to be im-

plied by Simplicius, in *Ar. Categ.* p. 27 a 43 Brandis, ἐν ταῖς γνησίαις αὐτοῦ πολιτεῖαις. But it has been proposed either

The πολιτεῖαι are said to have been arranged in the order of the alphabet¹. Some have seen indications of this in the reading preserved in a single MS of Harpocration, s.v. θεσμοθέται:—'Ἀριστοτέλης ἐν τῇ ἁ' Ἀθηναίων πολιτεία, and also in the phrase in Photius, s.v. σκυνάλη:—ὡς Ἀριστοτέλης ἐν τῇ Ἰθακησίων πολιτεία μβ. 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 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 μβ 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 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 ἀποσεισασθαι,—probably a reminiscence of ἀποσεισάμενοι τὸ βάρος in Ἀθ. πολ. 6 § 1. (3) In Plutarch's *Life of Themistocles*, 10, Aristotle is cited as

to alter πολιτείας into ἐπιστολαῖς (Ideler, in *Ar. Meteor.* 1 xii n. 40), or (with greater probability) to regard γνησίαις as a corruption of the number ρνη (158); Heitz, *Frag.*

Ar. p. 223 a.

¹ κατὰ στοιχεῖα, Elias, ap. Rose, *Frag.* p. 258³, l. 29.

authority for a statement respecting the action of the Areopagus immediately before the battle of Salamis ('Αθ. πολ. 23 § 1). Cleidemus, the author of an 'Αρθίς, 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 led 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 'Αθ. πολ. respecting the action of the Areopagus. This implies that 'a careful historical student and critic, who lived and wrote at Athens in the generation immediately following Aristotle's,' accepted the 'Αθηναίων πολιτεία as the work of Aristotle himself¹.

An early notice of the Πολιτείαί 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, who rejects the view of Timaeus, and emphatically supports the account given by Aristotle². 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 was to be found, but it is reasonable to suppose that it was the Πολιτείαί. The only other possible work would have been the 'Αλέξανδρος περί ἀποικιών, 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 Πολιτείαί was attributed to that author.

The Πολιτείαί appear to have been also quoted by PHILOSTEPHANUS of Cyrene, the author of works entitled περί εὐρημάτων and περί 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

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

² Polyb. *Excerpta libri* xii 5—8, and 11; Rose, *Frag.* 547³; cf. Heitz, *Verl. Schr.* p. 243, and Shute, *l. c.*, p. 39.

that Varro and Pliny took their quotations of Aristotle at second-hand from Philostephanus¹.

It was probably in the middle of the second century B.C. that excerpts from the Πολιτεῖαι were made by HERACLEIDES LEMBOS, who appears to have followed his original, with an almost slavish fidelity. We have only fragments of these excerpts under the title ἐκ τῶν Ἡρακλείδου περὶ πολιτειῶν².

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 Πολιτεῖαι³. 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 showing 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 Athens⁴. These

¹ Rose, *A. P.*, pp. 410, 534; Susemihl, *Gr. Litt. in der Alexandrinerzeit*, i 476.

² Heracleides Lembos, probably born at Kallatis in Pontus, was the author of an extensive compilation called Ἰστορίαι. He flourished under Ptolemy vi, Philometor (181—146). Cf. Susemihl, *u. s.*, i 503—5. (Rühl even supposes that he was the editor of the Ἀθ. πολ. in its present form.)

The author of the excerpts is, however, regarded by Rose (in his *A. P.*, p. 532) as far later in date, and as having borrowed his excerpts from Didymus (who was born B.C. 63). But the part played by Didymus in transmitting the knowledge of the Πολιτεῖαι to a later time has been much exaggerated, and the form in which the excerpts from Heracleides have reached us is hardly worthy of the industrious and intelligent

critic from whom they are supposed to have been derived.—See also Prof. Wright in *Harvard Studies*, iii 15, and Holzinger in *Philologus*, vol. 50, p. 436. *Infra*, p. 250.

³ See also Shute, *l. c.*, p. 72.

⁴ *Ad Att.* ii 2, Ἰελληνῶν in manibus tenebam et hercule magnum acervum Dicaearchi mihi ante pedes exstruxeram. O magnum hominem! et unde multo plura didiceris quam de Procilio. Κορυθίων ἐτ' Ἀθηναίων πuto με Romae habere. Mihi crede, leges;...mirabilis vir est.' Heitz, *Verl. Schr.*, p. 244, considers that these may have formed part of the βλος 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.

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 Dicaearchus¹.

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, and his successor, Pamphilus². Didymus was born in 63 B.C. and compiled a Lexicon of Tragic and Comic Diction, while among the lexicographical works of Pamphilus, who flourished in 20 B.C., was one entitled *Ἀττικά λήξεις*. The scholiast on Aristophanes, *Avēs* 471, quotes Aristotle *ἐν τῇ Σαμίων πολιτείᾳ*, as well as the comic poet, Plato; and such a scholium may readily have been derived from Didymus³; 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 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 *Θαυμάσια Ἀκούσματα* of various writers, may have been originally borrowed from the *Πολιτεῖαι*. Thus, Antigonus of Carystus, who probably lived in the time of Ptolemy Philadelphus, in his *Ἱστοριῶν Παραδόξων Συναγωγή* (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 Cyrene⁴.

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 Aristotle⁵.

STRABO (who belongs to the same age) refers in general terms to Aristotle in connexion with Elis (Rose, *Frag.* 493³), 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

¹ Heitz, *Verl. Schr.*, p. 244.

² Rose, *A. P.*, p. 400; Heitz, *Verl. Schr.* p. 244, and *Ar. Frag.* p. 219.

³ Rose, *A. P.*, p. 521.

⁴ Rose, *Frag.* 531³; *A. P.* p. 487; Heitz, *Verl. Schr.* p. 245.

⁵ Rose, *Frag.* 609³.

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 work¹.

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.* 382⁸); 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 hand². 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 times in the life of *Lycurgus*³; once in that of *Cleomenes*⁴; and twice in that of *Pericles*⁵, 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 Ithaca⁶; and in two others we may trace the reference to the Νόμιμα Βαρβαρικά⁷. The Ἀθηναίων πολιτεία may fairly be regarded as the source of Plutarch's references to Aristotle in the lives of *Theseus*⁸, *Solon*⁹, *Themistocles*¹⁰, *Cimon*¹¹, *Pericles*¹² and *Nicias*¹³; as also of certain passages in which Aristotle is not actually named¹⁴. At this point it may be interesting to notice two good examples of tacit quotation from the Ἀθηναίων πολιτεία in the pages of Plutarch. In c. 14 § 4 of the πολιτεία we read that, with the aid of Φύη, Megacles restored the exiled Peisistratus ἀρχαϊκῶς (or ἀρχαίως) καὶ λίαν ἀπλῶς: in Plutarch's *Solon* (3 § 5) we find the phrase ἀπλοῦς...λίαν καὶ ἀρχαίως. Again, in c. 5 § 2 of the πολιτεία, we are told of Solon, εἶλοντο κοινῇ διαλλακτὴν καὶ ἄρχοντα Σόλωνα: in the *Amatorius* of Plutarch (18 § 14), a passage that has not hitherto been noticed in this connexion, we find five consecutive words applied to Solon, which are identical with those

¹ Heitz, *Verl. Schr.* p. 244.

² e.g. through Philostephanus of Cyrene.

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

⁴ c. 9; *Frag.*³. 539.

⁵ cc. 26, 28; *Frag.*³. 577—8.

⁶ *Frag.*³. 559, 592, 597, 597.

⁷ *Camill.* 22, and *De Cohibenda Ira* 11; *Frag.*³. 610, 608.

⁸ c. 25 (*Frag.* 384).

⁹ c. 25 (*Frag.* 390 = Ἀθ. πολ. c. 7 § 1, κύρβεις).

¹⁰ c. 10 (*Frag.* 398).

¹¹ c. 10 (*Frag.* 402).

¹² c. 9, 10 (*Frag.* 403, 405).

¹³ c. 2 (*Frag.* 407).

¹⁴ *Solon*, c. 20 (*Frag.* 391), c. 25 (*Frag.* 416).

just quoted,—τοῦτον εἶλοντο κοινῇ διαλλακτὴν καὶ ἄρχοντα καὶ νομοθέτην.

In view of such instances it seems difficult to maintain the theory that Plutarch had only a second-hand knowledge of the 'Αθηναίων πολιτεία¹. 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 Πρυτανεῖω². Similarly, in *Lycurgus*, c. 28, ἔτι καὶ νῦν was held to refer to the age of Plutarch's authority Ephorus³. 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 and graceful⁴. Such is not the language of one whose knowledge of

¹ 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 Aristotle's *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).'

² Preller on Polemon, p. 87.

³ Rose, *A. P.*, pp. 413, 491.

⁴ *Non posse suaviter vivi sec. Epicurum*, c. 10, ὅταν δὲ μηδὲν ἐχουσα λυπηρὸν ἢ

the Πολιτεῖαι was mainly or solely derived from second-hand sources of information.

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.*³ 513, 576, 487, 552). He also names Aristotle as his authority for facts relating to Cythnus and Thebes (*Frag.*³ 523, 502).

AULUS GELIUS (115—180 A.D.) names Aristotle in connexion with Solon's law against neutrality. The law is found in Ἀθ. πολ. c. 8 § 5.

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 Aristotle¹.

DIOGENES LAERTIUS (towards the close of the 2nd century A.D.) twice appeals to Aristotle for facts connected with Corinth (*Frag.*³ 516, 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.*³ 489); 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 πολιτεία².

POLLUX of Naucratis (*fl.* 180—238 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 antiquities³. Many consecutive lines are 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 Ἀθηναίων 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

βλαβερὸν ἱστορία καὶ διήγησις, ἐπὶ πράξεσι
καλαῖς καὶ μεγάλας προσλάβη λογον ἔχοντα
δύναμιν καὶ χάριν, ὡς τὸν Ἡροδότου τὰ
Ἑλληνικά, καὶ Περσικά τοῦ Ξενοφώντος,
ὅσα δὲ Ὅμηρος ἐθέσπισε θέσκελα εἰδώς, ἢ
τὰς περιόδους Εὐδοξοῦ, ἢ κτίσεις καὶ πολι-
τείας Ἀριστοτέλης, ἢ βίους ἀνδρῶν Ἀριστό-
ξεος ἔγραψεν, οὐ μόνον μέγα καὶ πολὺ τὸ
εὐφραῖνον, ἀλλὰ καὶ καθαρὸν καὶ ἀμετα-
μελητὸν ἔστιν.

¹ 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 καθ-

ἦσθαι πρὸ τῆς οἰκίας, βοηθεῖν μὲν οὐκ ἔχοντα,
οἶμαι, ἐνδεικνύμενον δὲ ὡς ἔχει γνώμης,
with Ἀθ. πολ. c. 14 § 2.

² Diog. Laert. i §§ 45, 50, 58.

³ 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. Stojentín, *De Iulii Pollucis in publicis Atheniensium antiquitatibus enarrandis auctoritate*, (Breslau) 1875; and Stoewer, *in quibus nitantur auctoribus Iulii Pollucis rerum iudicialium enarrationes*, (Münster) 1888.

found in that treatise, so far as it has been preserved¹. Several of the other πολιτεῖαι are, however, expressly mentioned, viz. that of Acragas (twice in *Frag.*³ 476), 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 *Τυρρήνων νόμιμα* (608).

ATHENAEUS, who, like Pollux, was a native of Naucratis (*fl. c.* 200 A.D.) expressly mentions the πολιτεῖαι of Aegina (*Frag.*³ 472), 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 noticed². Aristotle ἐν *Τυρρήνων 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 λάγυνος³. But a native of a country, in which, as we now know, copies of the Ἰ*Αθηναίων 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.⁴.

HARPOCRATION of Alexandria, the lexicographer of the Attic Orators, who is doubtfully ascribed either to the second, or (less probably) to the fourth century of our era, expressly quotes Ἰ*Αριστοτέλης ἐν ἸΑθηναίων πολιτεία* in no less than 50 places. A lost passage in the same treatise is less precisely cited with the phrase ὡς Ἰ*Αριστοτέλης 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 Ἰ*Αθηναίων 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

¹ Pollux viii 62, *παράβολον* (*Frag.*³ 456); cf. iii 17, *τριποσάτωρ* (*Frag.*³ 415).
² p. xx.

* Rose, *A. P.*, p. 471, *Frag.* 499³.

⁴ Zündel in *Rhein. Mus.* 1866, p. 432.

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.

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.*³ 563), 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 ('Αθ. πολ. 49 § 4), ἀπὸ συμβόλων δικάζειν (59 § 6), Βουζύγης (*Frag.* 386), βουλευσεως ἐγκλημα ('Αθ. πολ. 57 § 3), δήμαρχοι (21 § 5), διαμετρημένην ἡμέραν (col. 35, 3), ἱππᾶς (7 § 4), and ἴππου 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).

PHOTIUS, the patriarch of Constantinople (815—891 A.D.), states that excerpts from the πολιτεία of Aristotle, viz. from those of Thessaly, Achaia, Paros, Lycia and Ceos, were included in the twelfth book of the historical selections of Sopater (sixth cent.)¹. In his *Lexicon*, the Ἀθηναίων πολιτεία is mentioned in the articles on ναυκραρία ('Αθ. πολ. 8 § 3), and ὑπὲρ τὰ Καλλικράτους (28 § 3): the latter may, however, be traced back to Zenobius. The πολιτεία of Sparta, Samos and Ithaca are expressly cited (*Frag.*³ 586, 575, 509); and Aristotle is named in several articles², including one on πελάται ('Αθ. 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.

TZETZES of Constantinople (born c. 1120 A.D.) refers to the πολιτεία of Orchomenus (*Frag.*³ 505) 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.* ἱεροποιός, expressly quotes Aristotle ἐν τῇ Ἀθηναίων πολιτείᾳ (c. 54 § 6), and has a short article as 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 Πολιτεία.

¹ Phot. *Bibl. Cod.* 161, p. 104 b 38, quoted by Rose, *A. P.* p. 401, *Frag.*³ p. 258.

² *Frag.*³ 496, 541, 593, 554.

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 person who quotes the anecdote in c. 25 respecting the part ascribed to Themistocles in the overthrow of the Areopagus¹.

(2) The *Scholia* to Aristophanes refer to the Ἀθ. πολ. in no less than thirteen places². 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 Ἀθ. 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 Crete³. The *Scholia* on

¹ Rose, *A. P.*, p. 423, no. 359; *Frag.* 404².

² Ἀθ. 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); col. 32, 8—15 (**Plut.* 278); col. 36, 3—9 (*Æg.*

1150). In four of these places (marked with an asterisk) the title is given in full: Ἀρ. ἐν Ἀθ. πολ.; in two (*Vesp.* 157, 684) the form is Ἀρ. ἐν πολιτεῖαις.

³ In the *Schol.* on Theocr. iv 7 we are told that the Olympic crown ἐκ τῆς καλλιστοῦς ἢ καλλιστεφάνου ἐλαίας γενόμενος δίδοται, ἥτις ἀπέχει σταδίων ὀκτώ ὡς φασιν (sic) Ἀριστῶτελης. This is less

Aeschines contain no express mention of Aristotle, but they include several items of information ultimately derived from the Ἀθηναίων πολιτεία¹.

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 Ἀθηναίων 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 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 remains². Patrizzi's collection was included in Casaubon's Aristotle (1590), and in 1593 a more comprehensive edition was promised by Casaubon himself³. The lost πολιτεῖαι are also mentioned by the learned Selden⁴, but meanwhile Casaubon's promise remained unfulfilled. The importance of the fragments was noticed by Niebuhr⁵ 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

likely to have been derived from the θαυμάσια ἀκούσματα than from the πολιτεία of Elis.

¹ Ἀθ. πολ. 28 § 3, 57 § 3, 59 §§ 1, 2.

² Hallam, *Lit. of Europe*, ii 6; ed.

1854; Heitz, *Verh. Schr.*, p. 1.

³ Note on Diog. Laert. p. 76, ed. 1615.

⁴ *De jure naturali &c.*, Opera ii 74—5.

⁵ *Hist. Rom.* i 20, p. 12 of 3rd Eng. ed.

work by Valentine Rose. In his *Aristoteles Pseudepigraphus* (1863), we have 213 fragments, 89 of which are assigned to the 'Αθ. 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'. 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 'Αθ. πολ., the two new fragments being no. 413 and 429 (corresponding to c. 3 § 5 and 52 § 1).

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 contents². 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 Aristotle³. 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.

The analysis concludes with the following remarks on the second part of the 'Αθηναίων 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 de-

¹ E. Miller, *Mélanges de littérature grecque*, Paris, 1868; p. 369.

² *A. P.*, p. 402.

³ *Die Staatslehre des Aristoteles in Historisch-Politischen Umrissen*, vol. ii (1875), pp. 410—528.

tails 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 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 *Πολιτεία*, 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: *eheu 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 unfulfilled¹. To cherish such a hope, even for a moment, was in 1865 denounced as folly².

§ 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

¹ 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. xvii), 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.

² Heitz, *Verl. Schr.*, p. 230.

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 581—0. The institution of the nine 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 'Αρθίδες. 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* 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:

— — — ΔΘΗΝΑΙΟΙC
 — — ΧΘ . . . ΕΔΕΚ · ΔΗΜΟΙ
 — — ΕΠΟΜΕΝΤΑΝΤ · C · [ΝΑ
 — ΤΟ · C ΔΗΜΟΥCΑΝΑ · · 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 ναυκράοις καὶ τοῖ]ς δήμοις ἀντ]ι τῶν
 ναυκαριῶν ἐποίησε]

This *Scholium*, although introduced by the words 'Ἀριστοτέλης δὲ περὶ Κλεισθέους 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^o); but it is duly cited in the edition of 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 other work than the lost *πολιτεῖαι* of Aristotle¹. 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. 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 1885². 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. Damascius is rightly identified as Damascius 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 'Αθ. πολ. of Aristotle. The paper includes a convenient reprint of the various restorations of the fragments, and also a lithographed facsimile.

¹ 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 scharfen Blicken das politische Leben zu betrachten gewohnt war, der sein histo-

rischer 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.'

² *Philos. u. Hist. Abhandlungen*, Berlin Acad., 1886, ii pp. 1—57.

§ 6. *The British Museum papyrus.*

Thus far the student of Aristotle's Πολιτεῖαι had to find 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.

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, 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 the substance of these, 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 inches¹.

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—30².

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 list³.

¹ According to Pliny (*N. H.* xiii § 78) the two best kinds of papyrus were thirteen digits in height ($13 \times \cdot 72821 = 10\cdot4653$ inches), rather less tall than rolls I—III, but rather taller than IV.

² 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).

³ Mr Kenyon has already given a general list on the last page of his *Introd.* I have endeavoured to classify this list, and to represent approximately the shapes of the letters used in the *papyrus*.

	hands (1) and (4)	hand (1) only
ϛ = γάρ	Λ = παρά and παρα-	υ = -οι, -ου, -ον, οισ, -ους
Δ' = δέ and -δε-	Ν = περί	Ν = περ
Δ = διά and δια-	Ζ = σύν and συν-	Ϟθ = -σθαι
∖ = εἶναι	Τϛ = -ται	Ϟϛ = χρόνος, -ου, -ον, -ων, -οις
∕ = ἐστί	ϛ = τήν and -την	ω = -εως
κ' = καί and -και-	Τ' = τῆς and -της	
μ' = μέν and -μεν-	τ' = τῶν and -των	hand (4) only
ω = μετά and (in 1) μετα-	ω = -ων	Δ' = ἀνα-
ο = -ος		≡ = εἰσι
ό = οὔν and -ουν-		Ϟθ = -σθαι
		γ' = ὑπό and ὑπο-
hand (3) only	hands (3) and (4) only	
γ' = ὑπέρ	κ = -καί- and in (3) καί	

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)¹. 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)².

Final syllables are often omitted in (1) and (4). Thus φν^λ is found in both hands for φυλῆς and φυλῆν, and βου^λ is used for all the cases of βουλή in the singular. Hand (3) has χωρ for χώραν (col. 22, 2); τρὸ for τρόπον (*ib.* 11) and απογρα 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 alike³.

¹ For the details of these statistics, see van Leeuwen's *Observationes Palaeographicae* in the Dutch edition, pp. 170—7.

² See the alphabets reproduced in *Class. Rev.* v 183.

³ 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): —σέβη (col. 1, 3); πχωρησαντ (1, 20); τα μ' ο' π' τασ αρχας (1, 35); τ' χρεων αποκοπησ (2, 31); ατιμων \ κ' τ' πολεω (3, 32);

δκα ετ ου γ' οισθαι δικων \ (4, 6); μεμηνητ' π' αυτ' (4, 15); π' τ' δνεμεσθ τ' γην (4, 21); μ' τ' τ' νομων θεσιν (5, 23); ου γ' ενδεχετ' (7, 2); μπεμπομοσ (7, 14); αρμοδι^ο (7, 25); σ' παντα σ' οισ (8, 21); δ' κα μ' τ' π' το αστυ (9, 4); κ' τ' σμαχω (10, 12); \ κ' δικος (11, 1), \ τωι π' κλει (11, 27); επει δ' μ' τ' εν σικελ γεγομην δφορα (11, 46); σ' γραψεωδανηγωντ', i.e. συγγράψειν ἂν ἡγώνται (12, 3).

In (4), also found in (1): —κβαλλετ' (25, 25); δραχμω (27, 1); αρχοντ^ο (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.

Iota adscriptum is hardly ever omitted in (1); hardly ever inserted in (2); (3) and (4) do not follow any fixed rule¹.

ε and ι are frequently interchanged, especially in (2); some of these mistakes are however corrected by hand (1). But even in (1) we sometimes have ι for ε, e.g. *πισιστρατος* in three places (Col. 5, 28, 33, 37), besides four other instances. In (2) there are as many as 41, e.g. *αφιλον* for *ἀφέλλον* (Col. 16, 4); in (3) and (4) there are only four and five respectively. Conversely we have ε for ι in all the four hands, the number of instances being 14, 11, 15 and 2 respectively. Both of these mistakes are combined in *πολειτιαν* (Col. 13, 3) and *πολειτίας* (14, 1; 16, 26)².

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 Blass³) it may denote a corruption; at any rate this appears more probable than van Leeuwen's⁴ opinion that it draws attention to an important or striking statement.

There are no breathings or accents, except in *εκμαρτυρῶν* (Col. 3, 9), *νομοφυλακεῖν* (3, 26), *δήμον?* (4, 29), *ἀ* (12, 3) *ἠγῶνται* (13, 11) and *αὐτου* (29, 46). In some of these cases they are apparently added to prevent ambiguity of meaning⁵.

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 mistakes⁶. The editors of the first German edition, Kaibel and von Wilamowitz⁷, 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

αρεο *παρο*, (2, 9); = *ον* in 44 places, e.g. *θητικο*, (3, 3); = *οι* in 8 places, e.g. *δισχιλιο* (10, 17); = *οις* once, *αλλο* (2, 33); = *ους* in 16 places, e.g. *κλεισθενο*, (12, 8); *κ π* (8, 9).

In (4) alone: —// = *εισι* (in 20 places, e.g. twice in 27, 11 and 28, 41); *ῥ* = *ῥπ* (26, 19, 30; 27, 20; 28, 24); *σθ'* = *-σθαι* in 16 places, e.g. *δυνασθ'* (26, 9); *ῥ* = *ῥπ* in 26, 19 and 30; 27, 20; 28, 24; also = *ῥπο* in *ῥζυγιων* (26, 52); *ἀ* = *ἀνα* in 13 places, e.g. *ἀβηται* 30, 3.

In (3) alone: *ῥ* = *ῥπ* twice 21, 24 and 23, 22 (cf. 22, 44). (3) *κ* = *καλ* (22, 13 *bis*;

23, 22;) = *και* in *αναγκλον* (23, 14). *χωρ* = *χωραν* (22, 2); *τρο* = *τροπον* (22, 11); *απογρα* = *απογραφας* 22, 35. Final *ν* above last letter of word, seven times, cf. p. 151, *n. c.* *κ* also = *και* in (4), 27, 17.

¹ Van Leeuwen, *l. c.* p. 165.

² Van Leeuwen, *l. c.* p. 166.

³ *Praef.* p. xi.

⁴ *l. c.* p. 166.

⁵ Mr Kenyon's *Introd.* last page; and van Leeuwen, *l. c.* p. 167.

⁶ Mr Kenyon's *Introduction*, p. xi.

⁷ *Praef.* p. vii.

text depends on two earlier MSS, one of them much more accurate than the other¹. 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 copied².

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 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 shell³. 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 Ἀθηναίων 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, and not for publication or for preservation in a public library⁴.

On the horizontal side of the papyrus of the Ἀθηναίων πολιτεία are

¹ *Praef.* p. ix.

² Blass, *Praef.* pp. viii—xi.

³ Martial xv 209, 'Levis ab aequorea cortex Mareotica concha Fiat: inoffensa

currit harundo via.' Cf. Blümner's *Technologie*, i 308—325.

⁴ U. Wilcken, *Hermes* 1887, p. 487—492, *Recto oder Verso*.

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.)¹. 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 Demosthenes²; the latter was then struck out, the roll turned upside down and the 'Αθηναίων πολιτεία written on it, beginning 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*³.

§ 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 introduced after B.C. 334. Hence 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 Athens⁴. 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 year⁵. 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.

We have already traced in chronological order the evidence of all

¹ ἔτους ἐνδεκάτου αὐτοκράτορος Καίσαρος Οὐέσπασιάνου Σεβαστοῦ ἀργυρικὸς λόγος Ἐπιμάχου Πολυδεύκου λημμάτων καὶ ἀναλωμάτων τῶν δι' ἐμοῦ Διδύμου Ἀσπασίου χειριζομένων (in the original there are no accents).

² Printed in the Dutch ed. of the 'Αθ. πολ., pp. 180—185; and in Mr Kenyon's 3rd ed., pp. 215—219.

³ Mr Kenyon's *Introd.* to ed. 3, p. xvi.

⁴ Mr Cecil Torr in *Athenacum*, 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.

⁵ Bruno Keil, *u. s. p.* 613.

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. In such a case we 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 'Αθηναίων 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. Had the *Politics* been finished even as early as seven years after that date, it would have been completed before the 'Αθηναίων 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 school¹. 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.

Probably the greater part of the *Politics* had already been written by the year 336. It has sometimes been supposed that the vast collection of facts relating to the πολιτεία 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 'Αθηναίων πολιτεία assumed a finished form more than three years before the death of Aristotle. But it is quite possible that the *materials* for the 'Αθηναίων 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 *Πολιτεία*, 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 'Αθηναίων 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 *Πολιτεία*. 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

¹ Shute's *History of the Aristotelian Writings*, pp. 164—170.

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 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-VI¹, 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 it². 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,

¹ Cf. Newman, *Ar. Pol.* vol. i pp. 2, 214—220.

² 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. Heitz, *Verl. Schr.* p. 232, quotes the paraphrase of Andronicus: εἶτα συναγαγόντες τὰς πολιτείας θεωρῶμεν ἐν αὐταῖς ἃ τε φθέρει καὶ ἃ σφῆζει 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 πρώτων, and συνακτέον εἰς ὄλιγα in

1319 b 23, he infers that they are *die unter eine gewisse Anzahl von Rubriken vertheilten, verschiedenen Verfassungsformen*. But the meaning of συναγωγὰς in the former of these two passages is determined by Aristotle himself by the use of the word συνδυαζόμενα in the very next line, and συνδυασμοὶ 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.

was 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.

The only two that have been seriously suggested as authors of the Ἀθηναίων πολιτεία are Demetrius Phalereus and Dicaearchus. 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^a) and στρατεία ἐν τοῖς ἐπωνύμοις (469^b). 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 Schvarcz¹. 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 πολιτείᾳ which is found in c. 59 § 3; and the Scholiast on Arist. *Nubes* 37 quotes from both 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

¹ *Ar. und die Ἀθ. πολ.*, pp. c, d.

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 ἀγώνων*, *περὶ Διονυσιακῶν ἀγώνων* 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 as 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 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 government¹.

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 quoted² 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:—*χρώμενοι 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 it³.

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 Plain⁴; unless a certain passage in the *Politics* is interpolated, both observe that he was summoned before the Areopagus,

¹ For the reff. as to all these points, see Index to Jowett's *Politics* s. v. Aristocracy and Democracy.

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

³ p. 558 B (of the 'forgiving spirit' of democracy), ἡ συγγνώμη καὶ οὐδ' ὄπωπτιοῦν 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;

⁴ *Pol.* 1305 a 23.

and that he was twice exiled from Athens¹. 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*'². 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)³.

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 'Draconian Constitution' of the *πολιτεία* 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 'Draconian Constitution' has been vigorously attacked on its own merits, while the passage in the *Politics* is of doubtful genuineness. Again, the *πολιτεία* 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 *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

¹ *Pol.* 1315 b 21, 31.

² Mr Newman in *Class. Rev.* v 162 b.

³ *Ibid.*

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'¹.

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 προεδάειζε 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 ἐπιμελείσθαι 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.

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), ἐπιτετηρίς (54, 29), ἐπτάχους (col. 34, 32), 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; ἐπιτετηρίς is exactly analogous to

¹ *J. H. S.* 1891, p. 21.

τριετηρίς and πεντετηρίς, and ἐπτάχους to δίχους and ἐξάχους 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 writer¹.

Among words that are not found in the *Index Aristotelicus* may be mentioned: κυμαεῖν, 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-Aristotelian²; 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 καταφατίζειν, ἐπιδιανέμειν, ἐξαπορεῖν, συναρέσκεσθαι and παραστρατηγηθῆναι; and, among technical terms, ζευγίσιον, ὄστρακοφορία, ἀφέσιμος (ἡμέρα), εὐσημία, βάλανος, ἐμπήκτης, ἐπιστύλιον, ἐκθύματα (?), and ἐναγίσματα. The word προδανείζειν, which has been quoted as only used by later writers, is actually found in contemporary decrees³; and τριακοντόριον, which has been described as an 'entirely new word', is to be seen in contemporary inscriptions⁴. 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*⁵; 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

¹ Gomperz, *Anzeiger der phil.-hist. Classe*, Wien, 1891, no. xi.

² *Class. Rev.*, v 273.

³ 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).

⁴ 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 *Seeurkunden*, p. 393.

⁵ v 123 (J. B. Mayor), 184 and 272 (H. Richards); 'rare words', *ib.*, 229 (E. J. Chinnock). See also *Greek Index*.

‘there is a good deal about democracy, but we miss the technical terms ἐσχάτη, ὑστάτη, τελευταία, ἄκρατος, δημοκρατία. Nothing is ἄσπον, and no person or thing is either σπουδαῖος or φαῦλος’¹. 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, ὄσοσπερ and ὡσπερ. 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 δὲ καί; ἐπειδὴ is rare, while ἐπειδὴν is common. Of the *conjunctions*, οὖν is never used except in μὲν οὖν (hence it cannot be accepted in c. 43, 15, where καθ’ ἣν οὖν καθίζει has been conjecturally proposed). ἄρα, τοίνυν, τοίγαρ, and τε γάρ, are not found. ἀλλά occurs some thirty times, but always after a negative. καὶ always follows διό, and nearly always follows ὅθεν, when used in the sense of διό; ἵνα is found about ten times; ὅπως seventeen times; and ὅπως ἂν twice².

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 δῆλον ὅτι καί; and διό 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 subjunctive³. Now that ἵνα μὴ συμμαγεῖν τι has been withdrawn from

¹ *Class. Rev.* v 273 b (H. Richards).

² Cf. van Herwerden's *Index Dictionis*, s. v. ‘Particulae.’

³ The exceptions are *Pol.* 1320 a 35. and *Eth.* 1117 b 9—12. See Eucken, *De Particularum usu*, p. 53. This work

the text of c. 42, 35, 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 δημοτικοὶ φασιν. In the undisputed works ὅπως ἂν generally has a relative sense, which it does not entirely lose even when the sense appears to be final¹; 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 ἂν²; 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 illative conjunctions (such as οὖν and τοίνυν and ἄρα), in a consecutive exposition of constitutional history and antiquities, than in the course of a philosophical discussion.

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 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'³. 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*⁴, and his *dicendi incredibilis copia* and *suavitas*⁵; and similar phrases are found in Dionysius of Halicarnassus and Quintilian⁶. 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

has also been used for other details in this paragraph.

¹ Eucken, p. 55.

² Meisterhans, *Gr. d. Att. Inschriften*, p. 212.

³ Mr Newman in *Class. Rev.* v 159.

⁴ *Acad. Prior.* ii 119.

⁵ *Topica* i 3.

⁶ Grote's *Ar.* i 43—47; the passages are quoted at length in my note on the *Orator* of Cic., § 62.

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 *Ἀθηναίων πολιτεία*, and the style of that work may be fairly described as on the whole smooth and flowing, and severely graceful.

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 noticed¹ but a single instance of an exceptionally striking character may perhaps suffice for the present purpose (c. 55 § 4):—

(ἐπειδὴν) δὲ παράσχηται τοὺς μάρτυρας
ἐπ-ερωτᾷ, 'τούτου βούλεται τις κατηγορεῖν;'
κἂν μὲν ἦ 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 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. (α) as a general rule *hiatus* occurs only after the article, after numerals, after *καί*, *διά* and *περί*², 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 Τελεσίβου ἀρχοντος* (22, 21); constitutional terms, e.g. *ἡ βουλή ἡ ἐξ Ἀρείου πάγου* (4, 20); and legal phrases, e.g. *περὶ τοῦ δοῦναι τὰ ἑαυτοῦ ᾧ ἂν ἐθέλη* (35, 14) and *μη 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

¹ Blass, *Præf.* xvi—xxv.

² Also after *ἦ*, *εἰ* and *μή*.

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 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 works¹.

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 himself². 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*³.

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 such⁴. 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. 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

¹ *Class. Rev.* v 270—2.

² See notes on 26 § 2 ult., and 35 § 4 ult., and Newman in *Class. Rev.* v 160—1.

³ See note on 26, 23 *χείρους γυρεύσθαι*.

⁴ 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*.

the life of its author. ‘Portions of the *Metaphysics* and *de Caelo*, some 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.’ 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. 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.’²

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.

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.’³

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. The latter hypothesis might help to account for certain divergencies 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.

¹ Shute, *History of the Aristotelian Writings*, p. 23.

² Shute, p. 23.

³ Shute, p. 165 f.

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.

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 *ἱστορίαι* generally, 'they represent not any fixed work of Aristotle or of anyone else, but merely a continuously open note-book'¹. The *Ἀθηναίων 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 *Ἀθηναίων 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 Diels² has pointedly phrased it:—*Diese Ἀθηναίων πολιτεία [ist] nicht nur echt aristotelisch sondern aristotelischer als die meisten der uns erhaltenen Lehrbücher an welcher sich jene Skeptiker halten*'³.

If we now revert to the evidence of ancient writers who, either directly or indirectly, quote the *Ἀθηναίων πολιτεία* as the work of Aristotle, we find that, out of 56 fragments in which the *Ἀθηναίων πολιτεία* is expressly mentioned, 53 are found in our MS; of the remaining three, one (*Frag.*ⁿ. 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. 253,

¹ Shute, p. 72.

² *Archiv f. Gesch. d. Philos.*, iv, p. 479.

³ Prof. J. H. Wright, *The Date of Cylon*, p. 22 f.

l. 50); 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 for¹. 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 *δουλεύοντων* 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 find 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, and that the MS was made up of gatherings of 12 pages each. The number of lines in our printed text preceding I *a* is 245, which would take up only 10 pages. Hence the first two pages of the lost MS to which the Berlin fragments belong, were either left blank, or they actually contained the beginning of the treatise. If the latter, then the amount of the *Ἀθ. πολ.* which is now lost is equivalent to about 44 to 48 lines of the present edition.

§ 8. *Authorities followed in the Ἀθηναίων πολιτεία.*

The only authors actually named by the writer are Solon and Herodotus. From SOLON he quotes a large number of verses, most of them already familiar to us through Aristides, who shows no proof of any acquaintance with the poems of Solon, beyond that which he derived from the present work. The writer's debt to HERODOTUS is far larger than appears at first sight. He only mentions the historian once (c. 14), but he closely follows him in the account of Peisistratus and Cleisthenes (cc. 14, 15, 20), though not without interesting variations. 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

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

coincidence is not complete, and the writer quotes original documents which are not quoted by the historian. As regards XENOPHON, we find a close resemblance in the account of the speech of Theramenes (c. 36) 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 Theopompus¹; 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 Diodorus².

As regards the writer's relation to the various writers of Ἀτθίδες, there is no trace of any indebtedness to Hellenicus, whose carelessness on points of chronology³ 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, we may probably attribute the Ionism in c. 14 § 4, where the form παραβουσίης 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. The account of the disciplinary powers entrusted to the Areopagus (c. § 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 πολιτεία and that attributed to 'Phanodemus and Philochorus' is not sufficiently close to make it quite certain that the writer was following Phanodemus⁴.

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

¹ Th. Reinach's *Transl.* of Ἀθ. πολ., p. xxiv.

² xiv 11 and 22; Bauer, *Forschungen*, p. 155. Theopompus, in Pollux, v 43.

³ Thuc. i 97, βραχέως τε καὶ τοῖς χρόνοις οὐκ ἀκριβῶς.

⁴ See note on p. 12 a.

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.

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 shown by Professor Wright, it is not improbable that he actually quoted the latter and accepted it as the work of Aristotle¹.

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 *Πολιτεία* 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 Hellenicus reckoned by archons, but here again we have an *Atthidographic* feature. Androtion and Philochorus reckoned by archons (Busolt, *Gr. Gesch.* i 363, note 4); see also Philoch. *Frag.* 52 (where Philochorus knows in whose archonship at Athens Homer flourished) and Androt. *Frag.* 46.

(2) The *Ἀθ. πολ.* and other Constitutions ascribed to Aristotle resemble the *Atthides* in the interest they show in the origin of words and familiar phrases. See *Ἀθ. πολ.* c. 2, 5; 6, 12; 13, 25; 21, 6 and 21; 45, 7 &c.; and Aristotle's Constitutions (*Frag.*^s. 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 *Ἀθ. πολ.* and the other Constitutions show 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

¹ *American Journal of Philology*, xii 310 f.; *supra*, p. xix f.

(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.*⁴ 475, 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.*³ 487, 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). 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. 50); and in that of the times of Peisistratus (p. 56). 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. 101); and there are several grave inaccuracies in the brief allusion to the trial of the generals after the battle of Arginusae (p. 129).

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 *μη φυλοκρινεῖν* (21 § 2). He also takes special pains in quoting official documents¹.

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

¹ In these quotations we find a minute but not uninteresting proof of his fidelity: in the whole work, out of 17 instances of *ὅπως* with subjunctive or with future 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 clear that in 29, 18 *ὅπως ἀκούσαντες* 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 1705²).

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 *Metroon*; 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. 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 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'.¹ 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 *ἑπταεῖς* (7 § 4). He uses it himself in cases such as the following: (1) the sacral marriage of the *βασιλιννα* (3 § 5); (2) the Solonian method of appointing officials (8 § 1); (3) the institution of the *οἱ κατὰ δήμους δικάσται* by Peisistratus (16 § 5); and (4) the motive for the institution of ostracism by Cleisthenes (22 § 3)².

¹ *J. H. S.* 1891, p. 37.

² *ib.* p. 38. For some of the 'signals

of this method,' cf. note on 8 § 1, p. 30. *ὄθεν ἐπι διαμένει.*

§ 9. *Abstract of the Ἀθηναίων πολιτεία.*

The work is divided into two parts, (I) a Sketch of the Constitutional History of Athens down to the Restoration of the Democracy in 403 B.C. (cc. 1—41); 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.'¹

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 *φυλοβασιλείαις* 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. 381²).

(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. 384³).

[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 life from members of the royal house.]² 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.

¹ *Cambridge Review*, 20 Feb. 1891, p. 212 a.

² 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 404¹).

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 Alcmaeonidae, who violated their right of sanctuary and thus brought a curse on Athens and his descendants (*Herac. 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 Alcmaeonidae 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 sacrilege by Epimenides (c. 1).¹

(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, *Pentacosiomedimni*, *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 com-

¹ On the date of Epimenides, see p. 3, and cf. Prof. Wright's *Date of Cylon*, pp. 70 and 74, where the visit of Epi-

menides, as well as the trial of the Alcmaeonidae, is conjecturally assigned to 615 B.C.

mons 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 disarmed 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 Alcmaeonidae. 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 (*τμητύες*), 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 EPHIALTES, 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)¹.

(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

¹ There is a monograph on Theramenes by Dr Carl Pöhlig (Teubner, 1877). On the party of 'moderate oligarchs'

to which Theramenes belonged, see Dr Jackson's article on *Socrates* in *Encycl. Brit.* ed. 9.

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 provisionally by the 'Five Thousand,' 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 consequent 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 Arginusae 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. 129—130); and (2), when Sparta proposed to evacuate Decelæa, Cleophon protested that she should be required to surrender all the cities that owed allegiance to her (34 § 1). Athens soon had good reason to regret her mistake. 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 Peiræus, 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 Thrasylbulus, 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, Thrasylbulus 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 Peiræus, 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 who had remained in Athens might reside at Eleusis, while retaining their property and their full rights as citizens (35 § 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 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 Peiræus; 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 Archinus:— (1) He accelerated the date for the closing of the list of settlers at Eleusis (40 § 1); (2) he successfully resisted the proposal of Thrasylbulus 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 Heracleides, 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) Legislature (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 ἐγκύκλιον 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 χειροτονηταὶ ἀρχαί, or ἀρχαὶ πρὸς πόλεμον (61), and (iv) the Dikasteria (63 to end), placed here because they are permanent and not concerned with administration (ἢ διοίκησης), 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. 62 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 ἀλοθέται, 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. 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 a single chapter from the code of Dracon, with 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.

§ 10. *Conspectus of the Literature of the Ἀθηναίων πολιτεία.*

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

(A) *Published before the discovery of the Papyrus in the British Museum.*

- (1) Aristotelis rerum publicarum reliquias collegit **C. F. Neumann**. Heidelberg, 1827.
- (2) Heraclidis politiarum quae extant recensuit **F. G. Schneidewin**. Göttingen, 1847.
- (3) Fragmenta historicorum Graecorum collegit **C. Müller**; vol. II pp. 102—107; Heraclides, *ib.* 208—224; Paris (Didot), 1848.
- (4) **Valentini Rose** Aristoteles Pseudepigraphus, Leipzig, 1863, [quoted in this book as Rose, *A. P.*].
- (5) Die verlorenen Schriften des Aristoteles, von **Emil Heitz**, Leipzig (Teubner), 1865.
- (6) Fragmenta Aristotelis collegit disposuit illustravit **Aemilius Heitz**, Paris (Didot), Nov. 1868.
- (7) Aristotelis Opera; edidit Academia Regia Borussica. vol. V Aristotelis qui ferebantur librorum *Fragmenta* collegit **Valentinus Rose**, pp. 1535—1571 [quoted as Rose, 343² to 568²].—Index Aristotelicus, Bonitz. Berlin (Reimer), 1870.
- (8) **W. Oncken**, *Die Staatslehre der Ar. in historisch-politischen Umrissen*, vol. 2, esp. pp. 410—528 (Engelmann) Leipzig, 1875.
- (9) Aristotelis qui ferebantur librorum *Fragmenta* collegit **Valentinus Rose**, pp. 258—386 [quoted as Rose, 381³ to 611³], Leipzig (Teubner), 1886.

On the Berlin Fragments.

(10) **F. Blass**, *Hermes*, 1880, xv 366. (11) **Th. Bergk**, *Rheinisches Museum*, 1881, xxxvii p. 87. (12) **H. Landwehr**, (a) *de papyro Berlinensi*, no. 163, Berlin, 1883; (b) *papyrus Berol. commentario adiecto edidit*, Gotha, 1883; and (c) in *Philologus* Suppl. v 100—196. (13) **H. Diels**; *Abhandlungen der Berliner Akademie, mit 2 Tafeln*, Mai 1885, ii pp. 1—57.

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

(I) EDITIONS.

(1) Aristotle On the Constitution of Athens, edited by **F. G. Kenyon**, M.A., Fellow of Magdalen College, Oxford; Assistant in the Department of MSS, British Museum. Printed by Order of the Trustees of the Museum (Preface dated 31 Dec. 1890), 1st ed. Jan. 30, 1891; 2nd ed. Feb.; 3rd and revised ed. 25 Jan. 1892.

Preliminary notice of discovery in the *Times*, 19 Jan. (reprinted in *Classical Review*, v 70); Reviews of 1st or 2nd ed.:—in *Times*, 30 Jan. '91; *Athenaeum*, 4 April, p. 434—6; *Saturday Review*, 21 March, p. 358; *Edinburgh Rev.*, April, p. 470—494; *Revue de l'Instruction Publique en Belgique*, pp. 133—9; and elsewhere: also in signed (or acknowledged) articles by Mr Macan, Mr F. T. Richards, Prof. Tyrrell, Prof. Gildersleeve and Prof. J. H. Wright; M. Dareste, M. Haussoullier and M. Weil; Prof. Blass, Prof. Diels, Prof. Bruno Keil, P. Meyer, and G. J. Schneider (see under their respective names in B III). Review of 3rd ed. in *Academy*, 8 June '92. Descriptive article (signed κ) in *Review of Reviews*, 14 Feb. '91, with reduced facsimile of col. 29 and 30.

(2) Aristotle on the Constitution of Athens. Autotype Facsimile ed. 22 Plates, 20 × 15 inches. Folio; ed. 1, March, '91; ed. 2 in the same year.

Reviews in *Times*, 4 March, '91; *Athenaeum*, 4 April, p. 434—436, and elsewhere.

(3) 'Αθηναίων πολιτεία ἐκδιδομένη ἐπὶ τῇ βάσει τῆς δευτέρας ἀγγλικῆς τοῦ Κ. Κένου ἐκδόσεως. **A. Ἀγαθόνκος**. (Barth and Christ) Athens; 1891.

(4) Aristotele, la Costituzione degli Ateniesi, testo greco, versione italiana, introduzione e note di **C. Ferrini**. (Hoepli) Milan [rev. in *Athenaeum*, 5 Sept. '91, p. 317].

(5) Aristotelis Πολιτεία Ἀθηναίων, ediderunt **G. Kaibel** et **U. de Wilamowitz-Moellendorff**, '91. ed. 1, July; ed. 2, September (Weidmann) Berlin [reviewed in *Berl. Philol. Wochenschr.*, 1892, p. 453 (F. Cauer); *Neue Philol. Rundschau*, '92, p. 210 (P. Meyer); *Lit. Centralblatt*, '92, n. 2, p. 56; *Revue des études grecques* iv 405 (Weil); *Deutsche Literaturzeitung*, '91, p. 1639 (Gomperz); and elsewhere].

(6) Aristotelis quae fertur Ἀθηναίων πολιτεία. Post Kenyonem recensuerunt **H. van Herwerden** et **J. van Leeuwen**; accedunt MSTI Apographum, Observationes Palaeographicae cum Tabulis iv, Indices Locupletissimi; (Sijthoff) Leyden, '91 [reviewed in *Berl. Philol. Wochenschr.*, 1892, pp. 613, 649; *Class. Rev.* vi 20—24; *Neue Philol. Rundschau*, '92, p. 210 (P. Meyer); and elsewhere].

(7) Aristotelis Πολιτεία Ἀθηναίων, edidit **F. Blass** (Teubner) Leipzig, Jan. 1892 [reviewed in *Wochenschr. f. klass. Philol.* no. 38; and elsewhere].

(8) a school-edition of c. 1—41, by **Karl Hude** of Copenhagen (Teubner, Leipzig, Dec. 1892).

Editions have also been promised by

(9) **H. Diels** (Berlin); (10) **B. Haussoullier** (Paris).

(II) TRANSLATIONS.

English. (1) with Introduction and Notes (and Facsimile of first eleven lines of col. 10) by **F. G. Kenyon**, M.A. (Bell) London, July, 1891. (2) **E. Poste**, M.A., Fellow of Oriel Coll., Oxford; (Macmillan) London, July, '91; ed. 2, Dec. '92. (3) **T. J. Dymes**, B.A., late Scholar of Lincoln Coll., Oxford; (Seeley) London, 1891.

German. (4) **G. Kaibel** u. **A. Kiessling**, two editions in 1891; (Trübner) Strassburg. (5) **F. Poland** (Langenscheidt) Berlin, '91. (6) **M. Erdmann** (Neumann) Leipzig, 1892. (7) **H. Hagen** see in III (31).

French. (8) **Th. Reinach** (Hachette) Paris; (9) **B. Haussoullier** (Bouillon) Paris, Nov. 1891.

Italian. (10) **C. Ferrini** (Hoepli) Milan; (11) **C. O. Zuretti** (Loescher) Turin.

Russian. (12) **Belajew**, Kasan; (13) anonymous translation in *Journ. d. kais. russ. Ministeriums d. Volksaufklärung*, Jul.—Aug. '91.

Polish. (14) **L. Cwiklinski**, Krakau, Nov. '92.

(Several of the above Translations are reviewed in the *Athenaeum*, 5 Sept. '91, p. 316, and by Mr F. T. Richards in the *Academy*, 15 Aug., '91, p. 137.)

(III) SIGNED (OR ACKNOWLEDGED) CONTRIBUTIONS TO PERIODICAL PUBLICATIONS &c.

(ems. = emendations)

- (1) **Adam, J.**, On Solon in c. 12 § 5 *πρὶν ἀνταράξας πᾶρ ἐξείλεν γάλα*. *Academy*, 14 March, '91, p. 259. (2) **Allen, F. D.**, Prof. Wright's paper in 1888, on the date of Cylon; *The Nation*, 5 March, '91, p. 197. (3) **Bauer, A.**, (a) Vortrag in Graz, 18 Feb.; *Wissenschaftliche Rundschau der Münchner Neuesten Nachrichten*, no. 97, 103, 109. (b) *Preussische Jahrbücher*, vol. 68, part 1. See also IV (1). (4) **Bernardakis, G.**, Ἐπιστολὴ περὶ τῆς πολ. Ἀθ. τοῦ Ἀρ., ἀνατύπωσις τῆς Ἐφημερίδος, Athens, '91. (5) **Benn, A. W.**, On c. 25, *Academy*, 14 March, '91, p. 259. (6) **Blass, F.**, Review in *Litterarische Centralblatt*, 28 Feb. 301—4 (with numerous emendations, reprinted in *Class. Rev.* v 175). See also ed. in l (7). (7) **Brieger, A.**, die Verfassungsgeschichte von Athen, nach Aristoteles' neu angefundener Schrift, *Unsere Zeit*, ii 18—36, '91. (8) **Brooks, E. H.**, ems. in *Class. Rev.* v 182. (9) **Burnet, J.**, ems. in *Class. Rev.* v 107, 117. (10) **Bury, J. B.**, ems. in *Academy*, 7 March, '91, p. 234; *Athenaeum*, p. 344; (= *Class. Rev.* v 175). (11) **Busolt, G.**, 'zur Gesetzgebung Drakons,' *Philologus*, vol. 50, pp. 393—400. (12) **Butcher, S. H.**, c. 13, 21, *Class. Rev.* v 178. (13) **Bywater, L.**, ems. in *Academy*, 14 Feb. '91, p. 163—4 (= *Class. Rev.* v 105—). (14) **Campbell, Lewis**, ems. in *Class. Rev.* v 105—, 119. (15) **Chinnock, E. J.**, 'Rare Words,' *Class. Rev.* v 229. (16) **Cholodniak, J.**, General article in *Journal d. k. Russ. Min. der Volksaufklärung*, May '91, p. 58—70 (in Russian). (17) **Comparetti, D.**, *Nuova Antologia*, xxvi 3, vol. 34, fasc. 13. (18) **Cox, Rev. Sir G. W.**, 'Aristotle as an Historian,' *Academy*, July—Aug. '92, pp. 52, 111, 152, 171. (19) **Crusius, O.**, 'die Schrift vom Staate der Athener, und Aristoteles über die Demokratie,' *Philologus*, vol. 50, pp. 173—8. (20) **Curtius, E.**, *Berl. Arch. Gesellschaft* (*Berl. Philol. Wochenschrift*, '91, p. 27). (21) **Dareste, R.**, (a) *Séances et travaux de l'Acad. des Sciences Morales et Politiques*, '91, p. 341—364 (abstract of Part ii); (b) *Journal des Savants*, May, '91, p. 257—273. (22) **De-Sanctis, G.**, 'Studi sull' Ἀθ. πολ.,' *Rivista di filologia*, vol. xx p. 147—163. (23) **Diels, H.**, (a) *Deutsche Literaturzeitung*, '91, no. 7, p. 239—242; no. 24, p. 878; (b) *Archiv f. Geschichte der Philosophie*, iv 478; (c) On Epimenides, *Sitzungsberichte der Berliner Akademie*, '91, p. 387. (24) **Ellis, Robinson**, ems. in *Class. Rev.* v 181—2. (25) **Fraenkel, M.**, (a) *Zeitschrift f. Geschichtswissenschaft*, '91, p. 164—7; (b) *Rh. Mus.* xlvii 473. (26) **Gennadios, A.**, Ἀκρόπολις, Athens, 18 March—2 April (*Class. Rev.* v 274). (27) **Gertz, M. C.**, (a) *Filologiske Tidsskrift*, '91, p. 252—5; (b) *Jahrb. f. Philologie*, '91, p. 192. (28) **Gildersleeve, B.**, Rev. in *American Journal of Philology*, xii 97, cf. *ib.* i 458, iv 92, on Solon in c. 12 § 5, *πρὶν ἀνταράξας*. (29) **Giles, F.**, *English Historical Review*, April, '92. (30) **Gomperz, Th.**, (a) 'Aristoteles u. seine neuentdeckte Schrift,'

- Deutsche Rundschau*, xvii 219, May, '91; (b) 'Ueber das neuentdeckte Werk des Ar., U. die Verdächtiger seiner Echtheit,' *Anzeiger der Wiener Akademie*, no. xi (3) [both printed separately]; (c) *Deutsche Literaturzeitung*, '91, no. 24, p. 877; no. 45, p. 1639. See also IV (5). (31) **Hagen, H.**, trans. in *Schweizerische Rundschau*, '91, no. 4—6. (32) **Harberton, Lord**, On c. 35 § 1, *Class. Rev.* vi 123. (33) **Hardie, W. R.**, 'The *diagramma*' (c. 53), *Class. Rev.* v 164. (34) **Hartman, J. J.**, general descriptive article in *De Nederlandsche Spectator*, 14 March, '91. (35) **Haaskins, C. E.**, em. (20, 5) *Class. Rev.* v III b. (36) **Haussoullier, B.**, (a) *Revue des Études Grecques*, no. 12 (belated no. for Dec. 1890), p. 475; (b) *Revue Critique*, '91, no. 10, p. 181—6; '92, no. 10, p. 179—183; (c) *Acad. des Inscr. et Belles Lettres*, '91, Feb. 13 and 20; (d) *Revue de Philologie*, xv 2, p. 98 f. (37) **Havell, H. L.**, 'The Great Discovery,' *Macmillan's Mag.*, March, '91, p. 392—400. (38) **Headlam, J. W.**, (a) 'The Constitution of Draco' (c. 4), *Class. Rev.* v 166—9; (b) 'On the use of the *hiatus* in the *Πολυελα*,' *ib.* 270—2; (c) 'Notes on Early Athenian History (i) The Council: *ἐφέται* and *ναύκρατοι*,' *ib.* vi 249—253, and (ii) 'The Council,' *ib.* 293—8. See also IV (8). (39) **Herwerden, H. van**, (a) *Berl. Philol. Wochenschrift*, '91, pp. 322, 418, 610; (b) *Mnemosyne*, '91, p. 168. See also ed. in I (6). (40) **Hicks, R. D.**, ems. *Camb. Philol. Soc. Proc.*, 12 Feb. '91, p. 10; *Class. Rev.* v III a, 116 b. (41) **Hill, G. F.**, c. 25, *Class. Rev.* v 169; 176. (42) **Holzinger**, 'Aristoteles' athenische Politie und die Heraklidischen Excerpte,' *Philologus*, vol. 50, p. 436—446. (43) **Housselman, A. E.**, em. in *Class. Rev.* v 110 a. (44) **Houtsma, E. O.**, *Berl. Philol. Wochenschr.*, 27 Jun. '91, p. 801. (45) **Hude, C.**, 'Coniecturae Aristotelicae,' *Philologische Tidskrift*, '91, p. 248—251. (46) **Hultsch, F.**, 'Das Pheidonische Masssystem,' *Fahrh. für Philol.*, '91, p. 262—4. (47) **Immisch, O.**, On c. 41, *Berl. Philol. Wochenschr.*, '91, p. 707. (48) **Jackson, H.**, ems. in *Camb. Philol. Soc. Proc.*, 12 Feb. '91; *Class. Rev.* v 105—, 122. (49) **Kaibel, G.**, article in *Nord und Süd*, Apr. '91, p. 80—92; cf. I (5). (50) **Kell, Bruno**, (a) rev. of Mr Kenyon's ed. in *Berl. Philol. Wochenschr.*, '91, 25 April—16 May; also separately printed, pp. 56; (b) rev. of van Herwerden and van Leeuwen's ed., *ib.* '92, pp. 613, 649. Cf. IV (10). (51) **Kenyon, F. G.**, (a) 'New Readings,' *Class. Rev.* v 269—; (b) 'Recent Literature,' *ib.* 332. See also edd. in I (1). (52) **Kontos, K. S.**, (a) *Le Spectateur* (Athens), 13 Apr. '91; (b) *Ἀθηνᾶ*, iii 289—400; (c) *Στοιὰ*, i 44. (53) **Lacon, B.**, 'Ἡμέρα (Athens). (54) **Lean, W. S.**, *Academy*, 7 March, '91, p. 234. (55) **Leeuwen, J. van**, (a) *Mnemosyne*, xix 2, April, '91, reprinted in *Class. Rev.* v 224; (b) *Verslagen en Mededeelingen der Kon. Acad. v. Wett. afd. Letterkunde*, 1891 (May), p. 154—176. See also ed. in I (6). (56) **Lipsius, J. H.**, *Verhandlungen d. k. Sächs. Gesellschaft d. Wissenschaften*, '91, p. 41—69 (also printed separately). (57) **Macan, R. W.**, (a) Review of Mr Kenyon's first ed. in *Oxford Magazine*, 4 Feb. '91; (b) *Journal of Hellenic Studies*, April, xii 17—40 (on the historical aspect of the 'Ἀθ. πολ., 11 March, '91). (58) **Maehly, G.**, Review in *Rivista di Filologia*, '91, p. 551—7. (59) **Marchant, E. C.**, (a) 'The Deposition of Pericles' (c. 44), *Class. Rev.* v 165—6; (b) Emendations, *ib.* v 105—. (60) **Marindin, G. E.**, *Class. Rev.* v 176, 177, 181. (61) **Mayor, John E. B.**, (a) ems. &c. in *Camb. Univ. Reporter*, 3 March, '91, p. 607; *Class. Rev.* v p. 105—; (b) references on subject-matter, *ib.* 120—2; also in *Proceedings of the Camb. Philological Society*, 17 and 26 Feb. '91, pp. 10—15. (62) **Mayor, Joseph B.**, (a) on c. 7 § 4, and c. 17 § 4, *Academy*, 28 March, '91, p. 304; (b) 'Un-aristotelian words and phrases,' *Class. Rev.* v 122—185; (3) em. *ib.* 175. (63) **Murray, A. S.**, on c. 7 § 4, *Class. Rev.* v 108. (64) **Newman, W. L.**, (a) Review of Mr Kenyon's ed. in *Class. Rev.* v 155—164; (b) em. *ib.* 105—. (65) **Nicklin, T.**, ems. in *Class. Rev.* v 227, 228. (66) **Niemeyer, K.**, *Fahrh. für Philol.* '91, p. 405—

415. (67) **Oman, C. W.**, paper read at meeting of Historical Society, 19 Nov. '91 (*Academy*, 28 Nov., p. 483). (68) **Pais, E.**, *Rivista di Filologia*, xix 557—569. (69) **Pantazidis**, φιλολογικὸν παράρτημα τῆς Ἑστίας, 1891. (70) **Papabasilalos**, Ἀθηνᾶ, ii 278—288. (71) **Paton, W. R.**, (a) *Athenaeum*, 21 Feb. '91, p. 251, and *Class. Rev.* v 105—, 175—, 225; (b) 'The Attic Phratries,' *ib.* 221. (72) **Platt, A.**, ems. in *Class. Rev.* v 109, 175—, 185. (73) **Poland, F.**, *Jahrb. für Philol.* '91, p. 259—262. (74) **Radinger, C.**, *Philologus*, vol. 50, pp. 229, 400, 468. (75) **Reinach, Th.**, (a) 'Trois Passages du livre d'A. &c.' (on cc. 4, 8, 25) *Académie des Inscr. &c.*, 5 June, '91; *Revue Critique*, n. 24; (b) 'La Constitution de Dracon et la Constitution de l'an 411,' *Revue des Études Grecques*, '91, p. 82; (c) 'Aristote ou Critias?', *ib.* 143—158. (76) **Richards, F. T.**, (a) Rev. of Mr Kenyon's ed. in *Academy*, 14 Feb. '91, p. 165—7; (b) Rev. of Baner's *Forschungen* and of Mr Kenyon's and Mr Poste's Translations, *ib.* 15 Aug. '91, p. 137—8; (c) Letter, *ib.* 13 Aug. '92, p. 133, mainly on discrepancies between *Politics* and Ἀθ. πολ. (77) **Richards, Herbert** [quoted in critical notes by surname only], (a) ems. in *Academy*, 14 Feb. '91, p. 163—4; and 18 Apr. p. 371; (b) ems. in *Class. Rev.* v 105—, 122, 175, 224, 334; (c) 'Unaristotelian words and phrases,' *ib.* 184, 272. (78) **Ridgeway, W.**, *Academy*, 21 Feb. '91, p. 186—7 (*Class. Rev.* v 109). See also *Origin of Metallic Currency and Weight Standards*, pp. 306, 324. (79) **Ruehl, F.**, (a) *Rhein. Mus.*, '91, p. 426—464; (b) *Wochenschr. für klass. Philol.*, '92, no. 1; cf. (128). (80) **Rutherford, G.**, (a) 'The New Aristotle Papyrus in its bearings on Textual Criticism,' *Class. Rev.* v 89—91; (b) ems. *ib.* 105—, 175. (81) **Saint-Hilaire, B.**, *Revue Bleue*, 21 March, '91. (82) **Sandys, J. E.**, (a) ems. in *Academy*, 7 Feb. '91, p. 137 (*Class. Rev.* v 105—); (b) ems. &c. *Camb. Phil. Soc. Proc.*, 26 Feb. '91, p. 14 (with additions in *Class. Rev.* v 119—120). (83) **Schneider, G. J.**, Review of Mr Kenyon's ed. in *Wochenschr. für klass. Philol.*, 29 Apr.—20 May, '91, pp. 371, 498, 528, 544. (84) **Schoell, R.**, *Münchener Allgemeine Zeitung*, Beilage, no. 106—109; Sonderabdruck der 41 Philol.-Versammlung in München, Mai '91 (J. G. Cotta) Munich. (85) **Schvarcz, J.**, *Ungarische Revue*, Apr. '91. See also IV (12). (86) **Sidgwick, A.**, ems. in *Class. Rev.* v 105—. (87) **Stewart, J. A.**, em. in *Academy*, 7 March, '91, p. 234 (*Class. Rev.* v 179). (88) **Smith, Cecil**, Ostracism of Xanthippus, *Class. Rev.* v 277. (89) **Smith, J. A.**, em. in *Academy*, 14 Feb. (*Class. Rev.* v 118). (90) **Szanto, E.**, *Wochenschr. für klass. Philol.*, '91, p. 761. (91) **Thompson, E. S.**, (a) em. in *Class. Rev.* v 223, 224—; 277; (b) The Draconian Constitution, *ib.* 336; (c) Date of the Expulsion of the Pisistratids, *ib.* vi 181; (d) Age of the διατηρηταί, *ib.* 182. (92) **Torr, Cecil**, (a) on the date, *Athenaeum*, 7 Feb. (*Class. Rev.* v 119 note); (b) on 51 § 4, *Class. Rev.* v 117; (c) on the σπαργητοί in c. 61, *ib.* p. 119; (d) on c. 54, the Delian festival, *ib.* 277. (93) **Tyrrell, R. Y.**, (a) ems. in *Academy*, 28 Feb. '91, p. 210; 7 March, p. 234 (*Class. Rev.* v 175—); (b) 'The New Papyri,' *Quarterly Review*, April, '91, p. 320—350. (94) **Vanderkindere**, *Revue Belgique*, March, '91. (95) **Wachsmuth, C.**, 'zur Topographie von Athen,' *Rheinisches Museum*, '91, Heft 2. (96) **Walker, E. M.**, Chronology of 462—445 B.C., *Class. Rev.* vi 95. (97) **Wardale, J. R.**, *Class. Rev.* v 273. (98) **Weil, H.**, *Journal des Savants*, April, '91, p. 197. (99) **Whibley, L.**, (a) on cc. 22, 23, 28, *Class. Rev.* v 168—9; (b) em. *ib.* 180; (c) on the Authorship, *ib.* 223. (100) **Wright, J. H.**, (a) Review of Mr Kenyon's ed. in *The Nation*, 7 May, '91; (b) 'Did Philochorus quote the Ἀθ. πολ. as Aristotle's?', *American Journal of Philology*, xii 3, 310—318. (c) 'The Date of Cylon,' a Study in early Athenian history, *Harvard Studies in Classical Philology*, iii 1892. Also reprinted, pp. 80 (Ginn and Co.) Boston. (101) **Wyse, W.**, (a) ems. in *Camb. Phil. Soc. Proc.* for Feb. 12, '91; also in *Athenaeum*, Feb. 14

and 21, and *Academy*, 21 Feb. p. 186 (*Class. Rev.* v 105—); (b) *ems.* in *Class. Rev.* v 225—; (c) notes, *ib.* 122, 224, 274—6, 335—6; (d) on *προδαπέξων*, 16 § 2, *ib.* vi 254—7.

Many of the following articles appeared at a later date than the above:—

- (102) **Bérard, J.**, *Aristote, La Constitution d'Athènes*, (Extrait) Paris. (103) **Betge**, popular article in *Gegenwart*, '91, no. 29. (104) **Busekūl**, (a) on cc. 4 and 25, *Journ. d. Min. der Volksaufkl.*; noticed in *Berl. Phil. Woch.*, 8 Oct. '92, p. 1289; (b) in *Russ. hist. Rundschau*, ii 221—239 (both in Russian). (105) **Gauer, Paul**, *Aristoteles Urteil über die Demokratie*, *Fleckeisen's Jahrb.* '92, p. 581—593. (106) **Cavazza, P.**, *Discorso in Annuario dell' Istituto di studi superiori in Firenze*, pp. 20, '92. (107) **Derewizki, A.**, (in Russian) Charkow, '91. (108) **Dimitzas, M. G.**, 'Ελλάς, iii 4 p. 357—379. (109) **Duemmler, F.**, *Die 'Aθ. πολ. des Kritias*, in *Hermes*, '92, p. 260—280. (110) **Ferrini, C.**, *Rendiconto dell' Ist. lombardo*, ser. ii, vol. xxiv, fasc. 8—9. (111) **Fontana, G.**, On Aristides in 'Aθ. πολ., pp. 26, (Tedeschi) Verona. (112) **Fraccaroli, G.**, *due versi di Solone* (c. 12, 28), in *Rivista di Filologia*, xxi, p. 49—50. (113) **Goodell, T. W.**, 'Ar. on the Athenian Arbitrators' in *Amer. Journ. of Philology*, xii 319—326. (114) **Grunzel, J.**, (Friedrich) Leipzig. (115) **Hertz, M. G.**, On c. 38, *Jahrb. f. Philol.*, '91, p. 192. (116) **Hude, K.**, On the murder of Hipparchus (where Ar. differs from Thuc. he is probably following Androtion), *Jahrb. f. Philol.*, '92, p. 171—6. (117) **Knoke, F.**, popular article in *Grenzboten*, '91, no. 43—44. (118) **Köhler, U.**, (A) On Heracleides of Clazomenae, *Hermes*, '92, p. 68 f. (B) *Die Zeiten der Herrschaft des Peisistratos; Sitzungsberichte* of the Berlin Academy, 7 April, '92, pp. 339—343; a not entirely accurate abstract in *Berl. Phil. Woch.*, 13 Aug. p. 1053—6. [(a) The account of Peisistratus in cc. 14, 15 is primarily derived from Hdt. i 59—64, combined (but not harmonised) with other sources of information. The second exile lasted 10 years; the first *τυραννίς* 5; and the first exile and the second and third *τυραννίς*, 6 years each. This result was probably obtained by deducting the 10 years of the second exile from the 33 years of c. 17, and dividing the remainder (23) into four approximately equal parts, thus making the *τυραννίς* last for 17 years in all, and the exile for 16 years. The 19 years of *τυραννίς* in c. 17 § 1, which are inconsistent with this, are obtained (as already suggested on p. 76 a) by deducting the 17 years of the rule of the Peisistratidae (c. 19 ult.) from the 36 years assigned by Hdt. to the rule of Peisistratus and his sons. (The connexion of Peisistratus with Rhaecelus explains the offer of Amyntas I to allow Hippias to settle at the neighbouring town of Anthemûs, Hdt. v 94.) (b) The author's method of combining different sources of information is further illustrated by comparing his account of Cleisthenes (c. 20—21) with that of Hdt. (The beginning of the *στράσις* is placed by Köhler before 508/7, and the reforms of Cleisthenes in 507/6.) (c) In the figures given in c. 24 the main stress is laid on the total, 20,000 (cf. *Arist. Vesp.* 706—8), not on the details; it is an exaggeration to put the number of the *ἀρχαὶ ἐνδημοὶ* and *ὑπερβριοὶ* at 700 each; and the estimate of 2500 hoplites and 20 guardships properly belongs to the time of the battle of Tanagra. A body as numerous as the 2,000 *φρουροὶ* must have held office for more than a year. (d) c. 25 describes the censorial powers of the Areopagus as *ἐπιθερα*, whereas, in cc. 3, 4, 8, these powers are described as having belonged to it from the earliest times. Hence we may infer that c. 25 is founded on a different account of the historical development of the powers of the Areopagus to that followed in the previous chapters. Further, it is more probable that Ephialtes, in his attack on the Areopagus, cooperated with Pericles than with Themistocles. The story about the latter in c. 25 is a *läppische, chronologische unmögliche Erzählung*, probably borrowed from some such writer as Stesimbrotus.]

- (119) **Kurze, F.**, *Westermann's Monatshefte*, Nov. '91, p. 281—4. (120) **Mahaffy, J. P.**, *obiter dicta in Problems in Greek History*, pp. 84, 87, 89, 96, 122, 128. (121) **Melber, J.**, *Aristoteles 'Αθηναίων πολιτεία u. die bisher darüber erschienene Litteratur in Blätter für das bayerische Gymnasialwesen* xxviii 1, p. 29—44 (*Class. Rev.* vi 375). (122) **Meyer, P.**, (a) *der neue Ar. u. die Schule, in Gymnasium*, '92, no. 2—3; (b) *Reviews in Zeitschr. f. d. Gymnasialwesen*, XLVI 144—155. (123) **Müller, H. C.**, in *Ἑλλάς* iv, pp. 76 ff, and **Kenyon**, *ibid.* 137, Leyden, '92. (124) **Munro, J. A. R.**, 'The Chronology of Themistocles' career,' *Class. Rev.* vi 333 f. (125) **Nissen, H.**, *die Staatschriften des Ar. in Rhein. Mus.* '92, vol. 47, pp. 161—206 (holds that the *Πολιτεία* were intended to lead up to the publication of a code for the dominions of Alexander, and also to serve as a series of hand-books for the use of Macedonian diplomatists. The article is ably criticised by Bruno Keil, *die Solonische Verfassung*, p. 127—150). (126) **Piccolomini, Aeneas**, *In Aristot. et Herodam animadv. criticae*, in *Rivista di filologia*, xx p. 456—264, Turin, 1892. (127) **Postgate, J. P.**, em. *ἠλάσατε for ἀάσατε*, in c. 5, 16 (*Class. Rev.* v 109). (128) **Ruehl, F.**, *Der Staat der Athener und kein Ende*, in *Jahrb. f. class. Philol. Suppl. Bd.*, 18, pp. 675—706; also reprinted (Teubner) Leipzig. [Rev. in *Neue Philol. Rundschau*, '92, no. 15, p. 229 (P. Meyer); *Woch. f. kl. Philol.* '92, no. 35, p. 949 (G. J. Schneider); *Berl. Phil. Woch.* 15 Oct. p. 1317 (Schöffner). 'Fassen wir des Ergebniss meines ersten Aufsatzes (79) und das der vorstehenden weiteren Ausführungen zusammen, so ergibt sich die neue Schrift als ein Werk, das sich sehr nahe an die aristotelische 'Αθ. πολ. anschloss, stellenweise fast oder ganz wörtlich, das ihr manche feine, echt aristotelische Wendung verdankte, das sie aber einerseits an vielen Stellen zusammenzog, andererseits dagegen auch erweiterte und möglicherweise auch einzelne Partien durch andere ersetzte' (p. 700). He holds that the editor of the work was 'Herakleides Lembos' (p. 701 f.).] (129) **Schöffner, Val. von**, (a) On the date of the 'Αθ. πολ. in *Introd. to Bürgerschaft u. Volksversammlung zu Athen*, I, Moscow, '91 (in Russian), *Berl. Phil. Woch.* 8 Oct. '92, p. 1290; (b) *Reviews in Berl. Phil. Woch.* 8 and 15 Oct. '92. (130) **Schultz, H.**, *Russ. Phil. Rundschau*, ii p. 33—44 (in Russian). (131) **Stern, E. v.**, *die neuentdeckte 'Αθ. πολ. des Ar.* pp. 42 (Abdruck aus B. II der *Annal. der hist.-phil. Ges.*), in Russian, Odessa, '92; [attacks the views of Schwarcz, Rühl and Cauer, *Berl. Phil. Woch.* 8 Oct. '92, p. 1291]. (132) **Szanto, E.**, *zur drakonischen Gesetzgebung, in Arch.-epigr. Mittheilungen aus Oesterreich*, xv 2, p. 180—2. (133) **Tacchi-Venturi, Civiltà Cattolica**, xii no. 995—6. (134) **Zielinski, Th.**, on c. 4, in *Russ. Phil. Rundschau*, i 2, p. 125 f. (in Russian). (135) **Zingerle, A.**, *Zeitschrift f. d. Oesterr. Gymn.* xliii 207 f.

(IV) SEPARATE WORKS.

- (1) **Bauer, A.**, *Litterarische u. historische Forschungen zu Aristoteles' 'Αθ. πολ.* (C. H. Beck) Munich, pp. 190, May '91. (Rev. in *Athenaeum*, 5 Sept. '91, p. 317; *Academy*, 15 Aug. '91, p. 137; *Berl. Phil. Woch.* 15 Oct. '92, p. 1321, Schöffner; and elsewhere.) [In three parts: (1) On the relations of Ar. to the historical literature of Greece; (2) historical results derived from the 'Αθ. πολ.; (3) Chronological tables, drawn up in accordance with the dates given in the 'Αθ. πολ.]
- (2) **Cassel, Paulus**, *Vom neuen Aristoteles u. seiner Tendenz* (Bibliograph. Bureau) Berlin, '91. (Rev. in *Berl. Phil. Woch.* 15 Oct. '92, p. 1320, Schöffner; and elsewhere.) [An unscholarly pamphlet, describing the ideal of the author of the 'Αθ. πολ. as 'die alte, erbliche, patriarchalische, gewissenhafte, königliche Verfassung.']
- (3) **Cauer, Fr.**, 'Hat Aristoteles die Schrift vom Staate der Athener geschrieben?'

ihr Ursprung und ihr Wert für die ältere athenische Geschichte, (Götschen) Stuttgart, pp. 78, '91. (Rev. in *Academy*, 6 June '91, p. 540; *Athenaeum*, 5 Sept. '91, p. 317; *Deutsche Litteratur-Zeitung*, p. 878, Diels; *Litt. Centralblatt*, p. 1120; *Wochenschr. f. kl. Phil.* no. 28, Szanto; *Gymn.* p. 567, P. Meyer; *Berl. Phil. Woch.* '92, p. 1288, Schöffer; and elsewhere.) [Argues against the treatise being the work of Aristotle.]

(4) **Droysen, H.**, *Vorläufige Bemerkungen zu Aristoteles' 'Aθ. πολ.*, Oster Programm des königstädt. Gymn. (Gärtner) Berlin, '91. [Mainly chronological.]

(5) **Gomperz, Th.**, *Die Schrift vom Staatswesen der Athener und ihr neuester Beurtheiler*, (Holder) Vienna, '91. [A polemical pamphlet directed mainly against Dr Franz Rühl's article in *Rheinisches Museum*, xlvii 426.]

(6) **Hagfors, E.**, *de praepositionum in Ar. Politicis et in 'Aθ. πολ. usu*, Helsingfors Dissertation, pp. 130 (Mayer u. Müller, Berlin, '92). [Rev. in *Woch. f. kl. Philol.* '92, p. 997. The net result of this elaborate statistical investigation is that, in the prepositions, the writer finds nothing in the 'Aθ. πολ. divergent from the usage in the *Politics*. On the other hand, there is little in the use of prepositions in the former that is distinctively characteristic of Aristotle. This is limited to the use of ἐξ ἀρχῆς (for ἐν ἀρχῇ), ἐξ ὑπαρχῆς, and οἱ περὶ τινα. The conclusion is:—'quantum ex praepositionum usu concludere licet, ille liber ab Aristotele potest esse conscriptus.']

(7) **Hammond, B. E.**, *Greek Constitutions*, (a sketch including fresh details from the 'Aθ. πολ.) pp. 68 (E. Johnson) Cambridge, '91.

(8) **Headlam, J. W.**, Appendix to Historical Essay, *Election by Lot at Athens*, pp. 183—190, (University Press) Cambridge, '91. See also III (38).

(9) **Herzog, E.**, *Zur Litteratur über den Staat der Athener*, pp. 83 (Fues) Tübingen, Nov. '92. (1) On [Xen.] 'Aθ. πολ.; (2) on Ar. 'Aθ. πολ. c. 4.

(10) **Kell, Bruno**, *Die Solonische Verfassung nach Aristoteles*, pp. 248 (Gärtner) Berlin, Nov. '92. [Ar. was engaged in the preparation of the *Politics* from about 350 to 335 B.C. It was apparently after this that he put into shape the materials collected for his Πολιτεῖαι, the redaction of the 'Aθ. πολ. falling between 329 and 325. In its polemical passages and elsewhere, it shows the influence of the 'Aρθls of Androtion, besides other traces of further research subsequent to the preparation of the *Politics*. It was intended for publication, as is proved by the elaborate style of certain portions, by the attention paid to rhythm at the ends of the sentences, by the avoidance of hiatus, and by other indications of deliberate purpose and methodical plan. The work did not, however, receive the author's finishing touches, and was probably not given to the world until after his death.—The text of chaps. 5—13 is printed with critical notes, followed by a commentary on each chapter, together with many valuable remarks on the work as a whole. Among the restorations of the text here proposed are c. 9, 11 ἔπως περὶ τῆς κρίσεως ὁ δὲ ἤμους ἢ κ' ἴριος, c. 10, 5 παρ' ὁ[λιγ]ων, c. 11, 10 γενέσθαι τὴν [νέαν] τάξιν, c. 11, 12 ἢ σχεδὸν ἀ[παράλλακτον].]

(11) **Meyer, Peter**, *Des Aristoteles' Politik u. die 'Aθ. πολ.*, nebst einer Litteratur-Übersicht, pp. 72 (Cohen) Bonn, '91. (Rev. in *Berl. Phil. Woch.* 8 Oct. '92, p. 1291, Schöffer; and elsewhere.) [Gives some useful parallel passages from the *Politics*; but goes too far in contending that *Politics* ii 12 and c. 4 of 'Aθ. πολ. are both equally authoritative.]

(12) **Schvarcz, Julius**, *'Aristoteles u. die 'Aθ. πολ.*, I Abtheilung des Werkes *Die Demokratie*, pp. 25 (Friedrich) Leipzig, '91. [Ascribes the treatise to Demetrius Phalereus.]

(13) **Schjott, P.** *Aristoteles om Athens Statsforfatning*. Christiania, '91, Dybwad. (Rev. by B in *Lit. Centralblatt*, no. 29, p. 1025.)

(14) **Wright, J. H.** *The Date of Cylon*, (Reprint of III (100 c), 1892); noticed

in *Academy*, 11 June, '92, p. 570; *Class. Rev.* vi 457; *Berl. Phil. Woch.* '92, p. 1555; and elsewhere. [Places the attempt of Cylon between 636 and 624 B.C., and the trial and banishment of the Alcmaeonidae, and the visit of Epimenides, in 615.]

The principal books of reference used in preparing the commentary are: (a) the *Corpus Inscriptionum Atticarum*, quoted as CIA; with E. L. Hicks, *Gk. Historical Inscriptions*, and Dittenberger's *Sylloge*; also von Hartel's *Studien über Attisches Staatsrecht u. Urkundenwesen* (1878), and Meisterhans, *Grammatik der Attischen Inschriften*, ed. 2 (1888).

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

(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. P. Hermann's Lehrbuch der Griechischen Antiquitäten*¹. (3) *Meier u. Schoemann, der Attische Process*, 1824, ed. Lipsius 1881—6; also Lipsius, 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. (5) *Gilbert, Griechische Staatsalterthümer*, 1881—5 (new ed., and English trans. of vol. i in preparation). (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, and other monographs in the same series. (11) *Philippi, Beiträge zu einer Geschichte des Attischen Bürgerrechtes* (1870), and *Der Areopag und die Epheten*, 1874. (12) *Fraenkel, 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 munere*, 1880; *Kornitzer, De Scribis Publicis*, 1883; *Haederli, Astynomon u. Agoranomen*, 1886; *Panske, de Magistratibus Atticis, qui saeculo A. C. quarto pecunias publicas curabant*, i, 1890; and others. (16) Articles in Philo-

logical Journals, &c.

¹ Vol. I, Part ii, *Der Athenische Staat und seine Geschichte*, edited by Thumser, was published in Nov. 1892, too late to be of use in the present work.

§ II. 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 fuerunt, propter sensum addenda sunt;

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

† obelus lectionem corruptam designat;

* asteriscus coniecturas non antea ab editore prolatas.

Editiones.

K¹ = Kenyonis ed. prima; K² secunda; K³ tertia;

K-W¹ = Kaibel et von Wilamowitz-Moellendorff, ed. prima; K-W², ed. altera;

H-L = van Herwerden et van Leeuwen;

B = Blass.

§ 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 p. 235.

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 Berlin 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 p. 236 b.

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 p. 240 b. From Daremberg and Saglio, *l.c.*, fig. 2413, 2414.

Fig. 6 and 7; bronze ψήφοι 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 p. 246.

On p. 39; 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. 2 b, l. 17 from end: read 'either as early as 636 or as late as 624.'

p. 7, l. 3: dele asterisk.

p. 133, in critical note on 35, 5: read Πειραιέως K, K-W.

ADDENDA.

Introduction, p. xii. The sketch on pp. ix—xii is perhaps needlessly limited to the literature of the theory of government. A survey of 'political literature', if interpreted in its wider sense, might have included some account of the *de Pace* and the *Areopagiticus* of Isocrates. Of these two political pamphlets the first advises Athens to abandon the Empire of the Sea; the second 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 30 years later. Some of these points are noticed in Bruno Keil's *Solon. Verf.*, pp. 78 ff, 215 &c.

p. 1. The observations of Blass on the *rhythm* of the *Ἀθηναίων 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'.

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

p. 14 (c. 4, 6): **ταμίαις**] The earliest inscription in which the *ταμίαι* are mentioned belongs to the first half of the sixth century, CIA iv 373²³⁸, p. 199, *οἱ ταμίαι τάδε χαλκία κτλ*. Cf. *J. H. S.* ix 125.

p. 28 (c. 7, 23): **Διφίλου Ἀνθεμίων**] Bruno Keil, *Solon. Verf.*, p. 67, identifies with this monument a work of art mentioned in CIA, ii 742 A 12 (*Catalogi signorum ex aere factorum*), early in the second half of the 4th century:—*ἀνάθημα Ἀνθεμίων*[os...] *κυνῆν ἔχει καὶ λό[γ]χην* *vel* *λό[φ]ον*. He accordingly infers that the monument may be described as *ἀνάθημα Ἀνθεμίωνος, ἐκῶν Διφίλου*. Köhler describes the age of these *Catalogi* as *ultimis decenniis saeculi quarti non multo antiquior*. But the work of art itself may easily have been very much older, some of the rest in the list having certain portions missing. Cf. Boeckh, ii 311², 279³.

p. 79 f (c. 21, 12): **διένειμε**]. Add, Milchhoefer's *Untersuchungen über die Demenordnung des Kleisthenes*, with Map, Reimer, Berlin, Oct. '92; and Szanto, *Hermes*, '92, p. 312.

p. 134 u (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, *Ἀρχεστρατο[s] εἶπε τὰ μὲν ἄλλα καθάπερ [Ἀ]ντικλῆς· τὰς [δ]ὲ εὐθύνας Χαλκιδεῦ[σ]ι* *κατὰ σφῶν αὐτῶν εἶναι ἐν Χαλκίδι καθάπερ Ἀθήνησιν Ἀθηναίοις, πλὴν φυγῆς καὶ θανάτου καὶ ἀτιμίας. περὶ δὲ τούτων ἔφεσαν εἶναι Ἀθήναζε ἐς τὴν ἡλιαίαν τῶν θεσμοθετῶν κατὰ τὸ ψήφισμα τοῦ δήμου*. The spirit of this proposal harmonises with the policy of Ephialtes.

Addenda Notulis Criticis. Bm = Blass, *Mitteilungen aus Papyrus-handschriften*, in Fleckeisen's *Jahrbücher*, Oct. 1892, pp. 571—5. Lectionum harum ipsa papyro inspecta prolatarum exemplar Blassii ipsius benevolentiae acceptum refero; ex eisdem nonnullas ab eodem impertitas in editione capitum 1—41 in textum nuperime recepit Hude. Recensentur infra etiam coniecturae quaedam, quas nuper proposuit Bruno Keil.

2, 2 ἦν γὰρ [τότε]: ἦν γὰρ αὐτ(ῶν) Bm (Hude).

3, 6 ἐξ [ἀρχ]ῆ[s ἦν] a J W Headlam prolatum accepi et defendi: καὶ π[ἀρ]τος [ἦν] Bm (Hude). 10 [τὴν ἀρχὴν· σημείον] δ': [ταύτ(ην)]· τεκμήρι(ων) δ' Bm (Hude). 11 δμνύουσι [καθάπερ]: δμνύουσι[ν ὡς]περ Wessely et Bm (Hude).

14 ὁποτέρως ποτ' ἔχει μικρόν, ἐγένετο γὰρ ἐν τούτοις τοῖς χρόνοις: ὁποτέρως ποτ' ἔχει, μικρόν ἂν παραλλάττοι τοῖς χρόνοις Bm (Hude). 17 [μόνον τὰ ἐπιθ]ετα: π[ερ] ἐπ[ί]θετα (περβαίνειν) ἐπιθετα?) Bm. 22 πλείων [ἦ] ἐνιαύσιος. [οὔτοι] μὲν οὖν χρ(όνον): πλείων ἐνιαυσίας. [τ]ῶ μὲν οὖν χρ(όνω) Bm, coll. Pl. *Leg.* 779 D οὐκ ἐλάττων ἐνιαυσίας (Hude).

4, 10 διε[γγυ]ᾶ[σθαι]: διε[γγυ]ᾶν, *cautionem* (vel *sponsionem*) *exigere*, Bm (Hude); idem coniecerat Fränkel, *Rhein. Mus.* xlvii 473, sed alio sensu, *spondere*. 12 π(αρα)σχόμενος* cum Blassio coniecerat: δεχομένουσ K, κ-W, (participio cum ἔνους constructo) Bm (Hude). 13 οὔπερ <εἰσίν> Hude.

5, 8 ἐσορῶντ' Naber (Hude). 9 καὶ γὰρ ἴεπελαύνει καὶ πρὸς: 'καινομένην' (de Attica, *pereuntem*), ἐν ᾗ (H1) πρὸς Bm (Hude). 17 ἐν μετρίοις τ[ρέφεσθε]: ἐν μετρίοις τι . . . θε Bm; recte igitur *πλεσθε* proposuerat Platt. 21 τὴν τε φι[λα]χρημ[α]τίαν (quod coniecerat Kontos) Bm, qui usitatam lectionem *φιλαργυρίαν* cum litterarum vestigiis non congruere arbitratur, sed spatium litteris tribus ρημ paulo angustius esse confitetur.

6, 15 ἀπεχθέσθαι <ἐλέσθαι> Hude, hiatu sine causa admissio. 18 καταρρ-παίν[ειν]: καταρρπηγῆναι Gertz (Hude), hiatu admissio.

7, 7 κατεκύρωσεν (δὲ τοὺς νόμους): κατέκλησεν (ICEN iam *antes* Wessely) Bm; 'machte fest', 'gab Geltung', Hude; sed explicandum potius *leges suas intra centum annorum spatium inclusit*.

9 τιμήμα[τα δι]εἶλεν: τιμήματι [δι]εἶλεν Wessely, Bm (Hude). 11 τὰς μ[ἐν οὖν] ἀρχὰς: κ(αι) τὰς μὲν ἀρχὰς (spatio inter ME et N vacuo relicto) Bm (Hude).

8, 21 [καὶ] τὰ τε ἄλλα: [ἦ] τὰ τε ἄλλα Bm (Hude). 24 [τοῦ *πράττ]εσθαι: [τοῦ ἐ]κτ[ιν]εσθ(αι) Bm (Hude); idem coniecerat Tyrrell.

9, 11 ὅπως π(ερ)ὶ τῆς κρίσεως ὁ δ[η]μιος ἦ κ[ύριος] Keil.

10, 2 ποιῆσαι κ; ποιῆσαι[ι] Bm. 5 παρ' ὁ[λ]γων Keil. 6 ἦν δ' ὁ ἀρχαῖος χαρακτήρ διδράχμου. ἐπαίησε δὲ καὶ <τὰ> σταθμὰ πρὸς τ[ὸ] νόμισμα, τ[ρ]εῖς καὶ <τετταράκοντα ἐπαυξήσας ἐς τὰς> ἐξήκοντα μνᾶς τὸ τάλαντον ἀγούσας Keil, *Solon. Verf.* p. 166. 8 ἐξήκοντα: ὀγδοήκοντα Gertz (Hude). 9 [αὶ] μναί: [αὶ γ'] μναί Bm, supra versum hastam numeri signum proidentem cerni posse testatus: αὶ τρεῖς καὶ εἰκοσι (κγ' Gertz) μναί Hude.

11, 10 Ἄν γενέσθαι τὴν [νέαν] τάξιν? Keil. 12 ἦ σ[χεδὸν ἀ]παράλλακτον Keil; ἦ μ[ικρ]ὸν παραλλάξ[ειν] Bm, et deinceps ὅθεν [ἀ]μφοτέρους. 13 συστά[ντι]: συστά[ντ]α Bm (Hude).

- 12, 14 ὄσοι: ὄσοι Hude. 51 φρασάλατ' ἄν Hude. 54 πολλαῖσιν: πολλῆσιν (εἰ) Bm (πολλῆσιν Hude).
- 16, 17 τὰ: τὸ H-L (Bm). 18 πα[ττά]λφ: ἐπιμελῶς Hude, quod obiter conieceraim. 27 ἐθ[ρὺ]λλ[εῖ]το: ἐνθύμι(ον) ἦν Bm (Hude), qui lectionem novam idem ac ἐνεθυμούντο valere dicit, sed expectares potius ἐνεκωμιάζετο. 31 [προρηζέτο]: [ἐ]β[ούλ]ε[το] Bm (Hude). 35 ἔμεινεν <ἐν> [τῆ ἀρχῆ, κ(αί)] ὄτ' ἐκπέσοι: ἔμεινεν, [κ(αί) δῆ] κ(αί) ὄτ' ἐκπέσοι Bm (Hude). 42 Ἀθηναίων] κ (Bm).
- 17, 4 ἔφ[ευγ]εν γὰρ: ἔφ[ευγ]ε γ(άρ) Bm. 18, 19 τ(ὼν) [λοιπῶν]: τ(ὼν) [ἄλλ]ων κ (Bm).
- 19, 20 ὅθεν εὐπόρησαν κτλ: ὅτι εὐποροὶ ἦσαν χρημάτων, <ἀποβλέποντες> hiatus bis admissio Hude.
- 21, 3 <τὴν πολιτείαν ὧδε κατέστησεν>. * * * πρῶτον μὲν οὖν <συν>ἐνεμειν Hude. 22, 42 ἀτίμους: ἀτίμοις Hude. 24, 11 τῶν τελῶν [καί] <τῶν ἀπὸ> τῶν συμμάχων Hude. 19 ἄλλαι δὲ <δέκα> νῆες αἱ τοὺς φόρους ἄγουσαι, <ἐχουσαι> Hude.
- 28, 16 τὰς ὀρμαῖς <χαριζόμενος> J B Mayor (Hude). 29, 7 τοῦ Ἐπιζέ[τῆ]λου: τοῦ Ἐναφλί[στ]ίου Bm (Hude), demi potius quam patris nomine etiam alias usurpato, c. 28, 22, c. 34, 27, c. 38, 22; Pythodorum igitur non Epizeli filium tribus Aegeidis sed Anaphlystium quendam tribus Antiochidis fuisse censet B. 8 τ(ὼν) βασιλέα Bm.
- 31, 19 [τοῖς] αὐτοῖς: τοῖς ἀστοῖς κ³ (Bm). 32, 16 ὑπακού[σά]ντων: ὑποκούντων (H-L) Bm.
- 36, 13 πολὺν μὲν χρόνον ὑπερεβάλλοντο <ἐκφέρειν Gertz>—, ὅτε δὲ καὶ ἔδοξεν αὐτοῖς [ἐκφέρειν], τοὺς μὲν ἐξήλειψαν τῶν <ἐγ>γεγραμμένων, τοὺς δ' ἀντενέγραψαν τῶν ἐξῴθεν Hude.
- 38, 7 * ἐπέ[στ]ελλον—μεταπε[μ]πόμ[ε]νοι: ἐπε[μ]πο[ν]—μεταπεμπόμ[ε]νοι Bm (Hude). 39, 24 τοὺς δ' ἐν τῷ ἄστει ἐν τοῖς <ἐν τῷ ἄστει τοῖς> τὰ <αὐτὰ> τιμήματα παρεχομένους Gertz (Hude).
- 41, 3 * * * δοκοῦσι δὲ δικαίως [τοῦ δήμου] λαβεῖν τὴν πολιτείαν (π[ο]λιτ[ε]ίαν Bm), Hude. 27 <ἀν>εληλύθασιν Hude.
- 42, 11 ἐάν: HAN (deleto H) Bm. 43, 15 καθίζειν: καθιζει Bm.
- 47, 12 τὰ εἰς <γ' > [εἰ] πεπραμένα: τὰ εἰς [ι' εἴ]η π. Bm. 14 [ὄφειλε]τῶν ἐν[αντίον]: ἀλ[λ]ε[ν] [...], ἄλλ(ων) ἐναντίον Bm. 17 [ἴσσοι] ἂν πρήτται: ἂ ἂν πρήτται Bm. 30 τὰ γραμματ[ε]ῖα τὰ τὰς καταβολὰς ἀναγεγραμμένα: τὰ γρομματαί κ (i.e. κ=κατὰ) τὰς καταβολὰς ἀναγεγραμμένα Bm, coll. v. 20.
- 48, 5 διπλ[οῦ]ν ἀνάγκη: διπλάσιον ἀνάγκη Bm. 8 τὰ χρ[ή]ματα: τὰς τιμὰς Bm. 16 ἀ[γο]ραῖς: AN... AIC (ante AIC vinculi vestigium litteram κ vel λ vel χ indicantis) Bm, qui ἀν[α]δικ[ι]αις, ἀφ[ε]λλ[α]τιον[ι]μ[ι] causa, dubitanter conicit. 21 τὸ <τε>[αὐτοῦ]: τὸ [θ'] αὐτοῦ, αὐτοῦ per se spatium non implet, Bm. 25 ἐπιγράφει: ἀναγράφει Bm. 27 [τῆν] εὐθυνα: [ταύτ(ην) τ(ήν)] εὐθυνα Bm, spatio sex litteris apto.
- 49, 1 f καλὸν ἵππων ἔχων: καλ[ῶ]ν [τροφεύς] ἄν Bm, numero plurali cum contextu congruente. Cf. Pl. Leg. 735 B τροφεύς ἵππων.
- 54, 32 [νῦν] δ(ὲ) πρόκειται (π superscr. ροc, deinde κειται) [κ(αί) Ἡ]φαιστ[ι]α, ἐπὶ Κηφισοφώντος ἀρχοντος Bm, confessus Ἡφαιστίων in πεντετηρίδα mutationem nusquam alias commemorari. 36 καὶ τοῦ[σ]μα.
- 55, 2 [πραγμα]των, spatio non sufficiente: [ἀπάντ]ων Bm. 3 [εἶρη]ται: [προε]ίρηται[ι] mavult Bm.
- 56, 21 [τῆς τε]: [τῆς] (littera producta) Bm. 30 εἰς τὸ δι[καστήριον]: εἰς δ[ε]καστήριον Bm.
- 57, 2 [τῶν ἐπιμελητῶν οὐς] ὁ δῆμος χειροτονεῖ: τῶν ἐπ. ὦ]ν ὁ δ. χ. Bm. 25 καὶ δικάζουσιν ἐν ἱερ[ῶ]ν καὶ ὑπα[θ]ρίοι, coll. v. 29 εἰς τὸ ἱερόν, Bm, notas quasdam fallaces, non litterarum vestigia vera, superesse arbitratus. 28 δ[ικαιον] ἐμβαλεῖν: ὑ[β]όμος ἐμβαλεῖν Bm.
- 61, 27 καὶ ἄλλον τῆς [τοῦ Ἄ]μμωνος: καὶ ὑ[β]ν] τῆς (superscr.) [τοῦ Ἄ]μμωνος mavult Bm.

62, 5 δ[ημότ]as: δήμ[ου]s Bm.

63, 18 πινάκιον: [καί] πινάκιον, suadente

spatio, Bm.

Pag. 31, 18 κα[λεί] εἰς τὸ κληρωτήριον: κληροῖ κατὰ κληρωτήριον Bm. 24 [ἀρ-
χω]ν: litterae primae hasta superest, legendum igitur [κῆρυξ], Bm. ὑπάρχει—25

εἰς [ῶ]ν [αὐτῶ]ν: ὑπάρχει—εἰς τὸν (Wessely) κ[λήρο]ν, *sortitioni iam antea paratus est*,
aut *sortem iam antea duxit*, Bm, εἰς τὸν [ἀριθμὸ]ν sensui magis congruere confessus.

26 εἰλη[χ]ῶς ἔλ[κ]ει [βάλαο]ν ἐκ τῆς ὕδρας: εἰλκγς εἰ κτλ, supra quattuor
litteras primas ΕΛΚ (ut videtur) scriptum, Bm, cui nihil sensui aptum obtigit: scri-
bendum fortasse ἔλκυσ[as αἰρ]εῖ.

27 καὶ δρ[έ]ξας αὐτῆ[ν], οὐκ ἰδ[ὼ]ν τὸ γράμμα,
δ[ε]κ[ρ]υσιον πρ[ώ]τον αὐτὸ τῷ ἀρχοντι Bm.

30 ὅπου: ΟΙΟΥ Bm, coll. v. 32.

36 ὄσ' ἂν ἀεὶ [μ]έλλη: ΟΣΑΝΠΕΡ (deleto Ν) κτλ, ὄσαπερ [ἂν μ]έλλη Bm, quod exspectabant
K-W.

Pag. 32, 1 ἐκάστ[ου] εἰχ: ἐκάστ[ου] εἰληχ[ό]ς Bm. 4 post γράμμα εἰ, coniciendum
igitur ἐ[στιν], Bm. 17—27 τοῖς δ' ἀπό[λα]γ[χ]ανουσ[ι]ν ἀποδιδ[ό]ασιν | οἱ ἐπι[ῆ]κται

(ἐμπεπ. κτ. . . fortasse per errorem scripto) | τὰ πινάκια. οἱ δὲ ὑπηρέται | οἱ δη-
μοσιακοί (?) | τῆς φυλῆς ἐκάστης παραδιδ[ό]ασιν τὰ κ[ι]βώτια ἐν ἐπὶ τὸ δικαστήριον

ἐκαστὸν, ἐ[ν] οἱ[s] | ἔνεστιν τὰ ὀνόματ[α] τῆς φυλῆς τὰ ὄντ[α] | ἐν ἐκάστῳ τῶν
δικαστηρίων. παραδιδ[ό]ασιν | δὲ τοῖς εἰληχ[ό]σιν ἀποδιδ[ό]ναι τοῖς δικαστ[ῆ]ταις ἐν ἐκάστῳ

[δ]ικαστηρίῳ ἀριθμῶ τὰ | πινάκια, [ἔν]?' (post πινάκια τ, ut videtur, superscriptum) ἐκ
τοῦ[των] σκο[πο]ύοντες ἀποδιδ[ό]σιν τὸν [μισ]θόν. Bm. In v. 22 τὰ [δ]νόμα[τα] quondam

conieceram, sed postea τὰ [πιν]άκια praetuli. 28—35 κατὰ δικαστήριον (ΡΙΝ

littera O super I scripta). τίθεται δ' ἐν τῷ πρ[ώ]τῳ τῶν | δικαστηρίων κ[αί]

κληρωτήρια καὶ κ[ύβ]οι [χ]αλκοί | ἐν οἷς ἐπιγέγραπται [τὰ] χρώματα τῶν δικαστη-
ρίων | καὶ ἕτεροι κύβοι, ἐν οἷς ἐστιν τῶν ἀρχῶν τὰ ὀνόματ[α] ἐπιγέγραμμένα.

οἱ λαχόντες [δὲ] τῶν [θεσμ]ο[θε]τῶν χωρὶς ἐκατέρου τοῦ κύβου ἐμ[β]άλλουσι, ὁ μὲν
τῶν δικαστηρίων εἰς ἐν κληρωτήριον, ὁ δὲ τῶν ἀρχῶν εἰς ἕτερον — —

Pag. 33; 33^a et 33^b, composita a K-W (B), vix revera coniuncta fuisse putat Bm;
33^a et 34^c potius componenda: cumque primum 34^c et 35^a, deinde 35^a et 35^b, denique

35 et 36 coniuncta sint, fragmenta in hunc ordinem redigenda:—32, 33^b, 34^{ab} (cum
33^b coniunctum), 33^a+34^c, 35, 36, 37.

Pag. 35, 1 τῶν λόγων B: ΝΟΜΟΝ K³; ΝΟΜΟΝ (itaque in v. 2 ἢ μαρτυριῶν) Bm.

7—8 Ποσειδέωνος Bm.

12—13 κατηγοροῖ ἐσπενδοῖν Bm.

Pag. 36, 5 [μ]ῆ [τριε]ς ὑποβ[ά]λλονται non recte: [μ]ῆ [πρ]οῦποβ[ά]λλονται (K-W)
substitui potest, Bm. 17 πιέζει: πιέζ[ι]ων satis clare apparet, Bm. 23 λα-

βόντες [ὑ]πηρέτ[as] (non iam inserto δὲ) Bm. 24 [έξ]ερωσι ἐπι[α]βάκα Bm. Cf.

Arist. *Vesp.* 993, φέρ' ἐξεράσω (τὰς ψήφους). 27 [καί] τὰ πλήρη δῆλα, λ supra

ΔΗ scriptum, Bm.

ΑΡΙΣΤΟΤΕΛΟΥΣ

ΑΘΗΝΑΙΩΝ ΠΟΛΙΤΕΙΑ.

1. — — [Μ]ύρωνος καθ' ἱερῶν ὀμόσαντες ἀριστίνδην. καταγνωσθέντος δὲ τοῦ ἄγο[υ]ς [αὐτ]οὶ μὲν ἐκ τῶν τάφων ἐξεβλήθησαν,

ΘΑΡΘΕΝ

I 1 ΚΑΤΑΓΝΩΣΘΕΝΤΟΣ. Sensui repugnat καθαρθέντος, etenim tunc temporis erat τὸ ἄγος καταγνωσθὲν 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 ἐνομόστησαν καὶ οἱ ἐξ ἐκείνων ἐναγεί'ς τῆς θεοῦ. Idem scripserunt κ-w et κ³ Kircbhoffium et Kontum secuti. 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, 2³): τοὺς μετὰ Κύλωνος (Κύκλωπος codices meliores) διὰ τὴν τυραννίδα ἐπὶ τὸν βωμὸν τῆς θεοῦ πεφειγόντας οἱ περὶ Μεγακλέα ἀπέκτειναν, καὶ τοὺς δρᾶσαντας ὡς ἐναγεί'ς ἤλαυον.

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 Λεωβῶτης, 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.* 1 § 3). Busolt, *Griechische Geschichte*, 1885, i 508.

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

ἀριστίνδην] cannot be taken with καθ' ἱερῶν ὀμόσαντες, 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 τριακῶσι κατηγοροῦντος] Μύρωνος καθ' ἱερῶν ὀμόσαντες 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 ἐναγεί'ς (in 508 B. C.), than with the first.

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 ἑταιρήτην τῶν ἡλικιωτέρων καταλαβεῖν τὴν ἀκρόπολιν ἐπειρήθη, οὐ δυνάμενος δὲ ἐπικρατῆσαι ἰκέτης ἤϊετο πρὸς τὸ ἄγαλμα. τούτους ἀνιστάσι μὲν οἱ πρυτάνεις τῶν ναυκράρων (αἰ. ναυκραμίων), οἱ περ ἔνεμον τότε τὰς Ἀθήνας, ὑπεργγύους

3 τὸ δὲ γένος αὐτῶν ἔφυγεν ἀειφυγίαν. Ἐ[πι]μενίδης δ' ὁ Κρής ἐπὶ τούτοις ἐκάθηρε τὴν πόλιν.

πλὴν θανάτου· φοβεῖσθαι δὲ αὐτοὺς αἰτίη ἔχει Ἄλκμειρίδας. ταῦτα πρὸ τῆς Πεισιστράτου ἠλικίας 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 ἐυγένεις τε καὶ δυνατός... ὁ δὲ... κατέλαβε τὴν ἀκρόπολιν ὡς ἐπὶ τυραννίδι... § 6 οἱ δὲ μετὰ τοῦ Κύλωνος πολιορκουμένου φλαύρους ἔχον σίτου τε καὶ ὕδατος ἀπορία. ὁ μὲν οὖν Κύλων καὶ ὁ ἀδελφὸς αὐτοῦ ἐκδιδράσκουσιν· οἱ δ' ἄλλοι ὡς ἐπιέζοντο καὶ τινες καὶ ἀπέθνησκον ὑπὸ τοῦ λιμοῦ, καθίζουσιν ἐπὶ τὸν βωμὸν ἰκέται τὸν ἐν τῇ ἀκροπόλει. ἀναστήσαντες δὲ αὐτοὺς οἱ τῶν Ἀθηναίων ἐπιετραμμένοι τὴν φυλακὴν, ὡς ἐώρων ἀποθνήσκοντας ἐν τῷ ἱερῷ ἐφ' ᾧ μηδὲν κακὸν ποιήσουσιν ἀπαγαγόντες ἀπέκτειναν. § 7 καθεζομένους δὲ τούτους καὶ ἐπὶ τῶν σεμνῶν θεῶν [ἐν τοῖς βωμοῖς] ἐν τῇ παρῶν διεχρήσαντο. καὶ ἀπὸ τούτου ἐναγείας καὶ ἀλιτήρια τῆς θεοῦ ἐκείνοι τε ἐκαλοῦντο καὶ τὸ γένος τὸ ἄπ' ἐκέλευον. ἤλασαν μὲν οὖν καὶ οἱ Ἀθηναῖοι τοὺς ἐναγείας τούτους, ἤλασε δὲ καὶ Κλεομένης ὁ Λακεδαιμόνιος ἕσπερον μετὰ Ἀθηναίων στασιαζόντων (B.C. 508), τοὺς τε ζῶντας ἐλαύνοντες καὶ τῶν τεθνεώτων τὰ δὸτὰ ἀνελάττειν ἐξέβαλον. Plutarch, *Solon* 12, supplies us with the following narrative, which has several points of contact with the account in the text. τὸ δὲ Κυλωνεῖον ἄγος ἦδη μὲν ἐκ πολλοῦ διετάραττε τὴν πόλιν, ἐξ οὗ τοῖς συννόμας τοῦ Κύλωνος ἰκετεύοντας τὴν θεὸν Μεγακλῆς ὁ ἄρχων ἐπὶ δικῇ κατελθεῖν ἔπεισε· ἐξάψαντας δὲ τοῦ ἔδους κρόκην κλωστήν καὶ ταύτης ἐχομένους, ὡς ἐγένοντο περὶ τὰς σεμνὰς θεὰς καταβαίνοντες, αὐτομάτως τῆς κρόκης βαγείσης, ὤρμησε συλλαμβάνειν ὁ Μεγακλῆς καὶ οἱ συνάρχοντες, ὡς τῆς θεοῦ τὴν ἰκεσίαν ἀπολεγομένης· καὶ τοὺς μὲν ἕξω κατέλεσαν, οἱ δὲ τοῖς βωμοῖς προσφυγόντες ἀπεσφάγησαν· μόνου δ' ἀφείθησαν οἱ τὰς γυναῖκας αὐτῶν ἰκετεύσαντες. ἐκ τούτου δὲ κληθέντες ἐναγείας ἐμισοῦντο· καὶ τῶν Κυλωνείων οἱ περιγενόμενοι πάλιν ἦσαν ἰσχυροὶ καὶ στασιάζοντες ἀεὶ διετέλουν πρὸς τοὺς ἀπὸ τοῦ Μεγακλέους, ἐν δὲ τῷ τότε χρόνῳ τῆς στάσεως ἀκμήν λαβοῦσιν μάλιστα καὶ τοῦ δήμου διαστάντος, ἦδη δόξαν ἔχων ὁ Σόλων παρήλθεν εἰς μέσον ἅμα τοῖς ἀρίστοις τῶν Ἀθηναίων, καὶ δεόμενος καὶ διδάσκων ἔπεισε τοὺς ἐναγείας λεγομένους δικῇ ὑποσχεῖν καὶ κριθῆναι τριακσίω ἀριστίνδην δικαζόντων. Μύρμωνος δὲ τοῦ Φυλέως κατηγοροῦντος ἐάλωσαν οἱ ἄνδρες, καὶ μετέστησαν οἱ ζῶντες· τῶν δ' ἀποθανόντων τοὺς νεκροὺς

ἀνορίζαντες ἐξέριψαν ὑπὲρ τοὺς ὄρους. ταῦται δὲ ταῖς ταραχαῖς καὶ Μεγαρέων συνεπιθεμένον ἀπέβαλον τε Νίσαιον οἱ Ἀθηναῖοι καὶ Σαλαμῖνος ἐξέπεισον αὐθις. καὶ φόβου τινὲς ἐκ δεισιδαιμονίας ἅμα καὶ φάσματα κατέχευε τὴν πόλιν, οἱ τε μόνται ἄγχι καὶ μισμοὺς δεομένους καθαρίων προφιλνεσθαι διὰ τῶν ἱερῶν ἠγόρευον. οὕτω δὲ μετὰ πεμπτος αὐτοῖς ἦκεν ἐκ Κρήτης Ἐπιμενίδης... ἐλθὼν δὲ καὶ τῷ Σόλωνι χρυσάμους φίλῳ πολλὰ προσπυργάσατο καὶ πρῶδοποίησεν αὐτῷ τῆς νομοθεσίας... τὸ δὲ μέγιστον, ἰλασμοῖς τισι καὶ καθαρμοῖς καὶ ἰδρύσει καταργήσας καὶ καθουσίωσας τὴν πόλιν ὑπέκκουν τοῦ δικαίου καὶ μᾶλλον 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 *ἐταιρητή τῶν ἠλικιωτέρων*, 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 620 B.C., either as early as 636 or as late as 620 (Busolt, *Griechische Geschichte*, 1885, i 498 note 8, and 505). 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

2. μετὰ δὲ ταῦτα συνέβη στασιάσαι τοὺς τε γινωρίμους καὶ τὸ

Π 1 ΣΤΑΔΙΑΔΑΙ fortasse in ΔΙΑΣΤΗΣΑΙ mutandum, idem suspicantur H-L coll. Arist. *Vesp.* 41 τὸν δῆμον ἡμῶν βούλεται διαστάναι; alioqui τὸν δῆμον secludendum.

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.

ἔφηνεν ἀειφυγίαν] Plat. *Leg.* 871 D, 877 C, 881 BD, φευγέτω ἀειφυγίαν, 877 E, (δταν) ἐν ἀειφυγίᾳ τις φεύγη. Plut. *Sol.* 24, τοῖς φεύγουσιν ἀειφυγίᾳ τὴν ἑαυτῶν. 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). 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), 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 Epimenides 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).

ἐπὶ τοῦτοις] either 'thereupon,' or 'besides.' Ἐπὶ τοῦτοις 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.

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

II. *The conflict of the classes before the times of Dracon and Solon.*

μετὰ ταῦτα] i.e. after the affair of Cylon, which must have been the main

πλήθος πολὺν χρόνον [[τὸν δῆμον]]. ἦν γὰρ [τότε] ἡ πολιτεία τ[οῖς 2 τε] ἄλλοις ὀλιγαρχικῇ πᾶσι, καὶ δὴ καὶ ἐδούλευον οἱ πένητε[ς τ]οῖς πλουσίοις καὶ αὐτοὶ [καὶ τ]ὰ τέκνα καὶ αἱ γυναῖκες, καὶ ἐκαλοῦντο 5 πελάται καὶ ἔκτημόροι· κατὰ ταύτην γὰρ τὴν μίσθωσιν [εἰ]ργά-

2 τὸν δῆμον secluserunt K, K-W, H-L, B: defendit J E B Mayor. 5 ἔργα γὰρ τῆς μισθώσεως H-L. ἐργάζοντο H-L.

TESTIMONIA. 5 πελάται καὶ ἔκτημόροι. *Photius s. v. πελάται 2 Aristotelem nominat. Cf. schol. in Plat. *Euthyphr.* p. 327; Pollux iv 165 ἔκτημόροι (ἐκτημόροι codices, emendavit Jungermann; ἔκτημόροι Cobet Pollucis sui in margine) δὲ παρὰ τοῖς Ἀττικοῖς, id. iii 82; Plut. *Sol.* 13 (Rose, Ar. Frag. 351², 389³).

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 (and Solon).

For the general sense, cf. Plut. *Sol.* 13 *ἰνί.*, οἱ δ' Ἀθηναῖοι τῆς Κυλωνείου πεπαιμένης ταραχῆς καὶ μεβεστοῦτων... τῶν ἐναγῶν, τὴν παλαιὰν αἴθριαν στάσιν ὑπὲρ τῆς πολιτείας ἐστασίαζον, ὅσας ἢ χώρα διαφορὰς εἶχεν, ἐτα τοσαῦτα μέρη τῆς πόλεως διαστάσης.

In the *editio princeps* τὸν δῆμον was regarded as 'superfluous,' and as 'probably a gloss upon τὸ πλήθος.' The text was thereupon defended by Professor Mayor as follows: 'when Cobet removes glosses from late texts, he can appeal to *scholia*, in which even common words are explained. Readers and scribes in Egypt, say 100 A.D., needed no such helps: again πλήθος is not coextensive with δῆμος, and is elsewhere found in close connexion with it (20 § 1; 21 § 1). Here οἱ γνώριμοι and τὸ πλήθος are the factions whose struggles convulse τὸν δῆμον. For στασίαζω is here transitive. Otherwise πολὺν χρόνον must have been placed just before or just after στασιασάσαι. In the manuscript reading it separates the complex subject of the verb from the object and keeps the reader in suspense.' Mr Kenyon, in his third ed., replies that 'δῆμος does not seem to be used in this treatise as denoting the whole state except with the collateral sense that the state was a democracy.' Even in c. 14 § 1, ἐπαναστὰς... τῷ δήμῳ, and 15 § 3, παρελθόμενος τοῦ δήμου τὰ ὅπλα, 'there is the sense of an attack on the democracy by a despot.' He also modifies his view respecting τὸν δῆμον, suggesting that the words were 'written as a correction of τὸ πλήθος, not as an explanation.'

The transitive use of στασίαζειν, above suggested, is very rare. In [Dem.] 11 § 18, p. 157, 10, τῶν ἐκείνου πραγμάτων

οὐδὲν στασίαζειν παρασκευάζομεν (quoted in L and S) really means 'we do not cause faction in any of his affairs' (see Weil *ad loc.*). The intrans. sense is also clearly marked in Lysias 18 § 18, τοῖς θεοῖς ἠθεσθε εἰς ὁμόνοιαν καταστῆναι τὴν πόλιν μάλλον ἢ [ἐπὶ τιμωρίαν τῶν παρεληλυθότων τραπέμονοι] τὴν μὲν πόλιν στασιασάσαι τοὺς δὲ λέγοντας ταχέως λυθῆσαι. The trans. use is found in 'Anon. apud Stobaeum 510, 1 οἰκους'; but the *Indices* to Plato and Aristotle supply no example of this use. To express the trans. Isocrates uses ποιεῖν στασιαζειν, p. 68 B, and 279 D. στασιαζειν is intrans. twice in 8 § 5, twice in 13 § 2, also in 20 § 1, and elsewhere. Hence we must either take it as intrans. here, and strike out τὸν δῆμον (which I prefer), or regard στασιασάσαι as having taken the place of a trans. verb διαστήσασαι. Cf. Hdt. ix 1 § 2, πέμπε χρήματα εἰς τοὺς δυναστεύοντας ἀνδρας ἐν τῇσι πόλεσι, πέμπων δὲ τὴν Ἑλλάδα διαστήσει; ἐνθευτεν δὲ τοὺς μὴ τὰ σὰ φρονέοντας ῥηθιδίως μετὰ τῶν στασιωτῶν καταστρέψει. Xen. *Hell.* ii 4 § 35, δῖστη δὲ καὶ τοὺς ἐν τῷ ἄστει. Plut. *Sol.* 13 (of the same period) τῆς πόλεως διαστάσης. Ar. *Pol.* 1321 a 15, ὅταν διαστῶσι, and *ib.* 19 ταύτη δὲ ἐπικρατοῦσιν ἐν ταῖς διαστάσεσιν οἱ δῆμοι τῶν εὐπόρων. As a possible alternative one might suggest διαστασιασάσαι, 'to form into separate factions,' *Pol.* 1303 b 26, ὅθεν προσλαμβάνοντες τοὺς ἐν τῷ πολιτεύματι διεστασιασαν πάντας, and 1306 a 3, διεστασιασαν αὐτοὺς πρὸς τοὺς εὐπόρους.

§ 2. τοῖς τε ἄλλοις... καὶ δὴ καὶ] 16 §§ 2, 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).

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*

ζοντο τῶν πλουσίων τοὺς ἀγρούς (ἢ δὲ πᾶσα γῆ δι' ὀλίγων ἦν), καὶ εἰ μὴ τὰς μισθώσεις [ἀπ]οδιδοῖεν, ἀγῶγμοι καὶ αὐτοὶ καὶ οἱ παῖδες ἐγίγνοντο, καὶ [οἱ δανεισμοὶ π]ᾶσιν ἐπὶ τοῖς σώμασιν ἦσαν μέχρι Σόλωνος· οὗτος δὲ πρῶτος ἐγέν[ετο τοῦ] δῆ[μου] προστάτης. χαλεπώτατον μὲν οὖν καὶ πικρότατον ἦν τοῖς πολλοῖς τῶν κατὰ τὴν πολιτείαν τὸ [δουλεύειν]. οὐ μὴν ἀλλὰ καὶ ἐπὶ τοῖς ἄλλοις ἐδυσχέρανον· οὐδενὸς γάρ, ὡς εἶπεῖν, ἐτύγχανον μετέχοντες.

8 ΕΓΙΝΟΝΤΟ (K-W): ἐγίγνοντο (H-L, K³); in titulis Atticis annorum 445—292 A.C. quadraginta tribus locis inventum est γίγνομαι, nusquam γίνομαι (Meisterhans, *Grammatik der Attischen Inschriften*, p. 141²); itaque ubique praetuli γίγνομαι. καὶ οἱ δανεισμοὶ πάντων Blass (K³ p. LXIV): καὶ [δε]δ[ε]μένοι τοῖς δανείσασιν K, καὶ γὰρ κτλ. K-W; ὑπόχρεω γὰρ H-L repugnante papyro. 11 δουλεύειν K-W (K², B): [τὸ τῆς γῆς μὴ κρατ]εῖν H-L Blassii coniecturam secuti.

21 § 5, *Cato Minor* 34 § 3, *Tib. Gracchus* 13 § 2; also in *Agis* 6 § 5, and *Quaest. Corniv.* ii 10, (ὁ κιστὸς) Βουικτίου θεοῦ πελάτης καὶ παράσιτος ὢν.

ἐκτιμῶροι.] (1) Plut., *Sol.* 13, states that these tenants paid their landlords a sixth part of the produce (ἕκτα τῶν γηομένων τελοῦντες). Similarly, Hesychius, *s. v.* ἐπιμορτος. (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.* ἐκτιμῶροι, 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 Gompertz (in Appendix III to his polemical pamphlet, *Die Schrift vom Staatswesen der Athener*, pp. 45—48).

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

δι' ὀλίγων ἦν] c. 4 *ad fin.* The sense is not materially different in *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, αἱ τε γὰρ ἀρχαὶ αἰεὶ διὰ τῶν βελτιστῶν ἔσονται, 1301 b 12, τὴν μὲν κατάστασιν προαιροῦνται τὴν αὐτὴν, δι' αὐτῶν δ' εἶναι βούλονται, 1293 a 28, δι' αὐτῶν ἔχω (Eucken, *Sprachgebrauch des Ar.*, p. 38).

ἀγῶγμοι.] Plut. *Sol.* 13, χρέα λαμβάνοντες ἐπὶ τοῖς σώμασιν ἀγῶγμοι τοῖς δανείσασιν ἦσαν, 15 § 8, τῶν ἀγῶγμων πρὸς

ἀργύριον γεγονότων πολιτῶν.

Diod. Sic. 179, 16 (of an Egyptian law-giver) τῶν ὀφειλόντων τὴν ἐκπραξίν τῶν δανείων ἐκ τῆς οὐσίας μόνον ἐποιήσατο, τὸ δὲ σῶμα κατ' οὐδένα τρόπον εἴασεν ὑπάρχειν ἀγῶγμων.

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 ἐλευθέρους, and v 53, p. 970, 4 (οἱ δανείζοντες) εἰς δεσμοὺς τὰ τῶν ὑποχρέων ἀπήγον 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 εἶπεῖν.] An example of the normal use of ὡς εἶπεῖν, 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 εἶπεῖν is used with πᾶς in 1263 b 4, 1273 b 17, 1282 a 5,

3. ἦν δ' ἡ τάξις τῆς ἀρχαίας πολιτείας τῆς πρὸ Δράκουτος [τοιάδε]. τὰς μὲν ἀρχὰς [καθλ]στασαν ἀριστινὴν καὶ πλουτίνην ἤρχου δὲ [τὸ] μὲν πρῶτ[ου διὰ βίου], μετὰ δὲ ταῦτα

III 3 διὰ βίου K-W, H-L (K³, B): ἀεί quondam K.

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 πλεῖστον 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 χράνται τοῖς ἀλλήλων, ὡς εἰπεῖν ἰδίοις, 1268 a 23 τὰς κυριωτάτας ἀρχὰς ὡς εἰπεῖν, 1324 b 6 τῶν πλειστον νομίμων χυδὴν ὡς εἰπεῖν κειμένων, 1301 b 5 ἀρχαὶ μὲν οὖν ὡς εἰπεῖν [bracketed by Susemihl, transferred after πηγαλ by others] αὔται καὶ πηγαλ 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 πᾶς, 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 Draco.

According to the current account the 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 *imit.*). 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 early 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 πῶλεμον κωλύσαντες δουλεῖν). The life-archons were elected from the royal house, and bore the title of βασιλεῦς (Pausanias i 3 § 3). This title was never formally abolished, but survived even in later times in the name of the ἀρχων βασιλεῦς. The institution of the office of life-archon is described by Pausanias, iv 5 § 10, as a change ἀντὶ βασιλείας ἐς 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).—Cf. Lugebil, *Jahrb. f. class. Philol.*, suppl. Bd v 539—564.

ἀριστινὴν καὶ πλουτίνην] *inf.* § 6. *Pol.* 1273 a 23, οὐ γὰρ μόνον ἀριστινὴν ἀλλὰ καὶ πλουτίνην αἰοῦνται δεῖν αἰρεῖσθαι τοὺς ἀρχοντας, 1293 b 10, ὅπου γε μὴ μόνον πλουτίνην ἀλλὰ καὶ ἀριστινὴν αἰροῦνται τὰς ἀρχὰς, 1272 b 36, ταύτην δ' αἰροῦνται τὴν ἀρχὴν ἀριστινὴν. = κατ' ἀρετὴν 1273 a 26. Isocr. *Paneg.* 146, οὐκ ἀρ. ἐπιειγμένους. Plat. *Leg.* 855 c, ἀρ. ἀπομερισθὲν δικαστήριον. In Andoc. *de Pace* 30, πολλοὺς Ἀθηναίους ἀπολέσαντες ἀριστινὴν καὶ τῶν συμμάχων, I should prefer to read ἀρῆν, which is combined with ἀπολλύειν in Plato *Rep.* 421 a. The adverb is defined by Timaeus as meaning κατ' ἀνδραγαθίαν αἰρεθῶν. Prof. Mayor adds to lexicons the following examples of ἀριστινὴν: 'Dem. p. 1069, 7, Plut. *Sol.* 12 § 2, *Lysand.* 13 § 7 (where also πλουτίνην, 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.*, Διονυσίου σκωμμάτων, has πλουτίνην' (*Class. Rev.* v 120).

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

- 2 [δεκ]αετίαν. μέγισται δὲ καὶ πρῶται τῶν ἀρχῶν ἦσαν βασιλεὺς καὶ πολ[έ]μαρχος καὶ ἄρχων· τούτων δὲ πρ[ώ]τη μὲν ἢ τοῦ βασιλέως, αὐτὴ γὰρ *ἐξ [ἀρχ]ῆ[ς] ἦν]. δευτέρα δ' ἐπικατέστη [ἢ πολε]μ-
 5 αρχία διὰ τὸ γε[ν]έσθαι τιτὰς τῶν βασιλέων τὰ πολεμικὰ μαλ[α]κοῦς, ὅθεν καὶ τὸν Ἴωνα μετε[πέμ]ψαντο χρεία[ς κ]αταλαβούσης.
 3 τελευταία δ' ἢ [τοῦ ἀρχο]ντος· [οἱ] μὲν γὰρ πλείους [ἐ]πὶ Μέδοντος, ἔνιοι δ' ἐπὶ Ἀκάστου φασὶ γενέσθαι [τὴν ἀρχήν· σημείον] δ' 10
 ἐπιφέρουσιν [ὅτι] οἱ ἐννέα ἄρχοντες ὁμνύουσι [καθάπερ] ἐπὶ Ἀκάστου τὰ ὄρκια ποι[ή]σειν, ὡς ἐπὶ τού[το]υ τῆς βασιλείας παραχωρησάντων τῶν Κοδ[ριδῶν], *ἀνταποδοθεῖσῶν τῷ ἄρχοντι δωρεῶν.

6 ἐξ ἀρχῆς ἦν J W Headlam, quod accepit coll. 16 § 1, 28 § 1, 55 § 1, *Pol.* 1297 ὁ 17 ἢ πρώτη δὲ πολιτεία ἐν τοῖς Ἑλλήσιν ἐγένετο μετὰ τὰς βασιλείας ἐκ τῶν πολεμουμένων, ἢ μὲν ἐξ ἀρχῆς ἐκ τῶν ἰππέων, et Ar. frag. 611 (1) R³ Ἀθηναῖοι τὸ μὲν ἐξ ἀρχῆς ἐχρῶντο βασιλείᾳ. ἐν ἀρχῇ ἦν hiatu sine causa admissio K³; ἐν [ἀρχῇ κατέστη] K-W, πάτριος ἐγένετο H-L, sed lectioni neutri spatium sufficit. ἢ inseruit J B Mayor (H-L, K³).

7 γενέσθαι K-W, B. ΠΟΛΕΜΙΑ Κ (K-W, H-L): πολεμικά Blass; cf. 23, 14. 8 ὅθεν καὶ Κ (H-L), litteras OΘ aliquatenus cerni posse arbitratur: [πρώτων] δὲ K-W, B. 10 ἐπ' H-L τὴν ἀρχήν Κ (H-L): ταύτην K-W; [βασιλέ]ως Β. [σημείον] Κ, K-W, H-L: τ[ούτῳ] Β. 12 τὰ ὄρκια ποιήσειν (litteris primis quinque incertis) K³; τὰ ἄρτια ποιήσειν e papyro euerat Wessely. [τῆς πόλεως ἀρχ]εῖν Κ¹, [τῆς] πόλ[εως ἀ]ρ[χ]εῖν KW, [βασιλέως ἀρ]εῖν Platt (H-L). τούτου τῆς H-L (K³): τῆς ἐ[κείνου] Κ¹ (K-W). 13 ἀντι τῶν δοθεισῶν, litteris evanidis scripta, K³, B: τῶν [ὑπε]ξηρημένων] K-W: pro ἀντι τῶν δοθεισῶν (ΔΝΤΙΤ' ΔΘΘΕΙCΩΝ), quod litteris valde obscuris scriptum esse dicitur, scripserim aut ἀντι- παραδοθεισῶν (ΔΝΤΙΤ' ΔΘΘΕΙCΩΝ) aut (quod usitatum est) ἀνταποδοθεισῶν; litteris fere tredecim spatium sufficit.

§ 2. **πολεμαρχία** This account of the original relation of the *πολεμαρχος* to the *βασιλεὺς* is illustrated by the Schol. on Plat. *Phaedr.* 235 D, where the former is described as ὡς περ λοχαγός 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.

μαλακοῦς] Heraclidis epitoma, Rose, *Frag.* 611, 1, ἀπὸ δὲ Κοριδῶν οὐκέτι βασιλεῖς ἤρουντο διὰ τὸ δοκεῖν τρυφῶν καὶ μαλακοῦς γεγενῆσθαι.

Ἴωνα] Ion, the son of Creusa, daughter of Erechtheus, was summoned to the aid of Athens against Eleusis and was entrusted with the conduct of the war. Hdt. viii 44, Paus. vii 5, 1, and esp. i 31 § 3, Ἀθηναῖον ἐπὶ τοῦ πολέμου τοῦ πρὸς Ἐλευσίνους ἐπολεμάρχησε. Cf. Schol. on Arist. *Aves* 1527, πατρῶν δὲ τιμῶσιν Ἀπόλλωνα Ἀθηναῖοι, ἐπεὶ Ἴων ὁ πολέμαρχος Ἀθηναῖον ἐξ Ἀπόλλωνος καὶ Κρεούσης τοῦ Ζούθου (γυναικὸς) ἐγένετο (Rose, *Frag.* 343²=381³). This scholium may have been derived either from the present passage, or from another in

which Ion was mentioned near the beginning of the treatise.

τελευταία—ἀρχοντος] 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). On the other side, see Gilbert's *Gr. St.*, i 117—118.

§ 3. **Μέδοντος**] son of Codrus. Ἀκάστου, successor of Medon (Busolt, i 403).

ὁμνύουσι] The oath of the archons is also mentioned in 7 § 1 and in 55 *ad fin.*, but this particular clause is not cited elsewhere.

παραχωρησάντων] For the constr. cf. Dem. p. 38, 24, ἀξιώ υἱὰς μὴ παραχωρεῖν τῆς τάξεως, p. 655, 17, π. τῆς ἀρχῆς. For the sense, *Pol.* 1285 ὁ 14, τὰ μὲν αὐτῶν περιέντων τῶν βασιλέων, τὰ δὲ τῶν δχλων παραιρουμένων, ἐν μὲν ταῖς ἀλλαις πόλεσιν, αἱ πατριοὶ θυσίαι κατελέφθησαν τοῖς βασιλέσιν μόνον.

ἀνταποδοθεισῶν—δωρεῶν] 'corre-

τούτο μὲν οὖν ὁποτέρως ποτ' ἔχει μικρόν, ἐγένετο γὰρ ἐν τούτοις
 15 τοῖς χρόνοις· ὅτι δὲ τελευταία τούτων ἐγένετο τῶν ἀρχῶν, [ση]μείον
 καὶ [τὸ] μῆ[δ] ἐν [τῶν π]ατρῶν τὸν ἀρχοντα διοικεῖν ὡσπερ ὁ
 βασιλεὺς καὶ ὁ πολέμαρχος, ἀλλὰ [μόνον τὰ ἐπίθ]ετα. διὸ
 καὶ νεωστὶ γέγονεν ἡ ἀρχὴ μεγάλη, τοῖς ἐπ[ε]θέτοις αὐξηθ[ε]ῖσα.
 θεσ[μ]οθέται δὲ πολλο[ῖ]ς ὕστερον ἔτεσιν ἠρέθησαν, ἤδη κατ' 4
 20 ἐνιαυτὸν αἰρ[ουμένων] τὰς ἀρχάς, ὅπως ἀναγράψαντες τὰ θέσμια
 φυλάττωσι πρὸς τὴν τῶν [παρανομού]ντων κρίσιν· διὸ καὶ μόνῃ
 τῶν ἀρχῶν οὐκ ἐγένετο πλείων [ἡ] ἐνιαύσιος. [οὔτοι] μὲν οὖν 5
 χρόνον τοσοῦτον προέχουσιν *ἀλλήλων. ᾤκησαν* δ' οὐχ ἅμα πάντες

14 μικρόν [διαφέρει, ἅτε δὴ ἐν ἀτάκ]τοις τοῖς χρόνοις Paton, μικρόν διαφέρει ἐν τούτοις <τοῖς> χρόνοις H-L; μικρόν, ἀλλ' [οὖν ἐγένε]το ἐν τούτοις <τοῖς> χρόνοις K-W; μικρόν ἀ[ν] διαλλάτ[τοι] τοῖς χρόνοις, vel μικρόν γε π[αρα]λλάττει τοῖς χρόνοις, B. ἐγένετο γὰρ ἐν τούτοις τοῖς, litteris evanidis scripta, K². 16 πατρῶν Wyse, Blass, K-W, H-L (K²), coll. 57 § 1 τὰς πατρῶν θυσίας διοικεῖ οὗτος (ὁ βασιλεὺς) πάσας. 17 ἀλλὰ [μόνον τὰ ἐπίθ]ετα K², B; an μάλλον? ἀλλὰ καινὰ τινα ἐπίθετα H-L; ἀλλ' [ὄλως μὴδὲν μ]έγα K-W. 20 αἰρουμένων Wyse, Blass, K-W, H-L, K². 21 παρανομούντων K (K-W, B); ἀκοσμούντων H-L spatio vix expleto. 22 πλείων K: πλείον K-W, B; πλείν H-L. πλὴν ἡ, vel πλὴν εἰ, H Richards. 23 ἈΛΛΗΛΩΝΗσαν: ἄλλων. ᾤκησαν K: ἀλλήλων. ἦσαν Jackson, Blass (K-W, H-L); malui ἀλλήλων. ᾤκησαν: ἀλλήλων. ἐδίκαζον Herwerden coll. Suid. s. v. ἀρχων: καθίζον Gennadios, συνῆσαν Kontos.

sponding privileges being (at the same time) assigned to the archon.' ἀντι τῶν δοθεισῶν, suggested by Mr Kenyon, is confessedly a somewhat remarkable 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. What we expect is ἀντιπάλων δοθεισῶν τῶ ἀρχοντι δωρεῶν.

ὁποτέρως ποτ' ἔχει] *De Physica Aristot.* 252 b 35, ὁποτέρως ποτ' ἔχει. *De Sensu*, 446 a 21, ὁποτέρως ποτὲ γίνεται. *περὶ ζωῆς* 467 b 17, ὁποτέρως ποτὲ δεῖ καλεῖν (*Index Ar.*).

§ 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 of the text were presumably 'judicial deci-

sions' recorded as precedents for similar cases in the future. See also Holm, *Gr. Gesch.* i 516.

κατ' ἐνιαυτὸν—τὰς ἀρχάς] B.C. 683. ἀναγράψαντες] 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.'

διὸ] does not appear to refer to the immediately preceding clause, but to the beginning of the previous sentence. It was because the *thésmothetae* 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. οὔτοι—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.

ᾤκησαν δ' οὐχ ἅμα πάντες κτλ.] With reference to the lexicographical articles quoted above, in the *Testimonionia*, 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 to-

οἱ ἐννέα ἄρχοντες, ἀλλ' ὁ μὲν βασιλεὺς εἶ[χ]ε τὸ νῦν καλούμενον βουκολεῖον, πλησίον τοῦ πρυτανείου (σημεῖον δέ' ἔτι καὶ νῦν γὰρ 25

25 ΒΟΥΚΟΛΙΟΝ (K, H-L, B): βουκολεῖον K-W.

TESTIM. 23—33. Bekk. *Anecd.* 449, 19 et Suidas s. v. ἄρχων: ...πρὸ μὲν τῶν Σόλωνος νόμων οὐκ ἐξήν αὐτοῖς ἄμα δικάζειν, "ἀλλ' ὁ μὲν βασιλεὺς" καθήστο παρὰ τῷ καλούμενῳ βουκολεῖῳ, τὸ δὲ ἦν "πλησίον τοῦ πρυτανείου," "ὁ δὲ πολέμαρχος" ἐν Λυκείῳ καὶ ὁ ἄρχων παρὰ τοὺς ἐπωνύμους, οἱ δὲ (om. Suidas) θεσμοθέται παρὰ τὸ θεσμοθέσιον. κύριοι τε ἦσαν ὥστε "τὰς δίκας αὐτοτελεῖς" ποιῆσαι, ὕστερον δὲ Σόλωνος οὐδὲν ἔτερον αὐτοῖς τελεῖται ἢ μόνον ἀνακρινουσι (ὑποκρ. Suid., ἀνακρ. Pearson et Matthiae) τοὺς ἀντιδίκους.

gether. 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 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 ἐπώνυμοι, 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.*, 1873, 5. 38) that the *Basileion*, which he supposed was the residence of the φύλο-βασιλεῖς, 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 *Ερονυμί*, instead of in the *Prytaneum*, in the neighbourhood of which the statues of the *Ερονυμί* were afterwards set up.

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 ἑαυτῶν ἐκτέα 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 (*Coniugalía Praecepta*, xliii) as below the Acropolis: Ἀθηναῖοι τρεῖς ἀρότους ἱεροῦς ἔγουσι...τρῆτον ὑπὸ πύλων 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 Zeus Ποσειῶς (*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 Σαβάριον, that the votaries of the Thracian Dionysus, ὁ ταυρὸμορφος, 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. Pausanias tells us (i 18 § 3) that near the *Agraulieion* 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

τῆς τοῦ βασιλέως γυναικὸς ἢ σύμμιξις ἐνταῦθα γίγνεται τῷ Διονύσῳ καὶ ὁ γάμος), ὁ δὲ ἄρχων τὸ πρυτανεῖον, ὁ δὲ πολέμαρχος τὸ Ἐπιλύκειον· ὁ πρότερον μὲν ἐκαλεῖτο πολεμαρχεῖον, ἐπεὶ δὲ Ἐπίλυκος ἀνφοκοδόμησε καὶ κατεσκευάσεν αὐτὸ πολεμα[ρχή]σας, 30 Ἐπιλύκειον ἐκλήθη· θεσμοθέται δ' εἶχον τὸ θεσμοθετεῖον. ἐπὶ δὲ

26 ΣΥΜΜΙΞΙΣ σύμμιξις K-W, H-L, K², coll. Meisterhans, p. 144². ΓΙΝΕΤΑΙ (K-W). 27 καὶ ὁ γάμος delet Rutherford (H-L). 28 ΕΠΙΛΥΚΙΟΝ: -ειον K etc. 29 πολεμαρχ[ῶν] H-L, invita papyro.

TESTIM. 26 Hesych. Διονύσου γάμος: τῆς τοῦ βασιλέως γυναικὸς καὶ θεοῦ γίγνεται γάμος. 28 Hesych. Ἐπιλύκ(ε)ιον (cod. ἐπιλύκιον): ἀρχεῖον τοῦ πολεμάρχου Ἀθήνησιν.

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 ἐπάνωμοι '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, *c. g.* in Schol. on Aristoph. *Pax* 1183, τόπος Ἀθήνησιν παρὰ πρυτανεῖον ἐν ᾧ ἐστήκασιν ἀνδριάντες οὓς ἐπωνόμους καλοῦσιν (*ib.* p. 171 note 106). Curtius places the original *Prytaneion* in the Old Agora 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 Bunsolt, i 407 note 4.

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 *basilinna* as inscribed on a tablet in the temple of Dionysus ἐν Λιμναῖς 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.

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, *Æux.* xxii, θεσμοθετῶν συνέδριον. It was there also that they dined at the public expense: Schol. Plato, *Phaedr.* 235 D,

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

32 αὐτοτελ[ῶς] J B Mayor (H-L).

34, 38 ΑΡΕΟΠΑΓΕΙΤ

οἱ δὲ θεσμοθετεῖται ἔξ εἰσι τὸν ἀριθμὸν, ἀφ' ὧν καὶ ὁ τόπος, ὅπου συνήεσαν καὶ εἰσ- τοῦτο, θεμιστίον (*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 *ἀγορά*, as (from the very first) the *θεσμοθετεῖται* 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 ἐννεα ἀρχόντων ἐποίησεν, εἰς τὸ συνειπεῖν, ὡς Ἀπολλόδορος φησὶν 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.

κρίνειν...προανακρίνειν] *Pol.* 1298 a 31, τέταρτος δὲ τρόπος τὸ πάντα περὶ πάντων βουλευέσθαι συνιόντας, τὰς δ' ἀρχὰς περὶ μηδενὸς κρίνειν ἀλλὰ μόνον προανακρίνειν, ὅνπερ ἡ τελευταία δημοκρατία νῦν διοικεῖται τρόπον. This is in favour of κρίνειν, as against ποιεῖν (suggested by Suidas).—'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. ἢ τῶν Ἀρεοπαγιτῶν βουλῇ] The first establishment of the senate of Areopagus is sometimes ascribed to Solon. Thus Plutarch, *Sol.* 19 *imit.*, says of Solon *συστησάμενος τὴν ἐν Ἀρειῷ 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: *ἔοικε δὲ Σόλων ἐκεῖνα μὲν*

ὑπάρχοντα πρότερον οὐ λύσαι, τὴν τε βουλήν καὶ τὴν τῶν ἀρχῶν ἀρεσιν. 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 Boule—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. Ephetaen*, p. 206); 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). 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 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

35 τοὺς νόμους, διώκει δὲ τὰ πλείστα καὶ τὰ μέγιστα τῶν ἐν τῇ πόλει, καὶ κολάζουσα καὶ ζημ[ιο]ύσα πάντας τοὺς ἀκοσμοῦντας κυρίως. ἢ γὰρ αἴρεσις τῶν ἀρχόντων ἀριστίνδην καὶ πλουτίνδην ἦν, ἐξ ὧν οἱ Ἀρεοπαγῖται καθίσταντο. διὸ καὶ μόνη τῶν ἀρχῶν αὕτη μεμένηκε διὰ βίου καὶ νῦν.

4. ἡ μὲν οὖν πρώτη πολιτεία ταύτην ε[ἶ]χε τὴν ὑπο[γρα]φήν. μετὰ δὲ ταῦτα, χρόνου τῶς οὐ πολλοῦ διελθόντος, ἐπ' Ἀρι-

36 καὶ κολάζουσα : καὶ delet Gennadios (H-L).
ante ἡ γὰρ aliquid excidisse putat Keil.

37 γὰρ : δὲ mavult Gennadios,

the Areopagus were originally of the widest senatorial character, directive generally as well as judicial.' With the context, cf. Isocr. *Areop.* § 37, τὴν ἐξ Ἀρείου πάγου βουλὴν ἐπέστησαν ἐπιμελεῖσθαι τῆς εὐδοκίας, ἧς οὐχ ὁλόν τ' ἦν μετασχεῖν πλὴν τοῖς καλῶς γεγονόσι καὶ πολλὴν ἀρετὴν ἐν τῷ βίῳ καὶ σωφροσύνην ἐνδεδειγμένοι, and §§ 30—55, esp. § 46, τοὺς ἀκοσμοῦντας ἀνήγον ἐἰς τὴν βουλήν. Athen. iv 19 p. 168 A: ὅτι δὲ τοὺς ἀσώτους καὶ τοὺς μὴ ἐκ τιμῶς περιουσίας ζῶντας τὸ παλαιὸν ἀνεκαλοῦντο οἱ Ἀρεοπαγῖται καὶ ἐκόλαζον, Ἰσθόρσαν Φανόδημος καὶ Φιλόχορος (FHG i 394, cf. 387, 17).

διατηρεῖν τοὺς νόμους] Aeschin. 3 § 6, ὅταν διατηρηθῶσιν οἱ νόμοι τῇ πόλει, σφίζεται 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 ἐννεα καθισταμένων ἀρχόντων Ἀθηναῖοι τοὺς Ἀρεοπαγῖτας εἶδει συνεστάναι δικαστάς, ὡς φησὶν Ἀνδρότιον ἐν δευτέρῳ τῶν Ἀτθίδων ὑστερον δὲ πλειόνων γέγονεν ἢ ἐξ Ἀρείου πάγου βουλῆς τούτεστι ἐξ ἀνδρῶν περὶφανεστέρων πενήκοντα καὶ ἐνός (this implies an identification of the Ephetae and the Areopagus). οὐ πάντος ἀνδρῶς ἦν ἐἰς τὴν ἐξ Ἀρείου πάγου βουλὴν τελεῖν ἄλλ' οἱ παρ' Ἀθηναίους πρωτεύοντες ἐν τε γένει καὶ πλούτῳ καὶ βίῳ χρησάτω, ὡς Ἰστορεὶ Φιλόχορος διὰ τῆς τριτῆς τῶν αὐτῶν Ἀτθίδων.

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.' For διὰ βίου, cf. 2 § 1.

IV. The Draconian Constitution.

τὴν ὑπογραφήν] 'outline', 'sketch'.
Ar. de Gen. Anim. ii 6, 743 b 20—25,

esp. οἱ γραφεῖς ὑπογράψαντες ταῖς γραμμαῖς οὕτως ἐναλείφουσι τοῖς χρόμασι τὸ ζῶον. De Anima, ii 1, 413 a 10, τύψω . . ταύτη διωρισθῶ καὶ ὑπογεγράφω περὶ ψυχῆς. Pol. ii 5, 1263 a 31, ἔστιν ἐν ἐνταῖς πόλεσιν οὕτως ὑπογεγραμμένον.

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).

Ἀρισταρχμου ἀρχοντος] The name of this archon (Ἀρισταρχμος) is now known for the first time. It follows that Dracon was not the ἀρχων ἐπώνυμος of the year, as has been sometimes supposed (e.g. Busolt, i 510). Cf. Pausanias, ix 36 § 8, Δράκοντος Ἀθηναῖοι θεσμοθετήσαντος ἐκ τῶν ἐκείνου κατέστη νόμων, οὓς ἔγραφεν ἐπὶ τῆς ἀρχῆς, ἀλλων τε ὁπόσων ἀδειαν εἶναι 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 thesmothet Drako.' His legislation may be assigned to B.C. 621 (Clinton's *Fasti, sub anno*; Busolt, i 510).

θεσμοῦς 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, χρῆσθαι 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 ἐφώνη ὅδε, and the word occurs in his own poems c. 12 § 4, line 18, θεσμοῦς . . ἔγραψα. The same ancient term was preserved in the oath of the περίπολοι in Pollux viii 106, καὶ τοῖς θεσμοῖς τοῖς ἰδρυνόμενος πέλομαι, which in later Greek would have been expressed τοῖς νόμοις τοῖς κειμένους (cf. Grote, c. 10, ii p. 283, note).

§ 2. ἡ δὲ τάξις κτλ.] To identify the τάξις, or constitution, with the θεσμοί, or

σταίχμου ἄρχοντος Δρά[κω]ν τοὺς θεσμοὺς ἔθηκεν ἢ δὲ τάξις 2

legislation, is inconsistent with the distinction drawn by Aristotle in *Pol.* 1289 a 15, πολιτεία μὲν γὰρ ἐστὶ τάξις ταῖς πόλεσιν ἢ περὶ τὰς ἀρχὰς... νόμοι δὲ κεχωρισμένοι τῶν δηλούντων τὴν πολιτείαν, καθ' οὓς δὲ τοὺς ἀρχοντας ἄρχουε κτλ. Cf. also 1286 a 3. This distinction is maintained in cc. 7 and 9, but not in c. 34. The term θεσμοὶ 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, Δράκωντος δὲ νόμοι μὲν εἰσι, πολιτεία δ' ὑπαρχούση τοὺς νόμους 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, Sussemlil 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.

In *Rhet.* ii 23 § 29, 1400 b 21, Ar. quotes Herodicus (the physician) as saying of Dracon (ὁ νομοθέτης), οὗ οὐκ ἀνθρώπου 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 πλὴν 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 'Draconian 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, p. 435 b, denounces it as 'the amazing Draconian constitution.' It has also been attacked by Weil (*Journal des Savants*, Avril, 1891), and Cauet; also by Mr Macan in the *Journ. of Hellenic Studies*, April, 1891, pp. 24, 27, 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, and by M. Théodore Reinach in the *Revue Critique*, p. 143—5.

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 *politeia* 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 law. 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

αὕτη τόνδε τὸν τρόπον εἶχε. ἀπεδέδοτο μὲν ἡ πολιτεία τοῖς ὄπλα
 5 παρεχομένοις· ἤρουντο δὲ τοὺς μὲν ἐννέα ἄρχοντας [καὶ τ]οὺς
 [τ]αμίας οὐσίαν κεκτημένους οὐκ ἐλάττω δέκα μῶν ἐλευθέραν,

IV 4 ΔΥΤ' (= αὐτῆς): correxit κ. μὲν per compendium, ut videtur, scriptum
 (κ-ω, κ², β): mihi quidem Δ' (δὲ) potius quam Μ' (μὲν) videtur scriptum: om. H-L.
 5 ΑΡΧΟΝΤΕΣ 6 ΕΛΑΤΤΩΝ ἢ Κ-Ω. ΔΕΚΑ: ἐκατὸν Thompson; διακοσίω
 Weil (*Journal des Savants*, p. 10); 'maiozem censum nemo non expectet' H-L.

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 'Athenaiōn 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 'Draconian 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 'Draconian 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 ζευγῆται and the θῆτες. But it is difficult to accept it in the case of the πεντακοσιομέδμνοι. 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 Pseudo-platonic *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 Κλεισθέους 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 πεντακοσιομέδμνος 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.

ἀπεδέδοτο κτλ.] not ἀπέδοθη. The tense implies that the franchise had already been given and that this was not part of the alleged constitution of Dracon. This point is brought out by Mr Poste who translates: 'Sovereign power was already wielded by the class of persons capable of providing its own equipment for war.' He adds in a 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.' Mr Kenyon's rendering is here less exact: 'The franchise was given &c.' (see, however, *Class. Rev.* v 467 *h*).—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*).

δέκα μῶν] We have to notice (1) the nature, not 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 ζευγίτης was to possess land capable of producing 200 μέδμνοι: a

[Col. 2.] τὰς δ' ἄλλας ἀρχὰς || <τὰς> ἐλάττους ἐκ τῶν ὄπλα παρεχ[ομένων], στρατηγούς δὲ καὶ ἱππάρχους οὐσίαν ἀποφαίνοντας οὐκ ἐλάττον ἢ ἑκατὸν μῶν ἐλευθέραν καὶ παῖδας ἔ[κ] γαμετῆς γυναικὸς γνησίους ὑπὲρ δέκα ἔτη γεγονότας· τούτους δ' ἔδει διε[γγυ]ᾶ[σθαι] τοὺς πρυτάνεις καὶ τοὺς στρατηγούς καὶ τοὺς ἱππάρχους τοὺς ἔνους

7 <τὰς> ἐλάττους Richards, Blass, K-W, H-L, K³. 8 ἑλάττον Marchant coll. Dobr. Adv. in Thuc. ii 13: ἐλάττων' olim κ. 9 ἢ ἑκατὸν in ἑκαστον ἢ (= ὀκτώ) μετὰ Μarindin (Smith, *Dict. Ant.* ii 1071 b). ἢ delet Thompson, utpote ex numerali Η (= ἑκατὸν) natum. ελεγεθρών: corr. Wyse etc. 10 Δ' Δι (supra scr. Δει)... δ' ἔδει διατρεῖν H-L; διεγγυᾶν Schulthess deletis verbis καὶ τοὺς στρατηγούς καὶ τοὺς ἱππάρχους; δι... K-W; δ' ἔδει διεγγυᾶσθαι K³, B. 11 τοῦ γένους K¹: τοὺς ἔνους Paton et van Leeuwen (edd.), quod et in papyro scriptum et unice verum est, cf. [Dem.] 25 § 20 τὰς ἑνας ἀρχὰς ταῖς νέαις ἐκούσας ὑπεξίναί, et Ar. Pol. 1322 a 11 τὰς τῶν ἑνῶν (Schaliger) μᾶλλον τὰς νέας (ἀρχάς).

μέδμνος 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).

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 *λεπτεὺς* under the Solonian constitution (*Philol.* 1891, pp. 393—400).

l. 6. *ἐλευθέραν*, 'unencumbered.' Isaeus 10 § 17, ὁ μὲν κλῆρος ἐλευθερος ἦν, contrasted with *ὑπόχρεως*. Dem. 35 § 21, *ὑποτιθέασι ταῦτ' ἐλευθέρα*, and § 22, *ἐπ' ἐλευθέροις τοῖς χρήμασι δανειζόμενοι*. Dittenberger, *Sylloge*, no. 344, 38; 294, 10; 126, 20, 28. Cf. c. 12, 34.

l. 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.* 167 b). Qualifications of a similar character may, however, be noticed at a much later date, in Deinarchus, *contr. 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*.

διεγγυᾶσθαι] If this is the right reading, it must presumably be rendered 'should have security given on their behalf.' The accepted meaning of the word in the passive is 'to be bailed' by any one, e.g. Thuc. iii 70, *ὀκτακοσίων ταλάντων τοῖς προξένοις διεγγυημένοι*.

τοὺς πρυτάνεις] Here mentioned for the first time, whereas the form of the sentence (so far as the text is sound) implies they have already been referred to. If so, they must either be included among the *ἄλλας ἀρχὰς τὰς ἐλάττους*, or they are identical with the *ἐνέα ἀρχοντες*. 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, from the term for court-fees, *πρυτανεία*, 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 *πρύτανις*. It will be remembered that the official residence of the Archon was the *πρυτανεῖον*, c. 3 § 5. This appears better than identifying them with 'the president of the Council and Assembly in later days.'

μέχρι εὐθυνοῦν, ἐγγυητὰς τέτταρας ἐκ τοῦ αὐτοῦ τέλους * παρασχο-
 μένους οὐπερ οἱ στρατηγοὶ καὶ οἱ ἵππαρχοι. βουλευεῖν δὲ τετρακο- 3
 σίους καὶ ἓνα τοὺς λαχόντας ἐκ τῆς πολιτείας κληροῦσθαι δὲ καὶ ταύ-
 15 την καὶ τὰς ἄλλας ἀρχὰς τοὺς ὑπὲρ τριάκοντα ἔτη γεγονότας, καὶ δις
 τὸν αὐτὸν μὴ ἄρχειν πρὸ τοῦ πάντας *[δι]ελθεῖν· τότε δὲ πάλ[ιν] ἐξ

12 εἰρη...τας ἐγγυητὰς κ³, κ-W, B; ἐπιμελητὰς H-L. δ' κ¹; δ̄ (=τέτταρας) κ-W, H-L etc. Δ' (?supra scr. οΔ?) ΧΟΜΟΥΣ; δεχομένους Κ, Κ-W, H-L: παρεχομένους Rutherford, ἴσχυρομενοὺς fortasse volebat corrector; idem conicit Blass qui in ectyro πτε (supra scr. οΥ=οὔπερ) ΧΟΜΕΝΟΥΣ in ΠΣΧΟΜΕΝΟΥΣ correctum agnoscit.
 15 ΤΡΙΑΚΟΝΘΕΤΗ. 16 περιελθεῖν κ¹. Expectare potius aut eis πάντας περιελθεῖν aut διὰ πάντων διελθεῖν τὴν ἀρχήν: quod ad illud attinet, cf. Plut. *Artist.* 5 ὡς περιήλθεν εἰς αὐτὸν ἡ ἀρχή; quod ad hoc, Ar. *Pol.* 1298 a 17 et 1300 a 25 ἔως ἂν διελθῆ διὰ πάντων: etiam πάντας ἐξῆς λαχεῖν conicere in promptu est, coll. [Xen.] *Rep. Ath.* i 6 μὴ εἰν λέγειν πάντας ἐξῆς μηδὲ βουλευέειν. ἐξελεθεῖν Κ-W, H-L, κ³, B; διελθεῖν malui: praestaret διεξελεθεῖν (Κ-W²), sed spatium non sufficit.

μέχρι εὐθυνοῦν] 'until the audit.' At Athens, according to the evidence of later times, all officials were ὑπεύθυνοι. Aeschin. *Ctes.* § 17, οὐδέ τις ἐστὶν ἀνυπεύθυνος τῶν καὶ ὄπωσόν πρὸς τὰ κοινὰ προσεληλυθότων.

παρασχομένους] Often used in middle with μάρτυρας, *Pol.* 1269 a 2, παρασχεσθαι πλήθος μαρτύρων, and Ant. 5 §§ 20, 22, 24, 28, 30, &c. Cf. Aeschin. c. *Ctes.* 199, συνηγόρους παρασχεσθαι. The usual verb with ἐγγυητὰς is καθιστάναι, Dem. 24 §§ 39, 40, 55, and esp. 144, ὅς ἂν ἐγγυητὰς τρεῖς καθιστῆ τὸ αὐτὸ τέλος τελούντας.

§ 3. βουλευεῖν] This is the only mention of a Draconian 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. But it is a device mainly characteristic of later times, e.g. the δικαστήρια consisting of 501, or 1001, δικασταί. On the other hand, we have the 51 Ephetae who are generally ascribed to the time of Dracon.

ἐκ τῆς πολιτείας=ἐκ τῶν πολιτῶν.

κληροῦσθαι] the first mention of election 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.). But the present passage implies that the use of the lot was as early as the time of Dracon. This, if true, sup-

ports the opinion of Fustel de Coulanges (*la Cité Antique*, p. 212—4, ed. 1883), that the lot is an institution of religious origin and therefore of great antiquity. See Mr J. W. Headlam's *Election by Lot at Athens*, esp. pp. 183—, and note on c. 8 § 1 *infra*.

ταύτην] τὴν ἀρχήν, sc. τὸ βουλευέειν.

τὰς ἄλλας ἀρχὰς, exclusive of the Archons, Strategî and Hipparchi, all of which are mentioned, but probably not excluded of the ἄλλας ἀρχὰς τὰς ἐλάττους.

τριάκοντα ἔτη] This is the age at which an Athenian citizen could become a βουλευτής (Xen. *Mem.* i 2 § 35) or a δικαστής (c. 63 § 3, cf. document quoted in Dem. *Timocr.* 151, and Pollux, viii 122). It has already been inferred (Meier and Schömann, *Att. Proc.*, p. 240 Lipsius) 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; in the *Diaetetae* 59.)

δις τὸν αὐτὸν μὴ ἄρχειν κτλ.] *Pol.* 1299 a 10, μὴ τὸν αὐτὸν δις ἄλλ' ἅπαξ μόνον (ἄρχειν) and 1317 b 23 τὸ μὴ δις 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) ὅσπερ δις τὴν αὐτὴν ἀρχήν τὸν αὐτὸν ἄνδρα ὅσπερ δύο ἀρχὰς ἀρξαι τὸν αὐτὸν ἐν τῷ αὐτῷ ἔνιαυτῷ. The same citizen could be a βουλευτής 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 βουλευτής for two years in succession, but this is purely conjectural (Hermann's

ὑπαρχῆς κληροῦν. εἰ δέ τις τῶν βουλευτῶν, ὅταν ἔδρα βουλῆς ἢ ἐκκλησίας ἦ, ἐκλείπει τὴν σύνοδον, ἀπέτινον ὁ μὲν πεντακοσιο- 18

18 ἐκλείπει H-L.

Staatsalt. § 125, 1). 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 πολιτείαις βουλευόνται αἱ συναρχαίαι συννοῦσαι, εἰς δὲ τὰς ἀρχὰς βαδίζουσι πάντες κατὰ μέρος ἐκ τῶν φυλῶν καὶ τῶν μορίων τῶν ἐλαχίστων παντελῶς, ἕως ἂν διεξέλθῃ διὰ πάντων. *ib.* p. 1300 a 23, ἢ γὰρ πάντες (οἱ πολῖται τὰς ἀρχὰς καθιστάσων) ἀρέσει, ἢ πάντες ἐκ πάντων κλήρω (καὶ [ἦ] ἐξ ἀπάντων ἢ ὡς ἀνὰ μέρος, ὅλον κατὰ φυλὰς καὶ δήμους καὶ φατρίαις, ἕως ἂν διέλθῃ διὰ πάντων τῶν πολιτῶν κτλ.). It is characteristic of the oligarchical spirit *μη εἶν λέγειν πάντας ἐξῆς μηδὲ βουλευεῖν* [*Xen.*] *Rep. Ath.* i 6). *διελθεῖν*] τὴν ἀρχήν. Cf. βίον διελθεῖν. It would, however, be more natural to say *διὰ πάντων διελθεῖν* or *διεξελθεῖν* (τὴν ἀρχήν), as in *Pol.* 1273 b 17, *διὰ πάντων ... διελήλυθε τὸ ἄρχεν καὶ τὸ ἄρχεσθαι*, and the passages quoted in last note.

For *ἐξελεθεῖν ἐκ ὑρνα* (van Leeuwen) cf. Horace's *sors exitura*, but this use of *ἐξελεθεῖν* is doubtful. In *Pol.* ii 11, 1273 a 16, the word is applied otherwise, to the 'going out of office' (of certain officials in the Carthaginian constitution), *καὶ γὰρ ἐξεληλυθότες ἀρχουσι καὶ μέλλοντες.*

ἔδρα βουλῆς] c. 30 § 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.'

εἰ δέ τις...ἐκλείπει...ἀπέτινον] Goodwin's *Moods and Tenses*, § 462.

ἐκλείπει τὴν σύνοδον] *Xen. Hell.* v 2 § 22, *εἰ δέ τις τῶν πόλεων ἐκλείπει τὴν στρατείαν, ἐξείναι Δακεδαίμονιοις ἐπισημοῦν στατήρι κατὰ τὸν ἀνδρὰ τῆς ἡμέρας*. The phrase is not found in Aristotle, although in *Pol.* 1331 b 10 we have *πρὸς ἀγορᾶ...καὶ συνῶψιν τινὶ κοινῇ. σύνοδος* is applied to an ἐκκλησία in 1319 a 32, *οἱ δὲ γεωργοῦντες διὰ τὸ διεσπάρθαι κατὰ τὴν χώραν οὐτ' ἀπαντῶσιν οὐθ' ὁμοίως δέονται τῆς συνόδου ταύτης, and to the συστάσια in 1271 a 28, ἔδει 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 ἐκκλησίαν μὲν τὸ ἐξείναι πᾶσιν ἐκκλησιάσειν, ζημίαν δὲ ἐπιτεῖσθαι τοῖς εὐπόροις ἐὰν μὴ ἐκκλησιάσων... and (among the counter-devices on the part of democracies) 1297 a 37, τοῖς μὲν γὰρ ἀπόροις μισθὸν πορίζουσι ἐκκλησιάσουσι καὶ δικάζουσι, τοῖς δ' εὐπόροις οὐδεμίαν τᾶττουσι ζημίαν. 1294 a 38, ἐν μὲν γὰρ ταῖς ὀλιγαρχίαις τοῖς εὐπόροις ζημίαν τᾶττουσιν, ἀν μὴ δικάζουσι, τοῖς δὲ ἀπόροις οὐδένα μισθόν, ἐν δὲ ταῖς δημοκρατίαις τοῖς μὲν ἀπόροις μισθόν, τοῖς δὲ εὐπόροις οὐδεμίαν ζημίαν.*

Mr Headlam observes that the only 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, *κᾶν Δράκοντος νόμοις ἐστὶν ἀποτινεῖν 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 b 20, *ζημίαν ἀποτινεῖν* (in an interpolated chapter).

πεντακοσιομέδιμος, ἱππέυς, ζευγίτης] see c. 7 § 4. All these have hitherto been

μέδιμνος τρεῖς δραχμάς, ὁ [δὲ ἰ]ππεὺς δύο, ζευγίτης δὲ μίαν. ἡ δὲ 4
 20 βουλή ἢ ἐξ Ἀρείου πάγου φύλαξ ἦν τῶν νόμων καὶ διετήρ[ει τὰ]ς
 ἀρχὰς ὅπως κατὰ τοὺς νόμους ἄρχωσιν. ἐξῆν δὲ τῷ ἀδικουμένῳ
 πρὸ[ς τὴν τῶν] Ἀρεοπαγ[ιτῶν] βουλήν εἰσαγγέλλειν ἀποφαίνουσι
 παρ' ὧν ἀδικεῖται νόμον. ἐπὶ δὲ τοῖς σῶ[μα]σιν ἦσαν οἱ δανεισμοί, 5
 καθάπερ εἴρηται, καὶ ἡ χώρα δι' ὀλίγων ἦν.

5. τοιαύτης δὲ τῆς τάξεως οὕσης ἐν τῇ πολιτείᾳ καὶ τῶν

19 <ὁ> ζευγίτης H-W, H-L; sed exspectares ὁ δὲ ζ. 22 ΑΡΕΟΠΑΓΕΙΤ.
 23—4 ἐπι—ἦν spuria putant Richards et Keil. δεδεμένοι quondam dubitanter
 κ (κ-W); δεδανεισμένοι Richards, H-L; οἱ δανεισμοὶ Blass (κ³ p. LXIV).

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 πλουτινῶν.

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 before 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 Draco 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 *Ecclesia*, but not before the Council of the Areopagus. See Dr Hager in Smith, *Dict. Ant.* s. v.

§ 5. ἐπι δὲ κτλ.] c. 2 § 2. 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 a writer 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 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. 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.

[π]ολλῶν δουλεύοντων τοῖς ὀλίγοις, ἀντέστη τοῖς γνωρίμοις ὁ δὲ δῆμος. ἰσχυρὰς δὲ τῆς στάσεως οὔσης καὶ πολ[ὺν] χρόνον ἀντικαθημένων ἀλλήλοις, εἴλοντο κοινῇ διαλλακτὴν καὶ ἄρχοντα Σόλωνα, καὶ τ[ὴν πολι]τεί[α]ν ἐπέτρεψαν αὐτῷ ποιήσαντι τὴν 5 ἐλεγείαν ἧς ἐστὶν ἀρχή

γιγνώ[σκει], καὶ μοι φρενὸς ἔνδοθεν ἄλγεα κείται,
 πρεσβυτάτην ἐσορῶν γαῖαν Ἴαονίας.
 καὶ γὰρ †ἐπελαύνει καὶ πρὸς ἑκατέρους ὑπὲρ ἑκατέρων μάχεται

V 2 an ἐπανεῖστη? Wyse.

7 ΓΙΝΩ[ΣΚΩ] K, K-W, H-L: γινώσκω certe usque ad annum 325 A. C. in titulis Atticis scriptum fuisse constat (Meisterhans, p. 142²): an ὁμωῶ? H-L.

8 Ἴαονίην Richards (*Class. Rev.* v 334 a). 9 ΕΠΕΛΑΥΝΕΝ legit K (ἐπῆλαινε K¹ sed tempus praesens flagitat contextus). ἐπαλλάττει J B Mayor, Richards, cf. *Pol.* 1255 a 13, 1257 b 35, 1295 a 9. ἐπιλαίνοι quondam tentabam, sed desideratur accusativus velut τοὺς τραχυνομένους; ἐπελαίνοι K⁸, sed sensus in obscuro. [συμβουλευέων πολλά] πρὸς H-L. πολ[ι]τικῶ-

§ 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. Reip.* 10 § 16 p. 805, οὐδενὶ γὰρ ἐμμίξας ἑαυτὸν ἀλλὰ κοινὸς ὦν πᾶσι καὶ πάντα λέγων καὶ πράττων πρὸς ὁμόνοιαν, ἡρέθη νομοθέτης ἐπὶ τὰς διαλύσεις, *ib.* p. 825 D ἡμερον διαλλακτὴν, and esp. *Amaiorius* 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, i 524, note 2). Cf. note on 13 § 1.

τὴν ἐλεγείαν] here, and in l. 3 from end of chapter, 'the elegiac poem.' The form is found in Theophrastus, *Hist. Plant.* ix 15, 1, and also in late authors (e.g. Plut. *Sol.* 26, *Cimon* 10). Aristotle uses τὰ ἐλεγεία in *Poet.* i, διὰ τριμέτρων ἢ ἐλεγείων, *Rhet.* i 15, ἐλεγεία Σόλωνος, iii 2, ἐλεγεία Διονυσίου (cf. *Class. Rev.* v 334 a).

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 Ἐπιθήκαι εἰς Ἀθηναίους. The passage as there quoted begins with the words:

ἡμετέρα δὲ πόλις κατὰ μὲν Διὸς οὐπον' ὀλεῖται
 αἶσαν 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 Tyrtaei, Mimnermi, Callini. Imo optime convenit commoto atque elato Solonis animo relicta sententiā '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 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 is proposed by Mr H. Richards on the ground that Solon is not likely to have used *Ionia* for 'all lands where Ionians dwell.' The Ionic form may have been wrongly written Ἴαονίαν, and then altered into Ἴαονίας in consequence of the superlative. 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.

ἐπελαύνει] apparently intransitive; used elsewhere of military movements

- 10 καὶ διαμφισβητεῖ, καὶ μετὰ ταῦτα κοινῇ παραινεί [κατα]παύειν
τὴν ἐνεστώσαν φιλονικίαν. ἦν δ' ὁ Σόλων τῇ μὲν [φύ]σει καὶ τῇ 3
δόξῃ τῶν πρώτων, τῇ δ' οὐσία καὶ τοῖς πράγμασι τῶν μέσων, ὡς ἔκ
τε τῶν ἄλλων ὁμολογεῖται καὶ αὐτὸς ἐν τοῖσδε τοῖς ποιήμασιν
μαρτυρεῖ, παραινῶν τοῖς πλουσίοις μὴ πλεονεκτεῖν'
15 ὑμεῖς δ' ἡσυχάσαντες ἐνὶ φρεσὶ καρτερόν ἦτορ,
οἱ πολλῶν ἀγαθῶν ἐς κόρον [ἦλ]άσατε,
ἐν μετρίοισι τ[ρέφεσθ]ε μέγαν νόον· οὔτε γὰρ ἡμεῖς
πεισόμεθ', οὔτ' ὑμῖν ἄρτια πά[ντ] ἔσεται.
καὶ ὄλως αἰεὶ τὴν αἰτίαν τῆς στάσεως ἀνάπτει τοῖς πλουσίοις· διὸ
20 καὶ ἐν ἀρχῇ τῆς ἐλεγείας δεδοικέναι φησὶ

τατα] ? K-W, qui legi posse existimant καιΓΑΡΠΟΛΙ...ΕΤΑΙΚΑΙΠΡΟΣ; quae si revera olim exstabant, licet conicere καὶ γὰρ πολ[υ]τεύ[ε]ται καὶ πρὸς, quod confirmat aliquatenus Aristides ii 361 Dind. in commentario exscriptus, qui in loco nostro suos in usus convertendo verbum ἐπολιτεύετο bis usurpavit. 11 ΦΙΛΟΤΙΜΙΑΝ superscr. ΝΙΚΙ. φύσει Richards, Wyse (edd.): ρῆσει olim K. 16 ἀάσατε κ¹ sensu intransitivo usurpatum: corexit Postgate coll. Tyrtaei loco infra allato; idem conicit Naber (edd.). 17 τ[ί]θεσθε] Platt (H-L); μετρίους τέρπεσθε Kontos. 18 ἄρτια: ἄρθμια Tyrrell, coll. Theogn. i 312 ἄρθμος ἦδε φίλος, adde Hdt. vi 83 τῶς μὲν δὴ σφί ἦν ἄρθμια εἰς ἀλλήλους: ἄρθμια Kontos (H-L). πά[ντ] K-W quod locus infra laudatis confirmatur; τὰλλ' κ¹ qui τὰ potius quam πὰ in papyro legit; ταῦτ' H-L (κ³, B); πὸλλ' quondam Blass. 19 αἰεὶ (K, K-W, B): αἰεὶ (H-L). Formam utramque usurpant decreta

such as 'charging' (Hdt. ix 49), or 'marching against' (i 17); here perhaps of 'attacking.' This sense would lead up to the next verb μάχεται. Another suggestion, ἐπαλλάττει, as observed by one of its proposers, 'seems suitable to describe the attitude of a man who sees and takes both sides of a question at once, who is at home in both camps' (H. Richards in *Class. Rev.* v 107 a). But we should expect δυσχεραίνει or ἀντιτείνει.

πρὸς ἐκατέρους ὑπὲρ ἐκατέρων] The purport of this part of the poem must 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 ἄρτια λέγεται, τοὺς δὲ νόμους οὐκ ἦδε περιῶν οὐδὲ τοὺς λόγους τοὺς ὑπὲρ τῶν ἐν ἴσῳ πρὸς τὸν δῆμον, οὐδὲ τοὺς ὑπὲρ τῶν πολλῶν πρὸς τοὺς πλουσίους οὐκ ἦδεν, οὐδ' ἔσα ἄλλα ἐπολιτεύετο, οὐκ ἔδων οὐδ' ἐν μέτροις ἐπολιτεύετο, ἀλλὰ τῷ τῆς ῥητορικῆς τύπῳ καθαρῶς χράμενος.

§ 3. τῇ μὲν φύσει κτλ.] Plut. *Sol.* i, ἀνδρὸς οὐσίᾳ μὲν, ὡς φασί, καὶ δυνάμει μέσου τῶν πολιτῶν, οἰκίας δὲ πρώτης κατὰ γένους. 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. 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. 500). 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.

οἱ—ἐς κόρον ἠλάσατε] 'ye that plunged into surfeit of many good things.' Tyrtaeus 11 (7), ἀμφοτέρων δ' εἰς κόρον ἠλάσατε, Hdt. ii 124, ἐς τοσοῦτον ἤλασεν (τὸ πρᾶγμα), 'they drove it thus far'; v 50, ἐς πᾶσαν 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) 36, εἰννομία δ' ἐκκοσμία καὶ ἄρτια πάντ' ἀποφαινεῖ, and *ib.* 40, ἐστὶ δ' ὑπ' αὐτῇ πάντα κατ' ἀνθρώπων ἄρτια καὶ πινυτά. Theognis 946, εἰμι παρὰ στάθμην ὄρθην ὀδόν, οὐδετέρωσθε | κλινόμενος· χρῆ γάρ μ' ἄρτια πάντα νοεῖν.

τὴν αἰτίαν...ἀνάπτει] 'ascribes the origin' (K). Rare in Aristotle; *Met.* 12, 4,

τὴν τε φ[ιλαργυρ]ίαν τὴν θ' ὑπερηφανίαν,

21

ὡς διὰ ταῦτα τῆς ἔχθρας ἐνεστῶ[σ]ης.

6. κύριος δὲ γενόμενος τῶνπραγμ[άτ]ων Σόλων τόν τε δῆμον ἠλευθέρωσε καὶ ἐν τῷ παρόντι καὶ εἰς τὸ μέλλον, κωλύσας δ[ανεί]- ζειν ἐπὶ τοῖς σώμασιν, καὶ νόμους ἔθηκε καὶ χρεῶν ἀ[πο]κοπὰς ἐπ[ο]ίησε καὶ τῶν ἰδίων καὶ τῶν δημοσίων, ἃς σεισάχθειαν καλοῦ- σιν, ὡς ἀποσεισαμένων τὸ βάρος. ἐν οἷς πειρῶνται τι[νες] δια- 5 2 βάλλειν αὐτόν· συνέβη γὰρ τῷ Σόλωνι μέλλοντι ποιεῖν τὴν

publica usque ad annum 361 A.C., ex quo anno ael tantum inventum est, quamquam θιασωτῶν in titulis diu duravit ael (Meisterhans, p. 25²); itaque ael ubique scripsi; quod autem inter Aristotelis editores nonnulli modo hanc, modo illam formam malunt, velut in *Pol.* 1276 a 36, 38 ubi inter trium versusum spatium καίπερ αἰεὶ et καίπερ αἰεὶ legitur, vix credibile est scriptorem eundem formam utramque usurpasse. 21 τὴν τε φ[ιλαργυρ]ίαν K, K-W, H-L; τὴν φ[ιλοχρηματ]ίαν Kontos, Bernardakis; τὴν τε ἀ[χρημ]ατίαν B. τὴν τε ὑπερ. (K, K-W); τὴν θ' ὑπερ. J B Mayor, Jackson, H-L; et metrum et τε iteratum poetae versusum produunt.

VI 1 <ὁ> Σόλων K-W. 3 καὶ νόμους ἔθηκε secl. K-W, Reinach.

4 ΔΣΕΙΣΑΧΘΙΑ: ἃς σεισάχθειαν K etc. καλοῦσιν: 'fort. ἐκάλουν scribendum' (K-W).

5 ΑΠΟΚΙΣΑΜΕΝΟΙ: ἀποσεισάμενοι K, H-L; ἀποσεισαμένων J B Mayor, K-W, B. ΒΑΡΟΣ K etc.: [ἄχ]θος H-L.

TESTIMONIA. VI 3 Heraclidis epitoma: νομοθετῶν Ἀθηναίους καὶ χρεῶν ἀποκοπὰς ἐποίησε, τὴν σεισάχθειαν λεγομένην (Rose, *Frag.* 611, 3³). Hesych. σεισάχθεια· Σόλων χρεῶν ἀποκοπήν δημοσίων καὶ ἰδιωτικῶν ἐνομοθέτησεν, ἣν περ σεισάχθειαν ἐκάλεσε παρὰ τὸ ἀποσεισάσαι τὸ βάρος τῶν δανείων. Photius (= Suidas) σεισάχθεια, = Apostolius 17, 52.

3, ὡς τοὺς λόγους εἰς ἀριθμοὺς ἀνήπτου, 'to ascribe or refer to.' Common in Plutarch, e.g. *Lycurg.* 6, τὴν ἀρχὴν καὶ τὴν αἰτίαν τῆς πολιτείας εἰς τὸν Πύθιον ἀνήψε, 13 § 3, τὸ δὲ ὅλον 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- ρειν. Mr Poste and Mr H. Richards (*Class. Rev.* v 466 a) understand it 'imputes the blame.' This might be defended by Od. ii 86 μῶμον ἀνάψαι (Schol. περιποιῆσαι, περιθίνααι), where Amēis prefers ἐκ μῶμον ἀνάψαι. But in Attic Gk we should expect περιάπτει in this sense (*Dem. Lept.* 10). τῆς ἐλεγείας, § 2.

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

VI § 1. κωλύσας δανείζειν κτλ.] Plut. *Sol.* 15, Σόλωνος...τῶν χρεῶν ἀποκο- πὴν σεισάχθειαν ὀνομάσαντος. τοῦτο γὰρ ἐποιήσατο πρῶτον πολιτεύμα, γράψας τὰ μὲν ὑπάρχοντα τῶν χρεῶν ἀνείσθαι, πρὸς δὲ τὸ λοιπὸν ἐπὶ τοῖς σώμασι μηδὲνα

δανείζειν. Diog. Laert. i 45. The phrase χρεῶν ἀποκοπὰι 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, *Legg.* 736 C.

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 130; Landwehr, *Philol. Suppl. Bd* v (1884) 131 ff.; and Busolt, i 525. (2) Others, including Androtion (see note on 10 § 1), held that Solon relieved the debtors, partly by a diminution 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.

§ 2. συνέβη—ἐπλοῦτον] Plut. *Sol.* 15, πρᾶγμα δ' αὐτῷ συμπεσεῖν λέγεται πάντων ἀνιαρτάτων ἀπὸ τῆς πράξεως ἐκεί-

σεισάχ[θ]ειαν προειπεῖν τισὶ τῶν [γνω]ρίμω[ν], ἔπειθ', ὡς μὲν οἱ δημοτικοὶ λέγουσι, παραστρατηγηθῆναι διὰ τῶν φίλων, ὡς δ' οἱ [βουλ]όμενοι βλασφημεῖν, καὶ αὐτὸν κοινωνεῖν. δανεισάμενοι γὰρ
 10 οὔτοι συνεπρίαντο πολλὴν χώραν, [μετὰ δ'] οὐ πολλὴ τῆς τῶν χρεῶν ἀποκοπῆς γενομένης ἐπλούτου· ὅθεν φασι γενέσθαι τοὺς ὕστερον δο[κο]ύοντας εἶναι παλαιοπλούτους. οὐ μὴν ἀλλὰ πῖθ[ανώ]- 3
 τερος [ὁ] τῶν δημοτικῶν [λ]όγος· οὐ γὰρ [εἰκ]ὸς ἐν μὲν τοῖς ἄλλοις οὕτω μέτριον γενέσθαι καὶ κοινὸν [ῶσ]τ', ἐξὸν αὐτῶ [τ]οὺς [ἐτ]έ[ρο]υς
 15 ὑποποιησάμενον τυραννεῖν τῆς πόλεως, ἀμφοτέροις ἀπεχ[θ]έσθαι καὶ περὶ πλείονος [ποι]ήσασθαι τ[ὸ κα]λὸν καὶ τὴν τῆς πόλεως σωτηρίαν ἢ τὴν αὐτοῦ πλεονεξίαν, ἐν [οὔτ]ω δὲ μικροῖς [καὶ] ἀν[αξί]οις καταρρυπαίν[ε]ω ἑαυτόν. ὅτι δὲ ταύτην ἔσχε τὴν 4
 ἐξουσίαν, τά τε πράγματα νοσοῦντα μα[ρτυ]ρεῖ [τοῦ]το, καὶ ἐν τοῖς

8 Δ', διὰ κ etc.: ὑπὸ κ-W.

10 μετὰ δ' κ etc. (cf. *Magn. Mor.* 1211 ὁ 1, μετ'

οὐ πολὺ); εἶτα μετ' H-L.

11 ΓΙΝΟΜΕΝΗΣ (κ'): γενομένης Rutherford, κ-W,

H-L, κ³.

14 ὥστ' Richards, Jackson, Blass (edd.): ἄμα τ' olim κ. [νό]μους κ,

ει

κ-W: [ἐτ]έ[ρο]υς Blass (H-L) coll. c. 11, 13.

19 M....PO...TO litteris obscure scrip-

tis. μαρτυρεῖ legunt Wessely et Blass, quod mihi quoque in mentem venerat. τοῦτο mecum coniecerunt κ-W², ἃ λάσατο Wessely, quod vel propter hiatum vix tolerari potest. μετεχειρίσατο quod olim protuli (coll. Plat. *Rep.* 408 c λατροὶ νοσῶδες μετεχειρίσαντο, et 346 E τὰ ἄλλότρια κακὰ μεταχειρίζεσθαι ἀνορθοῦντα) acceperunt H-L, sed repugnat papyrus. μαρτῶ[ρι]ο[ν μέ]γα Blass, sed τὸ potius quam γὰ in papyro apparet.

νης. ὡς γὰρ ὠρμησεν ἀνιέναι τὰ χρέα καὶ λόγους ἀρμόττοντας ἐξίηται καὶ πρέπουσαν ἀρχήν, ἐκονώσατο τῶν φίλων οἷς μάλιστα πιστεύων καὶ χρώμενος ἐτύχχανε, τοῖς περὶ Κόωννα καὶ Κλευίαν καὶ Ἰππόνικον, ὅτι γῆν μὲν οὐ μέλλει κινεῖν, χρεῶν δὲ ποιεῖν ἀποκοπὰς ἐγνώκεν. οἱ δὲ προλαβόντες εὐθὺς καὶ φθάσαντες ἐδανείσαντο συχρὸν ἀργύριον παρὰ τῶν πλουσίων καὶ μεγάλας συνειωνήσαντο χώρας. εἶτα τοῦ δόγματος ἐξενηχθέντος τὰ μὲν κτήματα καρποῦμενοι, τὰ δὲ χρήματα τοῖς δανείασιν οὐκ ἀποδιδόντες εἰς αἰτίαν τὸν Σόλωνα μεγάλην καὶ διαβολήν, ὥσπερ οὐ συναδικοῦμενοι, ἀλλὰ συναδικοῦντα, κατέστησαν. ἀλλὰ τοῦτο μὲν εὐθὺς ἐλύθη τὸ ἐγκλημα τοῖς πέντε ταλάντοις· τὸσαῦτα γὰρ εὐρέθη δανείζων, καὶ ταῦτα πρῶτος ἀφῆκε κατὰ τὸν νόμον. ἔνοιοι δὲ πεντεκαίδεκα λέγουσιν, ὧν καὶ Πολύδηλος ὁ Ῥόδιος ἐστὶ. τοὺς μὲντοι φίλους αὐτοῦ χρεωκοπίδας καλοῦντες διητέλεσαν (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 κατήσχευε καὶ διέβαλε πρὸς τοὺς πόλιτας· ἐπεὶ γὰρ ἐν νῦ λαβὼν τὰ ὀφλήματα κουφίσαι, καὶ τὴν σεισάχθειαν (τοῦτο δ' ἦν ὑποκόρισμα χρεῶν ἀποκοπῆς) εἰσενεγκεῖν, ἐκονώσατο τοῖς φίλοις· οἱ δ'

ἔργον ἀδικώτατον ἐπραξαν· ἐδανείσαντο γὰρ ὑποφθάσαντες ἀργύριον πολὺ, καὶ μετ' ὀλίγον χρόνον εἰς φῶς τοῦ νόμου προαχθέντος, οἱ μὲν ἐφάνθησαν οἰκίας τε λαμπράς καὶ γῆν συνειωνημένοι πολλὴν ἐξ ὧν ἐδανείσαντο χρημάτων· ὁ δὲ Σόλων αἰτίαν ἔσχε συναδικεῖν ἠδικημένους.

παλαιοπλούτους] Lys. 19 § 49.

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

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

τὰ τε πράγματα νοσοῦντα κτλ.] Prof. Tyrrell (*Class. Rev.* v 177) defends μετεκρούσατο (κ') as follows: "The idea of a balance underlies the word, as in παρακρούεσθαι, and 'he shifted the balance of affairs' would be a not unnatural way of saying 'he changed the face of politics.' But, even if μετεκρούσατο were defensible in itself, one could hardly justify such a mixture of metaphors as 'adjusting the

ποιήμασιν αὐτὸς πολλαχοῦ μέμνηται, καὶ οἱ ἄλλοι συνομολογοῦσι το πᾶν[τες]. ταύτην μὲν οὖν χρῆ νομίζειν ψευδῆ τὴν αἰτίαν εἶναι.

7. πολιτείαν δὲ κατέστησε καὶ νόμους ἔθηκεν ἄλλους, τοῖς δὲ Δράκοντος θεσμοῖς ἐπαύσαντο χρώμενοι πλὴν τῶν φονικῶν. ἀναγράφαντες δὲ τοὺς νόμους εἰς τοὺς κύρβεις ἔστησαν ἐν τῇ στοᾷ τῇ 3

TESTIMONIA. VII 3 *Harp. κύρβεις: "ἀναγράφαντες—ἐν τῇ στοᾷ τῇ βασιλείᾳ (βασιλίδι cod. D et Photius)." *Plut. Sol. 25 (οἱ ξύλινοι ἄξονες) προσηγορεύθησαν, ὡς Ἀριστοτέλης φησὶ, κύρβεις. *Schol. Arist. Av. 1354 (= Lexicon Dem. Patmianum, p. 150 Sakkellion) κύρβεις...κατὰ δὲ ἐνλίους ἄξονες τρίγωνοι (κατασκευάσματα τινα ξύλινα τρίγωνα Lex. Patm.) ἐν οἷς ἦσαν οἱ τῶν πόλεων νόμοι γεγραμμένοι...καθ' ἅπερ καὶ Ἄρ. ἐν τῇ Ἀθ. πολ. φησὶ καὶ Ἀπολλόδωρος (Rose, Frag. 352², 390³).

balance of the maladies of the state.' My former suggestion νοσοῦντα μετεχειρίσαστο is defended in point of expression by the passages of Plato quoted in the critical notes. It is also incidentally confirmed in point of sense by a passage in Grote's *History of Greece* (ii 327), where he speaks of the 'discontents of the miserable Athenian population' experiencing Solon's 'disinterested and healing management.' The *τε* in this case would mean 'and accordingly' (being armed with this authority), as often in Herodotus and Thucydides, and not seldom in Xenophon (Kühner, § 519, 3). The usage of *Ar.* does not differ in this from that of other writers (Eucken, *De Ar. dicendi ratione*, i p. 13).

The suggestion that the sense required is '*docet et res publica aegrotans et*' (K-W¹) admits of being carried out by proposing *τά τε πράγματα νοσοῦντα μαρτυρεῖ τοῦτο*. The sequence *μαρτυρεῖ...μémνηται...συνολογοῦσι* would in this case find its parallel in c. 5 § 3, *ἐκ τε τῶν ἄλλων ὁμολογεῖται καὶ αὐτὸς ἐν τοῖσδε τοῖς ποιήμασιν μαρτυρεῖ*, and 12 § 1. Cf. *Pol.* 1334 a 5 *ὅτι δὲ δεῖ...μαρτυρεῖ τὰ γινόμενα 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 γινόμενον ἐν ταῖς πόλεσιν*, &c. Since this note was written *μαρτυρεῖ* has been conjectured in K-W², and this is the reading which I now prefer.

νοσοῦντα] c. 13 § 3, στασιάζοντες followed by νοσοῦντες metaphorically used in the same sense. Plat. *Rep.* 470 c, νοσῖν...καὶ στασιάζειν, and 556 E, νοσεῖ τε καὶ αὐτὴ αὐτῇ μάχεται (ἢ πόλις).

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

VII § 1. Δράκοντος θεσμοῖς] c. 4 § 1.

πλὴν τῶν φονικῶν] Plut. 17 *in*it. πρώτων μὲν οὖν τοὺς Δράκοντος νόμους ἀνείλε πλὴν τῶν φονικῶν ἅπαντας διὰ τὴν χαλεπότητα καὶ τὸ μέγεθος τῶν ἐπιτιμιῶν. Cf. Dem. 23 § 66, Aelian *V. H.* viii 10, Josephus *Arbion.* i 4, τῶν δημοσίων γραμμάτων ἀρχαιοτάτους τοὺς ὑπὸ Δράκοντος αὐτοῖς περὶ τῶν φονικῶν γραφέντας νόμους. On the revision of the laws of Athens, after the restoration of the democracy in the summer of 411 B.C., the laws of Draco respecting homicide were once more retained. An inscr. of 409 B.C. records a decree authorizing the γραμματεῖς of the βουλῆ to give the ἀναγραφῆς, or recorders of the laws, a true copy of Draco's law. Δράκοντος νόμον τῶν περὶ τοῦ [φόνου] [ἀ] [γραφέ] [ν] [τ] [ων] οἱ [ἀ] [γρα] [φῆ] [ς] τῶν νόμων—ἐ στήλῃ λιθίνῃ κ[α]ι κ[α] [τ] [α] [θέν] [τ] [ων] πρόσθεν τ[ῆ] [ς] στοᾶς τῆς βασιλείας. (Cf. Andoc. i 84, 85)... Then follows a copy of the πρώτος ἄξων of Solon, containing Draco's law on involuntary homicide (CIA i 61; Dittenberger, p. 87; Hicks, *Greek Hist. Inscr.* p. 112).

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 *liginae* 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 note on πλὴν τῶν φονικῶν). Lysias, Or. 30, c. *Nicomachium* (B.C. 399), § 17 τὰς θυσίας τὰς ἐκ τῶν κύρβειων. In Dem. *Aristocr.* p. 629 § 28, the law of homicide is found ἐν τῷ α' (i. e. πρώτῳ) ἄξωνι (as emended by Cobet).

Aristotle is said to have written a treatise in five books περὶ τῶν Σόλωνος ἄξωνων (see list of his works, ascribed to Hesy-chius, in Rose, *Fragm. Ar.* p. 16, l. 140). Eratosthenes supposed that the several tablets were triangular in shape. This

4 βασιλείω καὶ ὄμοσαν χρῆσθαι πάντες· οἱ δ' ἐννέα ἄρχοντες

mistake was corrected by Polemon of Ilium, who, on the strength of his own observation, insists on the quadrangular shape of the tablets (Harpoer. s. v. ἄξονι: οἱ Σόλωνος νόμοι ἐν ξυλλογῇ ἦσαν ἄξοι γεγραμμένοι... ἦσαν δέ, ὡς φησι Πόλεμων ἐν τοῖς πρὸς Ἐρατοσθένει, τετραγῶνοι τὸ σχῆμα, διασφίζονται 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 κύρβειον καὶ τῶν ἄξόνων) τὸ κατασκευάσμα τοιοῦτον· πλινθιον τι μέγα ἀνδρόμηκες, ἥρως μέγα ἔχον ξύλα τετραγῶνα, τὰς πλευρὰς πλατέας ἔχοντα καὶ γραμμῶν πλήρεις, ἐκατέρωθεν δὲ κνώδακας ('rivots'), ὥστε κινεῖσθαι καὶ περιστρέφεσθαι ὑπὸ τῶν ἀναγινωσκόμενων. The 'grammarians' Didymus (Plut. Sol. 1) and Seleucus (Suidas, s. v. ὄργεῶνες) 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 τετραγῶνοι, τρίγωνοι δὲ αἱ κύρβεις, εἶχον δὲ οἱ μὲν ἄξονες νόμους τοῖς ἰδιώταις, αἱ κύρβεις εἶχον νόμους δὲ τοὺς περὶ δημοσίων. καὶ ἐτι οἱ μὲν ἄξονες ὑπῆρχον ἀπὸ ξύλων, αἱ κύρβεις ἦσαν δὲ χαλκαῖ.

But the identity of the ἄξονες and κύρβεις has been proved by Hulleman, *Miscellanea Philol.* (Amsterdam, 1850), and is now generally accepted. 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 στοά) as later copies of the ἄξονες in the Prytaneum (so Busolt, i 539, and Müller, *Handbuch*, IV i 118).

τῇ στοᾷ τῇ βασιλείῳ called ἡ στοὰ ἡ βασιλεία in CIA i 61 (quoted in n. on πλῆθ τῶν φονικῶν). Harpoer. s. v. βασιλείος στοά: δύο εἰσι στοαὶ παρ' ἀλλήλας, ἡ τε τοῦ Ἐλευθερίου Διὸς καὶ ἡ βασιλείος.

In literature it is known as ἡ τοῦ βασιλείως στοά (Plat. *Euthyphron* 2 A, *Theaet.* 210 D) or ἡ στοὰ ἡ βασιλείος (Aristoph. *Ecol.* 684). Cf. Pausan. i 3, 1, καλουμένη στοὰ βασιλείος ἐνθα καθίζει βασιλεὺς ἐνιαυσίαν ἀρχὴν ἀρχὴν καλουμένην βασιλείαν. Pausanias, entering the inner Cerameicus from the north, sees the στοὰ βασιλείος 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; 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, ἀναγράφαι ἐν τῇ στοᾷ, and 84, εἰς τὸν τοῦχον ἵνα περ' ἀνόρων ἀνεγράφωσαν. The statement of Anaximenes (in Harpocration, s. v. ὁ κάτωθεν νόμος), that Ephialtes transferred τοὺς ἄξονας 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.

ὄμοσαν κτλ.] Plut. *Solon* 25, κοινὸν μὲν οὖν ὤμνηεν ὄρκον ἡ βουλὴ τοῖς Σόλωνος νόμοις ἐμπεδώσειν, ἴδιον δ' ἕκαστος τῶν θεσμοθετῶν ἐν ἀγορᾷ πρὸς τῷ λίθῳ, καταφατίζων, εἴ τι παραβῆι τῶν θεσμῶν, ἀνδριάντα χρυσοῦν ἰσομέτρητον ἀναθήσει ἐν Δελφοῖς. On the oath of the Archons, cf. c. 55 § 5, and Plato *Phaedr.* 235 D, καὶ σοὶ ἐγὼ, ὥσπερ οἱ ἐννέα ἄρχοντες, ὑπασχνοῦμαι χρυσοῦν ἐκκόνα ἰσομέτρητον εἰς Δελφοῦς ἀναθήσειν.

The word ἰσομέτρητον is omitted in the text and in Pollux viii 86. It is ingeniously explained by Bergk (*Rhein. Mus.* xiii 448) as virtually equivalent to ἰσοστάσιον 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 τίμημα 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

- ὁμνύντες πρὸς τῷ λίθῳ κατεφάτιζον ἀναθήσειν ἀνδριάντα χρυσοῦν, 5
 ἐάν τινα παραβῶσι τῶν νόμων ὄθεν ἔτι καὶ νῦν οὕτως ὁμνύουσι.
 2 κατεκύρωσεν δὲ τοὺς νόμους εἰς ἑκατὸν [ἔ]τη καὶ διέταξε τὴν πολι-
 τεῖαν τόνδε <τὸν> τρόπον.
 3 τιμήμα[τα δι]είλεν εἰς τέτταρα τέλη, καθάπερ διήρητο καὶ
 πρότερον, εἰς πεντακοσιομ[έδιμ]ν[ον καὶ ἵππέα] καὶ ζευγίτην καὶ 10

8 τόνδε <τὸν> τρόπον edd.; cf. c. 29 § 5, 37 § 1. 9 <τὰ> τιμήματα Blass (H-L); ante τιμήματα lacunam indicant K-W, 'velut <τὸ πᾶν πλήθος ἐκ> τιμημάτων διείλεν,' coll. Hesych. et Harp.

TESTIMONIA. 5 *Harp. λίθος... εὐκασι δ' Ἀθηναῖοι πρὸς τινι λίθῳ τοὺς ὄρκους ποιεῖσθαι, ὡς Ἀρ. ἐν τῇ Ἀθ. πολ. καὶ Φιλύχορος ἐν τῷ γ' ὑποσημαίνουσιν.

9 *Harp. ἱππᾶς... Ἀρ. ἐν Ἀθ. πολ. φησὶν ὅτι Σδλων εἰς τέτταρα διείλε τελέη

received. In the text, however, 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: ὁμνυον οἱ Ἀθήνησιν ἄρχωντες, ἂν τι παρέλθωσιν ἐφ' οἷς ἂν ἄρχωσιν, χρυσῆν εἰκόνα αὐτῶν ἀναθήσειν ἐν ἄστει, 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 *ισομέτρητον* 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.

The λίθος was possibly identical with the altar of Ζεὺς ἀγοραῖος (Wachsmuth, *Stadt Athen*, ii 352).

§ 2. εἰς ἑκατὸν ἔτη] Plut. *Sol.* 25 init., ἰσχὺν δὲ τοῖς νόμοις πᾶσιν εἰς ἑκατὸν ἐνιαυτοὺς ἔδωκε.

§ 3. τιμήματα 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 Σδλων τὰς μὲν ἀρχὰς ἀπάσας, ὡς περ ἦσαν, τοῖς εὐπύροις ἀπολιτεῖν βουλευόμενος, τὴν δ' ἄλλην μίξαι πολιτεῖαν, ἧς ὁ δῆμος οὐ μετείχεν, ἔλαβε τὰ τιμήματα

τῶν πολιτῶν, καὶ τοὺς μὲν ἐν ξηροῖς ὁμοῦ καὶ ὑγροῖς μέτρα πεντακόσια ποιούστας πρώτους ἔταξε καὶ πεντακοσιομεδίωνους προσηγόρευσε· δευτέρους δὲ τοὺς ἴππον τρέφειν δυναμένους ἢ μέτρα ποιεῖν τριακόσια· καὶ τούτους ἱππᾶδα τελοῦστας ἐκάλον· ζευγίται δ' οἱ τοῦ τρίτου τιμηματος ἀνομάσθησαν, οἷς μέτρον ἦν συναμφοτέρων διακοσίω. οἱ δὲ λοιποὶ πάντες ἐκαλοῦντο θήτες, οἷς οὐδεμίαν ἀρχεῖν ἔδωκεν ἀρχὴν, ἀλλὰ τῷ συνεκκλησιάξεν καὶ δικάζειν μόνον μετείχον τῆς πολιτείας. The quotations in Harpocration are to the same effect. They ignore the 'Draconian constitution,' and they lend no support to the phrase: καθάπερ διήρητο καὶ πρότερον. Those who decline to accept the 'Draconian 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.

On Solon's τιμήματα, see Boeckh, *Book iv c. v*; Grote, c. 11, vol. ii 318; Busolt i 527. The term *τιμήμα* occurs first in CIA i 31.

[ζευγίτην] from ζεύγος, 'a team,' applied to one who kept a pair of mules (Isaens 5 § 43; 6 § 33), or of working horses, or a yoke of oxen.

θήτα. τὰς μ[ὲν οὖν] ἀρχὰς ἀπένειμεν || ἄρχειν ἐκ πεντακοσιομε- [Col.
 δίμυον καὶ ἰππέων καὶ ζευγῶν, τοὺς ἐννέα ἄρχοντας καὶ τοὺς
 ταμίας καὶ τοὺς πωλη[τὰς] καὶ τοὺς ἔνδεκα καὶ τοὺς κωλακρέτας,
 ἐκάστοις ἀνάλογον τῷ μεγέθει τοῦ τιμ[ή]μ[ατο]ς ἀποδιδούς τ[ὴν
 15 ἀρ]χήν. τοῖς δὲ τὸ θητικὸν τελούσιν ἐκκλησίας καὶ δικαστηρίων

11 τὰς μὲν οὖν ἀρχὰς κ, κ-w, H-L: [καὶ] τὰς [[με]γίστο]ς] ἀρχὰς Blass, qui aut me-
 γιστας (quod legi posse concedit κ) delendum, aut in sequentibus complura mutanda
 putat.

τὸ πᾶν πλῆθος Ἀθηναίων, πεντακοσιομέδμυον καὶ ἰππέας καὶ ζευγίτας καὶ θήτας.
 *Id. πεντακοσιομέδμυον... ὅτι δὲ τέλη ἐποίησεν Ἀθηναίων ἀπάντων Σδλων, ὧν ἦσαν καὶ
 οἱ πεντακοσιομέδμυοι, δεδήλωκεν Ἀρ. ἐν Ἀθ. πολ. *Id. θήτες... ἐλς τέσσαρα διηρημένῃς
 παρ' Ἀθηναίους τῆς πολιτείας οἱ ἀπορώτατοι ἐλέγοντο θήτες καὶ θητικὸν τελεῖν κτλ.
 Pollux viii 130 τιμήματα δ' ἦν τέτταρα κτλ. Hesych. ἐκ τιμημάτων... διήρητο
 γὰρ ἡ πολιτεία κατὰ Σδλων ἐλς τέσσαρα, πεντακοσιομέδμυον... Id. ζευγίσιον... ἦν
 δὲ διηρημένη ἡ πολιτεία ἐλς τέσσαρα τιμήματα. (Cf. Rose, Frag. 350², 388².)

15 Schol. Arist. Eg. 627 (οἱ θήτες), οἱς οὐδὲ ἀρχειν ἐφέετο, ἡ δικάζειν καὶ ἐκκλησια-
 ζειν μόνον.

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. Cf. Plut.
Aristides 1, τὴν ἐπῶνυμον ἀρχήν, ἣν ἤρχε
 τῷ κνῶμφ λαχῶν ἐκ τῶν γενῶν τῶν τὰ
 μέγιστα τιμήματα κεκτημένων, οὗς πεντα-
 κοσιομέδμυον προσηγόρευον. The same
 class supplied the ταμίαι c. 8 § 1. On the
 ταμίαι and the πωληταί, see c. 47; on
 the ἔνδεκα, c. 52.

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 fi-
 nancial matters in the time of the kings;
 in later times they acted as treasurers
 of the *naucrariae*. They were left un-
 touched by the legislation of Solon,
 in connexion with which they are men-
 tioned in the text; but in the reforms of
 Cleisthenes they lost the charge of the
 finances, which was then transferred to
 new officers called *Apoedetae* (48). Under
 Pericles they were assigned the duty of
 paying the dicasts, and they were con-
 sidered officials of some importance in
 the time of Aristophanes (Schol. on *Vesp.*
 695, 727, *Av.* 1541). There is no docu-

mentary proof of their existence after the
 Archonship of Euclides (403 B.C.). Cf.
 Boeckh, ed. Fränkel, note 302, and Schö-
 mann's *Antiquitates*, i 327 E. T.; also
 Mr Wayte's article in Smith's *Dict. Ant.*,
 s.v., Gilbert, i 119 and Busolt, i 159.

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, Σδλων γε ἔσκει
 τὴν ἀναγκαιοτάτην ἀποδιδόναι τῷ δήμῳ
 δύναμιν, τὸ τὰς ἀρχὰς αἰρεῖσθαι καὶ εὐ-
 θύνειν... τὰς δ' ἀρχὰς ἐκ τῶν γυωριμῶν
 καὶ τῶν εὐπύρων κατέστησε πάσας, ἐκ τῶν
 πεντακοσιομέδμυον καὶ ζευγῶν καὶ [τρ]-
 του τέλους] τῆς καλομένης ἰππῆδος τὸ δὲ
 τέταρτον τὸ θητικόν, οἱς οὐδεμίᾳς ἀρχῆς
 μετῆν. Cf. end of this chapter, τοὺς
 δὲ ἄλλους θητικόν, οὐδεμίᾳς μετέχοντας
 ἀρχῆς.

τὸ θητικὸν τελούσιν] 'those who be-
 longed to the thetic census.' It will be
 observed that they are not here called
 θήτες. Of those who were placed in the
 fourth class Grote (ii 321) observes: 'It
 is said that they were all called *Thètes*,
 but this appellation is not well sustained
 and cannot be admitted: the fourth com-
 partment in the descending scale was in-
 deed termed the Thetic census, because
 it contained all the *Thètes*, 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 desig-
 nated by that name.' See, however, l. 11.

τελείν does not necessarily mean actual

4 μετέδωκε μόνον. ἔδει δὲ τελεῖν πεντακοσιομέδιμνον μὲν ὃς ἂν ἐκ τῆς οἰκείας ποιῆ πεντακόσια μέτρα τὰ συνάμφω ξηρὰ καὶ ὑγρά, ἵππᾶδα δὲ τοὺς τριακόσια ποιοῦντας (ὡς δ' ἔνιοι φασι τοὺς ἵπποτροφεῖν δυναμένους. σημεῖον δὲ φέρουσι τό τε ὄνομα το[ῦ] τέλους, ὡς ἂν ἀπὸ τοῦ πράγ[μ]ατος κείμενον, καὶ τὰ ἀναθήματα τῶν 20

17 τῆς: γῆς Bywater; τῆς defendit Kontos (*Athēna* iii 321—2). ξηρῶν καὶ ὑγρῶν H-L coll. Plut. *Sol.* 18 (ἐν ξηροῖς ὁμοῦ καὶ ὑγροῖς). 19 δ' ἐπιφέρουσι H-L coll. c. 3, 11. 20 ὡς ἂν—κείμενον delent H-L; ἂν delet B.

TESTIM. 16—19 Pollux viii 130 οἱ μὲν ἐκ τοῦ πεντακόσια μέτρα ξηρὰ καὶ ὑγρά ποιεῖν κληθέντες...οἱ δὲ τὴν ἵππᾶδα τελούντες ἐκ μὲν τοῦ δύνασθαι τρέφειν ἵππους κεκλήσθαι δοκοῦν, ἐποιοῦν δὲ μέτρα τριακόσια (cf. Schol. in Plat. *Rep.* 415). Bekk. *Anecd.* 298, 20 πεντακοσιομέδιμοι: οἱ ἐκ τῆς οἰκείας γῆς ποιοῦντες πεντακόσια μέτρα συνάμφω ξηρὰ καὶ ὑγρά. Id. 267, 13 ἵππᾶς:...οἱ ποιοῦντες τριακόσια μέτρα.

18 Schol. Arist. *Eg.* 627...ἵππῆς δὲ αὐτοὺς ὠνόμαζον διὰ τὸ δύνασθαι...ἵππον ἕκαστον αὐτῶν τρέφειν. Etym. cod. Vossianus, p. 1170, Gaisford, ζευγίσιον...δευτέρου δὲ τοὺς ἵπποτροφεῖν δυναμένους καὶ τοὺς τοὺς ἵππους δὲ (leg. καὶ τοὺς ἵππᾶδα) τελούντας ἐκάλου.

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 ὁ 30, λέπεται δὴ τοῦ βουλευέσθαι καὶ κρίνειν μετέχειν αὐτοῦς κτλ.

§ 4. ποιῆ] [Dem.] *Phaenipp.* 42 § 20, p. 1045, πλουτεῖς ἐκότως ἐπειδὴν ποιῆς σίτου μὲν μεδίμνος πλέων ἢ χιλιῶν, οἴνου 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). 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 μετρά is meant either a μέδιμος (=six ἐκτέας=six *modii* =about 12 imperial gallons, or a bushel and a half) of dry measure, or a μετρητῆς in liquid measure. The latter is the standard ἀμφορέωδς of 12 χόες=69·33 pints, or slightly over 8½ gallons, and therefore three-fourths of the standard dry measure, the μέδιμος.

ἵππᾶδα] (τελεῖν). Isacus 7 § 39, ἀπεγράφατο μὲν τιμῆμα μικρὸν, ὡς ἵππᾶδα δὲ

τελῶν ἀρχεῖν ἤξιον τὰς ἀρχάς. In the Lex. of Photius, the first article on ἵππᾶς (followed by Suidas) makes the curious mistake of distinguishing the ἵππῆς and the ἵππᾶς and treating the latter as a fifth class; the second article, with the help of Harpocration's quotation from ll. 9, 10 of this chapter, corrects this mistake, adding τῶν οὖν ἵππέων οἱ (sic) ἵππᾶδες.

ὡς δ' ἔνιοι 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. ἵππῆς, following Schol. on Aristoph. *Eg.* 627, says: ἵππῆς δὲ αὐτοὺς ὠνόμαζον διὰ τὸ δύνασθαι, εἴποτε χρεῖα γένοιτο, ἵππον ἕκαστον αὐτῶν τρέφειν. In addition to the war-horse (ἵππος πολεμοστήριος), a horse would be required for the servant of the ἵππῆς, and those who belonged to this class would also need a team for agricultural purposes (Boeckh, p. 639, Lamb, p. 579, Fränkel).

ὡς ἂν—κείμενον] 'as though' (or implying that) 'the name was derived from the fact just mentioned.' Ar. *Analytica Posteriora*, Γ 3, 72 ὁ 9, ὡς οὐκ ἂν ἐπισταμένους. περὶ ἀκουστῶν 803 ὁ 5, ἕκαστον τῶν μορίων προσπίπτον, ὡς ἂν ἀπὸ πληγῆς ἑτέρας ἔν, and 804 ὁ 25, φωνοῦσιν, ὡς ἂν τὸ πνεῦμα βιαζόμενον. κείμενον, used, as often, for the perf. pass. part. of τίθημι. Isaens 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.

ἐναθήματα] Polemon, a contemporary

ἀρχαίω· ἀνάκειται γὰρ ἐν ἀκροπόλει εἰκὼν [[Διφίλου]], ἐ[φ' ἣ ἐπ]-
 γέγραπται τάδε·

Διφίλου Ἀνθεμίον τῆνδ' ἀνέθηκε θεοῖς,
 θητικῷ ἀντὶ τέλους ἵππᾶδ' ἀμειψάμενός.

25 καὶ παρέστηκεν ἵππος [[ἐκμαρτυρῶν]], ὡς τὴν ἵππᾶδα τοῦτο σημα[ί]-

21 Διφίλου secl. Thompson, K-W, B. 23 καὶ τὸ ἐπίγραμμα Διφίλου Ἀνθεμίον ἵππον τόνδ' ἀνέθηκε θεοῖς Pollucis codices, ubi viderunt critici aut Διφίλου et ἐπίγραμμα coniungenda esse aut cum Bekkero legendum Διφίλου Ἀνθεμίον τόνδ' ἵππον θεοῖς ἀνέθηκεν. Pollucis vero e codicibus unus habet Διφίλου Ἀνθεμίον τόνδ' ἀνέθηκε θεοῖς. Nostro autem in loco versus hexametrum nonnulli restituerunt, velut <ἵππον> Διφίλου Ἀνθεμίον ἀνέθηκε θεοῖσι Tyrrell; Διφίλου Ἀνθεμίον τῆνδ' <εἰκὼν> ἔθηκε θεοῖσι numerosius J B Mayor, ἀνέθηκε ex ονεθηκε ortum fuisse arbitratus (Class. Rev. v 177 a); Διφίλου Ἀνθεμίον τῆνδ' <εἰκὼνα> θεοῖς ἀνέθηκε Thompson (ib. 225 b). Sed Pollucis codices, non minus quam papyrus nostra, testantur versus priorem pentametrum fuisse. 25 ΕΚΜΑΡΤΥΡΩΝ (K): †ἐκμαρτυρῶν (K-W): ἐπιμαρτυρῶν Tyrrell et olim Blass (H-L); etiam ἐκ τῶν ἀριστερῶν Blass, sed expectatares ἐξ ἀριστερῶν. Equidem ΤΕΚΜΗΡΙΟΝ ad explicandum sensum quondam adscriptum postea in ΕΚΜΑΡΤΥΡΩΝ mutatum fuisse crediderim; ΤΥ in litura. els μαρτύριον ed. Blass.

TESTIMONIA. 21—24 Pollux viii 131 Ἀνθεμίον δὲ ὁ Διφίλου καλλωπίζεται δὲ ἐπιγράμματος ὅτι ἀπὸ τοῦ θητικῷ τέλους εἰς τὴν ἵππᾶδα μετέστη, καὶ εἰκὼν ἔστιν ἐν ἀκροπόλει ἵππος ἀνδρὶ παρεστηκώς· καὶ τὸ ἐπίγραμμα | Διφίλου Ἀνθεμίον τόνδ' ἀνέθηκε θεοῖς | θητικῷ ἀντὶ τέλους ἵππᾶδ' ἀμειψάμενος (Falckenburgii codex).

of Ptolemy Epiphanes (B.C. 204—181) devoted four books of his περιήγησις to the ἀνάθηματα 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 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 inscripti-

onem vetustam ex duobus pentametris constituisse. Exempla quidem id genus titularum 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 παρεστηκῶτα in versibus omitti non mirum... In anaglyphis sapientius equi ad ordinem equestrem significandum additi sunt, cf. Goettling, Opusc. Acad. 243' (Preger, l. c.).

ἐκμαρτυρῶν] ἐκμαρτυρῶν = *palam testiflor* in Aesch. Eum. 461, λουτρῶν ἐξεμαρτύρει φόνον, and Aeschin. p. 15, 19, Or. I § 107, ὦν οὐδένα ἐγὼ παρακαλῶ δεῦρο τὴν ἑαυτοῦ συμφορᾶν, ἣν ἔλλετο σιγάειν, εἰς πολλοὺς ἐκμαρτυρήσαι. 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

νους[α]ν. οὐ μὴν ἀλλ' εὐλογώτερον τοῖς μέτροις διηρῆσθαι καθάπερ τοὺς πεντακοσιομεδίμνους). ζευγίσιον δὲ τελεῖν τοὺς διακόσια τὰ συνάμφω ποιούοντας· τοὺς δ' ἄλλους θητικόν, οὐδεμιάς μετέχοντας ἀρχῆς. διὸ καὶ νῦν ἐπειδὴν ἔρηται τὸν μέλλοντα κληροῦσθαί τιν' ἀρχήν, ποῖον τέλος τελεῖ, οὐδ' ἂν εἰς εἴποι θητικόν. 30

8. τὰς δ' ἀρχὰς ἐποίησε κληρωτὰς ἐκ προκρίτων, [ο]ῦς

26 ΜΕΤΡΙΟΙΣ. 27 δ' ἔδει τελεῖν Kontos (H-L).

VIII 1 Ἰ ΔΑΡΧΗΣ (= τῆς δ' ἀρχῆς) frustra tueri conatus est Bury: emendavit K.

TESTIMONIA. 27—29 Pollux viii 130 οἱ δὲ τὸ ζευγίσιον (codd., Hesych., Phot., Schol. Plat., Bekk. An. 260 ult.: ζευγίσιον Etym. Magn.) τελούντες ἀπὸ διακοσίων μέτρων κατελέγοντο...οἱ δὲ τὸ θητικόν οὐδεμίαν ἀρχὴν ἤρχον. *Harp. θῆτες:...οὔτοι δὲ οὐδεμίᾳς μετέχον ἀρχῆς, ὡς καὶ Ἀρ. δηλοῖ ἐν Ἀθ. πολ. Etym. Mag. p. 452, 15 θητικόν: οὔτοι δὲ οὐδὲ μίᾳς μετεῖχον ἀρχῆς.

centre of Athens, on the platform of the Acropolis. The technical sense is therefore out of place, and the word is probably corrupt.

ὡς—σημαίνουσαν] For the participle used as an accusative absolute after ὡς, cf. c. 29 § 3, ὡς οὐ δημοτικὴν ἀλλὰ παραπλησίαν οὔσαν τὴν...πολιτείαν, and Pol. v (viii) 4, 1338 b 13, (οἱ Δάκωνες) θηριώδεις ἀπεργάζονται τοῖς πόνοις, ὡς τοῦτο πρὸς ἀνδρῶν μάλιστα συμφέρον. Kühner, G. G. § 488 d; Maetzer ad Lycurgum, § 90, p. 231; Rehdantz, Ind. Dem. s. v. Participium. Trans. 'implying that this was the meaning of the status of Knight.'

ζευγίσιον] This form is supported by the Etymologicum Magnum (and Gudanium) alone. The *codex Sorbonicus* of the latter, p. 1170 D Gaisford, has ζευγίσιον: τῷ χαρακτήρι τῶν διὰ τοῦ ἰσων, ὄλων, 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 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 (ii 320 note), is supported by the authority of the text.

διὸ καὶ νῦν κτλ.] '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, ἐπερωτώσιν and φησί. 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

2 [ἐκάστ]τη προκρίνειε τῶν φυλῶν. προὔκρινεν δ' εἰς τοὺς ἐννέα ἄρχοντας ἐκάστη δέκα, καὶ τού[τοις] ἐ[πεκ]λήρουν ὅθεν ἔτι δια-

2 προκρίνειε Gertz (κ-ω, κ³, β); προκρίνει (κ¹); προὔκρινε olim β (H-L). 3 τοῦ- τοὺς ἐπεκλήρουν κ³ coll. 59 § 5, 'litterae unius tantum spatio inter τοῦ et ε relicto, ubi τοῦς (ut videtur) in τοῦτοις correctum.' τοῦτους ἐκλήρουν κ¹ (H-L); aut τούτων aut <ἐκ> τούτων ἐκλήρουν (β) κ-ω; κάκ τούτων ἐκλήρουν Gomperz.

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 ἰκανωτάτους ἐφ' ἑκαστον τῶν ἔργων προκρίνοντες. Elsewhere, *Panaeth.* 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 they 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 προκρίθεντας ὑπὸ τῶν φυλετῶν καὶ δημοτῶν. [Dem.] *Neaer.* 59 § 75 says of the ἀρχῶν βασιλεῦς in the times after the σπουδαῖος of Theseus: τὸν μὲν βασιλέα...ὁ δῆμος ἤρετο ἐκ προκρίτων 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, εἴκοι δὲ Σόλων ἐκεῖνα μὲν ὑπάρχοντα πρότερον οὐ καταλύσαι, τὴν τε βουλὴν (i.e. the Areopagus) καὶ τὴν τῶν ἀρχῶν ἀρεῖαν, 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 ἀρετὰς (εἶναι). He adds that Solon did not abolish this principle, for ἀρεῖαι 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 νεωτέραν ὅπου γὰρ ἀρεταὶ μὲν αἱ ἀρχαί, μὴ ἀπὸ τιμημάτων δέ, ἀρεταὶ δὲ ὁ δῆμος, δημογινόμεντες οἱ σπουδαρχιώτεροι εἰς τοῦτο καθίστασιν ὡς κύριον εἶναι τὸν δῆμον καὶ τῶν νόμων. ἄκος δὲ τοῦ ἡ μὴ γίνεσθαι ἢ τοῦ γίνεσθαι ἦσαν τὸ τὰς φυλὰς 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: ἐὰν δὲ ἐνίων μὲν ἀρετοὶ ἐνίων δὲ κληρωτοί, καὶ κληρωτοὶ ἢ ἀπλῶς ἢ ἐκ προκρίτων, ἢ κοινῇ ἀρετοὶ καὶ κληρωτοὶ, τὰ μὲν πολιτείας ἀριστοκρατικῆς ἐστὶ τούτων, τὰ δὲ πολιτείας αὐτῆς. Cf. 1266 a 8; Plat. *Leg.* 945 b, 753; *Rep.* 537 d.

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.* xii 38), 'are the innocent γὰρ (c. 2 l. 5, c. 3 l. 6 et alibi), the more elaborate ὅθεν or ὅθεν καὶ (c. 3 l. 8, c. 8 l. 3), the suspicious διὰ, διὰ 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

μένει ταῖς φυλαῖς τὸ δέκα κληροῦν ἐκάστην, εἴτ' ἐκ τούτων κυ-
 μέυει[ω]. σημεῖον δ' ὅτι κληρωτὰς ἐποίησεν ἐκ τῶν τιμημάτων 5
 ὁ περὶ τῶν ταμιῶν νόμος, ᾧ χρώμενοι [διατελο]ῦσιν ἔτι καὶ νῦν
 2 κελεύει γὰρ κληροῦν τοὺς ταμίαις ἐκ πεντακοσιομεδίμνω[ν. Σόλ]ων
 μὲν οὖν οὕτως ἐνομοθέτησεν περὶ τῶν ἐννέα ἀρχόντων. τὸ γὰρ
 ἀρχαῖον ἢ ἐν Ἀρ[εῖφ πάγφ βουλῆ] ἢ ἀνακαλεσαμένη καὶ κρίνασα
 καθ' αὐτὴν τὸν ἐπιτηδεῖον ἐφ' ἐκάστη τῶν ἀρχῶν ἐπ' [ἐν]α[υτ]ὸν 10
 3 [διατάξα]σα ἀπέστειλεν. φυλαὶ δ' ἦσαν τέτταρες καθάπερ πρό-
 τερον καὶ φυλοβασιλεῖς τέτταρες. ἐκ δὲ [τῆς] φυ[λῆς] ἐκ[ά]στης

5 ΕΠΟΙΗΣΑΝ (κ): ἐποίησεν Bury, Hude, K-W, H-L, B. 8 περὶ τῶν ἐννέα ἀρ-
 χόντων secl. K-W². 10 ἐκάστην H-L. 11 διατάξα Κ, H-L: καθίστασα Κ-W.
 ἦσαν τέτταρες: ΗΣΑΝΔ. 12 ΤΕΤΤΑΡΕΣ. εκ: ἐπὶ H-L, sed spatium non sufficit.

TESTIMONIA. 11—14 *Photius ναυκραρία...ναυκραρία μὲν ὁποῖόν τι ἢ συμμορία
 καὶ ὁ δῆμος, ναύκαρος δὲ ὁποῖόν τι ὁ δήμαρχος, Σόλωνος οὕτως ὀνομάσαντος, ὡς καὶ
 Ἀρ. φησί...ἐκ δὲ τῆς Ἀριστοτέλους πολιτείας δὴ τρόπον διέταξε τὴν πόλιν ὁ Σόλων
 “φυλαί—ἐκάστην” (cf. Pollux viii 108; Rose, Frag. 349², 387³). Hesych. ναύκαροι.

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.

κυαμέυει] 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.).

κυαμέυει occurs in the ὄρκος ἡλιαστῶν in Dem. 24 § 150, ὅσαι (ἀρχαί) μετὰ τῶν ἐννέα ἀρχόντων κυαμέονται, cf. Xen. *Mem.* i 2 § 9 (Socrates) λέγων ὡς μύρον εἶη τοὺς μὲν τῆς πόλεως ἀρχοντας ἀπὸ κύαμου καθίσταναί, κυβερνήτην δὲ μηδένα ἐθέλειν χρῆσθαι κυαμεύῳ. c. 22 § 5.

σημεῖον δ' ἔτι κτλ.] The law requiring the ταμίαι to be elected from among the πεντακοσιομεδίμνοι 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 δικάζουσιν ἀπὸ μικρῶν τιμημάτων καὶ τῆς τυχοσύης

ἡλικίας, ταμειόουσι δὲ καὶ στρατηγούσι καὶ τὰς μεγίστας ἀρχὰς ἀρχουσιν ἀπὸ μειζόνων.

§ 2. ἢ ἐν Ἀρεῖφ πάγφ βουλῆ] This passage gives us definite authority for the manner in which the public officials were elected in earlier times at Athens. Heretofore 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 ὅπλα 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 ἄνω βουλή. Cf. Aeschines, *F. L.* 17, ἔπεισε τὴν βουλήν (the 500) ἀνακαλεσασθαι τὸν Ἀριστόδημον.

§ 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, Αἰγικόρες, Ἀργάδεις) from the sons of Ion. Cf. Hdt. v 66 (of Cleisthenes) τῶν Ἰωνος παίδων Γελέοντος καὶ Αἰγικόρεος καὶ Ἀργάδεω καὶ Ὀπλητος ἀπαλλάξας τὰς ἑπωνυμίας. Eur. *Ion* 1579, Γελέων (Canter: Γελέων vulg.) μὲν ἔσται πρῶτος· εἶτα δεῦτερον Ὀπλητες Ἀργαδῆς τ', ἐμῆς δ' ἀπ' αἰγίδος ἐν φύλον ἔξουσ' Αἰγικορῆς. (Schömann, *On Grote*, § 2, and *Antiquities*, p. 317 f. E. T.; Philippi, *Att. Bürgerrecht*, pp. 233—296.)
 φυλοβασιλεῖς] These officials are iden-

ἦσαν νενεμημένοι τριττύες μὲν τρεῖς, ναυκραρίαὶ δὲ δώδεκα καθ' ἑκάστην. [ἐπὶ δὲ τῶν] ναυκραριῶν ἀρχὴ καθεστηκυῖα ναύκαραοι,
 15 τεταγμένη πρὸς τε τὰς εἰς[ο]φορὰς καὶ τὰς διαπ[άνας] τὰς γυμνο-

13 ΝΑΥΚΡΑΙ|ΡΑΙ.

14 ἐπὶ δὲ τῶν Blass; ἦν δὲ τῶν κ; ἦν δ' ἐπὶ τῶν κ-w, H-L, sed spatium vix sufficit.

15 ΓΙΝΟΜΕΝΑς (κ-w).

tical with those called βασιλεῖς (1) in the 13th Axon of Solon, quoted by Plutarch, *Sol.* 19, ἐπιτίμους εἶναι πλὴν ὅσοι ἐξ Ἄρειου πάγου ἢ ὅσοι ἐκ τῶν Ἐφετῶν ἢ ἐκ Πρυτανείου καταδικασθέντες ὑπὸ τῶν βασιλέων ἐπὶ φόνῳ ἢ σφαγαίῳ ἢ ἐπὶ τυραννίδι ἔφρευγον, and also (2) in the decree of Patrocleides, Andocides, *de Myst.* § 78 (founded on the language of the law just quoted), ἢ ἐξ Ἄρειου πάγου ἢ τῶν Ἐφετῶν ἢ ἐκ Πρυτανείου ἢ Δελφίου ἐδικάσθη ἢ ὑπὸ τῶν βασιλέων, ἢ ἐπὶ φόνῳ τις ἐστί φυγή, ἢ θάνατος κατεγνώσθη, ἢ σφαγεῖσιν ἢ τυράνοισι. 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 φυλαβασιλεῖς of Pollux (viii 111, 120) is supported by the connexion of both with the Πρυτανεῖον. The βασιλεῖς apparently dealt with cases of persons who aimed at a τυραννίς. They also presided over the Ephetae 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 φυλαβασιλικὰ, part of which was spent on celebrating a religious festival.

τριττύες ... ναυκραρίαι.] 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 ναύκαρας (Σόλωνος οὗτος 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 ναυκράων (*al.* ναυκραριῶν) ὅσπερ ἔνεμον 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 ἐννεα ἀρχοντες ἔπρασον. 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 τριτύς, 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 Naukrari 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 ναύκαραοι, or presidents of the ναυκραρία, were chosen. There was one president for each ναυκραρία, or 12 for each tribe. Hesychius *s. v.* ναύκαραοι (*sic*)... τινὲς δὲ ἀφ' ἑκάστης φυλῆς δώδεκα, οἵτινες ἀφ' ἑκάστης 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 135; *Jahrb. f. cl. Phil.* 1875, pp. 9 and 452). ναύκαραος is formed from ναῦς and the root κάρ (by metathesis κρᾶ) which appears in κραινω 'to complete or accomplish' (G. Meyer in Curtius, *Studien*, vii 175).

τὰς εἰσφορὰς] Pollux viii 108, τὰς δ' εἰσφορὰς τὰς κατὰ δήμους διεχειροτόνοῦσιν αὐτοὶ (*sc.* οἱ ναύκαραοι) καὶ τὰ ἐξ αὐτῶν ἀναλώματα.

μένας· διὸ καὶ ἐν τοῖς νόμοις τοῖ[ς Σ]όλωνος, οἷς οὐκέτι χρώνται, πολλαχ[οῦ] γέγραπται τοὺς ναυκράρους εἰσπράττειν καὶ ἀνα-
 4 λίσκειν ἐκ τοῦ ναυκραρικοῦ ἀργυροῦ. βουλ[ή]ν δ' ἐποίησε
 τετρακοσί[ους], ἑκατὸν ἐξ ἑκάστης φυλῆς, τὴν δὲ τῶν Ἀρεοπαγιτῶν
 ἔταξεν ἐ[πὶ τὸ] νομοφυλακεῖν, ὡσπερ ὑπῆρχεν καὶ πρότερον ἐπί- 20
 σκοπος ο[ὗ]σα τῆς πολιτείας· καὶ τὰ τε ἄλλα τὰ πλείστα καὶ τὰ
 μέγιστα τῶν πολιτ[ικ]ῶν διατήρει καὶ τοὺς ἀμαρτάνοντας ἠῦθ' ἔθνη
 κυρί[α] οὖσα [καὶ ζη]μι[οῦν] καὶ κολάζειν, καὶ τὰς ἐκτίσεις ἀνέ-
 φερειν εἰς πόλιν οὐκ ἐπιγράφουσα τὴν πρόφασιν τοῦ *πράττ[ε]σθαι,
 καὶ τοὺς ἐπὶ καταλύσει τοῦ δήμου συν[ε]σταμένους ἔκρινεν, Σόλω- 25
 5 νος θέν[τος] νόμον εἰσα[γγ]ελ[ίας] περὶ αὐτῶν. ὁρῶν δὲ τὴν μὲν

17 πολλαχοῦ Wessely (K³, B, litteris incertis ΔΧ); πολλαχῶθι Paton (H-L, sed spatium vix sufficit; πολλα[ἀ]κις K-W. 20 ἐπὶ τὸ Paton, Gennadios (K-W, H-L, K³, B); ἐτι K¹. 21 καὶ εἰς τὰ ἄλλα H-L. 22 Τ(ΩΝ) ΠΟΛΙΤΩ(Ν): τῶν πολιτικῶν Richards, Hude (K-W, H-L, K³, B), cf. 3, 35 τὰ πλείστα καὶ μέγιστα τῶν ἐν τῇ πόλει; τῶν <περὶ τῶν> πολιτῶν satis probabiliter conicit K. 23 καὶ ζημιῶν Blass (H-L, K³); τοῦ ζημιῶν K¹ (K-W). ἐκτίσεις B. 24 τοῦ πράττεσθαι (exigendi) scripsi, coll. Plat. Leg. 762 B τὴν διπλάσιαν (ζημίαν) πραττέσθω τὸν ὑποφειγόντα: τοῦ κολάζεσθαι K¹; (hiatu admissio) τοῦ εὐθύνεσθαι Blass (H-L, K³); τοῦ εἰσπράττεσθαι? K-W; τοῦ ἐκτίεσθαι Tyrrell. 26 νόμον εἰσαγγελίας Wessely et K³; νόμον..... K-W, B; ὁ μὲν [οὖν ταῦτ'] ἔταξε K¹ (H-L).

ἐν τοῖς νόμοις κτλ.] Phot. Lex. ναυκραρία: καὶ ἐν τοῖς νόμοις δὲ “ἐάν τις ναυκραρίας ἀμφισβητῇ,” καὶ “τοὺς ναυκράρους τοὺς κατὰ τὴν ναυκραρίαν.”

§ 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 προσκατένευμε βουλὴν ἀπὸ φυλῆς ἑκάστης, τεττάρων οὐσῶν, ἑκατὸν ἀνδρας ἐπιλεξάμενος.

Ἀρεοπαγιτῶν] Philippi, *Areop. u. Ephetaen*, pp. 199—246; Gilbert, i 136. 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 ζημιούσα πάντας τοὺς ἀκοσμοῦντας κυρίως.

ἀνέφερειν] Dem. 41 § 8, τὴν τιμὴν οὐτ' ἐκείνῳ διέλιπεν οὐτε νῦν εἰς τὸ κοινὸν ἀνεήνοχον.

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, *Lys.* 245. 'In inscriptions ἐν ἀκρόπολει 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 ἀνευχεθέντα. 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).

ἐπὶ καταλύσει τοῦ δήμου—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.* 22, ἐάν τις τὸν δῆμον τὸν Ἀθηναίων καταλύῃ ἢ συνήλῃ ἐπὶ καταλύσει τοῦ δήμου ἢ ἐταιρικῶν συναγάγῃ (Isocr. *de Big.* 6; Dinarch. c. *Dem.* 94). Cf. Theophr. *apud Lex. Rhet. Cantab.* s. v. εἰσαγγελλία: ἐάν 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 δ[ιὰ] τὴν
 ῥαθυμ[ί]αν [ἀγαπῶ]ντας τὸ αὐτόματον, νόμον ἔθηκε πρὸς αὐτοὺς
 ἴδιον, ὃς ἂν στασιαζούσης τῆς πόλ[εω]ς μ[ὴ] θ[ῆ]ται τὰ ὄπλα μηδὲ
 30 μεθ' ἐτέρων, ἄτιμον εἶναι καὶ τῆς πόλεως μὴ μετέχειν.

9. τὰ μὲν οὖν [περὶ τὰ]ς ἀρχὰς τ[ούτ]ον εἶχε τὸν τρόπον.
 δοκεῖ δὲ τῆς Σόλωνος πολιτείας τρία ταύτ' εἶναι τὰ δημοτικώτατα

28 ἀγαπῶντας K-W et Kontos: ἀποκονύνας Rutherford; περιμένοντας (J E B Mayor, Marchant, Blass, Gennadios, H-L) quondam conieci, coll. Plut. Sol. 20 περιμένοντες Bury coll. Thuc. iv 71 τὸ μέλλον περιδεῖν (B). Fortasse περιωρῶντας τὸ ἀποβαῖνον scribendum. 29 θῆται H-L (K³, B); τιθῆται Richards, Blass, K-W, sed spatium vix sufficit.

IX 1 εἶχε litteris evanidis (K, B): ἔταξε K-W, H-L. 2 τρία ταύτ' papyrum secutus K; τρία τὰδ' H-L, K-W². 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 caret, exul extorrisque esto' (Rose, Frag. 353², 391²).

after Euclides, to which it has been assigned by Fränkel, *Att. Geschworenenger.*, p. 77.

There is a vague reference to *εἰσαγγελίαι* in the time of Solon in Pollux viii 53, χίλιοι δὲ κατὰ μὲν Σόλωνα τὰς εἰσαγγελίας ἔκρνον, κατὰ δὲ τὸν Φαληρέα καὶ πρὸς πεντακόσιοι, cf. Philochorus, 155 Müller, *εἰσήγγειλαν*, ὡς μὲν Φιλύχορος, χιλίων καθεζόμενων, ὡς δὲ Δημήτριος ὁ Φαληρεὺς χιλίων πεντακοσίων (cf. Duncker, *G. d. A.* vi 179 n). The special case mentioned in the text came before the Areopagus.

§ 5. νόμον ἔθηκε κτλ.] Plut. Sol. 20 *ἰνί.* τῶν δ' ἄλλων αὐτοῦ νόμων ἴδιος μὲν μάλιστα καὶ παράδοτος ὁ κελεύων ἄτιμον εἶναι τὸν ἐν στάσει μηδετέρας μερίδος γενόμενον. βούλεται δ', ὡς εἰκοίκε, μὴ ἀπαθῶς μηδ' ἀναισθήτως ἔχειν πρὸς τὸ κοινόν, ἐν ἀσφαλεῖ θέμενον τὰ οἰκεία καὶ τῷ μὴ συναλγεῖν μηδὲ συννοσεῖν τῇ πατρίδι καλλωπιζόμενον, ἀλλ' αὐτόθεν τοῖς τὰ βελτίω καὶ δικαιοτέρα πράττουσι προσθέμενον συγκινδυνεύειν καὶ βοηθεῖν μᾶλλον ἢ περιμένειν ἀκινδύνως τὰ τῶν κρατούντων. *Præc. Ger. Keiz.* 32 § 1, ii 823 F, ἀπορήσει...καὶ θανύμασι τί παθῶν ἐκείνος ὁ ἀνὴρ ἔγραψεν ἄτιμον εἶναι τὸν ἐν στάσει πόλεως μηδετέροις προσθέμενον, *De Sera Nimitius Vindicta* 4, ii 550 B—C, παραλογώτατον δὲ τὸ τοῦ Σόλωνος, ἄτιμον εἶναι τὸν στάσει μηδετέρα μερίδι προσθέμενον μηδὲ συσταίσασαν. *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.) Prof. 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, *Rep.* 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. *ἐς τὰξιν τὰ ὄπλα τίθεσθαι* ii 2, 21 and v 4, 11 (Krüger's *Lexikon*, or Vollbrecht's *Wörterbuch*).

μηδὲ μεθ' ἐτέρων.] Also in Thuc. ii 67 § 5, cf. v 48, οὐδ' ὑφ' ἐτέρων. vi 44 § 4, οὐδὲ μεθ' ἐτέρων. vii 59 § 1, μηδὲ μεθ' ἕτερα.

IX § 1. τῆς Σόλωνος πολιτείας—τὰ δημοτικώτατα.] Isocr. 7 § 16, ἐκείνην τὴν δημοκρατίαν, ἣν Σόλων μὲν ὁ δημοτικώτατος γενόμενος ἐνομοθέτησε. Dem. 18 § 6, Σόλων, εὐνοῦς ὦν ὑμῖν καὶ δημοτικός. For Solon's relations to democracy see *Pol.* ii 12, 1273 b 35. In the 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

πρώτου μὲν καὶ μέγιστον τὸ μὴ δανεῖξεν ἐπὶ τοῖς σώμασιν, ἔπειτα τὸ ἐξεῖναι τῷ βουλευμένῳ [τιμωρεῖν] ὑπὲρ τῶν ἀδικουμένων, τρίτον δὲ (<ῶ> μάλιστά φασιν ἰσχυκέναι τὸ πλήθος) ἢ εἰς τὸ δικ[αστή- 5 ριον] ἔφ[εσι]ς· κύριος γὰρ ὦν ὁ δῆμος τῆς ψήφου, κύριος γίγνεται τῆς

4 τιμωρεῖν Paton, κ-ω (κ³, β), cf. 19, 2; τιμωρεῖσθαι Wyse, H-L; δικάζεσθαι κ¹; δίκην λαβεῖν (hiatu vitato) J W Headlam et Lipsius, coll. Plut. Sol. 18. 5 φ ins. H-L (κ³, β); ῶ καὶ κ-ω; ῆ κ¹. 6, 9, 13 ΓΙΝ (κ-ω).

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 δανεῖξεν κτλ.] 6 § I. τὸ ἐξεῖναι—ἀδικουμένων] Plut. Sol. 18, ολόμνος δεῖν ἔπαρκεν τῇ τῶν πολλῶν ἀσθενείᾳ, παντὶ λαβεῖν δίκην ὑπὲρ τοῦ κακῶς πεπονθότος ἔδωκε· καὶ γὰρ πληγέντος ἐτέρου ἢ βλαβέντος ἐξῆν τῷ δυναμένῳ καὶ βουλευμένῳ

γράφεσθαι τὸν ἀδικούντα καὶ διώκειν, ὁρθῶς ἐβλίσκοντο τοῦ νομοθέτου τοὺς πολίτας ὥσπερ ἐνὸς μέρους συναισθηθέντα καὶ συναλγεῖν ἀλλήλους. τούτῳ δὲ τῷ νόμῳ συμφωνοῦντα λόγον αὐτοῦ διαμνημονεύουσι. ἐρωτηθεὶς γὰρ, ὡς ἔοικεν, ἥτις οἰκεῖται κάλλιστα τῶν πόλεων, “ἐκέλευν,” εἶπεν, “ἐν ἧ τῶν ἀδικουμένων οὐχ ἦπτον οἱ μὴ ἀδικούμενοι προβάλλοντα καὶ κολάζουσι τοὺς ἀδικούντας.”

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 δημοτικόν in his constitution; while his critics describe him as having subordinated the oligarchical element, κύριον ποιήσαντα τὸ δικαστήριον πάντων, κληρωτῶν ὄν. 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 συνεκκλησιάσει καὶ δικάσει μόνον μετεῖχον τῆς πολιτείας) adds: ὁ κατ' ἀρχαῖς μὲν οὐδέν, ὕστερον δὲ παμμέγεθες ἐφάνη τὰ γὰρ πλείστα τῶν διαφόρων ἐνέπιπτεν εἰς τοὺς δικαστάς. καὶ γὰρ ὅσα ταῖς ἀρχαῖς ἔταξε κρῖνειν, ὁμοίως καὶ περὶ ἐκείνων εἰς τὸ δικαστήριον ἐφέσειε ἔδωκε τοῖς βουλευμένοις. 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. Alt.* vi 179, 180.

πολιτείας. ἔτι δὲ καὶ διὰ τὸ μὴ γεγρα[ά]φθ[αι το]ὺς νόμους ἀπλῶς 2
 μηδὲ σαφῶς, ἀλλ' ὥσπερ ὁ περὶ τῶν κλήρων καὶ ἐπικλήρων,
 ἀν[άγ]κ[η πο]λλὰς ἀμφισβητήσεις γίνεσθαι καὶ πάντα βραβεύειν
 10 καὶ τὰ κοινὰ καὶ τὰ ἴδια τὸ δικα[στ]ήρ[ιον]. οὐνται μὲν οὖν τινὲς
 ἐπίτηδες ἀσαφεῖς αὐτὸν ποιῆσαι τοὺς νόμους, ὅπως ἢ τῆς κρίσεως
 [ὁ δ]ή[μος κ]ύριος. οὐ μὴν εἰκός, ἀλλὰ διὰ τὸ μὴ δύνασθαι καθόλου

9 πολλὰς Paton, Blass, κ-ω, κ³; ἦν τὰς κ¹; ἦν πολλὰς H-L sed deest spatium.
 10 τὸ δικαστήριον κ-ω, κ³, papyri lectio incerta (B): τὰ δικαστήρ[ια] κ¹ (H-L), sed
 propter tot generis neutri vocabula pluralia in contextu cumulata numerus singularis
 videtur elegantior. 11 ἢ κ³ (B); τι κ-ω (in papyro utrumvis legi potest). ὅπως
 τὴς κρίσεως ὁ δῆμος ἢ κύριος κ-ω¹; 'aut τι delendum aut ὅπως ἢ τῆς κρίσεως ὁ
 δῆμος κύριος (B) legendum' κ-ω²; ὅπως τῆς κρίσεως ὁ δῆμος ἢ κύριος H-L. 12—
 13 περιλαβεῖν etiam ante καθόλου scriptum et deinde deletum; πανταχοῦ sine
 causa legendum suspicatum H-L.

§ 2. ἀπλῶς...σαφῶς] Dem. *Lept.* § 93, ἀπλᾶ καὶ σαφῆ, Isaeus I I § 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.

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 Isaeus I I §§ 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 ἐξέιναι ἔχειν μήτε κλήρον μήτε ἐπικλήρον. This law is referred to in Isaeus 3 §§ 64, 74 and elsewhere. Both laws may be fairly ascribed to Solon, and students of Isaeus 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 ἐπίδικασαι, also 43 § 4. ἀνάγκη] sc. ἦν. *Rhet.* i i § 8 ἀνάγκη ἐπὶ τοῖς κριταῖς καταλείπειν, *Eth.* I 137 ὁ 15, ἀνάγκη μὲν εἰπεῖν καθόλου, μὴ οἶόν τε δὲ ὀρθῶς.

οἴονται κτλ.] Plut. *Sol.* 18, λέγεται δὲ καὶ τοὺς νόμους ἀσαφέστερον γράψας καὶ πολλὰς ἀντιλήψεις ἔχοντας ἀξίησαι τὴν τῶν δικαστηρίων ἰσχύν· μὴ δυναμένους γὰρ

ὑπὸ τῶν νόμων διαλυθῆναι περὶ ὧν διεφέροντο συνέβαιεν αἰεὶ δεῖσθαι δικαστῶν καὶ πᾶν ἀγεῖν ἀμφισβήτημα πρὸς ἐκείνους, τρῶπον τιὰ τῶν νόμων κυρίως 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. II, ii 330). We now see that Plutarch quotes from 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.

διὰ τὸ μὴ δύνασθαι (sc. Σόλωνα) καθόλου περιλαβεῖν τὸ βέλτιστον] 'owing to his being unable to attain the perfection of legislative expression while drawing 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 i § 7, ἡ μὲν τοῦ νομοθέτου κρίσις οὐ κατὰ μέρος ἀλλὰ περὶ μελλόντων τε καὶ καθόλου ἐστίν, I 3 § 13, συμβαίνει δὲ τοῦτο (τὸ ἐπιεικὲς) τὰ μὲν ἀκόντων τὰ δὲ ἐκόντων τῶν νομοθετῶν, ἀκόντων μὲν διαρὶ 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 ὁ 15, *Pol.* iii 11, 1282 ὁ 2, (those in authority must be) κυρίως περὶ ὧν ἐξεδυνατοῦσιν οἱ νόμοι λέγειν ἀκριβῶς διὰ τὸ μὴ ῥᾶδιον εἶναι καθόλου δηλώσαι περιπτῶτων, *Pol.* 1268 ὁ 39, 1269 a 9, 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

περιλαβεῖν τὸ βέλτιστον· οὐ γὰρ [δ]ίκ[αιον] ἐκ τῶν νῦν γιγνομένων ἀλλ' ἐκ τῆς ἄλλης πολιτείας θεωρεῖν τὴν ἐκείνου βούλησιν.

10. ἐν [μὲν οὖν τ]οῖς νόμοις ταῦτα δοκεῖ θεῖναι δημοτικά, πρὸ δὲ τῆς νομοθεσίας ποιῆσαι τὴν τῶν χρεῶν ἀποκοπήν, καὶ μετὰ ταῦτα τὴν τε τῶν μέτρων καὶ σταθμῶν καὶ τὴν τοῦ νόμισματος αὔξησιν. ἐπ' ἐκείνου γὰρ ἐγένετο καὶ τὰ μέτρα μείζω 4

Χ 2 'aut ποιῆσαι fuit aut ποιήσας, certe non ποιήσασθαι' K-W; ποιήσας K-W, B; ποιῆσαι H-L. 4 ΔΥΣΗCIN littera Ζ incerta (K), non ΕΠΔΥΣΗCIN (K-W) nec ΚΑΤΑCΤΑCIN (H-L). ΜΕΙΖΩ (K, K-W), non ΜΕΙΩ (H-L).

γὰρ πάμπολύ τι πρᾶγμα ἐστὶ, περιειλημμένον ὑνόματι νῦν σχεδὸν ἐνί. *Ar. Eth. Nic.* v 4, 1130 b 3, ἐνὶ ὑνόματι περιλαβεῖν (embrace, include) ταῦτα πάντα, iii 12, 1117 b 21, τύφῳ περιλαβεῖν. *Pol.* iii 16, 1287 b 19, τὰ μὲν ἐνδέχεται τοῖς νόμοις περιληφθῆναι, vi 5, 1320 a 1, νόμοι οὐ περιλήφονται τὰ σφύζοντα 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.).

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 connexion 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 Androtrion, whose opinion is quoted by Plutarch only to be rejected: *Sol.* 15, καίτοι τιwές ἔγραψαν, ὧν ἐστὶν Ἄνδροτριῶν, οὐκ ἀποκοπήν χρεῶν, ἀλλὰ τόκων μετριότητι κουφισθέντας ἀγαπήσαι τοὺς πένητας, καὶ σεισάχθειαν ὀνομάσαι τὸ φιλανθρωπείωμα τοῦτο καὶ τὴν ἅμα τούτῳ γενομένην τῶν τε μέτρων ἐπαύξησην καὶ τοῦ νομισματος τιμῆν. ἐκατὸν γὰρ ἐπόλησε δραχμῶν τὴν μὲν πρότερον ἔβραμιζοντα καὶ τριῶν ὄσαν, ὥστ' ἀριθμῶ μὲν ἴσον, δυνάμει δ' ἕλαττον ἀποδιδόντων, ὠφελεῖσθαι μὲν τοὺς ἐκτίνοντας μεγάλα μὴδὲν δὲ βλάπτεισθαι τοὺς κομιζομένους. οἱ δὲ πλείστοι πάντων ὁμοῦ τῶν συμβολαίων ἀναιρέσειν γενέσθαι τὴν σεισάχθειαν, καὶ τοῦτοις συνάδει μᾶλλον τὰ ποιήματα.

τῶν μέτρων καὶ σταθμῶν καὶ...τοῦ

νομισματος αὔξησιν] 'the augmentation of the measures and weights and of the currency.' *Andoc. De Myst.* 83 (the decree of Tisamenus), πολιτεύεσθαι Ἀθηναίους κατὰ τὰ πάτρια, νόμοις δὲ χρῆσθαι τοῖς Σόλωνος καὶ μέτροις καὶ σταθμοῖς. 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 Androtrion...has no reference to the *medimnus* and *metretes*, 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 ἐπαύξησην (*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 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 νομισματος αὔξησιν] 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.

§ 2. τὰ μέτρα μείζω τῶν Φειδωνέων] *Hdt.* vi 127, Φείδωνος τοῦ Ἀργείου τυράννου...τοῦ τὰ μέτρα ποιήσαντος τοῖς Πελοποννησίοις. The date of Pheldon is disputed. He is sometimes placed in Ol. 8 = B.C. 748 (*Pausan.* vi 22, 2, followed by Unger, Duncker, and Busolt, i 140 n); sometimes (by altering the text of *Pausanias*) in Ol. 28 = B.C. 668 (*Weissenborn*, followed by *Curtius*). *Hdt. l.c.* mentions a

5 τῶν Φειδωνείων, καὶ ἡ μνᾶ πρότερον [ἄγο]υσα παρα[πλήσ]ιον ἔβδομήκοντα δραχμὰς ἀνεπληρώθη ταῖς ἑκατόν. || ἦν δ' ὁ ἀρχαῖος [Col. 4.]

5 ἔλκουσα K-W, H-L, K³; ἄγουσα B; aut ἔλκουσα aut ἄγουσα, quorum hoc usitatus sit, legendum putat Wyse; cf. c. 51 § 3 τὸν σταθμὸν ἄγοντας. παρα[πλήσ]ιον K; παρὰ [μικρ]ῶν K-W; τρεῖς καὶ H-L; τὰς γ' καὶ B. 6 ταῖς: τὸτ' εἰς H-L; εἰς (hiatu admissio) coniecerat Mahaffy (*Athenaeum*, 1891, p. 344), sed numerum omnibus notum indicat articulus.

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 355). 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 Ἀργίῳ ἀργυροῦν πρῶτον κοπήναι φησιν ὑπὸ Φειδῶνος, cf. *ib.* 358, μέτρα ἐξέυρε τὰ Φειδῶνια καλούμενα καὶ σταθμοὺς καὶ νόμισμα κεχαραγμένον τὸ τε ἄλλο καὶ τὸ ἀργυροῦν (cf. Busolt, i 144 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 ὁ Ἀργεῖος ἐδήμεισε τὰ μέτρα...καὶ ἀνεσκεύασε ('reformed them') καὶ νόμισμα ἀργυροῦν ἐν Ἀργίῳ ἐποίησεν. The *Etymologicum Magnum*, s. v. ὀβελίσκος, mentions his coinage, but implies that he made no change in standards of *weights*: πάντων δὲ πρῶτος Φειδῶν Ἀργεῖος νόμισμα ἔκοψεν ἐν Ἀργίῳ· καὶ δοῦς τὸ νόμισμα καὶ ἀναλαβὼν τοὺς ὀβελίσκους (spits, or small bars, of metal), ἀπέθηκε τῇ ἐν Ἀργεῖ Ἡρα, ἐπειδὴ δὲ τότε οἱ ὀβελίσκοι τὴν χεῖρα ἐπλήρου, τούτεστι τὴν δράκα (the grasp), ἡμεῖς, κατὰ μὴ πληροῦντες τὴν δράκα τοῖς ἐξ ὀβολοῖς, δραχμὴν αὐτὴν λέγομεν παρὰ τὸ δράσασθαι. ὅθεν ἐτι καὶ νῦν λέγομεν ὀβολοστάτην τὸν τοκιστὴν, ἐπειδὴ σταθμοῖς [τοὺς ὀβελίσκους] ἀδίδε Orion p. 118 'qui Heraclidis Pontici auctoritate utitur,' Gaisford] παρεδίδου οἱ ἀρχαῖοι. 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, ὑπὲρ ὧν ἐν Ἀργεῖα πολιτεία 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 *μετρητή*s is already known to have contained about 39 *litres*, or 8½ gallons: the Pheidonian *μετρητή*s 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 *μέδιμνος* 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 II, c. ii, vol. ii 26 E. T.

ἡ μνᾶ—ἑκατόν] 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 : 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 67½ *grs.* and average Aeginetan drachmas of rather over 90 *grs.* (73 : 100 :: 67½ : 92¼), the Attic mina being to the Aeginetan as 100 : 137 (Head's *Historia Numorum*, p. 309). 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 : 69½. Hence the number of drachmas of the Aeginetan

χαρακτήρ διδραχμον. ἐποίησε δὲ καὶ σταθμὰ πρὸς τ[ὸ] νόμισμα 7

7 χαρακτήρ διδράχμον <βούς>? Wyse, coll. Poll. ix 60; χαρακτήρ <βούς καὶ τὸ νόμισμα> διδραχμον J B Mayor. σταθμὰ κ-W, κ³, β; σταθμὸν κ¹; πρὸς τὸν σταθμὸν τὸ νόμισμα? H-L.

standard, which would be equivalent in weight to 100 Attic drachmas, would be about 69½. Thus, according as we take average or maximum weights, Mr Kenyon's text, *παρᾶλλησιον ἐβδόμηκοντα δραχμάς*, will mean either 73 or 69½.—The reading proposed by Blass gives us exactly 73 drachmas.

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 sqq., 73 sq.) to have been the Euboic, and henceforth Euboean coins would circulate freely in Attica, side by side with the new Attic money (Head, p. 310, cf. 302 and xxxviii—xlii). 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), 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 p. 525), 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.

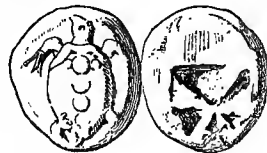
In this connexion it is interesting to notice that, after reforming the currency, and thus facilitating trade with countries employing either the Euboic or the Egyptian standard, Solon set out for Egypt, where he stayed for ten years, one of his avowed objects being the pursuit of commerce.

ἀνεπηρώθη] 'was raised to the full number of a hundred drachmas.'

ἤν—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 αὐτοῦς· ὁ γὰρ χαρακτήρ ἐτέθη τοῦ πόσου σημεῖον. *Oecon.* ii 5 (of Hippias), τὸ δὲ νόμισμα τὸ ὄν Ἀθηναίους ἀδοκιμον ἐποίησεν· τάξας δὲ τιμὴν ἐκέλευσε πρὸς αὐτὸν ἀνακομίζεω· συνελθόντων δὲ ἐπὶ τῷ κόβῳ ἕτερον 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 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 βούν 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, 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

8 τ[ρ]εῖς καὶ ἑξήκοντα μνᾶς τὸ τάλαντον ἀγούσας, καὶ ἐπιδιευε-
μήθησαν [αἰ] μναὶ τῷ στατήρι καὶ τοῖς ἄλλοις σταθμοῖς.

8 *treis* καὶ *seclisuit* κ; ante *ἑβδομήκοντα* (v. 6) *posuerunt* H-L, alii; defendit Ridgeway, retinuerunt K-W, B.

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, fig. 209). After the time of Solon, coins of Eretria, stamped with the head of a bull, together with other Euboean coins, may have circulated in Attica, side by side with the Solonian 'owls.' But there is no authority earlier than Philochorus (in the generation after Aristotle), for stating that the early didrachms, which preceded the Solonian 'owls,' were impressed with the figure of an ox (Head, *l.c.* p. 309). Cf. Schol. on Arist. *Av.* 1106, ἡ γλαυξ ἐπὶ χαράγματος ἦν τετραδράχμων, ὡς Φιλόχορος· ἐκλήθη δὲ τὸ νόμισμα τὸ τετραδράχμων τότε [ἡ] γλαυξ. ἦν γὰρ γλαυξ ἐπίσημον καὶ πρόσωπον Ἀθηναίων, τῶν πρότερον διδράχμων ὄντων ἐπίσημον δὲ βοῦν ἔχόντων. Pollux, ix 60, διδραχμων· τὸ παλαιὸν δὲ τοῦτ' ἦν Ἀθηναίους 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. Koehler, *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 ἀγούσας ὅσον ἂν αὐτοὶ τάξωσιν.

Much difficulty has been felt respecting these 63 minae, on the ground that, in every standard, a talent invariably consists of 60 minae. Thus it is ingeniously suggested by Mr Kenyon and others that *treis* καὶ 'was written as an explanation of *παραπλήσιον* above, and was subsequently inserted in the text in the wrong place,' and this suggestion has been regarded with considerable favour. But the text, as it stands, admits of a ready explanation if we regard it as stating the *weight* of the Solonian currency as compared with the average weight of the corresponding coins of the Euboic standard.

The average weight for the Solonian silver coinage was slightly higher than that of the Euboic. 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. As the post-Solonian mina weighed about 6750 grains, the talent must have weighed 60 times that amount, or 405,000 grains. To obtain the weight of the mina superseded by the Solonian mina, we divide by 63 and the result is 6428 $\frac{2}{3}$ grains. A stater, or fiftieth part of this, is 128 $\frac{4}{5}$ grains. In other terms, 63 : 60 : 135 : 128 $\frac{4}{5}$. This is in sufficiently close agreement with the actual weights of the coins of Euboea, as compared with those of Attica. The two-drachma piece of the former weighs 130 grains (only one grain and three-sevenths more than the weight above mentioned); that of the latter, 135 grains. The substance of this explanation is due to Prof. Ridgeway, who also shews that, while the Aeginetan standard was used for *silver*, the Euboic was used for gold and silver, being in fact the only standard used for *gold*. Solon framed for the coinage of Athens a standard founded on that already in use for all transactions in gold. Possibly to adjust his silver currency to the standard gold unit, he augmented the silver standard, making 63 old minas go to his new talent of 60 minae. Thus, while about 70 Aeginetan drachmas are equal in weight to 100 Attic drachmas, rather less than 63, or, strictly speaking, 62 $\frac{2}{3}$ Euboic minas are equal in weight to 60 of the Solonian standard.

The above note refers to the *average* weight of coins of the Euboic standard. In the case of coins of *full* weight, that standard is practically identical with the Solonian, the staters of *both* weighing 135 grains (see Head's *Brit. Mus. Cat. of Coins of Corinth*, 1889, p. xix).

ἐπιδιευεμήθησαν] 'The minae were divided into fractions consisting of (*lit.* 'were apportioned out by') the *stater* and the other weights.' ἐπιδιανέμω, "to distribute besides," Philo 2, 651; τῶι τι Josephus, *B. J.* 2, 6, 3" (L and S).

στατήρ is the general term for a standard unit of weight and (more frequently) of money. It here denotes the weight of a fiftieth part of a mina. The weights here meant are probably coin-weights alone, market-weights being apparently left out of consideration. Solon made no change in the *weights used in com-*

11. διατάξας δὲ τὴν πολιτείαν ὄνπερ εἴρηται τρόπον, ἐπειδὴ προσιόντες αὐτῷ περὶ τῶν νόμων ἠνώχλουν, τὰ μὲν ἐπιτιμῶντες τὰ δὲ ἀνακρίνοντας, βουλόμενος μήτε ταῦτα κινεῖν μήτ' ἀπεχθάνεσθαι παρών, ἀποδημίαν ἐποίησατο κατ' ἐμπορί[αν] ἅμα καὶ θεωρίαν εἰς Αἴγυπτον, [εἰπ]ὼν ὡς οὐ[χ] ἤξει δέκα ἐτῶν· οὐ γὰρ 5 οἴεσθαι δίκαιον εἶναι [το]ύς νόμους ἐξηγεῖσθαι παρὼν ἀλλ' ἕκαστον 2 τὰ γεγραμμένα ποιῆσαι. ἅμα δὲ καὶ συνέβαιν[εν] αὐτῷ τῶν τε γυωρίμων διαφόρους γεγενῆσθαι πολλοὺς διὰ τὰς τῶν χρεῶν ἀποκοπὰ[ς, κ]αὶ τὰς στάσεις ἀμφοτέρας μεταθέσθαι διὰ τὸ παρὰ δόξαν αὐτοῖς γενέσθαι τὴν κατάστασιν. ὁ μὲν γὰρ δῆμος ᾤετο 10

ΣΙ 2 ΕΝΩΧΛΟΥΝ (K¹, K-W, B): ἠνώχλουν J B Mayor (H-L, K³); verbum in codicibus optimis augmentum duplex habere constat. 3 ΚΕΙΝΕΙΝ. 5 εἰπὼν ὡς οὐχ ἤξει Wessely (K³, B); λέγων ὡς οὐχ ἤξει coniecerat van Leeuwen; [περὶ Καλῶπου [πῶ]λε] κ¹. 6 δίκαιος Jackson (H-L). 7 ποιῆσαι K, H-L: ποιῆν K-W, B.

K...CΤΑCIN

10 ΤΗΝΙC ΑΝΤΑΞΙΝ: τὴν οὖσαν κατάστασιν K¹; τὴν κατάστασιν K-W, B; τὴν οὖσαν τάξιν H-L.

TESTIMONIA. 2—5 Heraclidis Epitoma, Rose, Frag. 611, 3³, ὡς δὲ διώχλουν (codd.; δ' ἐνώχλουν K-W) αὐτῷ τινὲς περὶ τῶν νόμων, ἀπεδήμησεν εἰς Αἴγυπτον.

merce, the Aeginetan mina being still retained unaltered (see Dr Percy Gardner on *Pondera*, in Smith's *Dict. Ant.* ii p. 449 ὁ).

XI § 1. διατάξας—ποιῆσαι] Plut. *Sol.* 25, ἐπεὶ δὲ τῶν νόμων εἰσενεχθέντων ἐνιοὶ τῷ Σόλων καθ' ἑκάστην προσήσαν ἡμέραν ἐπανούντες ἢ ψέγοντες ἢ συμβολεύοντες ἐμβάλλειν τοῖς γεγραμμένοις ὅτι τύχοιεν ἢ ἀφαιρῆναι, πλείστοι δ' ἦσαν οἱ πυνθανόμενοι καὶ ἀνακρίνοντας καὶ κελεύοντες αὐτὸν ὅπως ἕκαστον ἔχει καὶ πρὸς ἣν κέται διάνοιαν ἐπεκιδιδάσκειν καὶ σαφηνίζειν, ὁρῶν, ὅτι ταῦτα καὶ τὸ πράττειν ἀποπον καὶ τὸ μὴ πράττειν ἐπίφθονον, ὅπως δὲ ταῖς ἀπορίαις ὑπεκοτῆναι βουλόμενος καὶ διαφυγεῖν τὸ δυσάρεστον καὶ φιλαίγιον τῶν πολιτῶν (ἐργμασι γὰρ ἐν μεγάλοις πᾶσιν ἀδεῖν χαλεπὸν, ὡς αὐτὸς εἶρηκε), πρόσχημα τῆς πλάνης τὴν ναυκληρίαν ποιησάμενος ἐξέπλευσε δεκαετὴ παρὰ τῶν Ἀθηναίων ἀποδημίαν αἰτησάμενος. ἤλπιζε γὰρ ἐν τῷ χρόνῳ τούτῳ καὶ τοῖς νόμοις αὐτοῦς ἔσεσθαι συνήθεις. πρῶτον μὲν οὖν εἰς Αἴγυπτον ἀρίκετο 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, *Olympt.* 19. In *Lacr.* 30 the mss vary between ἐνώχλου-μεν (Σ and other mss), ἐνοχλούμεν (Aug. 1), ἠνωχλούμεν (*vsigo*). The *Rhet. ad Alex.* 1445 b 2 has ἠνώχλησαν. In Aeschin. 3 § 44 the mss vary between

ἠνωχλείτο (Bekker, Franke, Schultz), and ἐνωχλείτο. Voemel, *Proleg. Dem.* § 67, quotes Photius: ἠνεύχετο καὶ ἠνώχλει... κουνὸν τῶν Ἀττικῶν ἰδιωμα. See also Lobeck's *Phrynichus*, p. 154.

ἀποδημίαν ἐποίησατο] c. 13 *in*it. δέκα ἐτῶν] For the fact cf. Hdt. i 29, ἀπεδήμησε ἔτεα δέκα. For the construction, cf. *ib.* vi 58, ἐπεὶν θάψωσι, ἀγορῆ δέκα ἡμερῶν οὐκ ἴσταται σφι. Xen. *Anab.* i 7, 18, ὁ μαχεῖται δέκα ἡμερῶν. Plat. *Gorg.* 516 D, ἵνα αὐτοῖς δέκα ἐτῶν μὴ ἀκούσειαν 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, ὡν οὐδενὸς αὐτοὶ δοῦναι δικὴν δίκαιον ἂν εἶναι (where, however, several editors prefer δίκαιον ἂν, which involves a *hiatus*); (2) by Dem. *Proem.* c. 1439, 14, ἐγὼ μὲν δὴ δίκαιον ὑπέληφα πρῶτον ἀπάντων αὐτὸς εἰπεῖν. 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 *in*it., ἤρесе δ' οὐδτερός, ἀλλ' ἐλύθησε καὶ τοὺς πλουσίους ἀνελὼν τὰ συμβόλαια καὶ μᾶλλον ἐτι τοὺς πέντητας, ὅτι γῆς ἀναδασμὸν οὐκ ἐποίησεν ἐλαπίσσειν αὐτοῖς.

μεταθέσθαι] 'changed their opinion with regard to him,' *i.e.* 'were alienated from him.'

ὁ μὲν γὰρ δῆμος κτλ.] Plut. *Sol.* 14, Φανίας ὁ Λέσβιος αὐτὸν ἱστορεῖ τὸν Σόλωνα

πάντ' ἀνάδαστα ποιήσειν αὐτόν, οἱ δὲ γνώριμοι [πά]λιν ἢ τὴν αὐτὴν τάξιν ἀποδώσειν ἢ [μικρὸν] παραλλάξ[ειν]. ὁ δὲ ἀ[μφοτέρους] ἠναντιώθη, καὶ ἐξὸν αὐτῷ μεθ' ὀποτέρων ἐβούλετο συστά[ντι] τυραννεῖν, εἴλετο πρὸς ἀμφοτέρους ἀπεχθέσθαι σώσας τὴν πατρίδα
 15 καὶ τὰ βέ[λτι]στα νομοθετήσας.

12. ταῦτα δ' ὅτι τοῦτον <τὸν> τρόπον ἔσχευ οἱ τ' ἄλλοι συμφωνοῦσι πάντες, καὶ αὐτὸς ἐν τῇ ποιήσει μ[ε]μ[ν]ηται περὶ αὐτῶν ἐν τοῖσδε:

5 δῆμῳ μὲν γὰρ ἔδωκα τόσον γέρας ὅσσον ἀπαρ[κεῖ],
 τιμῆς οὐτ' ἀφελὼν οὐτ' ἐπορεξάμενος.
 οἱ δ' εἶχον δύναμιν καὶ χρήμασιν ἦσαν ἀγνητο[ί],
 καὶ τοῖς ἐφρασάμην μηδὲν ἀ[ει]κὲς ἔχειν.
 ἔστην δ' ἀμφιβαλὼν κρατερὸν σάκος ἀμφοτέροισι,
 10 ν[ε]κῶν δ' οὐκ εἶασ' οὐδετέρους ἀδίκως.

10 πάλιν δ' ἀποφαινόμενος περὶ τοῦ πλήθους, ὡς ἀ[ύ]τῳ δεῖ χρῆσθαι 2
 δῆμος δ' ὡδ' ἂν ἄριστα σὺν ἡγεμόνεσσιν ἔποιτο,
 μήτε λῖαν ἀν[ε]θίεις μήτε βιαζόμενος.

11 ἢ scrips. κ-w², cf. *Pol.* 1206 a 40 ταύτην ἀποδοῦναι τὴν τάξιν: εἰς (κ, Η-L), secl. κ-w¹, B. 12 ἢ σ[μικρὸν] παραλλάξ[ειν] ὁ δὲ Blass (κ-w, Η-L, κ³); lacuna in altera ρ discerni putat κ, in altera spatium plurium litterarum capax superesse. μικρὸν κ-w. 13 ΗΒΟΥΛΕΤΟ (κ-w, B), quod in titulis Atticis ante annum 300 A.C. non apparet, Meisterhans, p. 134². 14 ΑΠΕΧΘΕΣΘΗΝΑΙ.

XII 1 <τὸν> propter homoeoteleuton exciderat. εἶχεν κ-w. 4 ΔΗΜΟΙ. γέρας: κράτος Plut. ἀπαρκεῖ: ἐπαρκεῖ Plut. (B), ubi ἀπαρκεῖ coniecerat Coraës: ἀπαρκεῖ Η-L (nisi forte ἀπήρκει legendum). 5—6 ΑΠΟΡΕΞΑΜΕΝΟCΟCΟΙ. 7 τοῖσ' Η-L. 12 λῖην Plut. βιαζόμενος: πιεζόμενος Plut.

TESTIMONIA. XII 4—9 Plut. *Sol.* 18.

11—14 Plut. *Comp. Sol. et Popl.* 2.

χρησάμενον ἀπάτῃ πρὸς ἀμφοτέρους ἐπὶ σωτηρίᾳ τῆς πόλεως ὑποσχέσθαι κρύφα τοῖς μὲν ἀπύροις τὴν νέμεισιν, τοῖς δὲ χρηματικῶς βεβαίωσιν τῶν συμβολαίων.

ἀνάδαστα.] Dem. 24 § 149, γῆς ἀναδασμόν, Plat. *Leg.* 684.

ἐξὸν αὐτῷ κτλ.] Paraphrased by Aristides, ii 360 Dind., παρὸν αὐτῷ στασιαζούσης τῆς πόλεως ὀποτέρων βούλοιο προστάντι τυραννεῖν, ἀπεχθάνεσθαι μάλλον ἀμφοτέροις εἴλετο ὑπὲρ τοῦ δικαίου.

XII § 1. δῆμῳ—ἀδίκως] These six lines are quoted in Plut. *Sol.* 18=frag. 5 Bergk.

l. 4. ἀπαρκεῖ] 'is sufficient,' as in Aesch. *Pers.* 474, Soph. *O. C.* 1769, Eur. frag. 892, 4 Nauck², ὧν οὐκ ἀπαρκεῖ πληροσμονῆ, 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 (β) '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 ὄδ', '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 Coraës.' This opinion is conclusively confirmed by the reading given us by the papyrus.

§ 2. δῆμος—βιαζόμενος.] quoted in Plut. *Solonis et Poplicolae comparatio*, c. 2; frag. 6 Bergk.

τίκτει γὰρ κόρος ὕβριν, ὅταν πολλὸς ὄλβος ἔπητ[α]
ἀνθρώποισιν ὄσοις μὴ νόος ἄρτιος ᾗ.

3 καὶ πάλιν δ' [ἐτέρω]θί που λέγει περὶ τῶν διανείμασθαι τὴν γῆν 15
βουλομένων

οἱ δ' ἐφ' ἀρπαγαῖσιν ἤλθον, ἐλπιδ' εἶ[χον] ἀφνεάν,
καδόκουν ἕκαστος αὐτῶν ὄλβον εὐρήσειν πολλύν,
καί με κωτίλλοντα λείως τραχὺν ἐκφανεῖν νόον.
χαῦνα μὲν τότε ἐφράσαντο, νῦν δέ μοι χολοῦμενοι 20
λο[ξὸν ὀ]φθαλ[μοῖ]ς ὀρώσι πάντες ὥστε δῆϊον.
οὐ χρεῶν' ἃ μὲν γὰρ εἶπα σὺν θεοῖσιν ἦνυ[σα],
[ἄλλα δ' οὐ] μ[ά]την ἔερδ[ο]ν, οὐδέ μοι τυραννίδος
ἀνδάνει βία τι [ῥέξ]ειν, οὐδέ μοι πιε[ί]ρα]ς χθονὸς
πατρίδος κακοῖσιν ἐσθλοὺς ἰσομοιρίαν ἔχειν. 25

13 ΠΟΛΥC: κακῶ Theognis 153. 14 ἀνθρώπων καὶ ὅτῳ Theognis 154. 15 καὶ
secl. K-W. δ' ἐτέρωθι που R D Hicks, Wyse, Sidgwick, idem ego quoque con-
ieceram (K-W, κ², B); δ' ἄλλοθι που J B Mayor, Bywater, Blass; ἀλλαχόθι που Naber
(H-L); διαγνῶθι τοῦ κ¹. διανείμασθαι H-L. 17 οἱ δ' ἐφ' ἀρπαγαῖσιν ἐλπιδ'
ἦλιθ' εἶχον? K-W. 18 'Fortasse autōs' Richards. 21 ὀφθαλμοῖς' B. ΔΗΙΟΝ
(K-W, κ², B): δῆϊοι in Plutarcho Reiskium secutus Bergk (κ¹, H-L). 22 ἃ μὲν
γὰρ ἀέλπτα Aristidis (ii 536) codices ΓΘ; ἅμα γὰρ ἀέλπτα Stephanus, S Jebb; ἃ μὲν
ἀέλπτα coniecit Gaisford, receipt Bergk, versus initium arbitrati. 23 In Aristidis
loco ἄλλα coniecit Gaisford; legebatur ἅμα. οὐ Bury, H-L, K-W, κ², B: αὐ in
Aristide Bergk (κ¹). 24 ἀνδάνει κτλ.: ἦνδανεν (Richards) βίαια λήματ' H-L.

TESTIMONIA. 20, 21 Plut. Sol. 16.

22—23 Aristid. ii 536.

τίκτει—ἔπηται] quoted as Solon's by
Clemens Alexandrinus (*Stromateus*, vi
740): Σόλωνος δὲ ποιήσαντος· τίκτει γὰρ
(v. l. τοι) κτλ. ἀντικρὺς ὁ Θεόγνις γράφει·
τίκτει τοι κόρος ὕβριν ὅταν κακῶ ὄλβος
ἔπηται (Theognis 153, followed by the
line ἀνθρώπων, καὶ ὅτῳ μὴ νόος ἄρτιος ᾗ).
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
παρέη.

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'] καί—δέ 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
καί—δέ 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 ('Αναξαγόρας), 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. οἱ 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 ἐπέπιτῆδες πεποι-
ηκεν... εἰς αὐτὸν καὶ τὴν ἐαυτοῦ 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 im-
mediately afterwards, beginning with οὐκ
ἔφθ Σόλων βαθύφρων.

l. 19. καί με κωτίλλοντα—νόου] 'and
that I, though smoothly glosing, would
reveal my rude intent.' ἐκφανεῖν cannot
be translated as though it were synonym-
ous with κρύψαι. For κωτίλλοντα λείως,
cf. Theognis 852, ὅς τὸν ἑταῖρον μαλθακὰ
κωτίλλων ἐξαπατᾶν ἐθέλει.

δῆμον, τί τούτων πρὶν τυχεῖν ἐπαυσάμην;
 συμμαρτυροῖ[οί]η ταύτ' ἂν ἐν δίκῃ χρόνου
 μήτηρ μεγίστη δαιμόνω[ν Ὀλυμπίων
 ἄριστα, Γῆ μέλαινα, τῆς ἐγώ ποτε
 [ὄ]ρους ἀνεῖλον πολλαχῆ πεπηγότα[ς],

30

29 δῆμον τι τούτων πρὶν τυχῶν ἐπαυσάμην, κ¹. δῆμόν τι τούτων πρὶν τυχεῖν ἐπαυσάμην, κ-ω, alii; τοιούτων Sidgwick, τοιούτων πρὶν τυχῶν van Leeuwen. τί τούτων πρὶν τυχεῖν ἐπαυσάμην; recte Blass et Jebb. 30 χρόνου etiam Aristides habet: Κρόνου μήτηρ Clavigerus apud Bergk², qui ibidem ipse conicit ἐν Δίκῃς θρόνω. Κρόνου μήτηρ μεγίστη δαιμόνων τ' Ὀλυμπίων Poste. 33 πολλαχῆ: an πολλ' ἐτη? J B Mayor.

TESTIMONIA. 30—54 Aristid. ii 536—8. 33, 34 Plut. Sol. 15.

ll. 30—54. **συμμαρτυροῖ — λύκος**
 Quoted by Aristides, ii 536—8, in two portions, (a) ll. 30—49 ending οὐκ ἂν κατέσχε δῆμον, and (b) εἰ γὰρ ἦθελον τοῦ ἀπὸ τοῦ ἐνδ. (b) is introduced with the words: εἶτα τί φησὶν ὁ Σόλων;

1. 30. ἐν δίκῃ χρόνου] possibly (1) 'before the tribunal of time,' a bold expression, but less bold than that in Eur. *Bacch.* 880, δαρὸν χρόνου πόδα. Or, less probably, (2) 'in the justice of time,' i.e. 'justice which time eventually brings.' *συμμαρτυροῖ* is combined with χρόνος in Xen. *Hell.* iii 3 § 2, *συνεμαρτύρησε δὲ ταύτ' 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.* 740 A, *δεῖ τὸν λαχόντα τὴν λήξιν ταύτην νομίζειν μὲν κοινῇ αὐτὴν τῆς πόλεως ἐμπόσης, πατρίδος δὲ οὐσης τῆς χώρας θεραπεύειν αὐτὴν δεῖ μειζόνως ἢ μητέρα παῖδας, τῷ καὶ δέσποιναν θεὸν αὐτὴν οὐσαν θνητῶν θυτων γεγονέναι*, and 741, *τῆς γῆς ἱερὰς οὐσης τῶν πάντων θεῶν*.

ll. 33, 34. **ὄρους—ἐλευθέρα**] These lines, and part of ll. 38—41, are quoted in Plut. *Sol.* 15, *σεμνύεται γὰρ Σόλων ἐν τοῖτοις, ὅτι τῆς τε προὔποκεμμένης γῆς ὄρους ἀνεῖλε—νῦν ἐλευθέρα*.

καὶ τῶν ἀγωγίμων πρὸς ἀργύριον γεγονότων πολιτῶν τοὺς μὲν ἀνήγαγεν ἀπὸ ζένης

γλώσσαν οὐκέτ' Ἀττικῆν—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 *Il.* xii 421, *ἀμφ' οὐροισι δὴ ἀνέρε δηριάσθων*, is made clear by other passages, which prove that the *ὄρα* 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 *ὄροι* 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 διαχιλίω, ἐπὶ δὲ τὸ χωρίον ταλάντων*, 42 § 5, *οὐδεὶς ὄρος ἔπεστιν ἐπὶ τῇ ἐσχάτῃ*, and § 28, *ἐκέλευον δεῖξαι ὄρον εἰπὼν ἔπεστι*, 49 § 13, *τοὺς ὄρους ἀνέσπακε*, 'has (illicitly) removed the tablets,' and § 11, *ἡ οὐσία ὑπὸ χρεως ἦν ἅπασα καὶ ὄροι αὐτῆς ἔστασαν*, *ib.* § 61, *ὄροι αὐτοῦ ἡ οὐσία ἀφωρισμένη ἦν*, 25 § 69, *οἱ τεθόντες 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 *μικρολόγος* to inspect the *ὄροι* day by day. Harpocr. s. v. *ὄρος*: *οὕτως ἐκάλουσιν οἱ Ἀττικοὶ τὰ ἐπόντα ταῖς ὑποκειμέναις οἰκίαις καὶ χωρίοις γράμματα*, *δηλοῦντα ὅτι ὑποκείνται δανειστῇ*.

Originally the *ὄρος* 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 in-

[πρόσθ]εν δὲ δουλεύουσα, νῦν ἐλευθέρα.
 35 πολλοὺς δ' Ἀθήνας, πατρίδ' εἰς θεόκτιτ[ου],
 [ἀν]ήγαγον πραθέντας, ἄλλον ἐκδίκως,
 ἄλλον δικαίως, τοὺς δ' ἀναγκαίης ὑπο
 χρειοῦς φυγόντας, γλώσσαν οὐκέτ' Ἀττικὴν
 ἰέντας, ὡς ἂν πολλαχῆ πλαν[ωμένους],
 40 τοὺς δ' ἐνθάδ' αὐτοῦ δ[ουλι]ην ἀεικέα
 [ἔ]χοντας, ἦθη δεσποτῶν τρομευμέν[ους],

34 δὲ: γε J B Mayor (H-L). νῦν δ' H-L. 35 ΘΕΟΚΤΙCΤΟΝ: idem habent Aristidis codices prope omnes. 38 χρησμὸν λέγοντας (quod intelligi nequit) Aristides. 41 ἦδη Aristides, correxerit Bergk.

scribed 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*). The following are some of the more interesting dated examples: A 5 (CIA ii 1138) ἐπὶ Νικοκλέους ἀρχοντος (B. C. 302/1) ὄρος χωρίων καὶ οἰκίας καὶ τοῦ ὕδατος τοῦ προσόντος τοῖς χωρίοις κλήρων δυνεὶ ἀποτετιμημένων παισὶν ὀρφανοῖς τοῖς Χαρίου Ἰστοτελοῦς Χαίριππῳ καὶ Χαρίᾳ. B 17 (CIA ii 1137) ἐπὶ Βύξεντιππου ἀρχοντος (B. C. 305/4) ὄρος χωρίων καὶ οἰκίων ἀποτιμημάτων προικὸς Ξεπραστέι Πυθοδώρου Γαργητίου θυγατρὶ, τὸ κατὰ τὸ ἤμισυ καὶ τὸ ἕκ τούτου γυγνόμενον αἰτέι εἰς Δεώστρατον ἀρχοντα ΧΧΓΗΗ... C 49 (CIA ii 1133) ἐπὶ Πραξιβούλου ἀρχοντος (B. C. 315/4) ὄρος οἰκίας πεπραμένης ἐπὶ Λύσει. D 61 (CIA ii 1134) ἐπὶ Θεοφράστου ἀρχοντος (B. C. 313/2) ὄρος χωρίου τιμῆς ἐνοφειλομένης Φανοστράτω Παιαναεὶ ΧΧ=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 Confederation (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, ὄρος τοῖς βαρβάροις πῆξαντες. Thuc. iv 92, 4, τοῖς μὲν ἄλλοις οἱ πλησιόχωροι περὶ γῆς ὄρων τὰς μάχας ποιοῦνται, ἡμῶν δὲ ἐς πᾶσαν, ἣν νικηθῶμεν, εἰς ὄρος οὐκ ἀντιλεκτος παγῆσεται.

l. 36. πραθέντας] Solon ap. Dem. *F. L.* p. 421, τῶν δὲ πενιχρῶν ἰκνούνται πολλοὶ γαῖαν ἐς ἀλλοδαπὴν | πραθέντες κτλ. Cf. Grote, c. 11, ii 310 n.

l. 37. ἀναγκαίης ὑπο χρειοῦς] Cf. *Il.* viii 57, χρειοὶ ἀναγκαίη.

l. 38—41. γλώσσαν—ἐχοντας] quoted by Plut. *Sol.* 15.

l. 40. δουλίην] Ionic forms are characteristic of Solon's verses: cf. l. 41, τρομευμένους, and in Plut. *Sol.* 14, αἰδεύμαι and δοκέω.

l. 41. ἦθη—τρομευμένους] 'trembling at each mood of their masters.'

[ἐλ]ευθέρους ἔθηκα. ταῦτα μὲν κράτει νόμου, βίαν τε καὶ δίκην συναρμόσας, [ἔρ]εξα, καὶ διήλθον ὡς ὑπεσχόμην. θεσμοὺς δ' ὁμοίως τῷ κακῷ τε κάγαθῷ, εὐθείαν εἰς ἕκαστον ἀρμόσας δίκην, ἔγραψα. κέντρον δ' ἄλλος ὡς ἐγὼ λαβὼν, [κακ]οφραδῆς τε καὶ φιλοκτῆμων ἀνὴρ, οὐκ ἂν κατέσχε δῆμον· εἰ γὰρ ἦ[θε]λον ἂ τοῖς ἐναντίο[ισι]ν ἤνυδανεν τότε, αὐθις δ' ἂ τοῖσιν οὐτεροι φρασαίαιτο, πολλῶν ἂν ἀνδρῶν ἦδ' ἐχρηώθη πόλις. τῶν οὐνεκ' ἀλκὴν πάντοθεν ποιούμενος

45

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42 ΚΡΑΤΕΙ: κράτει (κράτη cod. Θ, Bergk) Aristides: κρη Papyrus Berol. 43 ΝΟΜΟΥ (κ, Η-Λ): ὁμοῦ Aristides, Plut., Papyrus Berol. (κ-ω, β). 44 ἔρεξα Aristides. διήλθον: διήνυσ' Herwerden. 45 ΤΕ, ut videtur, correctum in θ' (κ): δ' Aristides (Wyse, κ-ω, Η-Λ, β). ὁμοίους Bergk, Aristidis codices duos secutus. 49 ΔΗΜΟΝ: idem habent Aristides et Plut. Sol. 16: θυμὸν hic et infra v. 63 legendum suspicantur Η-Λ; idem olim Cantero et Reiskio placuerat. 50 ἂ τοῖς: ΑΥΤΟΙΣ. τότε: ποῖν Sidgwick (Η-Λ). 51 ἂ τοῖσιν οὐτεροι φρασαίαιτο Platt, κ-ω, κ³, β. ΑΥΤΟΙΣΙΝΟΥΤΕΡΟΙ(vel ΔΙ)ΦΡΑΣΑΙΑΤΟ. ἂ τοῖσιν ἀτέροι δρᾶσαι, διὰ (κακὰ Valckenaer, βία Schaefer, δίχα O Schneider et Ahrens, δρᾶσαι δίχα Bergk) Aristides. ἂ τοῖσι θάτερα δρᾶσαι δίχα Ellis. ἂ τοῖσιν οὐτέρα (=οἱ ἐτέρα) φρασαίαιτο quondam Blass. ἂ χωρὶς ἄτεροι φρασαίαιτο Sidgwick (Η-Λ). ἂ τοῖσδ' ἂν ἄτεροι φρασαίαιτο Tyrrell. 52 ἐχειρώθη Aristides, correxit Valckenaer. 53 ΟΥΝΕΚ (κ, Η-Λ): εἵνεκ' κ-ω (cf. v. 28). ἀλκὴν: ἀρχὴν Arist., ὄργην Bergk. ΠΟΙΟΥΜΕΝΟΣ (κ²): ποιούμενος Platt, κ-ω, Η-Λ, κ³; κυκούμενος Arist.

TESTIMONIA. 38—41, 43 Plut. Sol. 15.

l. 45. θεσμοὺς] In Plut. Sol. 19 end, θεσμὸς 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 κηδεύει πόλιν.

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 παράξας 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.

l. 51. τοῖσιν οὐτεροι φρασαίαιτο] 'what their foes devised within their hearts' (K.). This does not explain the construction; τοῖσι cannot go with οὐτεροι, for 'their foes' would be τῶν οὐτεροι, 'those different from these.' τοῖσι must be dative after φρασαίαιτο. 'φράζεσθαι c. dat. and inf.=to tell one to do so and so,' but the inf. is sometimes omitted, as in Hom. Od. x 549, ἀλλ' ἴομεν δὴ γὰρ μοι ἐπέφραδε πότνια Κίρκη. The sense seems to be 'whatever at any time the other party would devise for their opponents,' or perhaps, 'urge their opponents (τοῖσι=ἐναντίοις) to do.' The ἐναντίοι are the party opposed to Solon's remedial measures. The οὐτεροι are the popular party. With φρασαίαιτο cf. ποιούαιτο at end of next quotation.

l. 52. ἀνδρῶν—ἐχρηώθη] Hdt. vi 83, Ἄργος ἀνδρῶν ἐχρηώθη.

l. 53. ποιούμενος] An Ionism; cf. note

ὡς ἐν κυσὶν πολλαῖσιν ἐστράφην λύκος.

55 καὶ πάλιν ὄνειδίζων πρὸς τὰς ὕστερον αὐτ[ῶν] μεμψιμοιρίας ἀμ- 5
φοτέρων·

δήμῳ μὲν εἰ χρῆ διαφάδην ὄνειδίσαι,
ἃ νῦν ἔχουσιν οὐποτ' ὀφθαλμοῖσιν ἂν
εὔδοντες εἶδον·

60 ὅσοι δὲ μείζους καὶ βίαν ἀμείνονες
αἰνοῖεν ἂν με καὶ φίλον ποιόιατο.

εἰ γάρ τις ἄλλος, φησί, ταύτης τῆς τιμῆς ἔτυχεν,
οὐκ ἂν κατέσχε δήμου οὐδ' ἐπαύσατο,
πρὶν ἀνταράξας πῖαρ ἐξεῖλεν γάλα. ||
65 ἐγὼ δὲ τούτων ὥσπερ ἐν μεταιχμῶ
ὕρος κατέστην.

[Col. 5]

54 ΕΤΡΑΦΗΝ vel ΕΓΡΑΦΗΝ: ἐστράφην Arist. (κ, κ-w, H-L, B).

55 αὐτῶν

Blass (κ-w, κ³): αὐθις H-L.

57 ΔΙΑΦΡΑΔΗΝ: διαφάδην Kontos et κ-w (κ³, B):

μ' ἀμφάδην Platt (H-L).

64 ΠΡΙΝΑΝΤΑΡΑΞΑΣ ΠΙΑΡΕΞΕΙΛΕΝ: πρὶν ἂν ταράξας

πῖαρ ἐξέλη γάλα Plut. (et κ-w¹), unde Adam ad Plat. *Crit.* 44 D coniecerat πρὶν ἀνταράξας—ἐξεῖλεν, etiam Gildersleeve ἀνταράξας legendum esse olim viderat; eadem postea protulerunt Sidgwick, Blass, H-L (κ³). πρὶν ἢ ταράξας πῖαρ ἐξεῖλεν γάλα κ-w².

TESTIMONIA. 63, 64 Plut. *Sol.* 16.

65—66 Cf. Aristid. infra exscriptum.

on l. 40, δουλίην. In Soph. *O. C.* 459, ἀλκὴν ποιεῖσθαι means 'to succour.'

l. 54. ὡς ἐν κυσὶν—ἐστράφην λύκος] A reminiscence of Homer, *Il.* 12, 42, ἐν τε κύνεσσι...κάπριος ἢ λέων στρέφεται. Cf. Solon 15, 23, ταῦτα μὲν ἐν δήμῳ στρέφεται κακά.

§ 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 μηδ' ὄναρ ἤλπισαν πῶποτε.

l. 60. ὅσοι] sc. εἰσι. The last two lines refer to the rich, the first three to the poor. The whole of this passage (57—61) is new.

l. 62. εἰ γάρ 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 ἐπισκεψάμεθα πρότερον εἶτε διδασκτὸν εἶτε οὐ διδασκτὸν ἢ ἀρετῆ, πρὶν ὅ τι ἔστι πρῶτον ἐξηγήσαμεν (*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 ἀν-στήσων, ἀνστήτην, ἀνστήμεναι; *Il.* xxiv 756, ἀνστήσεις; *Od.* v 320, ἀνσχεθέων; ἀνσχήσεσθαι, ἀνσχεο, ἀνσχετός.

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 κράτιστον. This suits the context better than πῦρα, which is 'the first milk after calving,' 'beestings,' or the rennet made from it. 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 ἐξεῖλεν πῖαρ, or else γάλα is acc. after the complex verb πῖαρ ἐξεῖλεν.

l. 65. ἐγὼ—κατέστην] 'I set myself as

13. τὴν μὲν οὖν ἀποδημίαν ἐποιήσατο διὰ ταύτας τὰς αἰτίας. Σόλωνος δ' ἀποδημήσαντος, ἔτι τῆς πόλεως τεταραγμένης, ἐπὶ μὲν ἔτη τέτταρα διήγου [ἐ]ν ἡσυχία· τῷ δὲ πέμπτῳ μετὰ τὴν Σόλωνος

a landmark between two armed hosts.' Hdt. viii 140, 2 (of debateable land), *δειμαίνων ὑπὲρ ὑμέων ἐν τρίβῳ τε μάλιστα οἰκημένων τῶν συμμάχων πάντων αἰεὶ τε φθειρομένων μούνων, ἐξαιρετον μεταίχμιον τε τὴν γῆν ἐκτεημένον. ὄρος*, 'landmark,' or 'wall,' seems a harsh metaphor, except perhaps in one who, like Solon, had the *δροί*, 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 δικαίωτατα, ὥσπερ τινὰς ὡς ἀληθῶς ἐκ γεωμετρίας περιγραφτοῦς φυλάττων ὄρους*.

XIII § 1. ἀποδημίαν ἐποιήσατο] c. 11 § 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. ἀποδημῆν 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, ἀποδημόντος: (2) in the present passage. The fact that τεταραγμένης precedes, accounts for the article in τὴν στάσιν.

τῷ δὲ πέμπτῳ μετὰ τὴν Σόλωνος ἀρχῆν] 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 <i>Marmor Parium</i>]

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.

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 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 = 245³.

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

ἀρχὴν οὐ κατέστησαν ἄρχοντα διὰ τὴν στ[άσιν], καὶ πάλιν ἔτει
 5 πέμπτῳ <διὰ> τὴν αὐτὴν αἰτίαν ἀναρχίαν ἐποίησαν. μετὰ δὲ 2
 ταῦτα διὰ τῶν αὐτῶν χρόνων Δ[αμ]α[σίας αἰρε]θεὶς ἄρχων ἔτη

XIII 4 ΟΥΚΑΤΕΣΤΗΣΑΝ (K-W, K²): οὐκ ἐπέστησαν K¹ (H-L). 4 ἄρχοντα—
 18 διώκειν continentur fragmenti Berolinensis in pagina secunda. 5 <διὰ>
 add. e papyro Berol. ΔΙΤΙΔΝΑΡΧΑΙΔΙΝ: αἰτίαν ἀναρχίαν Campbell, Jackson,
 Housman, Burnet, K-W, H-L, K². 6 διὰ τῶν αὐτῶν χρόνων secl. K-W; διὰ τοῦ
 αὐτοῦ χρόνου? Herwerden.

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 Pin-

dar, 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 and K-W.	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.

§ 2. **Δαμασίας**] On the discovery of the Berlin fragments, much controversy arose respecting the Damasias there mentioned. It was at first proposed to identify him with Damasias I, the archon of 639 B.C. This opinion was conclusively refuted by 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 Phanias 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.)

δύο καὶ δύο μῆνας ἦρξεν, ἕως ἐξηλάθη βία τῆς ἀρχῆς. εἶπ' ἔδοξε[εν] αὐτοῖς διὰ τὸ στασιάζειν ἄρχοντας ἐλέσθαι δέκα, πέντε μὲν εὐπατριδῶν, τρεῖς δὲ ἀ[γρ]οίκων, δύο δὲ δημοουργῶν, καὶ οὗτοι

7 ΕΞΗΛΑΘΗ: correxerunt Richards, K-W, H-L (K³). <ἐκ> τῆς ἀρχῆς H-L. 9 ἀποίκων Berol.; litterae p partem inferiorem cerni posse putat K.

TESTIMONIA. 9 Hes. ἀγροῖται· ἄγροικοι (locus infra exscriptus).

The passage, with which we are concerned, is restored as follows: ll. 53—54, [ἀφ' οὗ Ἀμφικτύονες ἐνίκησαν ἐλ]όντες Κύρραν, καὶ ὁ ἀγῶν ὁ γυμνικός ἐτέθη χρηματίτης ἀπὸ τῶν λαφύρων, ἔτη ΗΗ[Η] ΔΔΠΠ (327), ἀρχοντας Ἀθήνησι Σίμωνος. ἀφ' οὗ [ἐν Δελφοῖς στεφ]ανίτης ἀγῶν πάλιν ἐτέθη, ἔτη ΗΗΗΔ..ΙΙ, ἀρχοντας Ἀθήνησι Δαμασίον 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 ΠΙ (6), thus making the number 318; (b) Chandler and Clinton, Δ (10), making it 322; while Dopp (the latest editor) 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 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.)

On the other hand, 582/1 is supported by Pausanias (x 7, 4—5), who implies that the first ἀγῶν στεφανίτης was in 582/1, and the last ἀγῶν 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 ἀγῶν στεφανίτης, i.e. with 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 ἀγῶν χρηματίτης and if that ἀγῶν 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 ἔφην 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 ἡλάσθην Veitch, s.v. ἐλαίνω, quotes Diod. Sic. 20, 51, *συν.* Plut. *Caes.* 17. Gaisford, however, edits ἀπ- and ἐξηλάσθη in Hdt. iii 54, vii 6 &c [Hdt. vii 6 ἐξηλάσθη ὑπὸ Ἰππάρχου... ἐξ Ἀθηνῶν. ἐξηλάσθη cod. Florentinus: ἐξηλάθη al. iii 51 and i 173, ἐξελασθεις, in the latter passage the cod. Parisinus has ἐξελαθείς].

ἀρχοντας—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 appears 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 γεωμῦροι (Plut. *Thes.* 25; Bekker's *Anecd. Gr.* 257, 7; *Etym. Mag.* p. 395, 50, &c), or γεωργολ

10 τὸν μετὰ Δαμασίαν [ἡ]ρξά[ν] ἐνιαυτόν. ὧ καὶ δῆλον ὅτι μεγίστην
 εἶχεν δύναμιν ὁ ἄρχων· φαίνονται γὰρ αἰεὶ στ[α]σιάζοντες περὶ
 ταύτης τῆς ἀρχῆς. ὅπως δὲ διετέλουν νοσοῦντες τὰ πρὸς ἑαυτοὺς, 3
 οἱ μὲν ἀρχὴν καὶ πρόφασιν ἔχοντες τὴν τῶν χρεῶν ἀποκοπήν,
 συνεβεβήκει γὰρ αὐτοῖς γεγονέναι πένησιν, οἱ δὲ τῇ πολιτείᾳ
 15 δυσχεραίνοντες διὰ τὸ μεγάλην γεγονέναι μεταβολήν, ἔνιοι δὲ
 δ[ιὰ τὴν] πρὸς ἀλλήλους φιλονικίαν. ἦσαν [δ'] αἱ στάσεις τρεῖς, 4
 μία μὲν τῶν παραλίων, ὧν προειστήκει Μεγακλῆς ὁ Ἀλκμέωνος,
 ο[ἷ]περ ἐδόκου μάλιστα διώκειν τὴν μέσσην πολιτείαν· ἄλλη δὲ
 τῶν πεδία[κῶν], οἱ τὴν ὀλιγαρχίαν ἐζήτουν, ἠγέετο δ' αὐτῶν Λυ-
 20 κούργος· τρίτη δ' ἡ τῶν διακρίων, ἐφ' ἣ τεταγμένους ἦν Πεισίστρα-

11 δύναμιν εἶχεν Berol. αἰεὶ Berol. (H-L): αἰεὶ (K, K-W, B). 12 νοσοῦντες
 om. Berol. 15 δὲ: μὲν Berol. 16 ἦσαν [δ'] K, H-L: ἦσαν δὲ Berol. (K-W, B).
 18 ὁπερ: οἱ δὲ (ut videtur) Berol. δὲ: 'an δ' ἡ?' Blass. 19 ἐζήτουν: ἐζήλουν hic
 et c. 34 § 3 coniecit Bury (H-L).

TESTIMONIA. 16—20 Schol. Arist. *Vesp.* 1223...κατὰ γὰρ τοὺς Σόλωνος νόμους
 τρεῖς ἦσαν αἱ τάξεις (sic), μία μὲν τῶν παραλίων, ὧν προειστήκει Μεγακλῆς,
 ἕτερα δὲ τῶν πεδίων, ὧν προειστήκει Λυκούργος, τρίτη δὲ τῶν διακρίων, ὧν
 προειστήκει Πεισίστρατος.

(Schol. on Plat. *Axiochl.* p. 253, Moeris, s. v. γεννηται). But ἀγροικοί is the term used in Dion. Halic. ii 8 (after mentioning the εὐπατρίδαι), ἀγροίκους δὲ (ἐκάλουν) τοὺς ἄλλους πολίτας οἱ τῶν κοινῶν οὐδενὸς ἦσαν κύριοι· σὺν χρόνῳ δὲ καὶ οὗτοι προσελήφθησαν ἐπὶ τὰς ἀρχάς. Cf. Hesych. s. v. ἀγροῖῶται· ἀγροικοί. καὶ γένος Ἀθήνησιν, οἱ ἀντιδιστεύλλοντο πρὸς τοὺς Εὐπατρίδας· ἦν δὲ τῶν γεωργῶν. καὶ τρίτον τὸ τῶν δημιουργῶν. (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 σεσιάχθεια, while others lamented the loss of political influence; besides these, a few were actuated by the mere spirit of factious rivalry.

§ 4. στάσεις τρεῖς...τῶν παραλίων...τῶν πεδίακῶν...τῶν διακρίων] Hdt. i 59, (Peisistratus) στασιάζοντων τῶν παράλων καὶ τῶν ἐκ τοῦ πεδίου Ἀθηναίων, καὶ τῶν μὲν προσσευῶτος Μεγακλέος τοῦ Ἀλκμέωνος τῶν δὲ ἐκ τοῦ πεδίου Λυκούργου Ἀριστολαΐδω, καταφρονήσας τὴν τυραννίδα ἠγείρε τρίτην στάσιν, συλλέξας δὲ στασιώτας καὶ τῷ λόγῳ τῶν ὑπερακρίων, προστὰς μηχανᾶται τοιάδε. (Dion. Hal. i 13, ὡς ὑπερακρίους τινὰς καὶ παρα-

λοῦς Ἀθήνησιν.) Plnt. *Sol.* 29, οἱ δὲ ἐν ἀστεί ἐστάσιαζον ἀποδομιόντος τοῦ Σόλωνος καὶ προειστήκει τῶν μὲν Πεδίων Λυκούργος, τῶν δὲ Παράλων Μεγακλῆς ὁ Ἀλκμαίωνος, Πεισίστρατος δὲ τῶν Διακρίων, τοῖς οἷς ἦν ὁ θητικὸς βχλος καὶ μάλιστα τὸς πλουσίους ἀχθόμενος. *ib.* 13 (of the στάσεις just before the legislation of Solon), τὴν παλαιὰν ἀθθιστᾶσιν ὑπὲρ τῆς πολιτείας ἐστάσιαζον, ὅσας ἡ χώρα διαφορὰς εἶχεν, εἰς τὸσαῦτα μέρη τῆς πόλεως διαστάσης· ἦν γὰρ τὸ μὲν τῶν Διακρίων γένος δημοκρατικώτατον, ὀλιγαρχικώτατον δὲ τὸ τῶν Πεδίων τρίτοι δ' οἱ Πάραλοι μέσον τινα καὶ μεμυγμένον αἰρούμενοι πολιτείας τρόπον ἐμποδῶν ἦσαν καὶ διεκώλυον τοὺς ἑτέρους κρατήσασιν (*Monalia* 805 D τῶν Διακρίων...τῶν Πεδίων...τῶν Παραλίων, 763 D Παράλων, Ἐπακρίων, Πεδίων). Πεδιεῖς 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 Πεδιᾶσιοι and Διάκριοι.

On these three parties, cf. Schömann, *Ant.* p. 327 f., E. T.; Gilbert, i 126 f.; Duncker, 6, 447 f.

For the form πεδίακῶν, cf. *Pol.* viii (v) 1305 a 21—24, πάντες δὲ τοῦτο ἔδρων ὑπὸ τοῦ δήμου πιστευθέντες, ἡ δὲ πλιτῆς ἦν ἡ

5 τος, δημ[οτ]ι[κ]ώτατος εἶναι δοκῶν. προσεκεκόσμητο δὲ τούτοις οἷ τε ἀφ[η]ρημένοι τὰ χρέα διὰ τὴν ἀπορ[ί]αν, καὶ οἱ τῷ γένει μὴ καθαρὸι διὰ τὸν φόβον· σημείον δ', ὅτι μετὰ τὴν < τῶν > τυράννων κατάλυσιν ἐποίησαν διαψήφισμὸν ὡς πολλῶν κοινωονούτων τῆς πολιτείας οὐ προσήκον. εἶχον δ' ἕκαστοι τὰς ἐπωνυμίας ἀπὸ τῶν 25 τ[ό]πων ἐν οἷς ἐγεώργουν.

21 προσεκεκόλλητο H-L, Kontos, Gennadios; προσενέμνητο Butcher, coll. Dem. Ol. ii 29 προσενέμησθε οἱ μὲν ὡς τούτους, οἱ δὲ ὡς ἐκείνους, Ep. iii 2 ταῖς τοῦ δήμου προαιρέσει προσένειμεν ἑαυτὸν, Aristog. i 43 προσέμνητες αὐτοὺς τούτῳ. 23 τῶν addiderunt Rutherford, Blass, Gennadios, K-W, H-L (K³). 24 ΔΙΑΦΗΜΙΣΜΟΝ: διαψήφισμὸν scripsi, idem scripserunt Blass, K-W, H-L (K³).

ἀπέχθεια ἢ πρὸς τοὺς πλουσίους, ὡς Ἀθήνησι τε Πεισίστρατος στασιάσας πρὸς τοὺς πεδειακοὺς.

δημοτικώτατος] 14 § 1; 16 § 8; 22 § 3.

§ 5. προσεκεκόσμητο] 'had joined their ranks'; the compound verb is not found elsewhere in this sense.

οἱ 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 οἱ ἀφρημένοι τὰ χρέα are the capitalists belonging to the παράλιοι who had lost their money, whereas the πεδειακοὶ still had their land.

σημείον 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.

διαψήφισμὸν] The word occurs in Athenaeus, 218 A, διαψήφισμὸς ὁ γενόμενος κατὰ τῶν Ἑρασιλίδων στρατηγῶν. The verb is used in c. 42 § 1, l. 4, διαψήφίζονται. The admission of citizens took place in their 18th year, 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 πῖναξ ἐκκλησιαστικῆς. The lists of citizens were revised on special occasions, particularly when there was reason for suspecting that a number of persons had been improperly regis-

tered. 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 δημοταί, who had struck the speaker off their list) § 7, ἐν τοῖς δημοταῖς—τὴν διαψήφισιν γενέσθαι, § 15, περὶ πάντων τῶν δημοτῶν διαψήφισαί, § 62 τῇ προτέρᾳ διαψήφισει. 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, αἷ γίνονται περὶ ἑκάστου τῶν δημοτεουσμένων, εἰ τῷ ὄντι πολίτης καὶ δημότης ἐστὶν ἢ παρεγγέγραπται ξένος ὢν. Ἀσκληπὶς κατὰ Τιμάρχου (§ 77, γεγόνασι διαψήφισις ἐν τοῖς δήμοις, καὶ ἕκαστος ὑμῶν ψῆφον δέδωκε περὶ τοῦ σώματος, ὅστις Ἀθηναῖος ὄντως ἐστὶ καὶ ὅστις μὴ). ἐντελέστατα δὲ διελεγκται περὶ τῶν διαψήφισεων, ὡς γεγόνασιν ἐπὶ Ἀρχίῳ ἀρχοντος, Ἀνδροτίῳ ἐν τῇ Ἀτθίδι καὶ Φιλόχορος ἐν 5^ῃ τῆς Ἀτθίδος. Cf. Schol. Aeschin. i §§ 77, 114; Hermann, *Staatsalt.* § 121, 19, 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

14. δημοτικώτατος δ' εἶναι δοκῶν ὁ Πεισίστρατος, καὶ σφόδρ' εὐδοκιμηκῶς ἐν τῷ πρὸς Μεγαρέας πολέμῳ, καταπραυματίσας ἑαυτὸν συνέπεισε τὸν δῆμον, ὡς [ὑ]π[ὸ] τῶν ἀντιστασιωτῶν ταῦτα πεπονηθ[ῶ]ς, φυλακὴν ἑαυτῷ δοῦναι τοῦ σώματος, Ἀριστίωνος 5 [γ]ρ[ά]ψαντος τὴν γνώμην. λαβῶν δὲ τοὺς κορυνηφόρους καλου-

XIV 2 εὐδοκιμηκῶς H-L.

3 ὑπὸ K-W (K³, B): παρὰ K¹.

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.

XIV § 1. εὐδοκιμηκῶς—πολέμῳ] Hdt. i 59, πρότερον εὐδοκίμησας ἐν τῇ πρὸς Μεγαρέας γενομένη στρατηγίῃ, Νισαίων τε ἐλῶν καὶ ἄλλα ἀποδεξάμενος μεγάλα ἔργα. 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 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 (*i.e.* 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.

καταπραυματίσας κτλ.] Hdt. i 59, τραυματίσας ἐωυτὸν τε καὶ ἡμίονους ἤλασε ἐς τὴν ἀγορὴν τὸ ζεῦγος ὡς ἐκπεφευγῶς τοὺς ἐχθρούς, οἳ μιν ἐλαύνοντα ἐς ἀγρὸν ἠθέλησαν ἀπολέσαι δῆθον, ἐδέετό τε τοῦ δήμου φυλακῆς τινος πρὸς αὐτοῦ κυρῆσαι... ὁ δὲ δῆμος ὁ τῶν Ἀθηναίων ἐξαπατηθείς, ἔδωκε οἱ τῶν ἀσπίων καταλέξας ἄνδρας τοῦτους οἱ δορυφόροι μὲν οὐκ ἐγένοντο Πεισιστράτου κορυνηφόροι δέ· ξύλων γὰρ καρίας ἔχοντες εἴποντο οἱ ὅπισθε· συνεπαστάντες δὲ οὗτοι ἅμα Πεισιστράτῳ ἔσχον τὴν ἀκρόπολιν. Plut. *Sol.* 30 § 1, καταρώσας αὐτὸς ἑαυτὸν ὁ Πεισίστρατος. Polyae. i 21 § 3 and Diogen. Laert. i 60 have καταρώσας, οἱ κατέρωσεν, *ib.* § 66 αὐτῷ τραύματα ποιήσας. Diod. Sic. xiii 95 end, (of P.) αὐτὸν καταπραυματίσαντα προελθεῖν. καταπραυματίζω is also found in Polyh. xv 13 § 1, Dion. Halic. and Dio Cass.

Ἀριστίωνος κτλ.] Plut. *Sol.* 30 § 2, Ἀρίστωνος (*sic*) δὲ γράψαντος, ὅπως δοθῶσι πεντήκοντα κορυνηφόροι τῷ Πεισιστράτῳ φυλακῆ τοῦ σώματος.

κορυνηφόρους] Plat. *Rep.* 566 B, τὸ δὴ τυραννικὸν αἴτημα τὸ πολυθρήλητον... αἰτεῖν τὸν δῆμον φύλακας τινος τοῦ σώματος. Ar. *Rhet.* i 2, 19, Πεισίστρατος ἐπιβουλευὼν ἦτε φυλακὴν καὶ λαβῶν ἐτυράν-

μένους, ἐπαναστὰς μετὰ τούτων τῷ δήμῳ κατέσχε τὴν ἀκρόπολιν ἔτει †δευτέρῳ† καὶ τριακοστῷ μετὰ τὴν τῶν νόμων θέσιν, ἐπὶ 2 K[ωμ]έου ἄρχοντος. λέγεται δὲ Σόλων, Πεισιστράτου τὴν φυλακὴν αἰτοῦντος, ἀντιλέξει καὶ εἰπεῖν ὅτι τῶν μὲν εἴη σοφώτερος, τῶν δ' ἀνδρειότερος· ὅσοι μὲν γὰρ ἀγνοοῦσι Πεισι- 10 στρατον ἐπιτιθέμενον τυραν[νίδι], σοφώτερος εἶναι τούτων, ὅσοι δ' εἰδότες κατασιωπῶσιν, ἀνδρειότερος. ἐπεὶ δὲ λέγων [οὐκ ἔπει]θεν, ἐξαράμενος τὰ ὄπλα πρὸ τῶν θυρῶν αὐτὸς μὲν ἔφη βεβοηθηκέναί

7 δευτέρῳ: δ' (=τετάρτῳ) K-W et Bauer (B).

8 ΠΙΣΙΣΤΡΑΤΟΥ ut saepe:

Πεισ. ubique K⁸ etc.

12 ΚΑΤΑΣΙΩΠΩΝΤΕΣ: conpexit K.

οὐκ ἔπειθεν R D

Hicks (K-W, H-L, K⁸).

13 ΕΞΑΙΡΑΜΕΝΟΣ: ἐξαράμενος K (K-W, H-L).

TESTIMONIA. 8—15. Verbis fere isdem rem narrat Aelianus, *Var. Hist.* viii 16: ... (Σόλων) ἔφη ὅτι τῶν μὲν ἐστὶ σοφώτερος, τῶν δὲ ἀνδρειότερος· ὅποιοι μὲν μὴ γινώσκουσιν ὅτι φυλακὴν λαβὼν περὶ τὸ σῶμα τύραννος ἐστὶ, ἀλλὰ τούτων μὲν ἐστὶ σοφώτερος· ὅποιοι δὲ γινώσκουσιν ὑποσιωπῶσι, τούτων ἀνδρειότερος ἐστίν. ὁ δὲ λαβὼν τὴν δύναμιν τύραννος ἦν. καθεζόμενος δὲ Σόλων πρὸ τῆς οἰκίας, τὴν ἀσπίδα καὶ τὸ δόρυ παραθέμενος ἔλεγεν ὅτι ἐξώπλισται καὶ βοθηεὶ τῇ πατρίδι ἢ δύναται.

νευσε. *Pol.* viii (v) 9, 1310 ὁ 15, σχεδὸν γὰρ οἱ πλείστοι τῶν τυράννων γεγέννησαν ἐκ δημαγωγῶν ὡς εἰπεῖν, πιστευθέντες ἐκ τοῦ διαβάλλειν τοὺς γυνωρίμους, and *ib.* 30, οἷον ... Πεισιστράτος Ἀθηνησί... 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 δ. We thus get an interval of 33 years and keep the usual date for Solon's archonship (*Bauer*, p. 45 f).

ἐπὶ Κωμίου] *Plut. Sol.* 32, ἐπέβλωσε δ' οὖν ὁ Σόλων ἀρξάμενος τοῦ Πεισιστράτου τυραννεῖν, ὡς μὲν Ἡρακλείδης ὁ Ποντικός ἱστορεῖ, συγχρὸν χρόνον, ὡς δὲ Φανίας ὁ Ἐρέσιος ἐλάττωνα δυνῶν ἐτῶν. ἐπὶ Κωμίου ἀρχοντος μὲν γὰρ ἤρξατο τυραννεῖν Πεισιστράτος, ἐφ' Ἡγεστράτου δὲ Σόλωνά φησιν ὁ Φανίας ἀποθανεῖν τοῦ μετὰ Κωμίαν ἀρξάντος. (*Plutarch* is possibly quoting from the work of *Phanias*, on τυράννων ἀναίρεσις ἐκτιμωρίας. *Oncken, Staatslehre*, ii 445 n.)

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. I.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*).

§ 2. εἰπεῖν ὅτι τῶν—ἀνδρειότερος] *Plut. Sol.* 30, ὁρῶν δὲ τοὺς μὲν πένητας ὠρημένους χαρίζεσθαι τῷ Πεισιστράτῳ καὶ θορυβοῦντας, τοὺς δὲ πλουσίους ἀποδιδράσκοντας καὶ ἀποδειλιώντας, ἀπήλθεν εἰπών, ὅτι τῶν μὲν ἐστὶ σοφώτερος, τῶν δὲ ἀνδρειότερος· σοφώτερος μὲν τῶν μὴ συνιέντων τὸ πραττόμενον, ἀνδρειότερος 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 *Valer. Max.* v 3 e 3, viii 9 e 1.

ἐξαράμενος τὰ ὄπλα] *Plut. Sol.* 30, οὐδενὸς δὲ προσέχοντος αὐτῷ διὰ τὸν φόβον ἀπήλθεν εἰς τὴν οἰκίαν τὴν ἑαυτοῦ καὶ λαβὼν τὰ ὄπλα καὶ πρὸ τῶν θυρῶν θέμενος εἰς τὸν στενωπὸν, “ἐμοὶ μὲν” εἶπεν “ὡς δυνατὸν ἦν βεβοηθήκα τῇ πατρίδι καὶ τοῖς νόμοις.” *Moralia* 794 E, ὁ δὲ Σόλων, τῆς Πεισιστράτου δημαγωγίας ὅτι τυραννικὸν ἦν μηχανήματα φανερὰς γενομένης, μηδενὸς

τῇ πατρίδι καθ' ὅσον ἦν δυνατός (ἤδη γὰρ σφόδρα πρεσβύτης ἦν),
 15 ἀξιοῦν δὲ καὶ τοὺς ἄλλους ταῦτο τοῦτο ποιεῖν. Σόλων [μὲν οὖν 3
 οὐ]δὲν ἤνυσεν τότε παρακαλῶν Πεισιστρατος δὲ λαβὼν τὴν
 ἀρχὴν διώκει τὰ κοινὰ πολιτικῶς μᾶλλον ἢ τυραννικῶς. οὐπω δὲ
 τῆς ἀρχῆς ἐρριζωμένης ὁμοφρονήσαντες [οἱ] περὶ τὸν Μεγακλέα
 καὶ τὸν Λυκοῦ[ργου]ν ἐξέβαλον αὐτὸν ἔκτω ἔτει μετὰ τὴν πρώτην

16 ἤνυσε H-L.

ἀμύνεσθαι μὴδὲ κωλύειν τολμῶντος, αὐτὸς ἐξεργάμενος τὰ ὅπλα καὶ πρὸ τῆς οἰκίας θέμενος, ἤξιον βοηθεῖν τοὺς πολίτας. Diod. Sic. ix 29 Bekker, οὐδενὸς δὲ αὐτῷ προσέχοντος ἀναλαβὼν τὴν παροπλίαν προήλθεν εἰς τὴν ἀγορὰν γεγρακῶς, καὶ τοὺς θεοὺς ἐπιμαρτυρόμενος ἐφῆσε καὶ λόγῳ καὶ ἔργῳ τῇ πατρίδι κινδυνευούσῃ βεβωθηκέναι 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 ὅπλα.

§ 3. πολιτικῶς μᾶλλον ἢ τυραννικῶς] Cf. inf. c. 16 § 8. Hdt. i 59, οὐτε τιμὰς τὰς ἐούσας συνταράξας οὐτε θέσμια μεταλλάξας, ἐπὶ τε τοῖσι κατεστρωμένοι ἐνεμε τὴν πόλιν κοσμήων καλῶς τε καὶ εὖ. Thuc. vi 54. For πολιτικῶς, cf. (with Mr Wyse) Isocr. iv 79, 151; ix 46, *Ἐρ.* ii 3.

οὐπω δὲ—ἐξέβαλον αὐτόν] Hdt. i 60, μετὰ δὲ οὐ πολλὸν χρόνον τῶντὸ φρονήσαντες ὅτι τοῦ Μεγακλέος στασιάζεται καὶ οὐ τοῦ Λυκοῦργου, ἐξελαύνουσι μν. οὐτω μὲν Πεισιστρατος ἔσχε τὸ πρῶτον Ἀθήνας, καὶ τὴν τυραννίδα οὐκ κάρτα ἐρριζώμενην 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 Φιλονέῳ ἀρχοντος.. ἔτη τριακόνα 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 instances, before the discovery of this treatise, I have selected Clinton (*Fasti*, vol. ii, Appendix II) and Busolt (i 551). To these I have added the years as arranged by Bauer (*Forschungen zu Ar. Ἀθ. πολ.*), 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.

4 κατάστασιν, ἐφ' Ἡγησιῶν ἄρχοντος. ἔτει δὲ †δωδεκάτῳ† μετὰ 20 ταῦτα περιελαυνόμενος ὁ Μεγακλῆς τῇ στάσει, πάλιν ἐπικηρυκευσάμενος πρὸς [τὸ]ν Πεισίστρατον ἐφ' ᾧ τε τὴν θυγατέρα αὐτοῦ λήψεται, κατήγαγεν αὐτὸν ἀρχαϊκῶς καὶ λίαν ἀπλῶς. προδιασπέρας γὰρ λόγου ὡς τῆς Ἀθηναῖς καταγωγῆς 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 Θραῖτταν, ἣ ὄνομα Φύη, τὴν θεὸν ἀπομιμησάμενος τῷ κόσμῳ συν[εισή]γαγε[ν] μετ' αὐτοῦ, καὶ ὁ μὲν Πεισίστρατος

20 δωδεκάτῳ (κ, H-L): τετάρτῳ Thompson (κ-W¹); πέμπτῳ κ-W². 21 ταῦτα:

ταύτην Bauer.

23 ἀρχαϊκῶς ἀρχαϊκῶς (κ, H-L, B), cf. *Met.* 1089 a 2 Bonitz ἀρχαϊκῶς ἀπορήσαι: ἀρχαίως H-W, cf. *Pol.* 1330 b 33 λίαν ἀρχαίως ὑπολαμβάνουσι.

25 [[καὶ] γυναῖκα κ-W². φησιν: ΦΗ. 26 Παιανιῶν H-L. ΚΟΛΥΤΟΥ, etiam altera τ, et fortasse altera λ, suprascripta. 28 συνεισήγαγεν (H-L, κ³) potius quam κατήγαγεν (κ¹, κ-W) in papyro legi putat κ; εἰσήγαγε coniecerat Richards.

23 *Plut. Sol.* 3 § 5 (de alia re) ἀπλοῦς ἐστὶ λίαν καὶ ἀρχαῖος, unde apparet hanc narrationem Plutarcho fuisse notam.

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 *μηνί...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 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. *ἔτει δωδεκάτῳ 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 *δωδεκάτῳ* into *τετάρτῳ* (see *N. C.*), and by assuming that the symbol δ followed by the erroneous explanation *δεκάτῳ* led to the reading *δωδεκάτῳ*. 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 κτλ.] Hdt. i 60, *περιελαυνόμενος δὲ τῇ στάσει ὁ Μεγακλῆς ἐπεκηρυκτέτο Πεισιστράτῳ, εἰ βούλοιτο οἱ τὴν θυγατέρα ἔχειν γυναῖκα ἐπὶ τῇ τυραννίδι.*

θυγατέρα] Κοισύραν, Schol. Arist. *Nub.* 49, 800, and Suidas, s. v.

Ἡρόδοτος] i 60 *ad fin.*, *ἐν τῷ δήμῳ τῷ Παιανιέι.* This is the only passage in which any writer of prose is named in this treatise. The only poet quoted by name is Solon.

Κολλυτοῦ] Wachsmuth, *Stadt Athen*, ii 262 f.

Φύη] The Schol. on Arist. *Eq.* 449 calls her *Μυρρίνη*.

ἐφ' ἄρματος εἰσήλαυε παραιβατούσης τῆς γυναικός, οἱ δ' ἐν τῷ
30 ἄστει προσκυνούντες ἐδέχοντο θαυμάζοντες.

15. ἡ μὲν οὖν πρώτη κάθοδος εἶ[γέν]ετο τοιαύτη. μετὰ δὲ ταῦτα, ὡς ἐξέπεσε τὸ δεύτερον ἔτει μάλιστα ἐβδόμῳ μετὰ τὴν κάθοδον,—οὐ γὰρ πολὺν χρόνον κατείχευ, ἀλλ[ά] διὰ τὸ μὴ βούλεσθαι τῇ τοῦ Μεγακλέους θυγατρὶ συγγίγνεσθαι φοβηθεὶς ἀμ-
5 φοτέρας τὰς στάσεις ὑπεξήλθεν· καὶ πρῶτον μὲν συνάκισε περὶ 2 τὸν Θερμαῖον κόλπον χωρίον ὃ καλεῖται Ῥαϊκήλος, ἐκεῖθεν δὲ παρήλθεν εἰς τοὺς περὶ Πάγγαιον τόπους, ὅθεν χρηματισά-

30 προσκυνούντες delet Gennadios τοῦ θαυμάζοντες interpretamentum arbitratus. θαυμάζοντες delet Richards (H-L), defendit Gennadios coll. Xen. *Hell.* i 6, 11.

ΧV 2 ΤΑΥΤΑΩΣΕΞ (κ, β): ταῦτ' ἐξέπεσε κ-ω. ταῦτ' αὖθις ἐξέπεσε Gennadios (H-L).

ἐβδόμῳ: τρίτῳ conl. κ-ω.

3 ΚΑΤΕΣΧΕΝ, κατείχευ Wyse (κ-ω, H-L, K³): δια-

κατέσχευ β.

4 ΣΥΓΓΙΝ (κ-ω).

5 συνάκισε: ᾤκισε conl. Gennadios, Hude

(H-L, β).

1 λ
6 ΡΑΚΗΛΟΣ.

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, β09 C, στεφανόπωλις δὲ ἦν, καὶ αὐτὴν ἐξέδωκε πρὸς γάμου κοινωνίαν ὁ Πεισιστράτος Ἰππάρχῳ τῷ υἱῷ, ὡς Κλειδῆμος Ἰστορεὶ ἐν ὀγδόῳ νόστων· “ἐξέδωκε δὲ καὶ Ἰππάρχῳ τῷ υἱεὶ τὴν παραβιβατήσασαν αὐτῷ γυναικα Φύνην, τὴν Σωκράτους θυγατέρα” (Müller, FHG i 364). Cleidemus, who wrote an *Ἀτθίς* (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 Polyaeu. i 21, 1; Val. Max. i 3, 3; Hermogenes *de Inuent.* ii 185, 21 Spengel, with Schol.; and Phylarchus *ap.* Athen. β09 C (Mayor).

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, and for similar reasons κ-ω alter ἐβδόμῳ into τρίτῳ. On the other hand it is plausibly 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.

τῇ τοῦ Μεγακλέους θυγατρὶ] Hdt. i 61, οἱ δὲ παίδων τέ οἱ ὑπαρχόντων νεηρέων καὶ λεγομένων ἐναγέων εἶναι τῶν Ἄλκμωνιδέων, οὐ βουλόμενος οἱ γενέσθαι ἐκ τῆς νεογάμου γυναικός τέκνα ἐμισγετό οἱ οὐ κατὰ νόμον.

ὑπεξήλθεν] Hdt. i 61, ἀπαλλάσσετο 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 ὀρηθέντες διὰ ἐνδεκάτου ἔτους ἀπίκοντο ὀπίσω. Eretria alone is there mentioned in connexion with this period of exile.

§ 2. Ῥαϊκήλος] The Schol. on Lycophron, 1236, states that this was the old name of Αἰῶνος in Macedonia. It is identical with the Αἰνεῖα 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 Αἰῶνος 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), ἐρρίψωσε τὴν τυραννίδα ἐπικουρούσιν τε πολλοῖσι, καὶ χρημάτων συνδόμοι, τῶν μὲν αὐτόθεν, τῶν δὲ ἀπὸ Στρυμόνος ποταμοῦ συνιόντων. Here τῶν μὲν and τῶν δὲ naturally refer to χρημάτων alone, and συνιόντων in the second clause echoes

μενος καὶ στρατιώτας μισθωσάμενος, ἔλθων εἰς Ἐρετρίαν ἐνδεκάτῳ πάλιν ἔτει τό<τε> πρῶτον ἀνασφάσσαι βία τὴν ἀρχὴν ἐπεχειρεῖ, συμπρωθυμουμένων αὐτῷ πολλῶν μὲν καὶ ἄλλων, 10 μάλιστα δὲ Θηβαίων καὶ Λυγδάμιος τοῦ Ναξίου, ἔτι δὲ τῶν 3 ἱππέων τῶν ἐχόντων ἐν Ἐρετρίᾳ τὴν πολιτείαν. || νικῆσας δὲ τὴν]

9 τό<τε> Blass (K-W, H-L, K³).

ΑΝΑΩΩΩΑΩΑΩΑΩΑΩ, ἀνασφάσσαι K³, B:

C

ΑΝΑΚΤΗΩΑΩΑΩΑΩΑΩ, ἀνακτήσασθαι Herwerden (K-W).

TESTIMONIA. 12—13 *Schol. Arist. *Ach.* 234 Παλλήραδε: οἱ Παλληνεῖς δῆμος ἐστὶ τῆς Ἀττικῆς, ἐνθα Πεισιστράτῳ βουλομένῳ τυραννεῖν καὶ Ἀθηναῖοι ἀμνομένοις αὐτὸν συνέστη πῶλεμος...μέμνηται δὲ τούτου καὶ Ἀνδροτίων καὶ Ἄρ. ἐν Ἀθ. πολ. (Rose, *Frag.* 355², 393³).

συνόδοισι (= προσόδοισι) in the first. We may therefore agree with Thirlwall (ii p. 61), as against Grote (iii 92 n), who refers τῶν μὲν το χρημάτων and τῶν δὲ το 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 Rhaecelos and the country around Mount Pangaeus. The Pangaeian 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 was a Macedonian by birth and spent the first seventeen years of his life, and seven years besides, at his native town of Stageira. In the *Historia Animalium*, pp. 592 a 7, 597 a 10, 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.

ἀνασφάσσαι...τὴν ἀρχὴν] Hdt. i 73, ἀνασφάσσαι τὴν ἀρχὴν, and in the same chapter ἀναλαβεῖν and ἀνακτᾶσθαι τὴν ἀρχὴν.

Θηβαίων] Hdt. i 61, πολλῶν δὲ μεγάλα παρασχόντων χρήματα, Θηβαῖοι ὑπερέβαλοντο τῇ δόσει τῶν χρημάτων.

Λυγδάμιος] Hdt. *l.c.*, καὶ γὰρ Ἀργεῖοι μισθωτοὶ ἀπικοῦτο ἐκ Πελοποννήσου, καὶ Νάξιός σφι ἀνὴρ ἀπικύμενος ἐθελοντής, τῷ ὄνομαι ἦν Λύγδαμις. *Ar. Pol.* viii (v) 5, 1305 a 42, ὅταν ἐξ αὐτῆς συμβῇ τῆς ὀλιγαρχίας γίνεσθαι τὸν ἡγεμόνα, καθάπερ ἐν Νάξῳ Λύγδαμις, ὃς καὶ ἐτυράνησεν ὕστερον τῶν Ναξίων. The story of the way in which Lygdamis became tyrant of Naxos is quoted in *Athen.* viii 348, from 'Aristotle ἐν τῇ Ναξίῳ πολιτείᾳ.' In consequence of the wrongs done by some Naxian youths to the wealthy and popular Telestagoras and his two daughters, ἀγανακτήσαντες οἱ Νάξιοι καὶ τὰ θπλα ἀναλαβόντες ἐπήλθον τοῖς νεανίσκοις· καὶ μεγίστη τότε στάσις ἐγένετο, προστατούντος τῶν Ναξίων Λυγδάμιδος, ὃς ἀπὸ ταύτης τῆς στρατηγίας τυράννος ἀνεφάνη τῆς πατρίδος. (*Frag.* 558 Rose³.)

τῶν ἱππέων—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 ἱππέων Διαγόρας κατέλυσεν ἀδικηθεὶς περὶ γάμων, and vi (iv) 3, 1289 b 36, ἐπὶ τῶν ἀρχαίων χρόνων ὄσας πόλεις ἐν τοῖς ἵπποισι ἡ δύναμις ἦν, ὀλιγαρχία παρὰ τούτοις ἦσαν·

ἐπὶ Παλληνίδι [μάχη]ν καὶ λαβῶν [τὴν ἀρχή]ν καὶ παρελόμενος
 τοῦ δήμου τὰ ὄπλα κατείχεν ἤδη τὴν τυραννίδα βεβαίως, καὶ
 15 Νάξου ἐλὼν ἄρχοντα κατέστησε Λύγδαμιν. παρείλε[το] δὲ τοῦ 4
 δήμου τὰ ὄπλα τόνδε τὸν τρόπον. ἐξοπλισίαν ἐν τ[ῷ] Θησείῳ

13 ἀναλαβῶν? Richards.

14—15 καὶ γὰρ Νάξου ἐλὼν κ-W: καὶ Νάξου ἐλὼν
 κ³, B; καὶ ἐς Νάξου ἐλθὼν κ¹ (H-L).

15 παρείλετο Rutherford, κ-W, B, titulis nonnullis
 freti (Dittenberger 158, 11, titulo Iliensi post Alexandri mortem scripto, τῶν ἐξοπλι-
 σιῶν, et 349, 40, lapide in insula Ceo invento, ἐν τῇ ἐξοπλισίᾳ ἐφετάξεν; eadem scrip-
 tura etiam in Diodori Siculi codicibus servata est).

ΘΗΣΕΙΩI nunc in papyro
 legit κ (B): Δ|ΝΑΚΕΙΩI legunt κ-W, quod ex Polyeno quondam sumpserat κ¹ (H-L).

ἐχρῶντο δὲ πρὸς τοὺς πολεμίους ὑπιοῖς
 πρὸς τοὺς ἀστυγέτονας, οἷον Ἐρετριεῖς
 καὶ Χαλκιδεῖς κτλ. An inscription pre-
 served 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. τὴν ἐπὶ Παλληνίδι μάχη] On
 the way from Marathon to Athens.
 Hdt. i 62, ἐπὶ Παλληνίδος Ἀθηναίων ἱρὸν.
 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* be-
 tween *Kantza* and *Hieraka* (Milchhöfer
 in *Berl. Phil. Wochenschr.*, 1892, no. 1
 and 2). Cf. Arist. *Ach.* 233 βλέπειν Βα-
 λήναδε. In the Austrian map the name
Balánas is given to a stream which rises
 near *Kantza* 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.

Νάξου—Λύγδαμιν] Hdt. i 64, καὶ
 γὰρ ταῦτην ὁ Πεισίστρατος κατεστρέψατο
 πολέμῳ καὶ ἐπέτρεψε Λύγδαμιν. Schol.
 Aristoph. *Vesp.* 355, Νάξος ἐάλω ἐπὶ Πει-
 σιστράτου.

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.* vi 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 Pei-
 sistratus.

§ 4. παρείλετο—τὰ ὄπλα] character-
 istic of a tyrannus. *Pol.* viii (v) 10, 1311 a
 12, τὸ τῷ πλήθει μῆδεν πιστεύειν (διὸ καὶ
 τὴν παρὰίρειαν ποιοῦνται τῶν ὄπλων).

ἐξοπλισίαν] Cf. *Xen. Anab.* i 7 § 10,
 ἐν τῇ ἐξοπλισίᾳ, 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 ἐξοπλις.
 ἐξοπλιζέσθαι occurs in *Anab.* i 8 § 3, ii 1
 § 2, iv 6 § 7, v 9 § 11, ἐξοπλισμένος iii 1 §
 28, iv 3 § 3. Diodorus xix 3 ἐν ταῖς
 ἐξοπλισίαις φέρειν πανοπλίαν.

The story is told as follows in Poly-
 aenus i 21 § 2, Πεισίστρατος Ἀθηναίων τὰ
 ὄπλα βουλόμενος παρελῆσθαι, παρήγγειλεν
 ἦκειν ἅπαντας εἰς τὸ Ἀνάκειον μετὰ τῶν
 ὄπλων. οἱ μὲν ἦκον· ὁ δὲ προῆλθε βουλό-
 μενος δημηγορήσαι, καὶ σμικρὰ τῇ φωνῇ
 λέγειν ἤρχετο. οἱ δὲ ἐξακούειν μὴ δυνά-
 μενοι, προελθεῖν αὐτὸν ἐξίωσαν εἰς τὸ
 προπύλαιον, ἵνα πάντες ἀκούσειαν. ἐπεὶ δὲ ὁ
 μὲν ἡσύχῃ διελέγετο, οἱ δ' ἐντειναντες τὰς
 ἀκοὰς προσείχον, οἱ ἐπικούροι προελθόντες
 ἀράμενοι τὰ ὄπλα κατήνεγκαν εἰς τὸ ἱερὸν
 τὸ Ἀγραύλου. Ἀθηναῖοι δὲ γυμνοὶ κατα-
 λειφθέντες, τότε ἦσθοντο τῆς Πεισιστράτου
 βραχυφωνίας, ὅτι ἄρα ἦν τέχνασμα κατὰ
 τῶν ὄπλων.

The Ἀνάκειον, or temple of the *Dioscuri*
 or Ἀνακες (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. xlvii 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

ποιησάμενος ἐκκλησιάξειν ἐπεχείρει, [τῆς δὲ φωνῆς ἐχάλ]ασεν μικρόν· οὐ φασκόντων δὲ κατακούειν ἐκέλευσεν αὐτοὺς προσαν[α]-βῆ[ναι] πρὸς τὸ πρόπυλον τῆς ἀκροπόλεως ἵνα γεγώνη μᾶλλον. ἐν ᾧ δ' ἐκείνος διέτριβε δημηγορῶν, ἀνελόντες οἱ ἐπὶ τούτῳ 20

17 τῆς δὲ φωνῆς ἐχάλασεν coniecit Kontos (laudant H-L in praefatione, accepit K³): [φθέγγεσθαι δ' ἐσπούδ]ασεν K-W; ἐπιτηδὲς δ' ἐφώνησε Tyrrell et Gertz (H-L in textu). 20 Διέτριβε. 20—21 ΤΟΥΤ(ΩΝ). ΤΕΤΑΓ: τούτῳ Rutherford et J E B Mayor, coll. Plut. *Sulla* 14 § 10 Κουρίωνος ἐπὶ τούτῳ τεταγμένου (K³, B), τούτῳ K-W, τούτ' ἐπιτεταγμένου H-L.

fort of Eetioneia ἔθεντο ἐν τῷ Ἀνακείῳ τὰ ὄπλα (Miss Harrison, *Mythology etc. of Athens*, 152).

The precinct of Agraules, 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 Agraules (i 17 § 2, 18 §§ 1, 2). The Θησεῖον 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, 118). According to Polyaeus, the weapons are at first left in the Ἀνάκειον and transferred to the Ἀγραύλιον. According to the text, they are left in the Θησεῖον and are then locked up εἰς τὰ πλησίον οἰκήματα τοῦ Θησεῖου, 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 Acropolis (C. Wachsmuth, *Rheinisches Museum*, xlvī 327).

τῆς δὲ φωνῆς ἐχάλασεν μικρόν] Lucian, *Hist. Accus.* 21, χαλδῶντες τοῦ τόνου, Aelian, *Hist. Anim.* xii 46.

With φθέγγεσθαι δ' ἐσπούδασεν μικρόν, printed by K-W, may be compared Dem.

F. L. 206, φθέγγεσθαι μέγιστον πάντων, 216, καλὸν καὶ μέγα οὗτος φθέγγεται, ... φαῦλον ἐγώ, 337, καλὸν φθειρομένῳ, *Pant.* 37 § 52, μέγα φθέγγεται, *Steph.* 45 § 77, λαλεῖν μέγα, *Lysias* 16 § 19, μικρὸν διαλεγόμενοι. ἐσπούδασεν is not, however, convincing.

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. πρόπυλον itself is seldom used in the singular. Cic. *ad Att.* vi 1, 26, audio Appium πρόπυλον Eleusine facere, Plut. *Mor.* 363 F, ἐν τῷ προσύλῳ τοῦ λεροῦ τῆς Ἀθηνῶν (at Sais), Plin. *N. H.* xxxv 101, *Minervae delubri πρόπυλον*, xxxvi 32, *in propulo 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. But the word is also found in an inscr. of the 5th century from the Peiraens, CIA ii 521 ε, p. 122, προπύλου δημοσίου ὄρος.

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).

γεγώνη] 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 ἄδων ἢ μόνος, cf. 901 b 31 γεγώνασι, 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 τὰ ὄπλα [καὶ κατα]κλήσαντες εἰς [τὰ] πλησίον οἰκήματα τοῦ Θεσείου διεσήμηναν ἐλθόντες πρὸς τὸν Πεισίστρατον· ὁ δέ, [ἔπει τ]ὸν ἄλλον λόγον ἐπετέλεσεν, εἶπε καὶ περὶ τῶν 5 ὄπλων, τὸ γεγονός [ὡς οὐ] χρῆ θαναμάζειν οὐ[δ' ἀ]θυμείν, ἀλλ' ἀπελθόντας ἐπὶ τῶν ἰδίων εἶναι, τῶν δὲ κοινῶν [αὐτὸς ἐπι]μελήσεσθαι πάντων.

16. [ἡ μὲν οὖν Πει]σιστράτου τυραννὶς ἐξ ἀρχῆς τε κατέστη [τοῦτον] τὸν τρόπον καὶ [μεταβο]λὰς ἔσχε τοσαύτας. διώκει δ' ὁ 2 Πεισίστρατος, ὥσπερ εἴρηται, [τὰ κατὰ] τὴν πόλιν μετρίως καὶ μᾶλλον πολιτικῶς ἢ τυραννικῶς· ἐν τε γὰρ τοῖς ἄλλοις [φι]λάνθρωπος ἦν καὶ πρᾶος καὶ τοῖς ἀμαρτάνουσι συγγνωμονικός, καὶ δὴ 5 καὶ τοῖς ἀ[πό]ροι[ς] προεδάνειζε χρ[ήμα]τα πρὸς τὰς ἐργασίας, ὥστε διατρέφεσθαι γεωργοῦντας. τοῦτο δ' ἐποίει δυοῖν [χά]ριω, ἴν[α] 3 μῆτε ἐν τῷ ἄστει διατρίβωσιν ἀλλὰ διεσπαρμένοι κατὰ τὴν χώραν,

21 αὐτῶν [καὶ συ]κλήσαντες κ (κ-w, H-L), sed αὐτῶν quidem in papyro abesse, partem autem notae quae κατὰ significaret apparere, indicavit Blass. 24 [καὶ ὡς οὐ χρῆ] H-L (κ³), [ὡς οὐ] χρῆ B, [λέγων ὡς οὐ χρῆ] κ¹; [ἔφη δ' οὐ δύν] κ-w. ἀθυμείν κ-w (κ³, B): [ἀγανακτ]εῖν H-L. 25 εἶναι add. Marchant coll. Aesch. 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 K. αὐτὸς ἐπιμελήσεσθαι Blass, κ-w, κ³: αὐτὸς νῦν ἐπ. H-L.

XVI 3 εἴρηται [τὰ κατὰ] B: εἴρηται [ἦδη] (κ³, κ-w): εἰρήκαμεν (κ¹, H-L). 4 τοῖς ἄλλοις (κ³, κ-w): τοῖς θεσοῖς] κ¹, ταῖς ὁμίλιας H-L. 5 ΠΡΑΟΣ (κ, B), cf. Voemel, *Prolegomena Grammatica ad Dem. Contiones*, § 29: πρᾶος κ-w, H-L.

6 προεδάνειζε Rutherford et quondam Wyse. 7 ΔΙΑ... ΘΕΣΦΕΡΩΡΓΟΥΝΤΑΣ litteris incertis scripta (κ-w, κ³, B): διαμπερὲς ἐγεωργοῦντο quondam κ, διανεκὲς ἐγεωροῦντο H-L. 8 διεσπαρμένοι <ῶσι> Kontos (H-L).

τεταγμένοι] *Pol.* 1298 a 23, τὰς ἀρχὰς τὰς ἐφ' ἐκάστοις τεταγμέναις. 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 ἀρχοντας τεταγμένους, *ib.* 772 B, ἐπὶ πάντα καὶ ἕκαστα ταχθεῖς (χρόνος), *Tim.* 47 C, λόγος ἐπ' αὐτὰ ταῦτα τέτακται. The gen. is comparatively rare.

§ 5. ἀθυμείν] *Met.* iii 5, 1009 b 37, πῶς οὐκ ἀξίον ἀθυμῆσαι. δυσθυμείν (Hdt. viii 10) is not found in Ar.

ἐπὶ τῶν ἰδίων εἶναι.] c. 16 § 3. *Pol.* viii (v) 8, 1309 a 6, οἱ γὰρ ἀποροὶ οὐ βουλήσονται ἀρχεῖν τῷ μηδὲν κερδαίνειν, ἀλλὰ πρὸς τοῖς ἰδίοις εἶναι μᾶλλον, οἱ δὲ εἴσοροι δυνήσονται διὰ τὸ μηδενὸς προσδεῖσθαι τῶν κοινῶν.

XVI § 2. εἴρηται.] 14 § 3.

καὶ δὴ καὶ.] § 10.

τοῖς ἀπόροις—γεωργοῦντας] In the

same spirit, we read in Plut. *Sol.* 31, ὡς δὲ Θεόφραστος ἱστορεῖ, καὶ τὸν τῆς ἀρχίας νόμον οὐ Σόλων ἔθηκεν, ἀλλὰ Πεισίστρατος, ᾧ τὴν τε χώραν ἐνεργεστέρην καὶ τὴν πόλιν ἡρμαιοτέρην ἐποίησεν. For διατρέφεσθαι Mr Wyse compares Xen. *de Red.* i 1; in 49; Schol. Aristoph. *Vesp.* 1446, ἐργαζόμενοι διατρέφονται. For the general sense, cf. *Pol.* 1320 b 7, (even under a democracy) χαριέντων ἐστὶ καὶ νοῖν ἐχόντων 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. μῆτε...ἀλλά.] *Pol.* viii (v) 8, 1308

καὶ ὅπως [εὐπο]ροῦντες τῶν μετρίων καὶ πρὸς τοῖς [ἰ]δίους ὄντες
 μὴτ' ἐπιθυμῶσι μῆτε σχολάζ[ωσιν] ἐπιμελεῖσθαι τῶν κοινῶν. 10
 4 ἅμα δὲ συνέβαινε αὐτῷ καὶ τὰς προσόδους γίνεσθαι μ[εῖζο]υς
 ἔξεργαζομένης τῆς χώρας· ἐπράττετο γὰρ ἀπὸ τῶν γιγνομένων
 5 δεκάτην. διὸ καὶ τοὺς κατὰ [δήμ]ους κατεσκεύαζε δικαστὰς καὶ
 αὐτὸς ἐξῆει πολλάκις εἰς τὴν χώραν ἐπισκοπῶν [καὶ] διαλ[ύ]ων
 τοὺς διαφερομένους, ὅπως μὴ καταβαίνοντες εἰς τὸ ἄστυ παρα- 15
 6 μελώσι τῶν [ἀγρ]ῶν. τοιαύτης γὰρ τινος ἐξόδου τῷ Πεισιστράτῳ

11 ΓΙΝ (K-W) sed in versu proximo ΓΙΓΝ (K-W etc.). 12 ἐξ ἐργαζομένης H-L.
 13 ΚΑΤΕΣΚΕΥΑΖΕ (K, H-L): κατεσκεύασε K-W, B. 14 διαλύων (K³, K-W, B): δια-
 λάττων K¹ (H-L); lacuna vix quattuor litterarum capax.

ὁ 11, μὴτ' αὐξάνειν λιαν μηδένα παρὰ τὴν
 συμμετρίαν, ἀλλὰ μάλλον περιᾶσθαι. *Rhet.*
 i 4, 1359 b 6. For the general sense,
Pol. viii (v) 10, 1311 a 14, τὸ ἐξ ἄστεος
 ἀπελαίνων καὶ διοικίξειν ἀμφοτέρων κοινῶν,
 καὶ τῆς ὀλιγαρχίας καὶ τῆς τυραννίδος.

διοσπαρμένοι κατὰ τὴν χώραν] *Pol.*
 vii (vi) 4, 1319 a 30, διὰ τὸ περὶ τὴν
 ἀγορᾶν καὶ τὸ ἄστυ κυλλεσθαι πᾶν τὸ
 τοιοῦτον γένος ὡς εἰπεῖν ῥαδίως ἐκκλη-
 σιάζει. οἱ δὲ γεωργοῦντες διὰ τὸ διε-
 σπάρθαι κατὰ τὴν χώραν οὐτ' ἀπαντῶσιν
 οὐθ' ὁμοίως δεύονται τῆς συνόδου ταύτης.
 vi (viii) 5, 1292 b 25, ὅταν μὲν οὖν τὸ
 γεωργικὸν καὶ τὸ κεκτημένον μετρίαν
 οὖσαν κύριον ἢ τῆς πολιτείας, πολιτεύονται
 κατὰ νόμους· ἔχουσι γὰρ ἐργαζόμενοι ζῆν,
 οὐ δύνανται δὲ σχολάζειν, ὥστε τὸν
 νόμον ἐπισησάντες ἐκκλησιάζουσιν τὰς ἀναγ-
 κάδας ἐκκλησίας. vii (vi) 4, 1318 b 9,
 βέλτιστος γὰρ δήμος ὁ γεωργικὸς ἐστίν... διὰ
 μὲν γὰρ τὸ μὴ πολλὴν οὖσαν ἔχειν
 ἄσχιλος, ὥστε μὴ πολλάκις ἐκκλησιάζειν.
 Diogenes Laert. 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
 Heraclides, οὐκ ἐπιτρέπων ἐν ἄστει ζῆν
 (Rose, Frag.³ 611, 20).

Cf. Aelian *V. H.* ix 25; Max. Tyr.
 xxix 3; and Dion Chrys. *Or.* 7 i p. 257 f.
 R., i 520—1 R. (Mayor).

τῶν μετρίων] 27 § 3.
 πρὸς τοῖς ἰδίοις ὄντες] See note on
 15 § 5, ἐπὶ τῶν ἰδίων εἶναι.

μῆτε σχολάζ[ωσιν] 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. *ib.* 19 ff.

§ 4. δεκάτην] Hitherto, the main evi-
 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, Man-
 tissa Proverb. i 76, and Proverbiorum
 Appendix, ii 66.) Thuc. l. c., after
 mentioning Hipparchus, says ἐπετῆδευσαν
 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 δήμους—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).

§ 6. τοιαύτης γὰρ τινος ἐξόδου κτλ.]
 Zenobius, *Proverb.* cent. iv 76, καὶ σφά-
 κελιοι ποιοῦσιν ἀτέλειαν (= Suidas s.v.
 καὶ σφάκελοι p. 189, εἰ σφακελισμός):
 Πεισιστράτος, ὡς φασίν, ὁ τύραννος δεκά-
 ττην τῶν γεωργουμένων ἀπῆτε τοὺς Ἀθη-
 ναίους· παρῶν δὲ ποτε, καὶ ἰδῶν πρεσβύτην
 πέτρας ἐργαζόμενον καὶ τόπους λιθώδεις,
 ἤρετο τὸν πρεσβύτην, τίνας ἐκ τῶν τόπων
 κομίζουτο τοὺς καρπούς. ὁ δὲ ἀπεκρίνατο,
 Ὀδύνας καὶ σφακέλους, καὶ τούτων δεκάτην
 Πεισιστράτος φέρει. θαυμάσας δὲ ὁ Πεισι-
 στράτος τὴν παρησίαν αὐτοῦ τῆς δεκάτης
 ἀτέλειαν ἔδωκε καὶ ἐκ τούτου οἱ Ἀθηναῖοι
 τῇ παροιμίᾳ ἐχρήσαντο, Mantissa Pro-
 verb. cent. i 76 (= Apostolius x 80 ed.
 Pontini). Diodorus Sic. ix 57 Bekker,
 ... ὁ ἐργάτης ἐφῆσε λαμβάνειν ἐκ τοῦ χωρίου
 κακὰς ὀδύνας, ἀλλ' οὐθὲν αὐτῷ μέλει· τοῦ-

γιγνομένης συμβῆναι φασὶ τὰ περὶ τὸν ἐν τῷ [Ἰμμητ]τῷ γεωργούντα τὸ κληθὲν ὕστερον χωρίου ἀτελές. ἰδὼν γὰρ τινα πα[ττά]λφ πέτρας σκάπτοντα καὶ ἐργαζόμενον, [[διὰ τὸ θαυμάσαι]] τὸν πα[ίδα] 20 ἐκέλευεν [ἐρ]έσθαι τί γίγνεται ἐκ τοῦ χωρίου· ὁ δ', ὅσα κακὰ καὶ ὀδύνας, ἔφη, καὶ τούτων τῶν κακῶν καὶ τῶν [ὀ]δυνῶν Πεισίστρατον δεῖ λαβεῖν τὴν δε[κά]την. ὁ μὲν οὖν ἄνθρωπος [ἀ]πε[κρί]νατο ἀγνοῶν, ὁ δὲ Πεισίστρατος ἡσθεὶς διὰ τὴν παρρησίαν καὶ τὴν φιλεργίαν [ἀ]τελῆ ἀπάντων ἐποίησεν αὐτόν. οὐδὲν δὲ τὸ πλῆθος 7 25 οὐδ' ἐν τοῖς ἄλλοις παρώχλει κατὰ τὴν ἀρχήν, ἀλλ' αἰεὶ π[α]ρεσκ[εῦ]αζεν εἰρήνην καὶ ἐ[τ]ήρει τὴν ἡσυχίαν· διὸ καὶ πολλάκις ἐθ[ρυ]λλ[εῖ]το, ὡς [ἦ] Πεισιστράτου τυραννὶς ὁ ἐπὶ Κρόν[ου] βίος εἴη· συνέβη γὰρ ὕστερον δια[δεξαμένων] τῶν υἰέων πολλῶ γενέσθαι τραχυτέραν τὴν ἀρχήν. μέγιστον δὲ πάντων ἦν [τῶν] 8 30 ἐπαινου]μένων τὸ δημοτικὸν εἶναι τῷ ἦθει καὶ φιλόανθρωπον. ἔν τε γὰρ τοῖς ἄλλο[ις προηρεῖτο] πάντα διοικεῖν κατὰ τοὺς νόμους, οὐδεμίαν ἑαυτῷ πλεονεξίαν διδ[ούς], καὶ ποτ]ε προσκληθεὶς φόνου δίκην εἰς Ἄρειον πάγ[ον] αὐτὸς μὲν ἀπήντησεν ὡς [ἀπολο]γησά-

17 τὰ: τὸ H-L. ὈΜΜΗΤΩΙ? 18 παττάλφ κ; π...λω[s] κ-W, παντελῶς Wessely, B; sed exspectares potius ἐπιμελῶς vel ἐπιπόνος: πρεσβύτην invita papyro H-L. 19 πέτρας: ΠΕΤΡΑΙΣ?, [ἐν] πέτρας κ-W et Wessely. διὰ τὸ θαυμάσαι secl. K-W, 'θαυμάσας scriptum malis' H-L. παῖδα κ-W, H-L, K³, B: πάτταλον K³, sed spatium non sufficit. 20 [περὶ]γίγνεται κ-W invita papyro. 21 τῶν κακῶν καὶ τῶν ὀδυνῶν om. H-L; τῶν ante ὀδυνῶν secl. K-W. 22 <αὐτὸν> ἀγνοῶν H-L. 23 ἐτήρει τὴν ἡσυχίαν J B Mayor (κ-W, H-L, B). 24 ἐπηρεῖται ἡσυχίαν coniecerat Blass. 25 [παρωμάξ]ετο κ; [τοῦτ'] ἐλέ[γε]το κ-W, [ὑστερον ἐλέγετο] H-L; ἐθρύλλησαν Wessely (litteras priores saltem cum papyri indiciis obscuris congruere existimat κ); ἐθ[ρυ]λλ[εῖ]το κ. 26 δια[δεξαμένων] E Bruhn (B): διὰ τὴν ὕβριν Sidgwick, Gennadios, κ-W, H-L, K³. 27 ἐπαινουμένων J B Mayor, Newman, Bury, κ-W, H-L (K³, B). 28 εἰώθει κ (H-L); προηρεῖτο κ-W, B.

των γὰρ τὸ μέρος Πεισιστράτῳ διδόναι. ὁ δὲ δυνάστης... γελᾶσας ἐποίησε τὸ χωρίον ἀτελές, καὶ ἐντεῦθεν ἡ παροιμία '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 *Ἀγθῆς*, 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.

§ 7. παρώχλει] παροχλέω is found in Theophr. *C. P.* iii 10, 5. παρενοχλέω is less uncommon.

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' ἄλλων χρόνον ἐγγύς τι ἔξω ἀθηναῖοι ὡσπερ 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 *init.*

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 φόνου προσκληθεὶς εἰς Ἄρειον πάγον ἤδη τυραννῶν ἀπήντησε κοσμίως ἀπολογησόμενος, ὁ δὲ κατηγοροῦσθε οὐκ ὑπήκουσε.

9 μενος, ὁ δὲ προσκαλεσάμενος φοβηθεὶς ἔλιπεν. διὸ καὶ πολὺν
 χρόνον ἔμεινεν <ἐν> [τῇ ἀρχῇ, καὶ] ὄτ' ἐκπέσοι πάλιν ἀνελάμβανε 35
 ῥαδίως. ἐβούλοντο γὰρ καὶ τῶν γνωρίμων καὶ τῶν [δημο]τικῶν
 οἱ πολλοὶ τοὺς μὲν γὰρ ταῖς ὀμιλίαις τοὺς δὲ ταῖς εἰς τὰ ἴδια
 βοηθείαις προ[σ]ήγγετο, καὶ πρὸς ἀμφοτέρους ἐπεφύκει καλῶς.
 10 ἦσαν δὲ καὶ τοῖς Ἀθηναίοις οἱ περὶ τῶν [τυ]ράνων νόμοι πρᾶοι
 κατ' ἐκείνους τοὺς καιροὺς οἳ τ' ἄλλοι καὶ δὴ καὶ ὁ μάλιστα 40
 καθ[ή]κων πρὸς τὴν <κατάστασιν> τῆς τυραννίδος. νόμος γὰρ
 αὐτοῖς ἦν ὅδε· θέσμια τάδε Ἀθηναί[οις] καὶ πάτρια· ἐάν [τυ]ες
 τυραννεῖν ἐπανιστῶ[ν]ται [[ἐπὶ τυραννίδι]], ἢ τὴν τυραννίδα τις
 συγκαθιστῇ, ἄτιμον[υ] εἶναι καὶ αὐτὸν καὶ γένος.

17. Πεισιστρατος μὲν οὖν ἐγκατεγήρασε τῇ ἀρχῇ καὶ ἀπ-
 [έ]θ]ανε νοσήσα[ς ἐπὶ] Φιλόνεω ἄρχοντος, ἀφ' οὗ μὲν κατέστη τὸ

34 ἐξέλιπεν Richards coll. Dinarch. 3, 98 et Plat. Leg. 943 A (H-L). 35 ἐν
 ἀρχῇ H-L (K³): ἐν τῇ ἀρχῇ quondam Blass, K-W; cf. 17, 3—4. In papyro χ cerni
 posse putat K et post ἔμεινεν partem inferiorem litterae φ, deinde quinque sexve litte-
 rarum spatium. ΕΠΕΛΑΜΒΑΝΕ (K¹); ἀπελάμβανε Wyse, Gennadios, Ferrini,
 H-L, K³; ἀνελάμβανε K-W (B). 38 ἀμφοτέρας H-L. 39 ΠΡΑΟΙ (κ), cf. v. 5.
 41 καθήκων K (B): ἀνήκων H-L; καθ[εστώς] K-W. ΤΗΝΤΗΣ: τὰ τῆς H-L. κατάστασιν
 addidit post τυραννίδος K, post τὴν B; lacunam indicant K-W. 42 Ἀθηναίος
 Kontos (B): Ἀθηναίων K etc. ἐστὶ K (H-L): κατὰ τὰ K-W; κ(al) Blass.
 43 ΗΕΠΙΤΥΡΑΝΝΙΔΙΤΙΣΥΝΚΑΘΙΣΤΗΤΗΝΤΥΡΑΝΝΙΔΑ: ἢ τὴν τυραννίδα τις συγκαθιστῇ,
 Blass. ἐπὶ τυραννίδι secluserat K (K-W), utpote quondam supra verbum τυραννεῖν
 per formulam usitatiorem interpretandi causa scriptum. ἢ ἐπὶ τυραννίδι τις συγ-
 καθιστῇ συνωμοσίαν, ἄτιμον H-L. ἐπι<τιθῆναι> τυραννίδι Richards coll. Pol. 1108 a
 22, Lycurg. Leocr. 125. ἐάν τις ἐπὶ τυραννίδι ἐπανιστῆται ἢ συγκαθιστῇ τὴν τυραννίδα
 Hager. <ἦ> τι<ς> K³: cum in papyro ἦ et τι prorsus similia sint, fortasse
 nihil nisi ἦ legendum suspicatur K; ἢ K-W, B 44 εἶναι καὶ H-L ('fortasse recte'
 K), B: εἶναι K.

XVII 1 ΕΝΚΑΤΕΓΗΡΑΣΕ (probat Rutherford).

§ 9. διὸ—ἐπεφύκει καλῶς] Cf. the sketch of the best means for maintaining a τυραννίς in Pol. 1314 a 30—1315 b 10.

ὄτ' ἐκπέσοι... ἀνελάμβανε] Optative of indefinite frequency, followed by the impf., as in Pol. viii (v) 5, 1305 a 7, ἐπὶ δὲ τῶν ἀρχαίων, ὅτε γένοιτο ὁ αὐτὸς δημαγωγὸς καὶ στρατηγός, εἰς τυραννίδα μετέβαλλον. For ἀνελάμβανε cf. Hdt. iii 73, (τὴν ἀρχὴν) ἀναλαβεῖν.

§ 10. καὶ δὴ καὶ] as often with οἳ τε ἄλλοι preceding; *supra* § 2.

ἐάν τις—καὶ γένος] Andocides, *De Mysterioris*, § 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. *Thest.* 338, εἰ τις... τυραννεῖν ἐπωοεῖ ἢ τὸν τύραννον ἐγκαταγείν, *Vesp.* 495, 498, 502, *Lys.* 630. The text shews that in Andoc. *l. c.* Dobree's suggestion, <ἐπὶ τῷ> τυραννεῖν, is unnecessary.

XVII § 1. ἐγκατεγήρασε] used metaphorically in Dinarchus, *Aristog.* § 3, *πονηρίαν ἀρχομένην*, contrasted with ἐγκαταγεγηρακίαν, 'inveterate.' Plut. *Phocion* 30, *πειραν ἐν ἦ...* ἐγκατεγήρασε. ἐγγηράσκων is similarly used as c. dat.

Cf. Thuc. vi 54, 2, Π. γηραιὸς τελευτήσαντος; Val. Max. viii 9 E 2, 'decrepitum.' Φιλόνεω ἄρχοντος] B. C. 527. The name of the archon of the year is now ascertained for the first time. The date of the death of Peisistratus was known

πρώτον τύραννος, ἔτη τριά[κο]ν[τ]α καὶ τρία βιώσας, ἀ δ' ἐν τῇ
 ἀρχῇ διέμεινεν, ἐνὸς δέοντα εἴκοσι· ἔφ[ευγ]εν γὰρ τὰ λοιπά διὸ 2
 5 καὶ φανερώς ληροῦσιν <οί> φάσκοντες || ἐρώμενον εἶναι Πεισί- [Col. 7.]
 στρατον Σόλωνος καὶ στρατηγεῖν ἐν τῷ πρὸς Μεγαρέας πολέμῳ
 περὶ Σαλαμίνας· οὐ γὰρ ἐνδέχεται ταῖς ἡλικίαις, εἰάν τις ἀναλογί-
 ζηται τὸν ἑκατέρου βίον καὶ ἐφ' οὗ ἀπέθανεν ἄρχοντας. τελευτή- 3
 σαντος δὲ Πεισιστράτου, κατεῖχον οἱ υἱεῖς τὴν ἀρχήν, προάγοντες
 10 τὰ πράγματα τὸν αὐτὸν τρόπον. ἦσαν δὲ δύο μὲν ἐκ τῆς γαμετῆς,
 Ἰππίας καὶ Ἰππάρχος, δύο δ' ἐκ τῆς Ἀργείας, Ἰοφῶν καὶ Ἡγησί-
 στρατος, ὧ παρωνύμιον ἦν Θετταλός. ἔγημεν γὰρ Πεισίστρατος ἐξ 4

4 ἔφευγεν J B Mayor, Rutherford, κ-w, H-L, κ²: εφ. ΓΕΝ: ἔφηνεν κ¹, B.
 5 ΛΗΡΟΥΣΙ: ληροῦσιν οἱ κ-w, H-L, Lacon, Hude (κ³, B). 7 ΣΑΛΑΜΕΙΝΟΣ.
 9 ΠΡΟΑΓΑΓΟΝΤΕΣ: corr. Rutherford, J B Mayor, Blass, κ-w, H-L (κ²). 10 <Ἄτ-
 τικῆς> γαμετῆς H-L.

TESTIMONIA. 3 Heraclidis epitoma (Rose, Ar. Frag. 611, 4³) Πεισίστρατος
 λγ ἔτη τυραννεύσας γηράσας ἀπέθανεν.

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 Peisi-
 stratidae 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, *Fasti*, ii
 254).

ἔτη τριάκοντα καὶ τρία] *Pol.* viii (v)
 12, 1315 ὁ 30, ἡ τῶν Πεισιστρατιδῶν
 (ἀρχῇ) Ἀθήνησιν. οὐκ ἐγένετο δὲ συνεχῆς·
 δις γὰρ ἔφυγε Πεισίστρατος τυραννῶν· ὥστ'
 ἐν ἔτεσι τριάκοντα καὶ τρισὶν ἑπτα-
 καίδεκα ἔτη τοῦτων ἐτυράννευσεν, ὀκτωκαί-
 δεκα δὲ οἱ παῖδες, ὥστε τὰ πάντα ἐγένετο
 ἔτη τριάκοντα καὶ πέντε. The passage is
 part of a paragraph regarded as an inter-
 polation by Sussemlil, 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 pro-
 posed to reconcile the two accounts by
 supposing that fractions of a year are in-
 cluded here, and excluded in the *Politics*.
 See, however, note on 14 § 3.

§ 2. ἐρώμενον] Ael. *V. H.* viii 16,
 λέγεται γὰρ αὐτοῦ παιδικὰ γενέσθαι.

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, Πεισί-
 στρατος...κρατήσας αὐτοῦ (sc. Σιγείου) κα-
 τέστησε τύραννον εἶναι παῖδα τὸν ἐωυτοῦ
 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 Thes-
 salus was probably given him out of compli-
 ment 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).

παρωνύμιον] = ἐπωνυμία (c. 45 § 1).

Ἄργους ἀνδρὸς Ἄργείου θυγατέρα, ᾧ ὄνομα ἦν Γοργίλος, Τιμόνασσαν, ἣν πρότερον ἔσχεν γυναῖκα Ἀρχίνος ὁ Ἀμπρακιώτης τῶν Κυψελιδῶν ὅθεν καὶ ἡ πρὸς τοὺς Ἀργεῖους ἐνέστη φιλία, καὶ συνεμα-
 χέσαντο χίλιοι τὴν ἐπὶ Παλληνίδι μάχην Ἡγησιστράτου κομίσαντος. γῆμαι δὲ φασὶ τὴν Ἀργεῖαν οἱ μὲν ἐκπεσόντα τὸ πρῶτον, οἱ δὲ κατέχοντα τὴν ἀρχήν.

18. ἦσαν δὲ κύριοι μὲν τῶν πραγμάτων διὰ τὰ ἀξιώματα καὶ διὰ τὰς ἡλικίας Ἴππαρχος καὶ Ἴππίας, πρεσβύτερος δ' ὦν ὁ

14 ἔσχε H-L.

15 ΕΝΕΣΤΗ: συνέστη H-L.

16 Ἡγησιστράτου primus

detexit J B Mayor (κ-W, H-L, κ³, B): Πεισιστράτου κ¹.

XVIII 1 ΤΩΝ ΜΕΝ: μὲν τῶν Blass, Richards, edd.

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, παρωνυμίζοντες λέγομεν, and *Eth. Eud.* iii 1, 1228 a 35, παρωνυμίζεσθαι = παρωνύμιος παρά τι λέγεσθαι. The ordinary form of the adj. in Ar. is παρώνυμος.

§ 4. 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, Περιάνδρῳ τῷ ἐν Ἀμβρακίᾳ τυράννῳ, and 4, 1304 a 31, ἐν Ἀμβρακίᾳ... Περιάνδρον συνεκβαλὼν τοῖς ἐπιθεμένοις ὁ δῆμος τὸν τύραννον εἰς εαυτὸν περιέεστησε 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 Harmodius 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 (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.

XVIII. Harmodius and Aristogeiton.

§ 1. πρεσβύτερος—ὁ Ἴππίας] Thuc. i

Ἴππίας καὶ τῇ φύσει πολιτικός καὶ ἔμφρων ἐπεστάται τῆς ἀρχῆς. ὁ δὲ Ἴππαρχος παιδιώδης καὶ ἐρωτικός καὶ φιλόμουςος ἦν, καὶ τοὺς περὶ Ἀνακρέοντα καὶ Σιμωνίδην καὶ τοὺς ἄλλους ποιητὰς οὗτος ἦν ὁ μεταπεμπόμενος. Θετταλὸς δὲ νεώτερος πολὺ καὶ τῷ βίῳ θρασὺς καὶ ὑβριστής. ἀφ' οὗ καὶ συνέβη τὴν ἀρχὴν

6—7 Θετταλὸς—ὑβριστής delet Herwerden: defendit Heraclides infra laudatus.

TESTIMONIA. 4—7 Heraclidis epitoma (Rose, Ar. Frag. 611, 4³) Ἴππαρχος ὁ υἱὸς Πεισιστράτου παιδιώδης ἦν καὶ ἐρωτικός καὶ φιλόμουςος, Θεσσαλὸς δὲ νεώτερος καὶ θρασὺς. τούτον τυραννοῦντα μὴ δυνηθέντες ἀνελεῖν Ἴππαρχον ἀπέκτειναν τὸν ἀδελφὸν αὐτοῦ.

20, 2, Ἀθηναίων γούν τὸ πλήθος Ἴππαρχον οἴονται ὑφ' Ἀρμοδίου καὶ Ἀριστογείτονος τύραννον ὄντα ἀποθανεῖν, καὶ οὐκ ἴσασιν ὅτι Ἴππίας μὲν πρεσβύτατος ὢν ἦρχε τῶν Πεισιστράτου υἱῶν, Ἴππαρχος δὲ καὶ Θεσσαλὸς 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, μνήμα τόδ' Ἴππάρχου στείχε δίκαια φρονῶν... ἔστι δὲ τῶν ποιημάτων καὶ ἄλλα ἐν ἄλλοις Ἑρμαῖς πολλὰ καὶ καλὰ 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 οὐ περὶ τινα... interdum ita usurpatur, ut ab ipso personae nomine non multum differat, οὐ περὶ Ἐμπεδοκλέα καὶ Δημόκριτον *de Caelo* ii 7, 305 b 1 (cf. Ἐμπεδοκλῆς καὶ Δημόκριτος 305 a 34). οὐ περὶ Ἴπποκράτην *Meteor.* i 6, 342 b 35 (cf. Ἴπποκράτης 343 a 28). ἡ τῶν περὶ Γέλωνα τυραννὶς καὶ τῶν 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 Κεῖων ἀεὶ περὶ αὐτὸν εἶχε, μεγάλοις μισθοῖς καὶ δάροις 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' Ἀθηναίωσι φῶς γένεθ' ἦρικ' Ἀριστο-γείτων Ἴππαρχον κτεῖνε καὶ Ἀρμόδιος, 134 Bergk). After spending some years at the court of the Aenadae 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 Aenadae.

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. Θετταλὸς] Diodorus Sic., x 16, 1, gives him a character for wisdom: ἀπέπατο 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 ὑβρις of Thessalus, who is naturally the subject of the next sentence

αὐτοῖς γενέσθαι πάντων τῶν κακῶν. ἐρασθεῖς γὰρ τοῦ Ἄρμοδιου καὶ διαμαρτάνων τῆς πρὸς αὐτὸν φιλίας, οὐ κατέειχε τὴν ὀργήν, ἀλλ' ἐν τε τοῖς ἄλλοις ἐνεσημαίνεται πικ[ρ]ῶς, καὶ τὸ τελευταῖον 10 μέλλουσαν αὐτοῦ τὴν ἀδελφὴν κανηφορεῖν Παναθηναίους ἐ[κώ]λυσεν, λουδορήσας τι τὸν Ἄρμόδιον ὡς μαλακὸν ὄντα, ὅθεν συνέβη παροξυνθέντα τὸν Ἄρμόδιον καὶ τὸν Ἀριστογείτονα πράττειν τὴν 3 πρᾶξιν μετεχόντων πολλῶν. ἤδη δὲ [παρατη]ροῦντες ἐν ἀκροπόλει

10 πικρῶς K-W (K³, B); ἐνεσημαίνετο τὸ πικρὸν K¹, ἐνεσημαίνετο τὸ πικρὸν Richards (H-L). 13 παροξυνθέντας H-L, sed 'spatium deest.' 14 μετεχόντων πολλῶν 'satis clare legitur' Blass: μετὰ πολιτῶν πολλῶν K; μετὰ πολιτῶν οὐ πολλῶν Gennadius; μετὰ συνει <δδ>των <οὐ> πολλῶν J B Mayor (K-W); μετὰ συνωμοστῶν οὐ πολλῶν Thompson; μετ' ὄλιγων ἄλλων Richards; μετ' [ἄλλων οὐ] πολλῶν H-L.

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, εἰδῶς...καὶ ἀκοῆ ἀκριβέστερον 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 Ἄρμοδιου] This is reported of Hipparchus by Diod. Sic. x 16 § 2, Plut. *Amator.* 16 § 27, p. 760, Athen. p. 602 A (Mayor).

ἐνεσημαίνεται πικρῶς] On the other hand, Thuc. (vi 54 § 4), with greater partiality towards the Peisistratidae, says of Hipparchus, βίαιου μὲν οὐδὲν ἐβούλετο δρᾶν. For ἐνοσημαίνεσθαι, cf. Isocr. 20 § 22, ἐνοσημανέσθη...τὴν ὀργήν.

μέλλουσαν—ἐκάλυσεν] Thuc. vi 56 § 1, ἀδελφὴν γὰρ αὐτοῦ κόρην, ἐπαγγέλαντες ἤκει κανοῦν οἴσουσαν ἐν πομπῇ τῷ, ἀπήλασαν, λέγοντες οὐδὲ ἐπαγγέλλαι τὴν ἀρχὴν διὰ τὸ μὴ ἀξίαν εἶναι. Ar. *Pol.* viii (v) 10, 1311 b 36, (the rule of the Peisistratidae was attacked) διὰ τὸ προσηλακίσει μὲν τὴν Ἄρμοδιου ἀδελφὴν ἐπηρᾶσαι δ' Ἄρμόδιον (ὁ μὲν γὰρ Ἄρμόδιος

διὰ τὴν ἀδελφὴν, ὁ δὲ Ἀριστογείτων διὰ τὸν Ἄρμόδιον). 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 κανηφορεῖν, cf. Aristoph. *Eccl.* 732, *Av.* 1551, and Harpocr. s. v. κανηφόροι...Φιλόχορος ἐν β' Ἀθίδος φησὶν ὡς Ἐριχθίου βασιλεύοντος πρώτον κατέστησαν αὐ ἐν ἀξιώματι 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 καρτερικὸς in *Eth.* 1147 b 23, 1150 a 14, 33; *Eth. Eud.* 1229 b 7, πρὸς τὸν θάνατον μαλακὸς ἢ περιφοβός. Cf. c. 3 l. 7.

μετεχόντων πολλῶν] This contradicts Thuc. vi 56 § 3, ἦσαν δὲ οὐ πολλοὶ οἱ ἐνομομωκοῦτες ἀσφαλείας ἔνεκα.

§ 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* (ἔσω τῶν πυλῶν), found Hipparchus near the Leocorium and stabbed him to death. Hippias, meanwhile, had remained outside the

15 τοῖς Παναθηναίοις Ἰππίαν (ἐτύγχανεν γὰρ οὗτος μὲν [δ]εχόμενος, ὁ δ' Ἰππαρχος ἀποστέλλων τὴν πομπήν), ἰδόντες τινα τῶν κοινω-
 ούντων τῆς πρά[ξ]εως φιλανθρώπως ἐντυγχάνοντα τῷ Ἰππίᾳ, καὶ
 νομίσαντες μηνύειν, βουλόμενοί τι δρᾶσαι πρὸ τῆς συλλήψεως,
 καταβάντες καὶ προεξαστάντες τῶν [λοιπῶν], τὸν μὲν Ἰππαρχον
 20 διακ[οσ]μοῦντα τὴν πομπήν παρὰ τὸ Λεωκόρειον ἀπέκτειναν,
 [τὴν δ' ὀ]λην ἐλυμήναντο πρᾶξιν. αὐτῶν δ' ὁ μὲν Ἀρμόδιος εὐθέως 4
 ἐτελεύτησεν ὑπὸ τῶν δ[ορυφό]ρων, ὁ δ' Ἀριστο[γε]ίτων ὕστερον
 συλληφθεὶς καὶ πολλὸν χρόνον αἰκισθεὶς. κατηγορήσεν δ' ἐν
 [τ]αῖς ἀνάγκαις πολλῶν οἳ καὶ [τῆ] φύσει τῶν ἐπιφανῶν καὶ φίλοι
 25 τοῖς τυράννοις ἦσαν. οὐ [γὰρ ἐ]δύναντο παραχρῆμα λαβεῖν οὐδὲν
 ἕλκος τῆς πράξεως, ἀλλ' ὁ λεγόμενος λόγος ὡς ὁ Ἰππίας ἀποστήσας

15 μὲν δεχόμενος K-W, H-L (K³, B); μετερχόμενος K¹. 19 λοιπῶν B; ἄλλων K,
 K-W², H-L; ἐτέρων K-W¹. 20 ΠΑΡΑ: περὶ H-L. 21 τὴν δ' K-W (K³, B); [τὴν
 μὲν οὖν] K¹; ᾧ τὴν H-L. δ': γὰρ invita papygo K-W.

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).

ἰδόντες—συλλήψεως] Thuc. vi 57 § 3, ὡς εἶδον τινα τῶν ξυνωμοτῶν σφίσι διαλεγόμενον οικεῖω τῷ Ἰππίᾳ... ἔδεισαν καὶ ἐνόησαν μεμνησθῆναι τε καὶ δσον οὐκ ἦδη συλληφθῆσθαι. πρὸ τῆς συλλήψεως confirms Thuc. i 21, πρὶν συλληφθῆναι, suspected by Cobet.

προεξαστάντες τῶν λοιπῶν] 'having begun the attack without waiting for their confederates.'

Ἰππαρχον διακοσμοῦντα τὴν πομπήν] Thuc. i 21 § 3, τῷ Ἰππαρχῷ περιτυχόντες περὶ τὸ Λεωκόριον καλούμενον τὴν Παναθηναϊκὴν πομπὴν διακοσμοῦντι ἀπέκτειναν. In vi 57, the historian mentions Hippias alone as marshalling the procession outside the gates: (Harm. and Ar.) περιέτυχον τῷ Ἰππαρχῷ παρὰ τὸ Λεωκόριον καλούμενον.

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.

§ 4. πολλὸν χρόνον αἰκισθεὶς] Thuc. vi 57 § 3, οὐ ῥαδίως διετέθη.

κατηγορήσεν—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). Polyænus i 22, Ἀριστογείτων, ὑπὸ τῶν δορυφόρων στρεβλούμενος περὶ τῶν συνειδῶτων, τῶν μὲν συνειδῶτων ὠμολόγησεν οὐδένα, πάντα δὲ τοὺς Ἰππίου φίλους κωνορήσαι τῆς ἐπιθέσεως· ὁπότε δὲ τούτους Ἰππίας ἀπέκτεινε, τότε ὁ Ἀριστογείτων ὠνείδισεν αὐτῷ τὸ στρατήγημα τῶν φίλων.

ταῖς ἀνάγκαις] Hdt. i 116, Ἀστυάγης δὲ μιν οὐκ εὖ βουλεύεσθαι ἔφη ἐπιθυμούντα ἐς ἀνάγκας μεγάλας ἀπικεῖσθαι, ἅμα τε λέγων ταῦτα ἐσήμαυε τοῖσι δορυφόροις λαμβάνειν αὐτῶν. ὁ δὲ ἀγόμενος ἐς τὰς ἀνάγκας οὕτω δὴ ἔφαιε τὸν ἔντα λόγον. Antiphon, *de Chor.* 25. Thuc. i 99 § 1, προσάγοντες τὰς ἀνάγκας.

φύσει] 'in birth', as in c. 5 § 3. ἕλκος] met. as in Antiphon, *Tetral.* A γ 10, φανερώς δὲ τὰ ἕλκη τῆς ὑποψίας εἰς τοῦτον φέροντα, and A δ 10, τὰ ἕλκη τοῦ φόνου. Ar. *Hist. An.* 8, 588 a 33, ἐν ταῖς παισὶ τῶν ὕστερον ἔξω ἐσομένων ἔστιν ἰδεῖν ὅσον ἕλκη καὶ σπέρματα, a 19; 9, 608 b 4.

ὁ λεγόμενος λόγος] Thuc. vi 58, (Hippias) ἐκέλευεν αὐτοὺς, δείξας τι χωρίον,

ἀπὸ τῶν ὄπλων τοὺς πομπεύοντας ἐφώρασεν τοὺς τὰ ἐγχειρίδια
 ἔχοντας οὐκ ἀληθῆς ἐστίν· οὐ γὰρ ἔπεμπον τό<τε> μεθ' ὄπλων,
 5 ἀλλ' ὕστερον τοῦτο κατεσκευάσεν ὁ δῆμος. κατηγορεῖ δὲ τῶν τοῦ
 τυράννου φίλων, ὡς μὲν οἱ δημοτικοὶ φασιν, ἐπίτηδες ἵνα ἀσεβή- 30
 σαιεν ἅμα καὶ γένοιτο ἀσθενεῖς ἀνελόντες τοὺς ἀναιτίους καὶ
 φίλους ἑαυτῶν, ὡς δ' ἔνιοι λέγουσιν, οὐχὶ πλαττόμενος ἀλλὰ τοὺς
 6 συνειδότας ἐμήνυεν. καὶ τέλος ὡς οὐκ ἐδύνατο πάντα ποιῶν ἀπο-
 θανεῖν, ἐπαγγεिलाμένος ὡς ἄλλους μνηύσων πολλούς, καὶ πείσας
 αὐτῷ τὸν Ἰππῖαν δοῦναι τὴν δεξιὰν πίστεως χάριν, ὡς ἔλαβεν 35
 ὄνειδίσας ὅτι τῷ φονεῖ τοῦ ἀδελφοῦ τὴν δεξιὰν δέδωκεν, οὕτω παρῶ-
 ξυνε τὸν Ἰππῖαν ὥσθ' ὑπὸ τῆς ὀργῆς οὐ κατεῖχεν ἑαυτὸν ἀλλὰ
 σπασάμενος τὴν μάχαιραν διέφθειρεν αὐτόν.

19. μετὰ δὲ ταῦτα συνέβαινε πολλῶ τραχυτέραν εἶναι τὴν
 τυραννίδα· καὶ γὰρ διὰ τὸ τιμωρεῖν τῷ ἀδελφῷ καὶ διὰ τὸ πολλούς

27 ΕΦΩΡΑΣΕΝ Β: -σε Κ etc. 28 ΑΛΗΘΕΣ. ΕΠΕΜΠΟΝΤΟ: ἐπεμπον
 τό<τε> correxi cum H-L, K-W, etc. (K³); ἐπεμπόν πω Papabasilios (B). 31 -σαιεν
 H-L. ΑΣΘΕΝΕΙΣ, litteris CΘΕΝ obscure scriptis, super ἀνελόντες additum (K³, K-W,
 B); ἀγενεῖς K¹, ἐναγεῖς H-L, etc. 33 ἐδύνατο H-L: ΗΔΥΝΑΤΟ (K, K-W, B),
 quod in titulis non nisi post annum 300 A.C. invenitur, Meisterhans, p. 134².
 35 αὐτῷ H-L. 36 ΤΑΔΕΛΦΟΥ (retinent K-W, B). ΔΕΔΩΚΕ (K, K-W, H-L, B).
 37 ΚΑΤΕΣΧΕΝ correctum in -ΕΙΧΕΝ.
 XIX 2 ΤΙΜΩΡΕΙΝ τιμωρῶν K-W. ΤΑΔΕΛΦΩΙ (K-W, B). καὶ διὰ τὸ secl.
 K-W.

ἀπελθεῖν ἐς αὐτὸ ἀνε τῶν ὄπλων. καὶ οἱ
 μὲν ἀνεχώρησαν οἰόμενοι τι ἐρεῖν αὐτόν, ὁ
 δὲ τοῖς ἐπικούροις φράσας τὰ ὄπλα ὑπολα-
 βεῖν ἐξελέγετο εὐθὺς οὐς ἐπηγιάτο 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 ᾗ μόνον ἡμέρα οὐχ ὑποπτον ἐγγίγνετο
 ἐν ὄπλοις τοὺς τὴν πομπὴν πέμψοντας ἀθρο-
 υγενέσθαι. (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-
 σω), but says nothing about spear or shield.

§ 5. ἀσεβήσαιεν indicates the conse-
 quence of their destroying the innocent;
 γένοιτο ἀσθενεῖς, that of their destroying
 their own friends.

§ 6. πάντα ποιῶν [Lys.] § 5, ἐφά-
 σκετε...πάντα ποιῶντες οὐκ ἔχειν ὅπως
 ἀπαλλαγῆτέ μου. Lys. 12 § 84, πάντα
 ποιῶντες δικὴν παρ' αὐτῶν οὐκ ἂν δύνασθε
 λαβεῖν. Dem. 21 § 2, πάντα ποιῶντος
 τούτου (ὁ δῆμος) οὐκ ἐπίσθη.
 ὄνειδίσας] Cf. Polyæn. quoted on § 4.
 'The narrative of the end of Aristogiton
 betrays the same liking for sensational
 stories as we trace, for instance, in Phy-
 larchus' (W. L. Newman in *Class. Rev.*
 v 161 b).

XIX. *Hippias*. § 1. τραχυτέραν] Hdt.
 v 62 (of Hippias), ἐμπικρανομένου Ἀθηναί-
 οισι διὰ τὸν Ἰππάρχου θάνατον. Thuc. vi
 59 § 1, τοῖς δ' Ἀθηναίοις χαλεπωτέρη μετὰ
 τοῦτο ἢ τυραννὶς κατέστη, καὶ ὁ Ἰππίας διὰ
 φόβου ἤδη μᾶλλον ὢν τῶν τε πολιτῶν
 πολλοὺς ἐκτεῖνε κτλ.

ἀνηρηκέναι καὶ ἐκβεβληκέναι πᾶσιν ἦν ἄπιστος καὶ πικρός. ἔτει 2
δὲ τετάρτῳ μάλιστα μετὰ τὸν Ἰππάρχου θάνατον, ἐπεὶ κακῶς
5 εἶχεν τὰ ἐν τῷ ἄστει, τὴν Μουνιχίαν ἐπεχείρησε τειχίζειν, ὡς
ἐκείσε μεθιδρυσόμενος. ἐν τούτοις δ' ὦν ἐξέπεσεν ὑπὸ Κλεομένου
τοῦ Λακεδαιμονίων βασιλέως, χρησμών γιγνομένων ἀεὶ τοῖς Λάκωσι
καταλύειν τὴν τυραννίδα διὰ τοιάνδ' α[ίτιαν]. οἱ φυγάδες, ὧν οἱ 3
'Αλκμειωνίδαι προειστήκεσαν, αὐτοὶ μὲν δι' αὐτῶν οὐκ ἐδύναντο
10 ποιήσασθαι τὴν κάθοδον, ἀλλ' ἀεὶ προσέπταιον || ἔν τε γὰρ τοῖς [Col. 8.]
ἄλλοις οἷς ἔπραττον διεσφάλλοντο, καὶ τειχίσαντες ἐν τῇ χώρᾳ
Λειψύδριον τὸ ὑπὲρ Πάρνηθος, εἰς δ' συνεξήλθον τινες τῶν ἐκ τοῦ

3 π-στο: πικρός K etc. 4 κακῶς: ENKAKΩI, postea correctum. 5 εἶχε H-L
τῷ a correctore additum abesse propter numeros mavult Blass. ΜΟΥΝΥΧΙΑΝ
passim: Μουνιχίαν K-W, H-L (κ², B), cf. Meisterhans, p. 23². 6 ἐκείσε J B Mayor,
Sidgwick (H-L, B): ΕΚΕΙ K, K-W. 7 Λακεδαίμωνος K¹, K-W¹. ΓΙΝ (K-W).
ΔΕΙ (edd.). 9 ἐδύναντο K, H-L: ΗΔΥΝΑΝΤΟ (K-W, B); cf. 18, 33. 10 ΔΙΕΙ
(K, K-W, B); cf. 5, 19. 12, 15 ΛΙΨΥΔΡΙΟΝ, idem habet Suidae cod. Medicus.
ΥΠΕΡ: ὑπὸ? J H Wright, in Herodoto ὑπὲρ Παιωνίης ὑπὸ Πάρνηθος scriptum fuisse
arbitratus.

TESTIM. 3 πικρός. Heraclidis epitoma (611, 4³) Ἰππίας δὲ πικρότατα ἐτυράννει.
8—18 Etym. M. p. 361, 32 Gaisf. (= Suidas, Eustath.) ἐπὶ Λειψυδρίῳ μάχη:
χωρίον ἦν ὑπὸ τῆς Πάρνηθος δ' εἰτείχισαν οἱ φυγάδες τῶν τυράννων ὧν οἱ Ἄλκμει-
ωνίδαι προεστήκεσαν. ἐκπολιορκηθέντων δ' αὐτῶν ὑπὸ τῶν περὶ Πεισίστρατον,
σκόδιον εἰς αὐτοὺς ἤθετο "αἰαί—εὐπατρίδας," οἱ τότ' (Etym. M. ed. Gaisf.; idem habent
Athen. 695 et Suidas; ὅπότε' Etym. M. codex Dorvillii Bodleianus, et Apostolius vii
70) ἔδειξαν ὅλων πατέρων ἔσαν. Cf. Rose, Frag. 356², 394³.

12 *Schol. Arist. Lys. 666: Λειψύδριον: χωρίον τῆς Ἀττικῆς περὶ τὴν Πάρνηθον
(ita codex Ravennas, τὸ ὑπὲρ Πάρνηθος Suid., ὑπὸ τὴν Πάρνηθον Et. M.), εἰς δ'
συνήλθον τινες (cod. L et Suidas) τῶν ἐκ τοῦ ἄστεως, ὡς φησὶν Ἀρ. ἐν Ἀθ. πολ.
lβ. 665 ... (οἱ Ἄλκμειωνίδαι) πόλεμον ἀράμενοι πρὸς Ἰππίαν τὸν τύραννον καὶ τοὺς
Πεισιστρατίδας εἰτείχισαν τὸ Λειψύδριον. Hesych. Λειψύδριον: χωρίον τι ὑπὲρ Πάρ-
νηθος δ' εἰτείχισαν Ἄλκμειωνίδαι. Cf. Rose, l.c.

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 ἔστι τοῦ
μέλλοντος ἀνθρώπου: ἐκφαγεῖν γὰρ ἂν Ἀθη-
ναίους τοῖς αὐτῶν ὁδοῦσιν, εἰ προήθεσαν, ὅσα
τὴν πόλιν ἀνίσσει τὸ χωρίον (Diog. Laert.
i 114). 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, insti-
tuted by Themistocles; and its import-
ance is also shewn by the fact that in 411
B.C. we read of the commander τῶν περι-
πόλων τῶν Μουνιχίαισι τεταγμένων (Thuc.
viii 92, 3); it was fortified by Thrasybulus
in 403 (Xen. Hell. ii 4, 11—12; Diodor.
Sic. xiv 33, M. λόφον ἔρμηον καὶ καρ-
τερὸν). In the time of Alexander (325/4)
one of the στρατηγοὶ was specially ap-

pointed 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 evacua-
ted 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.
χρησμών] id. 63 (quoted on § 4).

§ 3. οἱ φυγάδες—προσέπταιον] Hdt. v
62, (the Alcmeonidae) ἅμα τοῖσι ἄλλοισι
Ἀθηναίων φυγάσι πειρωμένοισι κατὰ τὸ
ἰσχυρὸν οὐ προεχώρει κάθοδος, ἀλλὰ προσ-
έπταιον μεγάλους πειρωμένοισι κατιέναι τε
καὶ ἐλευθεροῦν τὰς Ἀθήνας, Λειψύδριον τὸ
ὑπὲρ Παιωνίης 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

ἄσπεως, ἐξεπολιορκήθησαν ὑπὸ τῶν τυράννων, ὅθεν ὕστερον μετὰ ταύτην τὴν συμφορὰν ἦδον ἐν τοῖς σκολίοις [[αἰεῖ]·

αἰαὶ Λειψύδριον προδωσέταιρον,
οἴους ἄνδρας ἀπώλεσας μάχεσθαι
ἀγαθοὺς τε καὶ εὐπατρίδας,
οἳ τότε ἔδειξαν οἴων πατέρων ἔσαν.

15

4 ἄποτυγχάνοντες οὖν ἐν ἄπ[α]σι τοῖς ἄλλοις, ἐμισθώσαντο τὸν ἐν

13 **ΜΕΤΑ**: εἰς κ-ω (B) ex Etym. Mag. 361, 33 σκόλιον εἰς αὐτοὺς ἦδετο. 14 **αἰεῖ** secl. Hnde, κ-ω, Η-Λ, utpote ex dittographia ortum. 16—17 **μάχεσθαι τ' ἀγαθὸς** καὶ Eustathius; τ' ἀγαθὸς, γένοι τ' Hermann, *El. D. Metr.* 695. καὶ εὐπατρίδας, idem habent Athenaeus, Suidas et Etym. Mag.: κάξ εὐπατρίδων Tyrrell; ἀγαθὸς, καλοῦς, εὐπατρίδας Bury.

19 *Schol. in Arist. *Zys.* 1153: 'Ἀριστοτέλης φησὶ μετὰ τὸν Ἰππάρχου θάνατον χρησὸν γενέσθαι τοῖς Λάκωσι καταλύειν τὴν τυραννίδα, τῆς Πυθίας, ὡς οἱ Ἰλκμαιονίδαι ἐμισθώσαντο τὸν ἐν Δελφοῖς νεῶν οἰκοδομεῖν, συνεχῶς τοῦτο χρώσης αὐτοῖς μαντευμένοις, ἕως πρότερον μὲν Ἀγχιμόλον (cod. Rav.) ἐπεμψαν κατὰ θάλασσαν, ἀποκρουσθέντος δὲ αὐτοῦ ὄργισθέντες οἱ Λάκωνες Κλεομένη τὸν βασιλέα σὺν μείζονι ἐξέπεμψαν στόλῳ καὶ νικήσας τοὺς Θετταλοὺς εἰσήλθεν εἰς τὴν Ἀττικὴν καὶ τὸν Ἰππίαν συνέκλεισεν εἰς τὸ Πελαργικὸν τεῖχος, ἕως οἱ παῖδες τῶν τυράννων ἐξίόντες ἔάλωσαν (Rose, *Frag.* 357², 395²).

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 situation 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 unfavourable to this identification of the 'waterless' spot. Kastromenos, *i.e.*, merely says of this torrent that its water 'has certainly never failed to supply Leipsydrium,' but he does not say clearly that this fact goes against the proposed identification. *Menidhi* is now identified as the site of Achamae, while Paeonidae may possibly correspond to the ruined village of *Vari-pomphi*, 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 Bursian's *Geographie*, i 334).

ἦδον ἐν τοῖς σκολίοις] cf. c. 20 at end. On *scolia*, see K. O. Müller's *Lit. of Ancient Greece*, i 249 E. T. 'The rhythms of the extant *scolia* are very various, though, on the whole, they resemble 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 particularly 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. *Ecol.* 938.

— = 2 0 0 0 0 0 0 0 0 0 0 0 0 0
— = 2 0 0 0 0 0 0 0 0 0 0 0 0 0
0 0 0 0 0 0 0 0 0 0 0 0 0 0
2 0 0 0 0 0 0 0 0 0 0 0 0 0

Here the hendecasyllables begin with a composed and feeble tone; but a more rapid rhythm is introduced by the anapaestic beginning of the third verse; and the two expressions are reconciled by the logacedic members in the last verse.' This scoliom is quoted with many others in Athenaeus, xv p. 695.

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 *προδωσέκομος* of 'a boaster who breaks his word'. Both words are noticed by Lobeck, *Phryg.* 770 (L and S).

§ 4. **ἐμισθώσαντο—Ἀθήνας**] Hdt. v 62, παρ' Ἀμφικτυόνων τὸν νηὸν μισθοῦνται τὸν ἐν Δελφοῖσι...ἐξοικοδομήσαι. οἶα δὲ χρημάτων εὖ ἤκοντες καὶ ἔοντες ἄνδρες δόκιμοι ἀνέκαθεν ἔτι, τὸν τε νηὸν ἐξεργάσαντο τοῦ παραδειγματος κάλλιον...(c. 63) ὡς οὖν δὴ οἱ Ἀθηναῖοι λέγουσι, οὗτοι οἱ

- 20 Δελφοῖς νεῶν οἰκοδομεῖν, ὅθεν εὐπόρησαν χρημάτων πρὸς τὴν τῶν
 Λακώνων βοήθειαν. ἡ δὲ Πυθία προὔφερει ἀεὶ 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

20 οἰκοδομεῖν ὅθεν εὐπόρησαν χρημάτων, κ; χρησμών? Wyse; commatis signum post οἰκοδομεῖν (B) posuerunt H-L ('gravius vitium subsesse' arbitrati), et K-W (lacuna post χρημάτων indicata). ηὔπορησαν H-L. 21 προὔφερει H-L, cf. v. 23 προὔ-
 τρεψε: προεφ (K, K-W, B). ΔΙΕΙ (K, K-W, B); cf. 5, 19. 22 ΕΙΣΤΟΥ-
 ΤΕΥΘΕΩC: correxit Blass e Schol. Arist. *Lys.* 1153 (K-W, H-L, K⁸). 24 CΥΝΕ-
 ΒΑΛΛΕΤΟ (K, K-W, B): συνεβάλετο Richards (H-L).

ἄνδρες ἐν Δελφοῖσι κατήμενοι ἀπέπειθον τὴν Πυθίαν, ὅκως ἔλθοιεν Σπαρτιηγῆν ἄνδρες ἔτε ἰδίῳ στόλῳ εἰτε δημοσίῳ χρησόμενοι, προφῆρειν σφι 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: 123 b 9, 523 a 17, 736 a 10, 756 b 6, 1343 a 20, 1344 a 16, 1409 a 27, 1451 b 2 (Heitz, *Verl. Schriften*, p. 246).

It appears impossible to take ὅθεν as = ἀφ' ὧν (as proposed by Mr Kenyon). It can only mean: 'hence it was that they had abundance of money'. Similar uses of ὅθεν 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. This account is confirmed by a subsequent Athidographer, Philochorus, *frag.* 70, FHG; 395, ap. Schol. Pind. *Pylh.* vii 9, λέγεται, ὅτι

τὸν Πυθικὸν ναὸν ἐμπρησθέντα, ὡς φασιν, ὑπὸ τῶν Πεισιστρατιδῶν οἱ Ἀλκμαιωνῖδαι φυγαδευθέντες ὑπ' αὐτῶν ὑπέσχεοντο ἀνοικοδομήσαι, καὶ δεξάμενοι χρήματα καὶ συναγαγόντες δύναμιν ἐπέθετο τοῖς Πεισιστρατίδαις, καὶ νικήσαντες μετ' εὐχαριστηρίων πλείων ἀνφοκώδησαν τῷ θεῷ τὸ τέμενος, ὡς Φιλόχορος ἱστορεῖ. Isocr. *de Perm.* 232 describes the Alcmaeonid Cleisthenes as having established the democracy, λόγῳ πείσας τοὺς Ἀμφικτύονας δανείσαι τῶν τοῦ θεοῦ χρημάτων αὐτοῦ. Similarly Dem. c. *Mid.* 144 says of the Alcmaeonidae: τοῦτους δὲ φασὶν ὑπὸ τῶν τυράννων ὑπὲρ τοῦ δήμου στασιάζοντας ἐκπεσεῖν, καὶ δανεισαμένους χρήματα' ἐκ Δελφῶν ἐλευθερώσαι τὴν πόλιν καὶ τοὺς Πεισιστράτου παῖδας ἐκβαλεῖν.

προὔφερει] This defends προφῆρειν in Hdt. v 63, against προφαίνειν (preferred by Bekker and Dindorf).

καίπερ ὄντων ξένων] Hdt. l. c., καὶ ξείνους σφι ἔοντας τὰ μάλιστα.

συνεβάλλετο—μοῖραν] Plat. *Tim.* 47 C, (λόγος) μεγίστην ἐμβυβαλλόμενος εἰς αὐτὰ μοῖραν, and often with μέρος. Ar. *de Anim.* 1, 402 b 22, συμβάλλεται μέγα μέρος πρὸς τὸ εἶδέναι, *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—.

ἢ πρὸς Ἀργεῖους—φιλία] c. 17 *ad fin.* § 5. Ἀγχιμόλον] Hdt. v 63, πέμπουσι Ἀγχιμόλιον—κατὰ θάλατταν πλοίοισι. Ἀγχιμόλον is the reading in the Ravenna MS of Schol. on Aristoph. *Lys.* 1153.

θάλατταν ἔχοντα στρατιάν. ἤτη[θέν]τος δ' αὐτοῦ καὶ τελευτήσαντος, διὰ τὸ Κινεάν βοηθῆσαι τὸν Θετταλὸν ἔχοντα χιλίους ἵππεῖς, προσοργισθέντες τῷ γενομένῳ, Κλεομένην ἐξέπεμψαν τὸν βασιλέα στόλου ἔχοντα μείζω κατὰ γῆν, ὃς ἐπεὶ τοὺς τῶν Θετταλῶν 30 ἵππεῖς ἐνίκησεν κωλύοντας αὐτὸν εἰς τὴν Ἀττικὴν παριέναι, κατακλείσας τὸν Ἴππῖαν εἰς τὸ καλούμενον Πελαργικὸν τεῖχος ἐπολιόρκει μετὰ τῶν Ἀθηναίων. προσκαθημένου δ' αὐτοῦ συνέπεσεν ὑπεξιόντας ἀλῶναι τοὺς τῶν Πεισιστρατιδῶν υἱεῖς· ὧν ληφθέντων ὁμολογίαν ἐπὶ τῇ τῶν παιδῶν σωτηρίᾳ ποιησάμενοι, καὶ τὰ ἑαυτῶν 35 ἐν πένθ' ἡμέραις ἐκκομισάμενοι, παρέδωκαν τὴν ἀκρόπολιν τοῖς Ἀθηναίοις ἐπὶ Ἀρπακτίδου ἄρχοντος, κατασχόντες τὴν τυραννίδα

28 ΘΕΣΣΑΛΟΝ (K-W): Θετταλὸν (K, H-L, B), Meisterhans p. 72². 29 προσοργισθέντες (K, K-W², B): παρ. Naber (H-L) et K-W. 32 -κλείσας K, coll. Meisterhans, p. 28²: -κλήσας (K-W, H-L, B). 34 ΕΠΕΞΙΟΝΤΑΣ: ὑπεξιόντας Wyse

.T.
(K-W, H-L, K³, B). 37 ΕΠΙΠΑΡΠΑΚΙΔΟΥ, ἐπὶ Ἀρπακτίδου (K, K-W, B, ἐφ' Ἀρπ. H-L).

Κινεάν] Hdt. l. c. Θεσσαλοῖ...ἀπέπεμψαν...χιλίην τε ἵππον καὶ τὸν βασιλέα τὸν σφέτερον Κινεάν.

Κλεομένην—παριέναι] Hdt. v 64, μέζω στόλου στελιαντες ἀπέπεμψαν ἐπὶ τὰς Ἀθήνας, στρατηγὸν τῆς στρατιῆς ἀποδέξαντες βασιλέα Κλεομένην τὸν Ἀναξανδρίδην, οὐκ ἐπὶ κατὰ θάλασσαν στείλαντες ἀλλὰ κατ' ἡπειραν· τοῖσι ἐσβαλοῦσι ἐς τὴν Ἀττικὴν χώραν ἢ τῶν Θεσσαλῶν ἵππος πρώτη προσέμιξε καὶ οὐ μετὰ πολλὸν ἐτράπετο. Agist. Lys. 1150—6.

κατακλείσας—Ἀθηναίων] Hdt. l. c. ἅμα Ἀθηναίων τοῖσι βουλομένοισι εἶναι ἐλευθέροισι ἐπολιόρκει τοὺς τυράννους ἀπεργόμενος 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. Bursian, *Geogr.* i 305 and Lolling in I. Müller's *Handbuch*, iii 337. Curtius insists on the literal sense of the passages describing it as surrounding the Acropolis, Hdt. vi 137, τῷ τείχεος τοῦ περὶ τὴν ἀκρόπολιν ποτε ἐληλαμένου, 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.).

§ 6. ὑπεξιόντας] Hdt. v 65, ὑπεκτιθέμενοι γὰρ ἔξω τῆς χώρας οἱ παῖδες τῶν Πεισιστρατιδῶν ἤλωσαν. ὁμολογίαν κτλ.] *id.* 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 (παυθεῖς 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 proposes to alter the 93rd into the 84th year.

38 μετὰ τὴν τοῦ πατρὸς τελευταίην ἔτη μάλιστα ἑπτακαίδεκα, τὰ δὲ σύμπαντα σὺν οἷς ὁ πατὴρ ἤρξεν ἐνὸς δεῖν πεντήκοντα.

20. καταλυθείσης δὲ τῆς τυραννίδος, ἑστασiazον πρὸς ἀλλ[ήλ]ους 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, συνέπεισεν ἐλαύνειν τὸ ἄγος, διὰ τὸ τοὺς Ἀλκμεωνίδας δοκεῖν εἶναι τῶν

39 δεῖν J E B Mayor, Sidgwick, κ-w (κ³): Δει hic et 27 § 2 (H-L, B).

XX 2 ΤΙΣΑΝΔΡΟΥ. . . 3 ΑΛΚΜΕΟΝΙΔΩΝ hic et v. 20. ΗΤΤΗΜΕΝΟΣ (κ): ἠττώμενος Blass coll. Hdt. v 66 (κ-w, H-L). 5 ΕΠΙΛΕΙΠΟΜΕΝΟΣ (κ, κ-w, B), cf. 27 § 4, 34 § 3: ἀπολειπόμενος Richards, Kontos, H-L; ὑπο- Haskins. 7—8 ἄγος et ἠγγλάται κ et H-L; ceterum cf. Jebb ad Soph. O. T. 402.

39 Schol. Arist. *Vesp.* 502...δοκεῖ δὲ ἡ τυραννὶς καταστῆναι, ὡς φησὶν Ἐρατοσθένης, ἐπὶ ἔτη ὦ (50), τοῦ ἀκριβοῦς διαμαρτάνων, Ἀριστοτέλους (Bentley; legebatur Ἀριστοφάνους) μὲν τεσσαράκοντα καὶ ἓν (per errorem pro ἐνέα scriptum) φήσωντος, Ἡρόδοτον δὲ (v 65) ἕξ καὶ τριάκοντα (Rose, *Frag.* 358², 396²).

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 ὄλῃ συνειλημμένος, 1044 b 15, εἰάν δὲ προστεθῆ τὸ ὑπὸ γῆς ἐν μέσῳ γινόμενης, ὁ σὺν τῷ αἰτίῳ λόγος οὗτος, 1058 b 17, σὺν τῇ ὄλῃ οἱ λόγοι αὐτῶν. *Meteor.* 348 a 24, φερόμενα σὺν ψόφῳ πολλῷ. *Hist. Anim.* 490 a 32, αἱ γὰρ καμπαί τέτταρες, ἧ δύο σὺν τοῖς πτερυγίοις, 525 b 15—17, πόδας δ' οἱ μὲν κάραβοι ἐφ' ἐκάτερα 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 ἀλτικαῖς 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 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).

δεῖν, not δεῖ, is the right form here, and in c. 27, ἐνὸς δεῖν πεντηκστῷ ἔτει, as well as in *Rhet.* ii 14 *fin.* To make δεῖν stand for δέων is a barbarism (Kühner, *Gr. Gr.* § 59, 11, p. 216 Blass) and cannot be defended on the analogy of πλείν ('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. ἠττώμενος—δήμιον] Hdt. v 66, (Κλεισθένης καὶ Ἰσαγόρας) ἑστασισαν περὶ δυνάμιος, ἑσσούμενος δὲ ὁ Κλεισθένης τὸν δῆμον προσεταιρίζεται, *ib.* 69 *fin.* ἦν δὲ τὸν δῆμον προσθέμενος πολλῷ κατῦπερθε τῶν ἀνιστασιωτῶν. (70) ἐν τῷ μέρει δὲ ἑσσούμενος ὁ Ἰσαγόρας ἀντετεχνῶται τὰδε. On ἑταιρείαι cf. *Pol.* 1313 a 39 ff.

§ 2. ἐπικαλεσάμενος—ξένον] Hdt. v 70, ἐπικαλέεται Κλεομένηε...γενόμενον ἐνωτῷ ξένον.

ἐλαύνειν τὸ ἄγος] Cf. c. 1.

- 3 ἐναγών. ὑπέξελθόντος δὲ τοῦ Κλεισθένου μετ' ὀλίγων, ἠγηλάται τῶν Ἀθηναίων ἐπτακοσίας οἰκίας· ταῦτα δὲ διαπραξάμενος, τὴν μὲν βουλὴν ἐπειρᾶτο καταλύειν, Ἰσαγόραν δὲ καὶ τριακοσίους τῶν φίλων μετ' αὐτοῦ κυρίου καθιστάναι τῆς πόλεως. τῆς δὲ βουλῆς ἀντιστάσης καὶ συναθροισθέντος τοῦ πλήθους, οἱ μὲν περὶ τὸν Κλεομένην καὶ Ἰσαγόραν κατέφυγον εἰς τὴν ἀκρόπολιν· ὁ δὲ δῆμος δύο μὲν ἡμέρας προσκαθεζόμενος ἐπολιόρκει, τῇ δὲ τρίτῃ Κλεομένην μὲν καὶ τοὺς μετ' αὐτοῦ πάντας ἀφείσαν ὑποσπόνδους, Κλει-
 4 σθένην δὲ καὶ τοὺς ἄλλους φυγάδας μετεπέμψαντο. κατασχόντος δὲ τοῦ δήμου τὰ πράγματα, Κλεισθένης ἡγεμὼν ἦν καὶ τοῦ δήμου προστάτης. αἰτιώτατοι γὰρ σχεδὸν ἐγένοντο τῆς ἐκβολῆς τῶν τυράννων οἱ Ἀλκμεωνίδαι, καὶ στασιάζοντες τὰ πολλὰ διετέλεσαν.
 5 ἔτι δὲ πρότερον τῶν Ἀλκμεωνιδῶν Κῆδων ἐπέθετο τοῖς τυράννοις· 20 διὸ καὶ ἦδον καὶ εἰς τοῦτον ἐν τοῖς σκολίοις·

ἔγχει καὶ Κῆδωνι, διάκονε, μηδ' ἐπιλήθου,
 εἰ χρὴ τοῖς ἀγαθοῖς ἀνδράσιιν οἰνοχοεῖν.

21. διὰ μὲν οὖν ταύτας τὰς αἰτίας ἐπίστευεν ὁ δῆμος τῷ Κλεισθένει. τότε δὲ τοῦ πλήθους προεστηκώς, ἔπει τετάρτῳ μετὰ
 2 τὴν τῶν τυράννων κατάλυσιν, ἐπὶ Ἰσαγόρου ἄρχοντος, πρῶτον μὲν

8 <ἀφικόμενος ὁ Κλεομένης> μετ' ὀλίγων ἠγηλάται add. K-W² ex Hdt. v 70. ἀγηλατέ B, coll. Hdt. v 72. 11 ΜΤΟΥ sc. μετα του. 15 ΑΦΙΕΣΑΝ: ἀφείσαν (K-W, B). ΚΛΕΙΣΘΕΝΗΝ (K-W, H-L, B); cf. 22 § 1, et Kühner, *Gr. Gr.* i p. 512³. 19 ἀντιστασιάζοντες H-L. πρὸς τοῦτους vel κατὰ τούτων desiderat Gen. nadios. 23 εἰ δὴ χρὴ ἀγαθοῖς minus bene Athen. 695; εἰ δὴ χρὴ σ' ἀγαθοῖς Bergk.

·Ο·

XXI 1 ΕΠΙΣΤΕΥΕΝ, cf. 35 § 3 ἔχαιρον ἢ πόλις. ἐπίστευεν ὁ δῆμος K, H-L, B: ἐπί-
 στευον [[ὁ δῆμος]] Rutherford, Bury, K-W. 3 ἐπ' H-L.

§ 3. ὑπέξελθόντος] Hdt. v 72, Κλεομένης δὲ ὡς πέμπων (κῆρυκα) ἐξέβαλλε Κλεισθένα καὶ τοὺς ἐναγείας, Κλεισθένης μὲν αὐτὸς ὑπέξεσχε. ἠγηλάται] ἰδ. ἀγηλατέει ἐπτακόσια ἐπίστια Ἀθηναίων.

ταῦτα δὲ—ὑποσπόνδους] Hdt. v 72, ταῦτα δὲ ποιήσας δεύτερα τὴν βουλὴν καταλύειν ἐπειρᾶτο, τριακοσίους δὲ τοῖσι Ἰσαγόρῳ στασιώτῃσι τὰς ἀρχὰς ἐνεχείριζε. ἀντισταθείσης δὲ τῆς βουλῆς καὶ οὐ βουλομένης πείθεσθαι ὅ τε Κλεομένης καὶ ὁ Ἰσαγόρης καὶ οἱ στασιῶται αὐτοῦ καταλαμβάνουσι τὴν ἀκρόπολιν. Ἀθηναίων δὲ οἱ λοιποὶ τὰ αὐτὰ φρονήσαντες ἐπολιόρκειον αὐτοὺς ἡμέρας δύο· τῇ δὲ τρίτῃ ὑποσπονδοὶ 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.*).

μετεπέμψαντο] Hdt. v 73, Κλεισθένα

καὶ τὰ ἐπτακόσια ἐπίστια τὰ διωχθέντα ὑπὸ Κλεομένηος μεταπεμψάμενοι.

§ 4. τοῦ δήμου προστάτης] c. 2 § 2 *ad fin.*

§ 5. Κῆδων] Nothing else is known of this person. His endeavour to expel the tyrants was doubtless one of the unsuccessful attempts recorded in c. 19 in the general phrase: αἰε 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 § 1. ἔπει τετάρτῳ...ἐπὶ Ἰσαγόρου ἄρχοντος] The fourth year after the expulsion of the Peisistratidae (511/0) corresponds to 508/7 B.C. The archonship of Isagoras is placed by Dionysius

συνένειμε πάντας εἰς δέκα φυλάς ἀντὶ τῶν τεττάρων, ἀναμίξαι
5 βουλόμενος ὅπως μετὰσχωσι πλείους τῆς πολιτείας· ὅθεν ἐλέχθη

4 ΟΥΝΕΝΕΙΜΕ: συνένειμε Newman, Kontos, Gertz, H-L (K⁸ coll. 41 § 2, B); οὐν συνένειμε K-W, qui lacunam post ἀρχοντος indicatam ope Ar. Pol. 1275 b 36 explendam censent. διένειμε Wyse, ἀνένειμε Thompson. ἀναμίξαι K-W, H-L, K⁸; cf. 3 § 5 σύμμιξις: ΔΑΝΑΜΙΞΑΙ.

Hal., *Ant. Rom.* i 74, in Ol. 68, 1 = 508/7 B.C.; and his second mention of the same date, in v 1, shews that it was an Olympic year.

The text implies that the reforms of Cleisthenes were subsequent to the expulsion of Isagoras and Cleomenes. Cleisthenes begins by offering (ἀποδιδούς, 20 § 1) the commons a share in the constitution; Isagoras appeals to Cleomenes for his assistance against Cleisthenes, and is defeated; thereupon Cleisthenes carries out his proposed reforms. Herodotus briefly mentions some of these reforms (v 66 and 69), and describes the calling in of Cleomenes as 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 πολλῶν κατῦπερθε τῶν ἀντιστασιωτῶν. 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 ἐόντας Ἀθηναίους δεκαφύλους ἐποίησε κτλ. *ib.* 69, τὰς φυλάς μετωνόμασε καὶ ἐποίησε πλεῦνας ἐξ ἐλασσόνων· δέκα τε δὴ φυλάρχους ἀντὶ τεσσέρων ἐποίησε, δέκα δὲ καὶ τοὺς δήμους κατένειμε ἐς τὰς φυλάς. In the *Politics*, Ar. alludes to these reforms as follows: iii 2, 1275 b 37, ἀλλ' ὥσως ἐκείνο μᾶλλον ἔχει ἀπορίαν, ὅσοι μετέσχον μεταβολῆς γενομένης πολιτείας (cf. μετὰσχωσι... τῆς πολιτείας), οἷον Ἀθηναίους ἐποίησε Κλει-

σθένης 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 μετοικοί (cf. Gilbert, *Gr. St.* i 144; Hermann, *Staatsalt.* § 111, 18). The text, as it stands, makes no direct mention of these, though it incidentally names the νεοπολιταί 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 Ἀθήνην ἐχρήσατο βουλόμενος ἀυξήσαι τὴν δημοκρατίαν, καὶ περὶ Κυρήνην οἱ τὸν δῆμον καθιστάντες. φυλαί τε γὰρ ἕτεραι ποιηταί πλείους καὶ φατρία, καὶ τὰ τῶν ἰδίων ἱερῶν συνακτέον εἰς ὄλγα καὶ κοινά, καὶ πάντα σοφιστέον ὅπως ἀνδρὶ μάλιστα ἀναμιχθῶσι (cf. ἀναμίξαι) πάντες ἀλλήλους, αἱ δὲ συνήθια διαξενχθῶσι αἱ πρότεροι. See Grote, c. 31, ii p. 109—113; and *inf.* p. 83.

ὅθεν—βουλόμενος] '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'.

[Col. 9] καὶ τὸ μὴ φυλοκρινεῖν, || πρὸς τοὺς ἐξετάζειν τὰ γένη βουλομένους.
 3 ἔπειτα τὴν βουλὴν πεντακοσί[ους] ἀντὶ τετρακοσίων κ[ατ]έστησεν,
 πεντήκοντα ἐξ ἐκάστης φυλῆς· τότε δ' ἦ[σα]ν ἑκατόν. διὰ τοῦτο
 δὲ οὐκ εἰς δώ[δε]κα φυλὰς συνέταξεν, ὅπ[ω]ς α]ὐτῷ μὴ συμβαίνει
 μερίζειν κατὰ τὰς προὔπαρχούσας τριττῦς· ἦσαν γὰρ ἐκ τετάρων ¹⁰
 φυλῶν δώδεκα τριττῦες· ὥστ' οὐ [συν]έπιπτεν <ἀν> ἀναμίσγεσθαι
 4 τὸ πλήθος. διένειμε δὲ καὶ τὴν χώραν κατὰ δήμους τριάκοντα μέρη,

10 ΠΡΟΣ ΣΟΓ. in κατὰ. τετάρων: Δ. 11 ΟΥΓ' ΕΠΕΙΠΤΕΝ? οὐκ ἂν
 συνέπιπτεν Richards (H-L); οὐ συνέπιπτεν ἂν Hude, K-W, K³, B.

TESTIMONIA. 12—15 Michael Psellus *περὶ τῶν ὀνομάτων τῶν δικῶν*, p. 103 Boissonade, p. 1015 § 31 Migne, ἡ δὲ τριττὸς νεωτέρων βρομα παρὰ τοῖς Ἀθηναίοις ἐστὶ. Κλεισθένης γὰρ τις, εἰς τριάκοντα μοῖρας τὴν Ἀττικὴν ἄπασαν διαιεῖμας, ἐπειδὴ τὸ μὲν αὐτῆς ἐπιβαλαττίδιον ἦν, τὸ δὲ ἐπὶ τοῦ μέσου καθῆστο τῆς χώρας, τὸ δὲ παρὰ τὸ ἀστυ συνέστρωτο, δέκα μὲν μοῖρας τῇ παραλίῳ συντέτευχε, δέκα δὲ κατέστησεν ἐπὶ τὴν μεσόγειον, δέκα δὲ ἀστυνόμους ἐποίησε· καὶ τὸ τριτημῆριον τριττὸς ὠνόμαστο (attulerunt K-W).

φυλοκρινεῖν] 'to draw distinctions between tribes'. The word occurs in Thuc. vi 18 § 2, εἶγε ἡσχάξοιεν πάντες ἡ φυλοκρινοῖεν ὡς χρεῶν βοηθεῖν, where, like *ταμειεσθαι* 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' ἀκριβῶς φυλοκρινούτων (Schol. *διακρινούτων*, *δοκιμαζόντων περιέργως*) τὰς νόσους, and *Phalaris alter*, 9, φυλοκρινεῖν τὰ ἀνάθηματα καὶ γενεαλογεῖν τὰ πεμπόμενα, ὅθεν καὶ ἀφ' ὅτου καὶ ὅποια (in all these passages there is a *v. l.* *φιλοκρινεῖν*). In late authors we also have *φυλοκρινῆσις*, *φυλοκρινῆστος*, and *φυλοκρινητικὸς* (see L and S). Pollux, viii 110, after recounting the names of the Attic tribes, adds ἀπὸ δὲ φυλῶν τὸ φυλοκρινεῖν ὠνόμασθη; and Suidas explains *φυλοκρινεῖ* by *διακρίνει*, *καταδοκιμαζει περιέργως*. Cf. Phrynichus, p. 71, 8 Bekk. An. *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*, *δοκιμαζει 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.

ὅπως—μὴ συμβαίνει] *Inf.* ὅπως—μετέχῃ, and *ἴνα μὴ*... ἐξελέγχωσιν.

τριττῦς] c. 8 § 3.

οὐ συνέπιπτεν ἂν—πλήθος] 'quod si fecisset, non contigisset ut multitudo misceretur' Hude (placing ἦσαν—τριττῦες in a parenthesis).

§ 4. διένειμε—τριάκοντα μέρη] c. 30 § 3, *διαιεῖμα*... *τέτταρα μέρη*, Xen. *Cyrop.* vii 5, 3, τὸ στράτευμα 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 *τριττῦς*. 10 of these were urban or suburban, 10 on the coast, and 10 in the interior. Each of the 10 tribes had three *τριττῦς* 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 each *τριττῦς* is not known. From the passage in Hdt. v 69, δέκα δὲ καὶ τοὺς δήμους κατένειμε ἐς τὰς φυλὰς, 'Cleisthenes distributed the demes among the tribes by tens', it has been inferred that he 'at first recognised exactly

δέκα μὲν τῶν περὶ τὸ ἄστυ, δέκα δὲ τῆς παραλίας, δέκα δὲ τῆς
 15 φυλῆν ἐκάστην, ὅπως ἐκάστη μετέχη πάντων τῶν τόπων. καὶ

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. Gilbert, *Gr. St.* i 142, notes that the existence of the Attic demes before Cleisthenes is implied in [Plato], *Hipparch.* p. 228—9. He also quotes Herodian, *περὶ μονήρους λέξεως*, p. 17, 8, 'Αραφὴν εἰς τῶν ἑκατὸν ἡρώων. Αραφῆν, one of the Attic demes, is thus identical in name with one of the 100 κλισταὶ ἐπώνυμοι of the demes. He therefore accepts the statement of Herodotus. 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.

Even supposing that 100 demes were recognised by Cleisthenes, that number did not remain unaltered. Early in the 2nd century B.C. (in the time of Polemon, quoted by Strabo p. 396) the number was 174. The number known to us from inscriptions is 182, besides 8 doubtful cases (Hermann's *Staatsalt.* ed. 5, p. 797). Out of these 182, there are 14 duplicate names, such as 'upper' and 'lower *Lamptrae*'; so that the number of known names of demes is 168. Landwehr (*Philologus*, Suppl. v, 1889 p. 161—166) holds that 174 was the original number, and that this remained unaltered. The number of *τριτῦς* was evidently constant and it may be fairly assumed that the demes belonging to each *τριτῦς* were, as a general rule, contiguous. If there were 100 demes, each of the 30 *τριτῦς* would contain 3 or 4 demes, twenty of them containing only 3 demes each, and the remaining ten as many as 4, ($20 \times 3 + 10 \times 4 = 100$). Dividing this number by 10 we get for each tribe $2 \times 3 + 1 \times 4$ demes, distributed in such a way that each tribe has one *τριτῦς* consisting of 4 demes, and 2 consisting of 3. In the case of each tribe, one of these *τριτῦς* would be situated in or near the

capital, one near the coast, and one in the interior. The following scheme shows how it would be possible to distribute 100 demes among ten tribes while assigning ten trittyes of 3 or 4 demes each to each of the 3 districts:

	urban or suburban	the coast	the interior
<i>Erechtheis</i>	4	3	3
<i>Aegæis</i>	4	3	3
<i>Pandionis</i>	4	3	3
<i>Leontis</i>	3	4	3
<i>Acamantis</i>	3	4	3
<i>Oeneis</i>	3	4	3
<i>Cecropis</i>	3	3	4
<i>Hippothontis</i>	3	3	4
<i>Acantis</i>	3	3	4
<i>Antiochis</i>	3	3	4
	33	33	34

Total: 100 demes.

Out of the 160 demes in Smith's *Dict. Geogr.*, 124 are assigned to certain tribes; no tribe has less than 10, though several have more; *Acamantis*, *Hippothontis*, and *Leontis* having as many as 15, 16 and 17 respectively.

Athens itself, with its immediate neighbourhood, was divided into several demes and those demes assigned to several tribes, as follows: *Agryle* (*Erechtheis*), Kollytus and Diomeia (*Aegæis*), Kydathenaeon (*Pandionis*), Scambonidae (*Leontis*), Cerameicus (*Acamantis*), Lakiadae (*Oeneis*), Melite (*Cecropis*), Ceiriadae (*Hippothontis*), Phaleron (*Acantis*), Colonus *ἀγοραῖος* (*Antiochis*?). The Peiraeus was assigned to the tribe *Hippothontis*. (Lolling in I. Müller's *Handbuch*, iii 306.) In the case of the demes in or near Athens it would be difficult for them to be contiguous with the other demes in the same *τριτῦς*. It is not impossible that less than 3 demes may in some cases have constituted a *τριτῦς*. On the distribution of the demes among the tribes, cf. Wilamowitz, *Aus Kydathen*, i 110; Hug, *Gemeinden und Bürgerrecht in Attika*, 19; Milchhöfer, *Erl. Text zu Curtius und Kaupert, Karten von Attika* i 28, ii 39 n. 3 (Busolt, i 614, n. 5).

ὅπως ἐκάστη μετέχη πάντων τῶν τόπων] *Pol.* 1330 a 16, ἵνα—ἀμφοτέρων τῶν τόπων πάντες μετέχωσιν. *Plat. Leg.* 745 B—E (Newman).

δημότας ἐποίησεν ἀλλήλων τοὺς οἰκοῦντας ἐν ἐκάστῳ τῶν δήμων, ἵνα μὴ πατρόθεν προσαγορεύοντες ἐξελέγχωσιν τοὺς νεοπολίτας, ἀλλὰ τῶν δήμων ἀναγορεύωσιν ὅθεν καὶ καλ[οῦ]σιν Ἀθηναῖοι σφᾶς αὐτοὺς τῶν δήμων. κατέστησε δὲ καὶ δημάρχους τὴν αὐτὴν ἔχοντας ἐπιμέλειαν τοῖς πρότερον ναυκράροις· καὶ γὰρ τοὺς δήμους 20

18 προσαγορεύωσιν Richards.

καὶ <νῦν> K-W.

19—21 *Schol. Arist. *Nub.* 37 Ἄρ. δὲ περὶ Κλεισθένης φησὶ “κατέστησε καὶ δημάρχους—ἐποίησεν” (Rose, Frag. 397^b, 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^b, 397^b). *Harp. δήμαρχος:… τούτους δὲ φησιν Ἄρ. ἐν Ἀθ. πολ. ὑπὸ Κλεισθένης κατασταθῆναι τὴν αὐτὴν ἔχοντας ἐπιμέλειαν τοῖς πρότερον ναυκράροις (*ib.*). Hesych. δήμαρχοι: οἱ πρότερον καλούμενοι ναύραροι…

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 on p. 78). 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. **ἐξελέγχωσιν]** Dem. *Eubul.* 57 § 3, τοῖς μὲν ἐξελεγχόμενοις ξένους οὐσι χαλεπαίνειν, and *ib.* § 51.

τῶν δήμων ἀναγορεύωσιν] ‘publicly (or officially) call them by their demes.’ Cf. τῶν δήμων Πιθεύς, τῶν δήμων Θεορίκιος (Plat. *Euthyphro*, 213, and Dem. 39 § 30), Lys. 23 § 2, ὅπῃθεν δημοσεύοιτο. 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 Kleisthenês, 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 Κλεισθένης δήμοι εἰσι, καὶ δήμαρχοι ἐκλήθησαν. At the close of his article he cites Cleidemus (ἐν τῇ τρίτῃ): ὅτι Κλεισθένης δέκα φυλάς ποιήσαντος ἀντὶ τῶν τεσσάρων, συνέβη καὶ εἰς πεντήκοντα μέρη διαταγῆσαι αὐτοὺς (ταῦτα Müller) δὲ ἐκάλουν ναυκραρίας, ὡς περ νῦν εἰς τὰ ἑκατὸν μέρη διαιρεθέντα (διαιρεθέντας Siebelis) καλοῦσι συμμερίας (FHG 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. If the normal number of demes recognised by Cleisthenes was 100, it would follow from this that he combined every two demes into a ναυκραρία (Schömann, *Antiq.* p. 370 E.T.); or rather that he transferred the duties of each ναυκραρία to a pair of contiguous demes. 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 (*ib.* p. 370, 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. N) μέρη, to read τριάκοντα (i.e. A) μέρη, and to identify these μέρη with the τριττύς. He also assumes that this sentence was followed by a clause referring to the δήμοι. He is doubtless justified in adding that this treatise gives no direct support to the view that the ναυκραρία consisted of two δήμοι.

The Peripatetic, Demetrius Phalereus (Müller, FHG, ii 363), ascribed the establishment of demarchs not to Cleisthenes but to οἱ περὶ Σόλωνα (Newman).

ἀντὶ τῶν ναυκραριῶν ἐποίησεν. προσηγόρευσε δὲ τῶν δήμων τοὺς μὲν ἀπὸ τῶν [τ]όπ[ων], τοὺς δὲ ἀπὸ τῶν κτισάντων· οὐ γὰρ ἅπαν-
 23 τες ὑπῆρχον ἔτι τοῖς τόποις. τὰ δὲ γένη καὶ τὰς φρατρίας καὶ τὰς β

22 ἅπαντες ὑπῆρχον ἔτι (κ, κ-w); εν| pro ετι Berol. (B, qui etiam in papyro Londin. εν legendum suspicatur; certe litteris valde obscuris ετι indicator): ἅπανσ κ7λ coniect κ (J B Mayor); ἅπανσ ὑπῆρχεν ὀνόματα Bury (H-L); etiam ἅπαντες <ολ κτίσαντες> ὑπῆρχον ἔτι τοῖς τόποις coniecerat Bury. 23 ΦΑΤΡΙΑΣ, idem habet corr. Berol.

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 (Ποταμοί, Κηφισία, Ἐπικηφισία, Δειράδες, Ἄλιμοὺς), or places in their neighbourhood (Ὄταν Δεκελεικόν, Ὄταν Κεραικεικόν), or plants or trees that grew there (Μαραθῶν, Ῥαμνοὺς, Μυρμνοὺς, Ἄγνοὺς, Ἄχερδοὺς, Ἰτέα, Ἐλαιοὺς, Ἐρκεια, Θρία, Πρασία, Πτελέα, Φηγούς). Among other local designations may be mentioned Οἰνὴ, Βῆσα, Λαμπτραί, Ἐλευσίς. Cf. Etym. Magn. s. v. Ἐλεείς:... ἡ ἀπὸ τῶν τόπων, ἡ ἀπὸ τῶν παρακειμένων αὐτοῖς, ἡ ἀπὸ τῶν ἐν αὐτοῖς φυτῶν, ἡ ἀπὸ τῶν ἐν αὐτοῖς χειροτεχνῶν, ἡ 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 'hundred heroes' or eponymous founders of the demes (Herodian, quoted on § 3). The names of these are collected by Sauppe, *De Demis Urbanis*, p. 4 ff.; 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, Thymaetadae, Cothocidae, Perithoedae, Semachidae, Scambonidae, Colleidae). There are as many as 30 such demes (25 of them are given in Grote, c. 10, ii 273 n.); 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.' If, under Cleisthenes, the number of demes

was 100, it follows that before his time 70 demes were already in existence. (Cf. Smith, *Dict. Ant.* s. v. *Demus*.) '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.). It is not impossible that τῶν κτισάντων is meant to include the ancestors of these families as well as the 'eponymous heroes'; but the distinction is immaterial, as a deme might readily regard, as its eponymous hero, the founder of the family from which it derived its name.

οὐ γὰρ—τοῖς τόποις] 'for (from the time of Cleisthenes) the demes were no longer called in all cases from the localities' (understanding *προσαγορευθέντες* 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 ὑπῆρχον, 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 Örtlichkeiten*, 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. Blass reads ἐν τοῖς τόποις, with the following interpretation: *non omnes demi erant inter vicus qui iam exstant; itaque multos ab heroibus appellavit*.

ἱερωσύνας εἶασεν ἔχειν ἐκάστους κατὰ τὰ πάτρια. ταῖς δὲ φυλαῖς ἐποίησεν ἐπωνύμ[ους] ἐκ τῶν προκριθέντων ἐκατὸν ἀρχηγετῶν οὓς ἀνεῖλεν ἢ Πυθία δέκα.

24 ΙΕΡΩΣΥΝΑΣ (κ, Η-Ι, Β): ἱερωσύνας κ-ω, Meisterhans, p. 36². 25 ΕΠΩ- ΝΥΜΟΥΣ Berol.; idem coniecerant J B Mayor, Richards: ἐπωνυμ[ίας] κ¹.

25—26 Etym. M. ἐπώνυμοι (locus infra exscriptus).

§ 6. τὰ δὲ γένη—πάτρια] The parallel passage in the *Politics*, 1319 b 20, quoted on p. 78, 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, 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 φρατρίαί 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.*).

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 workshops 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 φρατρίαί. Cleisthenes allowed all these to continue as of old in their respective γένη and φρατρίαί, with their religious

institutions intact. Among these institutions would be (1) the sacrificial rites performed by the φυλοβασιλεῖς, 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 γεννηταί) ὧν αἱ ἱερωσύναί ἐκάστους προσήκουσαι ἐκκληροῦντο, οἷον Εὐμόλπιδαι καὶ Κήρυκες καὶ Ἐτεοβουτάδαι, ὡς ἱστορεῖ ἐν τῇ Ἀθ. πολ. Ἀριστοτέλης κτλ. (Rose, *Frag.* 385³).

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 φρατρίαί. At the same time he absorbed many of the minor local cults into public festivals held at Athens.

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 each other 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.

ταῖς δὲ φυλαῖς—δέκα] In Etym. M., s. v. ἐπώνυμοι, after mention of the ἐπώνυμοι τῶν ἠλικίων (c. 53), we have, contrasted with these, οἱ δέκα ἀφ' ὧν αἱ φυλαὶ προσηγορεύθησαν, οἷον Ἐρεχθεῖς, Διγέυς, Πανδίων, Λεῶς, Ἀκάμας, Οἰνέυς, Κέκρον, Ἴπποθῶν, Ἄλας, Ἀντίοχος· ταῦτα δὲ τὰ δέκα ὄνοματὰ ἀπὸ ρ' (=ἐκατόν, codices ἀπόροις) ὁ Πύθιος εἶλετο, Κλεισθένους οὕτω διαταξαμένον τὸ πᾶν πλῆθος εἰς δέκα φυλάς. Cf. *Lex. Dem. Patm.*, p. 15, Sakkelion (*Bull. de corr. hellén.* 1877), ... τοῦ θεοῦ τοῦτο χρῆσαντος... τούτους γὰρ ἐξ ὀνομάτων ἐκατὸν ὁ θεὸς ἐξελέξατο, and Schol. Aristid. iii 331, 20 Dind. This is one of several instances in which the influence

22. τούτων δὲ γενομένων δημοτικωτέρα πολ[ὺ τῆς Σ]όλωνος ἐγένετο ἡ πολιτεία· καὶ γὰρ συνέβη τοὺς μὲν Σόλωνος νόμους ἀφανίσαι τὴν τυραννίδα διὰ τὸ μὴ χρῆσθαι, καινοὺς δ' ἄλλους θεῖναι τὸν Κλεισθένην στοχαζόμενον τοῦ πλήθους, ἐν οἷς ἐτέθη καὶ 5 ὁ περὶ τοῦ ὄστρακισμοῦ νόμος. πρῶτον μὲν οὖν ἔτει †πέμπτω† 2 μετὰ ταύτην τὴν κατάστασιν ἐφ' Ἐρμοκρέοντος ἄρχοντος τῆ βουλῇ τοῖς πεντακοσίοις τὸν ὄρκον ἐποίησαν, ὃν ἔτι καὶ νῦν ὁμνύ-

XXII 3 κ(ΔΙ)ΝΟΥΟΣ? (καί...Berol.), κ-w, κ³, β: [νόμ]ους H-L. 4 κλεισθενη (κ, κ-w, H-L, β). 5 †πεμπτω†, an ὀγδῶ? κ. 6 ερμου|κρεοντος (κ).

TESTIMONIA. XXII 5—39 Heraclidis epitoma (Rose, Frag. 611, 4³): καὶ τὸν περὶ ὄστρακισμοῦ νόμον εἰσηγήσατο, ὃς ἐτέθη διὰ τοὺς τυραννιώντας. καὶ ἄλλοι τε ὄστρακίσθησαν καὶ Ξάνθιππος καὶ Ἀριστείδης.

of the Alcmaeonidae with the oracle at Delphi was of important consequences to Athens.

ἀρχηγεῶν] The ἐπάνυμοι are themselves called ἀρχηγεῖται in Aristoph. Frag. 186 Dind. (παρὰ τοὺς ἀρχηγέτας), ar. Bekk. *Anecd.* i 449: ἀρχηγεῖται ἡγεμόνες οἱ ἐπάνυμοι τῶν φυλῶν.

XXII. Ostracism.

§ 1. στοχαζόμενον τοῦ πλήθους] *Pol.* vi (iv) 12, ἀν...ὀλιγαρχικοὺς τοὺς νόμους πῶθ' στοχάζεσθαι χρῆ τῶν μέσων.

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, ἐφόρσαστο σάνισιν ἢ ἀγορὰ καὶ κατελείποντο εἰσοδοὶ δέκα, δι' ὧν εἰσιόντες κατὰ φυλὰς ἐτίθησαν τὰ ὄστρακα, στρέφοντες τὴν ἐπιγραφὴν. ἐπεστάτου δὲ οἱ τε ἐνέα ἀρχοντες καὶ ἡ βουλὴ· διαριθμηθέντων δὲ ὅτω πλείστα γένοιτο καὶ μὴ ἐλάττω ἑξακισχιλίων, τοῦτον ἔδει τὰ δίκαια δόντα καὶ λαβόντα ὑπὲρ τῶν ἰδίων συναλλαγμάτων ἐν δέκα ἡμέραις μεταστῆναι τῆς πόλεως ἑτῆ δέκα (ἕσπερον 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 ἐξοστρακισθῆναι διὰ μοχθηρίαν τρόπων, οὐ δὲ ὑπόβλιαν τυραννίδος· μετὰ τοῦτον δὲ κατελύθη τὸ ἔθος, ἀρξάμενον νομοθετήσαντος Κλεισθένου, ὅτε τοὺς τυράννους κατέλυσεν, ὅπως συνεκβάλλη καὶ τοὺς φίλους αὐτῶν. According to Ephorus and Theopompus the object of ostracism was to check ὑπεροχῆ (cf. 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 ὑπεροχῆ 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, i 620, and in Müller's *Handbuch*, iv 1, 121; Lugebil, *Das Wesen und die historische Bedeutung des Ostrakismos in Athen*, in *Fahrh. f. cl. Phil.* Suppl. Bd. iv, 119—175; Gilbert, *Gr. St.* i 446—6; Abbott's *Hist. of Gr.* i 481—3; and Smith, *Dict. Ant.* s. v.

§ 2. ἔτει πέμπτω] 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).

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 ὁμόσας, ἐν ᾧ ἦν κατὰ τοὺς νόμους βουλευσέν. Lys. 31 § 1, ὁμόσας εἰσηλθὼν εἰς τὸ βουλευτήριον τὰ βέλτιστα συμβουλευσέν τῇ πόλει, ἐνεστί τε ἐν τῷ ὄρκῳ ἀποφαίνειν εἰ τίς τινα ὀίδε

οουσιν' ἔπειτα τοὺς στρατηγούς ἤρουντο κατὰ φυλάς, ἐξ ἑκάστης <τῆς> φυλῆς ἓνα, τῆς δὲ ἀπάσης στρατιᾶς ἡγεμῶν ἦν ὁ πολέμαρχος. 3 ἔτει δὲ μετὰ ταῦτα δωδεκάτῳ νικήσαντες τὴν ἐν Μαραθῶνι μάχην¹⁰ ἐπὶ Φαινίππου ἄρχοντος, διαλιπόντες ἔτη δύο μετὰ τὴν νίκην, θαρρύντος ἤδη τοῦ δήμου, τότε πρῶτον ἐχρήσαντο τῷ νόμῳ τῷ περὶ τὸν ὄστρακισμόν, ὃς ἐτέθη διὰ τὴν ὑποψίαν τῶν ἐν ταῖς δυνά-

8 ἑκάστης <τῆς> φυλῆς B, [...φυ]λῆς ἑκάστ[ης] Berol. K-W.

13 τοῦ ὄστρακισμού

12—17 Harp. "Ἰππαρχος (locus infra exscriptus).

τῶν λαχόντων ἀνεπιτήδευον ὄντα βουλεύειν. [Dem.] 59 § 4, ὁμομοκῶς τὰ βέλτιστα βουλεύσειεν τῷ δήμῳ τῶν Ἀθηναίων. In Solon's time the βουλή swore τοὺς Σόλωνος νόμους ἐμπεδώσειεν (Plut. Sol. 25).

The oath included a clause, οὐδὲ δῆσῳ Ἀθηναίων οὐδένα, ὃς ἂν ἐγγυητὰς τρεῖς καθιστῆ τὸ αὐτὸ τέλος τελοῦντας, πλὴν ἕαν τις ἐπὶ προδοσίᾳ τῆς πόλεως ἢ ἐπὶ καταλύσει τοῦ δήμου συνίων ἀλφῶ, 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 βουλή 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 καθεστώτων τοῖς Ἀθηναίοις ἐπὶ τὸν πόλεμον στρατηγῶν. Thesm. 6 § 1, τῶν Ἀθηναίων βουλευομένων περὶ στρατηγού, where mention is made of χειροτονία (Busolt, i 616, n. 3). Unless we are prepared to accept the 'Draconian 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 fresh evidence of the text, Busolt, i 616, observes: *der Polemarchos zog nach wie vor an der Spitze des Heeres aus der Stadt.*

§ 3. διαλιπόντες ἔτη δύο] i.e. in B.C. 488/7. Pol. 1299 a 37, τοὺς μὲν διαλείπει πολλὸν χρόνον, Hist. Anim. 523 u 8, δ. ἐν ἔτος.

Θαρρύντος—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, ὃς φησι Λυκούργος ἐν τῷ κατὰ Λεωκράτους (§ 117, Ἰππαρχον τὸν Τιμάρχου, 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] *περὶ δὲ τούτου Ἀνδροτίαν ἐν τῷ β'* (frag. 5) *φησὶν ὅτι συγγενὴς μὲν ἦν Πεισιστράτου τοῦ τυράννου καὶ πρῶτος ἐξωστρακίσθη τοῦ περὶ τὸν ὄστρακισμόν νόμου τότε πρῶτον τεθέντος διὰ τὴν ὑποψίαν τῶν περὶ Πεισιστράτον, ὅτι δημοαγωγὸς ἂν καὶ στρατηγὸς ἐτυράννησεν.*

It will be observed that language almost identical with the text is quoted

μεσι, ὅτι Πεισίστρατος δημαγωγὸς καὶ στρατηγὸς ὢν τύραννος
 15 κατέστη· καὶ πρῶτος ὡστρακίσθη τῶν ἐκείνου συγγενῶν Ἰππαρχος 4
 Χάρμου Κολλυτεύς, δι' ὃν καὶ μάλιστα τὸν νόμον ἔθηκεν ὁ Κλει-
 σθένης, ἐξελάσαι βουλόμενος αὐτόν. οἱ γὰρ Ἀθηναῖοι τοὺς τῶν
 τυράννων φίλους, ὅσοι μὴ συνεξημέρτανον ἐν ταῖς ταραχαῖς, εἶν
 οἰκεῖν τὴν πόλιν, χρώμενοι τῇ εἰωθυσίᾳ τοῦ δήμου πραότητι· ὢν
 20 ἡγεμῶν καὶ προστάτης ἦν Ἰππαρχος. εὐθύς δὲ τῷ ὑστέρω ἔτει 5
 ἐπὶ Τελεσίνου ἄρχοντος ἐκνύμευσαν τοὺς ἐννέα ἄρχοντας κατὰ

14 ΟΤΕ: ὅτι (κ, Η-L, Β); ὁ γὰρ κ-W. ΔΜΑΡΤΑΝΟΝ: συνεξημέρτανον κ, κ-W¹, Β; συνεξαμαρτάνοιεν Ποστε (Η-L, et omisso ἐν κ-W²). 19 ΠΡΑΟΤΗΤΙ (κ); cf. 16, 5 et 35. cf. 34 § 2.

16 ΚΟΛΥΠΤΕΥΣ.

18 ΣΥΝΕΞ-

ΔΜΑΡΤΑΝΟΝ: συνεξημέρτανον κ, κ-W¹, Β; συνεξαμαρτάνοιεν Ποστε (Η-L, et omisso ἐν κ-W²). 19 ΠΡΑΟΤΗΤΙ (κ); cf. 16, 5 et 35. 20 ΥΣΤΕΡΩΙ: ὕστερον κ-W, Β;

by Harpocration from the Ἀθῆλις of Androtion. The historian of that name is almost certainly identical with the orator attacked in Dem. κατὰ Ἀνδροτῆως, 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, and Arnold Schaefer; against it are Ruhnken, Dindorf and C. Müller (FHG, i p. lxxxiii) and recently M. Weil, *Journal des Savants*, 1891, p. 203. All the extant quotations from the Ἀθῆλις (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 Ἀθῆλις in the enforced leisure of banishment, Plut. *de exil.* 14, p. 605 C, (συνέγραψεν) Ἀνδροτῶν Ἀθηναῖος ἐν Μεγάρῳ (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.

δημαγωγός] *Pol.* 1305 a 7, ἐπὶ δὲ τῶν ἀρχαίων, ὅτε γένοιτο ὁ αὐτὸς δημαγωγὸς καὶ στρατηγός, εἰς τυραννίδα μετέβαλλον· σχεδὸν γὰρ οἱ πλείεστοι τῶν ἀρχαίων τυράννων ἐκ δημαγωγῶν γεγόνασιν, and (on Peisistratus in particular) *ib.* 1310 b 27; *Isocr. Panath.* 148; *Dio Chrys.* i 303, 13 D.

§ 4. πρῶτος ὡστρακίσθη κτλ.] *Plut. Nic.* 11, πρῶτος δ' (ἐξ ὡστρακίσθη) Ἰππαρχος ὁ Χολαργεύς (probably a mistake for

Κολλυτεύς, or for Χάρμου) συγγενής τις ὢν τοῦ τυράννου. According to Cleitodemus, ap. Athen. 609 C, Hippias had married a daughter of Charmus.

τῇ εἰωθυσίᾳ 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 πραότητι is ever ascribed to the δήμος in the extant works of Ar.

§ 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 Τελεσίνου 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 Hysichides (c. 22 end).

ἐκνύμευσαν 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 election 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

φυλάς, ἐκ τῶν προκριθέντων ὑπὸ τῶν δημοτῶν πεντακοσίων, τότε μετὰ τὴν τυραννίδα πρῶτον; (οἱ δὲ πρότεροι πάντες ἦσαν αἰρετοί).
 6 καὶ ὠστρακίσθη Μεγακλῆς Ἴπποκράτους Ἀλωπεκῆθεν. ἐπὶ μὲν 24

22 τῶν δημοτῶν πεντακοσίων (K, K-W, B): τοῦ δήμου ἐκ τῶν πεντακοσιομεδίμων J W Headlam, τοῦ δήμου πεντακοσιομεδίμων H-L. TOIC (πεντακαικεκοστῷ ἔτει Weil): τότε Blass, K-W, H-L, K³.

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 κνᾶμμυ λαχῶν (vi 109). This had already been maintained by Grote (c. 31, iii 126), Busolt (ii 338) and others, and their opinion is now found to be correct. Cf. Lugebil in *Fahrh. f. class. Philol.*, Suppl. Bd. v 564—699; Holm, *Gr. Gesch.* ii 140, note 18.

Aristides was archon in 489 when the office was still elective, yet Demetrius Phal. makes him archon in 478, and, consistently with this, describes him as κνᾶμμυ 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 κναμεντὸν 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 κνᾶμμυ 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 ἄρξαι γὰρ τὸν Ἀριστείδην οὐ κναμεντὸν ἀλλ' ἐλομένων Ἀθηναίων) agrees with the Ἀθ. Πολ. (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 φθῶνος on account of its εὐπραγία.

It is remarkable that an institution

25 οὖν ἔτη τρία τοὺς τῶν τυράννων φίλους ὠστράκιζον, ὧν χάριν ὁ νόμος ἐτέθη, μετὰ δὲ ταῦτα τῷ τετάρτῳ ἔτει καὶ τῶν ἄλλων εἴ τις δοκοίη μείζων εἶναι μεθίστατο· καὶ πρῶτος ὠστρακίσθη τῶν ἄπωθεν τῆς τυραννίδος Ξάνθιππος ὁ Ἀρίφρονος. ἔτει δὲ τρίτῳ 7

N

27 ΜΕΘΙΣΤΑΤΟ: μεθίστατο B, -ίσταντο ceteri.

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 [Ἰππο]κράτους 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 Hipparchus was banished, i.e. 488/7. Thus the three years would be B.C. 488/7, 487/6 and 486/5. Then the ostracism of Xanthippus, τῷ τετάρτῳ ἔτει, would be in 485/4 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 τούτοις τοῖς καιροῖς* (i.e. not necessarily under Nicodemus, but in the previous year 484/3) Aristides was banished; and, in the 'fourth year after,' he was recalled, 481/0 (Bauer, p. 59).

τῷ τετάρτῳ ἔτει] 485/4.

εἴ τις δοκοίη μείζων εἶναι] *Pol.* 1302 b 15, στάσις arises όταν τις ἢ τῇ δυνάμει μείζων, and the correction of this (says Ar.) was the object of ostracism.

ἄπωθεν τῆς τυραννίδος] *Pol.* ii 3, 1262 a 29, ὧν οὐδὲν θσιὸν ἐστι γίνεσθαι πρὸς πατέρας καὶ μητέρας καὶ τοὺς ἢ πόρρω τῆς συγγενείας ὄντας, ὥσπερ πρὸς τοὺς ἄπωθεν (distant in relationship), iii 9, 1280 b 9, γίνεται γὰρ ἡ κοινωμία συμμαχία τῶν

ἄλλων τότῳ διαφέρουσα μόνον τῶν ἄπωθεν συμμαχιῶν (alliances, of which the members live apart), *ib.* 18, εἰ τινες οἰκοῦν χωρὶς μὲν, μὴ μέντοι τοσούτον ἄπωθεν (so far off) ὥστε μὴ κοινωνεῖν. 'οἱ ἄπωθεν, syn. οἱ ἀργῶτες, opp. οἱ γνῶριμοι, οἱ συνήθεις, οἱ συγγενεῖς.' *Rhet.* i 11, 1371 a 12 οἱ συνήθεις καὶ οἱ πολῖται (μᾶλλον) τῶν ἄπωθεν: c. gen. in Thuc. iii 111 § 1, ἀποθεν τῆς Ὀλπης, Aristoph. *Plut.* 674 ἄπωθεν 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 οὐδὸς 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).

Xanthippus impeached Miltiades in 490/89 (*Hdt.* vi 136; Grote, c. 36, iii 312). The present passage shews that his ostracism falls in 485/4, before that of Aristides (484/3). 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

μετὰ ταῦτα Νικοδήμου ἄρχοντας, ὡς ἐφάνη τὰ μέταλλα τὰ ἐν 29

29 ΝΙΚΟΜΗΔΟΥΣ (K-W, H-L, B): Ν(ΙΚΟ)ΔΗΜΟΥ(Berol. et Dion. Hal. viii 83 (K). ΕΦΑΝΗ: an ἀπεγράφη? Wyse (*Class. Rev.* v 112); <λυσιτελεστέρα> ἐφάνη Richards (*ib.* 226).

of Pericles (Hdt. vi 131) and Aripbron (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).

§ 7. *ἔπει... τρίτῳ* after 486, would bring us to 484/3 for the archonship of Nicodemus. It was ἐν τούτοις τοῖς καιροῖς that Aristides was ostracised, and in 481/0 all the citizens who had been ostracised were recalled διὰ τὴν Ξέρξου στρατείαν (§ 8). But 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. This would support Mr Kenyon's view. See, however, note on § 6, *ἔτη τρία*.

Νικομήδους is the reading in the papyrus; Ν(ΙΚΟ)ΔΗΜΟΥ 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 Ἄγαμήδης, Ἀλμυήδης, Ἀμφιμήδης, Ἀνδρομήδης, Ἀριστομήδης, Ἀστυμήδης, Αὐτομήδης, Διομήδης, Εὐμήδης, Εὐρυμήδης, Θεομήδης, Θρασυμήδης, Καλλιμήδης, Κλει(=Κλεο)μήδης, Κλυτομήδης, Λαομήδης, Λαοκήδης, Νεομήδης, Ξενομήδης, Ὀνασι(=i.e. Ὀνασι-μήδης, Παλαμήδης, Περιμήδης and Πολυμήδης (Pape-Benseler, *Eigennamen*, p. xxx). It cannot be interpreted as 'conqueror of the Medes,' which would be Μηδόνικος. 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 μετᾶλλων σφι προσήλθε τῶν ἀπὸ Δαυρείου, ἐμέλλον λάξεσθαι ὀρχηδῶν ἕκαστος δέκα δραχμάς. τότε Θεμιστοκλῆς ἀνέγνωσε Ἀθηναίους τῆς διαίρεσιος ταύτης παυσάμενους νέας τούτων τῶν χρημάτων ποιήσασθαι ἐς τὸν πόλεμον, τὸν πρὸς Ἀργυρίτας λέγων. (Plut. *Them.* 4, τὴν Δαυρεωτικὴν πρόσδοτον ἀπὸ τῶν ἀργυρείων μετᾶλλων ἔθος ἐχόντων Ἀθηναίων διανέμεσθαι κτλ.) This account, esp. the word *παυσάμενους*, 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, *Μαρώνεια: τόπος ἦν τῆς Ἀττικῆς, ὅπου τὰ μέταλλα εὐρέθη*. 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 enquiry 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, Thrasyllum [*ἐπὶ* Θρασύλλῳ, Dem. 37 § 25, Aeschin. i § 101], Maroneia, Aulon [Aeschin. l. c.]' (Leake's *Demi*, p. 274). Laurium may have been the general term for the district, derived from its numerous shafts and tunnels, *λαβραὶ*, 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

30 *Μαρωνεία καὶ περιεγένετο τῇ πόλει τάλαντα ἑκατὸν ἐκ τῶν ἔργων, συμβουλευόντων τινῶν τῷ δήμῳ διανείμασθαι τὸ ἀργύριον, Θεμισ-*

30—31 [περιεγένετο] | ἐκ τ[ῶν ἔργων] (vel π. τοῖς | κεκτ[μένους]) ἑκατ[ὸν τάλαντα, συμβουλευ]όντων τ[ινῶν] τῇ πό[λει διανείμασθαι τὸ ἀρ]γύριον Berol.

30 Bekk. An. p. 279 *Μαρωνεία*: τόπος ἦν τῆς Ἀττικῆς, ὅπου τὰ μέταλλα εὐρέθη. Harp. s. v.: (Dem. *Pant.* § 4), τόπος ἐστὶ τῆς Ἀττικῆς.

allege that they lent to Pantaenetus 105 minae, ἐπ' ἐργαστηρίῳ τε ἐν τοῖς ἔργοις ἐν *Μαρωνείᾳ* καὶ τριάκοντα ἀνδραπόδοις. On 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; Büchschenschütz, *Besitz und Erwerb*, pp. 98—103; *Select Private Orations of Dem.* ed. 2, ii p. 89.

τάλαντα ἑκατὸν κτλ.] Polyaeus, i 30 § 6 (5), Θεμιστοκλῆς ἐν τῷ πρὸς Διγνίτας πολέμῳ μελλόντων Ἀθηναίων τῆν ἐκ τῶν ἀργυρίων πρόσδοον, ἑκατὸν τάλαντα, διανείμασθαι, κωλύσας ἔπεισεν ἑκατὸν ἀνδράσι τοῖς πλουσιωτάτοις ἐκάστω δοῦναι τάλαντον· κἂν μὲν ἀρέσῃ τὸ πραχθῆσμενον, τῇ πόλει τὸ ἀνάλωμα λογισθῆναι, ἐὰν δὲ μὴ ἀρέσῃ, τοῖς λαβόντας ἀποδοῦναι. ταῦτα μὲν ἔδοξεν. οἱ δὲ ἑκατὸν ἀνδρες ἕκαστος μίαν τρήρη κατέστησαν, σπουδῇ χρῆσάμενοι κάλλους καὶ τάχους. Ἀθηναῖοι καινὸν στόλον ποιήσαντες ἤσθησαν, καὶ οὐ μόνον κατὰ Διγνιτῶν ταῖς τρήρεις ταύταις, ἀλλὰ καὶ κατὰ Περσῶν ἐχρήσαντο.

In Hdt. vii 144 the amount available for distribution is stated as 10 drachmas a head. Elsewhere (in v 97) Hdt. reckons the citizens at 30,000. This gives us 50 talents for distribution. He also speaks of 200 ships. 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. Themistokles 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., but the text was then represented by the Berlin fragment only.

Θεμιστοκλῆς was evidently not in the position of archon *eponymus* 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 Peiraeus, Thuc. i 93 § 2, ὑπήρκετο δ' αὐτοῦ πρότερον ἐπὶ τῆς ἐκείνου ἀρχῆς ἢς κατ' ἐναντιὸν Ἀθηναίσις ἤρξεν, and he may have been archon *eponymus* at that time. The archon for 481/0 is Hypsichides (*infra* § 8). We may therefore place the archonship of Themistocles in 482/1.

Dionysius Hal., *Ant. Rom.* vi 34, p. 1117 R, makes Themistocles archon in 493 B.C., but (as Mr Kenyon shews) this is very improbable.

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. ἐναντιὸν ἔνα. Hdt. vii 143 describes him as ἀνήρ ἐς πρῶτους νεωστὶ παρών, which is unfavourable to placing 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. But there is more probability in Mr Kenyon's second alternative, that Dionysius has simply made a mistake.

In 480/79 he was στρατηγός of the

στοκλῆς ἐκώλυσε, 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 δαπάνην, εἰ δὲ μὴ, κομίσασθαι τὰ χρήματα παρὰ τῶν δανεισμένων. λαβὼν δ' ἐπὶ τούτοις ἐνα[υ]πηγήσατο τριῆρεις ἑκατὸν, ἑκάστου ναυπηγουμένου τῶν ἑκατὸν μίαν, αἷς ἐναυμάχησαν ἐν Σαλαμῖνι πρὸς τοὺς βαρβάρους. ὠστρακίσθη δ' ἐν τούτοις τοῖς 8 καιροῖς Ἀριστείδης ὁ Λυσιμάχου. τετάρτῳ δ' ἔτει κατεδέξαντο πάντας τοὺς ὠστρακισμένους, ἄρχοντας Ὑψιχίδου, διὰ τὴν Ξέρου 40 στρατείαν· καὶ τὸ λοιπὸν ὤρισαν τοῖς ὠστρακίζομένοις ἐκτός

34—35 ἐὰν μὲν ἀρέσκη, τὸ ἀνάλωμα τῆς πόλεως εἶναι, deletis τὴν δαπάνην, H-L, B, coll. Polyæn. i 30 κὰν μὲν ἀρέση τὸ πραχθῆσόμενον, τῇ πόλει τὸ ἀνάλωμα λογισθῆναι. 39 τετάρτῳ: τρίτῳ corr. e Plut. Ar. 8' κ-W² (B). 40 ὙΨΙΧΙΔΟΥ ante corr. (H-L): Ὑψιχίδου (κ, κ-W, B). 41 ΣΤΡΑΤΕΙΑΝ: στρατείαν (κ-W, H-L, κ³). In titulis (velut etiam in codicibus) et στρατεία et στρατιά expeditioem significat (στρατεύεσθαι—τὰς στρατείας, B.C. 325;—τὰς στρατιάς B.C. 330) Meisterhans, p. 43². ἔΝΤΟΣ κ, κ-W, H-L: ἐκτός Wyse (B), quod egregie confirmat Philochorus in Lex. Rhet. Cantab. ὠστρακισμοῦ τρόπος: μὴ ἐπιβαίνοντα ἐντὸς Γεραίστου.

Athenian troops that marched to Tempe (Hdt. vii 173).

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, Ξέρου 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) *πρυτανεία* (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. i § 107 (of the same incident), ἔγνωσαν τοὺς τε φεύγοντας καταδέξασθαι καὶ τοὺς ἀπίμους ἐπιτίμους ποιῆσαι.

τὸ λοιπὸν] [Dem.] 26 § 6, Ἀριστείδην μὲν γὰρ φασιν ὑπὸ τῶν προγόνων μετασταθέντα ἐν Αἰγίῳ διατρίβειν ἕως ὃ δῆμος αὐτὸν κατεδέξατο. Hdt. viii 79, ἐξ Αἰγίῳ διέβη. Suidas, s. v. Ἀριστείδης, διέτριψεν ἐν Αἰγίῳ φυγῶν. Ξέρου δὲ ὡς αὐτὸν ἐν τῇ φυγῇ πρᾶξεν σαμῆνον καὶ τρισχιλίουσιν ἀραικοῦς... διδόντος, οὐδὲν ἐπιστρέ-

φῆσθαι 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).

ἐκτός] Mr Kenyon, retaining ἐντός, 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, lived at Argos, Thuc. i 139, ἔχων διαίταν μὲν ἐν Ἀργεῖ (Plut. *Them.* 23 § 1), ἐπιφοιτῶν δὲ καὶ ἐς τὴν ἄλλην Πελοπόννησον, 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

42 Γεραιστοῦ καὶ Σκυλλαίου κατοικεῖν ἢ ἀτίμους εἶναι καθάπαξ.

23. τότε μὲν οὖν μέχρι τούτου προήλθεν ἡ πόλις, ἅμα τῇ δημοκρατίᾳ κατὰ μικρὸν ἀξανομένη· μετὰ δὲ τὰ Μηδικὰ πάλιν ἴσχυσεν ἢ ἐν Ἀρειῷ πάγῳ βουλή καὶ διώκει τὴν πόλιν, οὐδενὶ δόγματι λαβοῦσα τὴν ἡγ[εμο]νίαν, ἀλλὰ διὰ τὸ γενέσθαι τῆς περὶ 5 Σαλαμίνα ναυμαχίας αἰτία. τῶν γὰρ στρατηγῶν ἔξαπορησάντων τοῖς πράγμασι καὶ κηρυξάντων σφῆξιν ἕκαστον ἑαυτὸν, πορίσασα δραχμὰς ἑκάστῳ ὀκτῶ διέδωκε καὶ ἐνεβίβασεν εἰς τὰς ναῦς. διὰ 2 ταύτην δὴ τὴν αἰτίαν παρεχώρουν αὐτῇ τοῦ ἀξιώματος, καὶ ἐπολι-

XXIII 1 ΤΟΤΕ: τὸ Poste (H-L). 5 διαπορησάντων Richards, coll. Cobet V. L. pp. 219—220. 6 ὩΣΕΙΝ: σφῆξιν (edd.), cf. Meisterhans, p. 142². 7 inter ἑκάστῳ et ὀκτῶ lacunam indicat B, coll. Plut. *Them.* 10, ἑκάστῳ τῶν στρατευομένων. 8 ΑΥΤ(ΗΝ)ΤΩΙΔΣΙΩΜΑΤΙ: αὐτῇ τῷ ἀξιώματι K; αὐτῆς ἀξιώματι Rutherford; αὐτῆς τῷ ἀξιώματι Blass (H-L); αὐτῇ τοῦ ἀξιώματος J E B Mayor, K-W.

TESTIMONIA. XXIII 5—7 *Plut. *Them.* 10 οὐκ ὄντων δὲ δημοσίων χρημάτων τοῖς Ἀθηναίοις Ἄρ. μὲν φησι τὴν ἐξ Ἀρειοῦ πάγου βουλὴν πορίσασαν ἑκάστῳ τῶν στρατευομένων ὀκτῶ δραχμὰς αἰτιωτάτην γενέσθαι τοῦ πληρωθῆναι τὰς τριήρεις.

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 ἀπεΐδοτο καὶ χρόνος).

Γεραιστοῦ] The cape at the s. w. extremity of Euboea. (Hdt. viii 7, ix 105, Thuc. iii 3 § 4.) Σκυλλαίων] 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.

ἀτίμους—καθάπαξ] The penalty is that of perpetual ἀτιμία. For καθάπαξ in this connexion cf. Dem. *Mid.* §§ 32, 87, *Aristog.* i § 30. The various disabilities 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. μετὰ τὰ Μηδικὰ—βουλή] *Pol.* viii (v) 4, 1304 a 20, ἢ ἐν Ἀρειῷ πάγῳ βουλή εὐδοκίμησασα ἐν τοῖς Μηδικοῖς ἔδοξε συννωπώτερον 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 ἡγεμονίας διὰ τὴν κατὰ θάλατταν δύναμιν τὴν δημοκρατίαν ἰσχυροτέρων ἐποίησεν.

ἔξαπορησάντων τοῖς πράγμασι] Isocr. *Paneg.* 147, ἀπορήσας τοῖς παροῦσι πράγμασι. For the general sense of the context, cf. Cic. *de Off.* i 75, et *Themistocles quidem nihil dixerit, in quo ipse Areopagum adiunverit, at ille vere a se adiutum Themistoclem; est enim bellum gestum consilio senatus eius qui a Solone erat constitutus.*

πορίσασα δραχμὰς] Probably from the sacred treasure on the Acropolis; cf. Philippi, *Areopag.* 293; Oncken, *Staatslehre*, 468.

§ 2. παρεχώρουν αὐτῇ τοῦ ἀξιώματος] 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, 1 etc., π. τῷ τῆς πολιτείας, τῆς ἀρχῆς (L and S). Similarly εἶκεν τῷ τῆς δόδο (Hdt. ii 80). For ἀξίωμα, cf. Thuc. vi 15 § 2, ὡν ἐν ἀξιώματι ὑπὸ τῶν ἀσπῶν, and i 130 § 1.

Mr Kenyon prints 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 ἐπιεικής, but I can find no exact parallel for the dative alone.

ἐπολιτεύθησαν—καλῶς] With the sub-

τεύθησαν Ἀθηναῖοι καλῶς καὶ κατὰ τούτους τοὺς καιροὺς. συνέβη γὰρ αὐτοῖς περὶ τὸν χρόνον τοῦτον τά τε εἰς τὸν πόλεμον ἀσκήσαι¹⁰ καὶ παρὰ τοῖς Ἑλλησιν εὐδοκιμῆσαι καὶ τὴν τῆς θαλάττης ἡγεμονίαν λαβεῖν ἀκόντων τῶν Λακεδαιμονίων. ἦσαν δὲ προστάται τοῦ δήμου κατὰ τούτους τοὺς καιροὺς Ἀριστείδης ὁ Λυσιμάχου καὶ Θεμιστοκλῆς ὁ Νεοκλέους, ὁ μὲν τὰ πολεμικὰ δοκῶν, ὁ δὲ τὰ πολιτικά δεινὸς εἶναι, καὶ δικαιοσύνη τῶν καθ' ἑαυτὸν διαφέρειν· διὸ¹⁵ καὶ ἐχρῶντο τῷ μὲν στρατηγῷ, τῷ δὲ συμβούλῳ. τὴν μὲν οὖν τῶν τειχῶν ἀνοικοδόμησιν κοινῇ διῶκῃσαν, καίπερ διαφερόμενοι πρὸς

9 καὶ (ante κατὰ) secl. κ, κ-w; retinent H-L (B), coll. 33 § 3. 10 Κ(ΔΤΑ) supra scripto ΠΕΡΙ (B). κατὰ τὸν χρόνον τοῦτον secl. κ-w. 12 ΑΚΟΝΤΩΝ (κ, κ-w, B): ἐκόντων J B Mayor (*Class. Rev.* v 112 b), Gennadios; ἐκόντων Naber (H-L). 14 ΠΟΛΕΜΙΑ (κ, κ-w, H-L): πολεμικά Blass, Richards, Thompson; πολέμια defendit K coll. Thuc. i 18 ἐν παρεσκευάσαντο τὰ πολέμια, et iv 80 ἐν τοῖς πολεμίοις γεγενῆσθαι σφίσιν ἄριστοι. ΔΣΚΩΝ (retinent (κ, κ-w²): δοκῶν Richards, Thompson, Kontos (H-L, κ-w², B); δοκῶν ἀσκήν conicit K. 14—15 ΠΟΛΕΜΙΚΑΔΕΙΝΟΣ per errorem, corr. K. δεινὸς εἶναι <δοκῶν > κ, κ-w².

sequent context, cf. Isocr. *Areop.* 51 (of the Areopagus), ἧς ἐπιστατούσης οὐ δικῶν οὐδ' ἐγκλημάτων οὐδ' εἰσφορῶν οὐδὲ πενίας οὐδὲ πολέμων ἢ πόλις ἔγμεν...παρεῖχον γὰρ σφᾶς αὐτοῖς τοῖς μὲν Ἑλλησι πιστοῦς, τοῖς δὲ βαρβάροις φοβεροῦς· τοὺς μὲν γὰρ σεσοκότες ἦσαν κτλ., and §§ 80, 82. *Panath.* 151, τὰς πράξεις τὰς ἐκ τοῦ καλῶς πολιτεύεσθαι...152, παρὰ τοῖς Ἑλλησιν εὐδοκίμησαν. *De Pace*, 75—77, esp. τῆς πολιτείας τῆς παρὰ πᾶσιν εὐδοκίμουσης.

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 πολλῷ δ' ὕστερον τὴν ἀρχὴν τῆς θαλάττης ἔλαβον, δυντῶν μὲν τῶν ἄλλων Ἑλλήνων, οὐκ ἀμφισβητούντων δὲ τῶν νῦν ἡμᾶς ἀφαιρέσθαι ζητούντων, *de Pace* 30, παρ' ἐκόντων τῶν Ἑλλήνων τὴν ἡγεμονίαν ἐλάβομεν, *Panath.* 67, οἱ σύμμαχοι τὴν ἡγεμονίαν ἡμῖν τὴν κατὰ θάλατταν ἔδοσαν. Thuc. i 96, παραλαβόντες οἱ Ἀθ. τὴν ἡγεμονίαν... ἐκόντων τῶν ἑνυμμάχων διὰ τὸ Παισσανίου μῦθος. In Xen. *Hell.* vi § 34 a Spartan declares that the Athenians were chosen leaders at sea τῶν Λακεδαιμονίων συμβουλευομένων. None of the above passages 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.* i, N. οὐ τῶν ἀγαν ἐπιφανῶν Ἀθήνησι.

τὰ πολεμικὰ] *Pol.* 1305 a 14, ἀπειρία τῶν πολεμικῶν, 1285 b 18, ἡγεμονία τῶν πολεμικῶν. *Ind. Ar.* On the other hand, πολέμιοι is rare in *Ar.* Cf. c. 3 l. 7.

δικαιοσύνη] Plut. *Arist.* 3 fin., and 7, τὸν δίκαιον.

τῷ μὲν στρατηγῷ, τῷ δὲ συμβούλῳ] Aristotle obviously refers to the rival claims of Themistocles and Aristides in *Pol.* viii (v) 8, 1309 a 39, ἔχει δ' ἀπορίαν, ὅταν μὴ συμβαλῇ ταῦτα πάντα (φιλίαν πρὸς τὴν καθεστῶσαν πολιτείαν... δύναμιν μεγίστην τῶν ἔργων τῆς ἀρχῆς... ἀρετὴν καὶ δικαιοσύνην) περὶ τὸν αὐτὸν, πῶς χρὴ ποιείσθαι τὴν αἴρεσιν... ἐν στρατηγίᾳ μὲν (δεῖ βλέπειν) εἰς τὴν ἐμπειρίαν μᾶλλον τῆς ἀρετῆς... ἐν δὲ φυλακῇ καὶ ταμείᾳ τούναντιον. 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 Aristides was one of the ἐνμπρέσβεις who afterwards announced to Themistocles ἔχειν ἱκανῶς τὸ τεῖχος (91 § 3). Cf. Busolt, ii 321—9.

ἀλλήλους· ἐπὶ δὲ τὴν ἀπόστασιν τὴν τῶν Ἴωνων ἀπὸ τῆς τῶν
 Λακεδαιμονίων συμμαχίας Ἀριστείδης ἦν ὁ προτρέψας, τηρήσας
 20 τοὺς Λάκωνας διαβεβλημένους διὰ Πausανίαν. διὸ καὶ τοὺς 5
 φόρους οὗτος ἦν ὁ τάξας ταῖς πόλεσιν τοὺς πρώτους ἔτει τρίτῳ
 μετὰ τὴν ἐν Σαλαμῖνι ναυμαχίαν ἐπὶ Τιμοσθένους ἄρχοντος, καὶ
 τοὺς ὄρκους ὤμοσεν τοῖς Ἴωσιν || ὥστε τὸν αὐτὸν ἐχθρὸν εἶναι καὶ [Col. 10
 φίλον, ἐφ' οἷς καὶ τοὺς μύδρους ἐν τῷ πελάγει καθείσαν.

24. μετὰ δὲ ταῦτα θαρρούσης ἤδη τῆς πόλεως καὶ χρημάτων
 ἠθροισμένων πολλῶν, συνεβούλευεν ἀντιλαμβάνεσθαι τῆς ἡγεμο-
 νίας καὶ καταβάντας 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 κατασχῆσειν τὴν ἡγεμονίαν.
 πεισθέντες δὲ ταῦτα καὶ λαβόντες τὴν ἀρχὴν τοῖς [[τε]] συμμαχοῖς 2

18 ΙΩΝΩΝΚ(ΔΙ)Τ(ΗΝ)Τ(ΩΝ)ΛΑΚΕΔ—ΜΑΧΙΑΝ:—ἀπὸ τῆς—συμμαχίας Blass, H-L,
 K-W, K². 21 πόλεσι H-L. 23 ὤμοσε H-L, B.

B A

XXIV 2 ΠΟΛΛΩΝΗΘΡΟΙΣΜΕΝΩΝ: πολλῶν ἠθροισμένων H-L, B; ἀθροισμένων π.
 K-W. 5 πράττουσιν H-L. 6 τοῖς τε: τοῖς B.

ἀπόστασιν τὴν τῶν Ἴωνων] Thuc. i
 95 § 1, ἐν τῇδε τῇ ἡγεμονίᾳ ἤδη βιαλοῦ
 ὄντος αὐτοῦ (Pausanias) οἱ τε ἄλλοι Ἕλληνες
 ἤχθοντο καὶ οὐχ ἤκιστα οἱ Ἴωνες... φοιτῶν-
 τές τε πρὸς τοὺς Ἀθηναίους ἤξιον αὐτοὺς
 ἡγεμόνας σφῶν γενέσθαι κατὰ τὸ ξυγγενές
 καὶ Πausανίᾳ μὴ ἐπιτρέπει. Plut. *Arist.*
 23. On the other hand Hdt. viii 3, πρό-
 φασιν τὴν Πausανίῳ ἕβρον προσιχόμενοι
 ἀπειλῶντο τὴν ἡγεμονίαν τοὺς Λακεδαιμο-
 νίους. On Pausanias cf. *Pol.* 1307 a 2,
 1333 b 32.

§ 5. τοὺς φόρους] 'tributes.' Thuc. i 96,
 ἔταξαν ἅς τε εἶδει παρέχειν τῶν πόλεων
 χρήματα πρὸς τὸν βάρβαρον καὶ ἅς ναῦς...
 καὶ ἑλληνοταμίαι τότε πρῶτον Ἀθηναίους
 κατέστη ἀρχή, οἱ ἐδέχοντο τὸν φόρον·
 οὕτω γὰρ ὠνομάσθη 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 Aedeimantus (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.

τοὺς ὄρκους ὤμοσεν] Plut. *Arist.* 25,
 ὁ δ' Ἀριστείδης ὤρκισε μὲν τοὺς Ἕλληνας
 καὶ ὤμοσεν ὑπὲρ τῶν Ἀθηναίων, μύδρους
 ἐμβαλὼν ἐπὶ ταῖς ἀραῖς εἰς τὴν θάλατταν.
 The same symbol of an irrevocable oath
 is recorded in Hdt. i 165, οἱ Φωκαῖες
 ἐποίησαντο ἰσχυράς κατὰρας τῷ ὑπολειπο-
 μένῳ ἑωνυτῶν τοῦ στόλου· πρὸς δὲ ταύτησιν
 καὶ μύδρον σιδήρεον κατεπόντωνσαν καὶ
 ὤμοσαν μὴ πρὶν εἰς Φωκαίην ἕξειν, πρὶν ἢ
 τὸν μύδρον τοῦτον ἀναφῆναι, and in Horace,
Eprod. 16, 25.

XXIV § 1. θαρρούσης] c. 22 § 3.
 καταβάντας ἐκ τῶν ἀγρῶν κτλ.] In
 contrast to Peisistratus 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

δεσποτικωτέρως ἐχρῶντο πλὴν Χίων καὶ Λεσβίων καὶ Σαμίων·
τούτους δὲ φύλακας εἶχον τῆς ἀρχῆς, ἐῶντες τὰς τε πολιτείας παρ'
3 αὐτοῖς καὶ ἄρχειν ὧν ἔτυχον ἄρχοντες. κατέστησαν δὲ καὶ τοῖς
πολλοῖς εὐπορίαν τροφῆς, ὥσπερ Ἀριστείδης εἰσηγήσατο. συνέ- 10
βαινε γὰρ ἀπὸ τῶν φόρων καὶ τῶν τελῶν [[καὶ τῶν συμμάχων]]

8 <τὰς> παρ', Richards, κ-w.

9 ἄρχοντες <αὐτοῖς ἐπιτρέποντες, καὶ — —>

'dictum erat de clerichis' κ-w.

10 συνέβαινε H-L.

10—22 'idoneam sen-

tentiam non praebent...certe ipsi auctori tribuenda non videntur' H-L.

11 ΦΩΡΩΝ:

εἰσφορῶν Whibley (H-L).

καὶ τῶν συμμάχων secl. κ-w, B.

in 4 § 100; 8 § 101; κατασχέιν in 4 § 102,
8 § 126.

δεσποτικωτέρως] This comparative of the adverb is not in L and S. *Pol.* iv 10, 3, τὸ δεσποτικῶς ἄρχειν.

πλὴν Χίων καὶ Λεσβίων καὶ Σαμίων] Thuc. i 19, (in the interval between the Persian and Peloponnesian wars) Ἀθηναῖοι δὲ (τοὺς συμμάχους ἡγοῦντο) ναῦς τε τῶν πόλεων τῷ χρόνῳ παραλαβόντες, πλὴν Χίων καὶ Λεσβίων, καὶ χρήματα τοῖς πᾶσι τάζαντες 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 state 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 Mitylenæans '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, οἷον Ἀθηναῖοι μὲν περὶ Σαμίου καὶ Χίου καὶ Λεσβίου (ἐπεὶ γὰρ θᾶπτον ἐγκρατῶς ἔσχον τὴν ἀρχήν, 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* refers to a later time and is therefore not inconsistent with the text (cf. W. L. Newman, *Class. Rev.* v 162 b).

ἐῶντες] The two constructions of ἐῶν are here combined, (1) the acc., as in *Pol.* v 7, 1307 b 16, κινήσαντας τὸν νόμον ἐάσειν τὴν ἄλλην πολιτείαν, and (2) the inf., as *ib.* 3, 1302 b 20, ἐάσαντας γενέσθαι ἴσθαι ὑστερον.

ὧν ἔτυχον ἄρχοντες] For Chian possessions on the mainland, cf. Hdt. i 160 (Wyse). On the relations of Athens to Chios, Lesbos and Samos, cf. Wilamowitz, *Aus Kydathen*, pp. 11, 12.

§ 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

πλείους ἢ δισμυρίους ἄνδρας τρέφεσθαι. δικασταὶ μὲν γὰρ ἦ[σα]ν
 ἑξακισχίλιοι, τοξόται δ' ἑξακόσιοι καὶ χίλιοι, καὶ πρὸς τούτοις
 14 ἱππεῖς χίλιοι καὶ διακόσιοι, βουλὴ δὲ πεντακόσιοι, καὶ φρουροὶ

12 ΔΙΚΑΣΤΑΙ: ὀπλίται? van Leeuwen, Gennadios.

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 *τελών* 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 (*εἰσφορὰ*) which was practically a war-tax, and the *ληπτοῦργίαι*, 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 συμμαχῶν προσόδου*). There is a fuller enumeration in Aristoph. *Vesp.* 656, *καὶ πρῶτον μὲν λογίσασθαι φαῦλως, μὴ ψήφοις, ἀλλ' ἀπὸ χειρῶν, τὸν φόρον ἡμῶν ἀπὸ τῶν πόλεων ἐπιλήθδην τὸν προσουβῆτα: κάξω τοῦτων 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.

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. [Xcn.] *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, 4). There was also an *ἐπιφορὰ* (*ib.* 397). The visits of the citizens of the allied states to Athens would be another source of profit' (Newman).

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.

Δικασταὶ] 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 *Ἡλιασταὶ* were instituted by Solon; but their number in his days is unknown, though it was probably not very small.

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 *ἱππεῖς* at 1200 *ἐν ἱπποτοξόταις*. In Thuc. vi 25 Nicias requires for the Sicilian expedition *τοξοτῶν τῶν αὐτόθεν καὶ ἐκ Κρήτης*. Gilbert, *Gr. St.*, i 305, quotes CIA i 79, *τοξόται οἱ ἀστικοί*; i 45, (*κατὰ*) *φυλάς τοχίστοια δέκα*; and i 55, 433, 446; *ib.* i 79, *οἱ τῶξαρχοι*. 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).

ἱππεῖς] 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. *Hipparch.* 9, 3; Dem. 14 § 13). The number 1200 in Thuc. includes the *ἱπποτοξόται*. 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, n. 5, quotes Philochorus, *l. c.*, *διάφορα γὰρ ἦν ἱππέων πλήθη κατὰ χρόνον Ἀθηναίους*, but holds

νεωρίων πεντακόσιοι, καὶ πρὸς τούτοις ἐν τῇ πόλει φρουροὶ πεντή-
κοντα, ἀρχαὶ δ' ἔνδημοι μὲν εἰς ἑπτακοσίους ἄνδρας, ὑπερόριοι δ'

15 τῇ secl. K-W², B.

16 M(EN) HCAN EIC.

that little credit can be given to any statements giving 1200 as the total number of the *ἰπτεῖς* 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 ὀπίλται τῶν ἐν τοῖς φρουροῖς καὶ τῶν παρ' ἑπαλέω 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 ἄστεϊ 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. 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]ικ[ε]δ[ο]μήσαι [δ]ἰπ[ω]ς] ἂν δραπέτης μὴ [ἀ]σί[η] μὴδὲ λωποδύτ[ης] ταῦτα δὲ ξυγρ[ά]ψαι μὲν Καλλικρ[ά]τη(ν) ὅπως ἄριστα κα[ί] εὐτελέστατα σκ[ε]ψά[σ]ω[ι]α, μισθώσα[ι] δὲ τοὺς πωλητὰς ὅπως ἂν ἐντός ἐξή[κ]οντα ἡμερῶν ἐπισκ[ε]ψασθῆ, φύλακας δὲ [εἶ]ναι τρεῖς μὲν τοξότ[α]ς ἐκ τῆς φυλῆς τῆς [π]ρυτανευούσης. M. Foucart understands the three τοξόται who 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 ὕπ' Ἀθηναίων πόλις. Cf. c. 8 l. 24.

'Aristophanes always uses ἐν πόλει, εἰς πόλιν (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, διελλάγων τούτους ἐν τῇ

πόλει ἐναντίον μαρτύρων, [Xen.] *de Red.* 5 § 12, πολλὰ χρήματα εἰς τὴν πόλιν ἀνευχθέντα, Phil. *Per.* 32, ὅπως... οἱ δὲ δικασταὶ τὴν ψήφον ἀπὸ τοῦ βωμοῦ φέροντες ἐν τῇ πόλει κρίνοιν. ἐμ πόλει is no doubt the normal form in CIA i' (Wyse).

ἀρχαί... ἔνδημοι] The total number is large, and there is nothing to shew that the higher officers of state are excluded. Schömann (*Ant.* 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 *πρωτάει*s are excepted from the rule that all offices should be without pay.

ὑπερόριοι] In *Pol.* iii 14, 1285 b 14, we have τὰ κατὰ πόλιν καὶ τὰ ἐνδῆμα καὶ τὰ ὑπερόρια συνεχῶς ἦρχον, and the term ὑπερόριος occurs again in l. 18. Cf. law quoted in Aeschin. c. *Timarch.* 47, μὴδὲ ἀρχὴν ἀρχέτω μηδεμίαν, μήτε ἐνδῆμον μήτε ὑπερόριον. Mr Kenyon's translation distinguishes between magistrates 'within the city' and 'those whose jurisdiction lay outside it'; Mr Poste (more satisfactorily) between 'home' and 'foreign' magistrates. The latter would naturally include the officials in the Athenian κληρουχία. The first κληρουχία was that settled near Chalkis in 510 B.C. The number of cleruchs sent out between 460 and 427 amounted to 9,450, not including those sent to Lemnos, Imbros and Aegina (Gilbert, *Gr. St.* i 421, note 4).

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), and the ἐπιμεληταὶ sent to Miletus (CIA iv 1, 22^a) and in later times to Delos, Haliartus and Paros (Boeckh, i 508 a, and n. 709 Fränkel).

The ἀρχαὶ ὑπερόριοι would also include the φρούραρχοι, as at Erythrae, CIA i 9 (Ditt. no. 2), and 10. φρουραρχία is mentioned in Xen. *Mem.* iv 4, 17, and φρούραρχοι possibly in [Xen.] *de Rep.*

εἰς ἑπτακοσίους· πρὸς δὲ τούτοις, ἐπεὶ συνεστήσαντο τὸν πόλεμον ὕστερον, ὀπλίται μὲν δισχίλιοι καὶ πεντακόσιοι, νῆες δὲ φρουρίδες 19 εἴκοσι, ἄλλαι δὲ νῆες αἰ τοὺς φρουροὺς ἄγουσαι τοὺς ἀπὸ τοῦ

17 ἑπτακοσίους e v. 16 male repetitum putant K-W (B). 'an <τὰ εἰς> τὸν πόλεμον?' K-W; κατέστησαν ἐς τὸν πόλεμον Richards. 19 φοροῦς κ, et (lacuna post ἀγουσαι indicata) K-W: φρουροὺς van Leeuwen et Blass, coll. 62 § 1; φόρους 'vox aperte corrupta,' H-L; μισθοφόρους? Herwerden.

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), οἷτως Ἀθηναίων ἀρχονσι ἐν τῇ ὑπερορίᾳ.

συνεστήσαντο τὸν πόλεμον] The phrase *συστήσαι* οἱ *συστήσασθαι* πόλεμον οἱ πολίται is found in the *Politics* and τὰ πράγματα *συστάσθαι* (of tragic poets) in the *Poetics* 6, p. 1450 a 37. Again, in Thuc. i 15 § 2 we find *κατὰ γῆν δὲ πόλεμος... οὐδὲς ἐξέστη*, and Hdt. vi 108 has *συνεστῆκτας Βοιωτοῖσι* 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 *στράτευμα συνεστηκός*, of 'a standing army,' in Dem. p. 93 *fin.*

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 τούτοις*) 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 *βουλῆ*, 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 Megara early in the Peloponnesian war.

Blass understands by *ὀπλίται* *qui continentio in praesidiis erant*.

νῆες—φρουρίδες] 'guard-ships.' In Thuc. iv 13 § 2 the Athenian fleet at Pylos includes *τῶν φρουρίδων τινὲς 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 καταλελειμμένοι φρουρίδες*, and CIA iv 22 a, at Miletus, *[ἀπο]στειλάντων [δύο] φρουρίδε*. Cf. Wilamowitz, *Aus Kydathen*, p. 73 f.

The Athenian triremes were generally manned by about 200 each (Boeckh II xxii p. 376 Lamb; Gilbert, i 310).

τοὺς—ἀγουσαι] *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). Pollux (viii 114) inaccurately says that the *ἐλληνοταμίαι* collected the tribute, but this duty (when necessary) was (after 446?) performed by the *ἐκλογεῖς*. It was only the collection of *arrears* or *finēs* that was enforced by means of *νῆες ἀργυρολόγοι* (Thuc. iii 19; iv 50, 75) under the command of one or more *στρατηγοί* (Gilbert, i 398, and *Beiträge*, p. 67). Further, unless we suppose a lacuna, *τοὺς ἄνδρας* cannot be construed. Hence the suggestion *φρουροὺς*, which follows naturally

κυάμου δισχιλίους ἄνδρας, ἔτι δὲ πρυτανεῖον καὶ ὄρφανοὶ καὶ δεσ- 20
μωτῶν φύλακες· ἅπανσι γὰρ τούτους ἀπὸ τῶν κοινῶν ἢ διοίκη-
σις ἦν.

25. ἢ μὲν οὖν τροφή τῷ δήμῳ διὰ τούτων ἐγγίγνεται. ἔτη δὲ
ἑπτὰ καὶ δέκα μάλιστα μετὰ τὰ Μηδικὰ διέμεινεν ἢ πολιτεία προ-
εστῶτων τῶν Ἀρεοπαγιτῶν, καίπερ ὑποφερομένη κατὰ μικρόν. αὐ-
ξανομένου δὲ τοῦ πλήθους, γενόμενος τοῦ δήμου προστάτης Ἐφιάλ- 4

20 'πρυτανεῖον νix verum' K-W.
τησις H-L.

21 ἅπασιν B.

ΔΙΟΙΚΗCIC: διασί-

XXV 1 ΕΓΙΝ (K-W).

TESTIMONIA. XXV 4 Heraclidis epitoma (Rose, Frag. 611): Ἐφιάλτης.

after *φρουρίδες* and enables us to take τούς 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 *βουλευταί* and the *φρουροί* still continued to be thus appointed (c. 62 § 1).

πρυτανεῖον] i.e. the persons maintained in the *πρυτανεῖον*, 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. Hermann, *Staatsalt.* § 127, 17 f.

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 *δημοσία τρέφει*. Cf. Thuc. ii 46, τούς παῖδας ἀπὸ τοῦδε δημοσία ἢ πόλις μέχρι ἤβης θρέψει. *Pol.* ii 8, 1268 a 8 (τοῖς παῖσι τῶν ἐν τῷ πολέμῳ τετελευτηκῶτων 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. Laert. i 54). Cf. Schulthess, *Vormundschaft*, pp. 13—26. 'ὄρφανοί are mentioned in an inscr. said to be not later than 460 B.C. (Dittenberger, no. 384, l. 120), but the latter part is much mutilated' (Wyse).

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*.

διοίκησις] lit. 'administration.' *Pol.* iii 16, 1287 a 6, ποιεῖν ἕνα κύριον τῆς διοικήσεως, and 1331 b 9, περὶ γραφῆς 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 *συσσίτια*) 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, τὰς 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 (*σπίτησις*) and payment of money.

XXXV. *Ephialtes*.

§ 1. ἔτη ἑπτὰ καὶ δέκα 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.

προεστῶτων τῶν Ἀρεοπαγιτῶν] See c. 23 § 1, and *Politics* there quoted. *ISOCR. Areop.* 51 ἡς ἐπιστατοῦσης κτλ.

ὑποφερομένη] c. 36 § 1.

Ἐφιάλτης ὁ Σοφωνίδου] The father's name is given (*Σοφ.*) in Aelian *Var. Hist.* 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 αἰδοῦμενον ὑμᾶς καταχαρισσῆσθαι τῶν δικαίων, μὴ αἰδοῦμενον δὲ μηδὲ χαριζέ-

5 της ὁ Σοφωνίδου, || καὶ δοκῶν ἀδωροδόκητος εἶναι καὶ δίκαιος [Col. 11] |
 πρὸς τὴν πολιτείαν, ἐπέθετο τῇ βουλῇ. καὶ πρῶτον μὲν ἀνείλεν 2
 πολλοὺς τῶν Ἀρεοπαγιτῶν, ἀγῶνας ἐπί[φ]έρων περὶ τῶν διωκημέ-
 νων· ἔπειτα τῆς βουλῆς ἐπὶ Κόνωνος ἄρχοντος ἅπαντα περιείλετο

5 [[καὶ] δοκῶν H-L, K-W².
 K-W, K², B; παρείλετο H-L.

6 ἀνείλε H-L.

8 περιείλε: περιείλετο Richards,

μενον ὑμῖν ἀχάριστον δόξει. 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 ἐκάστῃ πολιτείᾳ τὴν πρὸς τὴν πολιτείαν (*Class. Rev.* v 160 a). Aelian *Var. Hist.* xiii 39, 'Ἐφ. στρατηγὸν ἀνείδισαντο αὐτῶν τινος περὶαν 'τὸ δὲ ἔτερον' ἔφη 'διὰ τί οὐ λέγεις, ὅτι δίκαιός εἰμι;'

§ 2. ἀγῶνας ἐπιφέρων] Plut. *Per.* 10 § 6, 'Ἐφιάλτην...φοβερὸν ὄντα τοῖς ὀλιγαρχικοῖς καὶ περὶ τὰς εὐθύνas καὶ διώξεις τῶν τὸν δῆμον ἀδικούντων ἀπαραιτήτων. 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 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 *Zeittafeln*) or about 458 (e.g. in Smith, *Dict. Ant.* s. v. Areopagus). Cf. Philippi, *Areop.* p. 256—9.

περιείλετο] *Inf.* § 4, περιείλοντο. See note on παραιεῖσθαι and πειραιεῖσθαι 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 ἐκόλυσε 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. Philochorus (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 ὑστερον χάριτι τοῦ δήμου καταλύοντα τὴν ἐξ Ἀρείου πάγου βουλὴν διηρέθη, *ib.* 15, Ἐφιάλτου προεστῶτος ἀφείλοντο τῆς ἐξ Ἀρείου πάγου βουλῆς τὰς κρίσεις πλὴν ὀλίγων ἀπάσας, καὶ τῶν δικαστηρίων κυρίως αὐτοῦς ποιήσαντες εἰς ἄκρατον δημοκρατίαν ἐπέβαλον τὴν πόλιν. *Præc. Ger. Reip.* 10 § 15 (II 805), βουλὴν τινας ἐπαχθή καὶ ὀλιγαρχικὴν κολουσάντες, ὥσπερ Ἐφιάλτης Ἀθήνησι..., δύναμιν ἅμα καὶ δόξαν ἔσχον, *ib.* 15 § 18, ὡς Περικλῆς...δι' Ἐφιάλτου τὴν ἐξ Ἀρείου πάγου βουλὴν ἐπατείνωσε. Pausan. i 29, 15, Ἐφ. δς τὰ νόμιμα τὰ ἐν Ἀρείῳ πάγῳ μάλιστα ἐλυμήνατο. Cf. Philippi, *Der Areopag.*, pp. 256—271; Busolt, ii 460.

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 ἵκασι Διονυσιακαὶ found on the Acropolis in 1886 describes Aeschylus as exhibiting in that year, i.e. in March, 458: 'Ἐφ. Ἀρχ. 1886, p. 209, quoted in Haigh's *Attic Theatre*, p. 322, [ἐπὶ Φιλο]κλέους...τραγωδῶν, Ξενοκλῆς Ἀφιδνα[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 Diodorus 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.

τὰ ἐπίθετα δι' ὧν ἦν ἡ τῆς πολιτείας φυλακή, καὶ τὰ μ[ὲν τ]οῖς πεντακοσίοις, τὰ δὲ τῷ δήμῳ καὶ τοῖς δικαστηρίοις ἀπέδωκεν. 10
3 ἔπραξε δὲ ταῦτα συναιτίου γενομένου Θεμιστοκλέους, ὃς ἦν μὲν

11 ἘΠΡΑΞΕΙ, ἔπραξε B, ἔπραττε K etc.

ΓΕΝ: γιν- Richards, γιγν- H-L.

11 *Isocr. Areopagiticus argumentum (ed. Benseler, p. lviii; Schol. in Aeschin. etc. Dind. p. 111; Orat. Att. ed. Turicensis, ii p. 6): 'Ἐφιάλης τις καὶ Θεμιστοκλῆς χρεωστούντες τῇ πόλει χρήματα καὶ εἰδότες ὅτι, ἐὰν δικασθῶσιν (δικάσωσιν Bens.) οἱ Ἀρεοπαγίται, πάντως ἀποδώσουσι, καταλύσαι αὐτοὺς ἔπεισαν τὴν πόλιν, οὕτως οὐκ ἔστι μὲν ἀλλοτρίως κερθῆναι. "ὁ γὰρ Ἀρ. λέγει ἐν τῇ πολ. τῶν Ἀθ. ὅτι καὶ ὁ Θεμιστοκλῆς αἴτιος ἦν μὴ πάντα (πάντως cod. Mustoxydis) δικάζειν τοὺς Ἀρεοπαγίτας" (Rose, Frag. 366^b, 404^b) δῆθεν μὲν, ὡς δι' αὐτοὺς τοῦτο ποιοῦντες, τὸ δ' ἀληθὲς διὰ τοῦτο πάντα κατασκευάζοντες. εἶτα οἱ Ἀθηναῖοι ἀσμένως ἀκούσαντες τῆς τοιαύτης συμβουλῆς κατέλυσαν αὐτούς.

Cf. Philippi, *Areop.* pp. 264, 290, and Grote, c. 46 (iv 112 n).

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 *δικας τὰς φοινίκας...δικάζειν ἐκ παλαιοῦ*. Cf. Meier and Schömann, *Att. Process*, ed. Lipsius, p. 11.

Harpocr. s. v. *ἐπιθέτους ἐοράς* defines them as *τὰς μὴ πατρίους* (cf. c. 3, 16—18), and adds: *ἐλέγγο δὲ παρ' αὐτοῖς καὶ ἄλλα ἐπιθετά τινα, ὅπρσα μὴ πάτρια ὄντα ἢ ἐξ Ἀρείου πάγου βουλή ἐδικάζειν, 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 *Ant.* 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 before the battles at the Eurymedon (Thuc. i 100 § 1), which are assigned to 466. Xerxes died in 465 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. The authorities there quoted, as making him arrive before the king's death, are Ephorus, Deinon, Cleitarchus and Heraclides; but the account of Thuc. is accepted as 'agreeing better with the dates, although these again have not been firmly settled beyond dispute.'

12 τῶν Ἀρεοπαγιτῶν, ἔμελλε δὲ κρίνεσθαι μηδισμού. βουλόμενος δὲ

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.

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, *περιέλετο*). 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 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

καταλυθῆναι τὴν βουλὴν ὁ Θεμιστοκλῆς πρὸς μὲν τὸν Ἐφιάλτην ἔλεγεν ὅτι συναρπάζει αὐτὸν ἢ βουλή μέλλει, πρὸς δὲ τοὺς Ἄρεοπαγίτας ὅτι δείξει τινὰς συμισταμένους ἐπὶ καταλύσει τῆς πολι-¹⁵τειας. ἀγαγὼν δὲ τοὺς αἰρεθέντας τῆς βουλῆς οὐ διέτριβεν ὁ Ἐφιάλτης, ἵνα δείξῃ τ[οῦ]ς ἀθροιζομένους, διελέγετο μετὰ σπουδῆς 4 αὐτοῖς. ὁ δ' Ἐφιάλτης ὡς εἶδεν καταπλαγεῖς καθίζει μονοχίτων

16 ΔΦΑΙΡΕΘΕΝΤΑΣ (κ): αἰρεθέντας? κ (κ-ω, β); αἰρεθέντας ὑπὸ Richards; ἔφαιρεθέντας H-L, coll. Thuc. iv 38; ἔξ- Poland. ΟΥ: οἱ H-L.

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 Phanias 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.

ἦν τῶν Ἄρεοπαγιτῶν] He owed this position to the fact that he had been archon in 482/1; see note on c. 22 § 7. συναρπάζει] The object of Themisto-

cles 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).

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, ὥρα δ' οὐκ ἀφαιρέται οὐδὲμία ἀφωρισμένη (*Class. Rev.* v 164 a). ἀφαιρέσθαι, however, is very rarely used in this sense.

'In Lys. 13 § 23 the *Codex Palatinus* has οἱ διαιρεθέντες τῶν βουλευτῶν, where 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 διατρίβων. 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. Eur. *Ion*, 1257—1260, ποῖ φύγῃ δῆρ' ; ... ποῖ δ' ἂν ἄλλοσ', ἢ πῖ 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 = ἄπεπλος, '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 Pythænetus, *ap.* Athen. 589 F, Μέλισσα ἀναμπεχόνος καὶ μονοχίτῳ ἦν. τὸν βωμόν] The article is

ἐπὶ τὸν βωμόν. θαυμασάντων δὲ πάντων τὸ γεγού[ος] καὶ μετὰ
 20 ταῦτα συναθροισθείσης τῆς βουλῆς τῶν πεντακοσίων κατηγόρου
 τῶν Ἀρεοπαγιτῶν ὁ τ' Ἐφιάλτης καὶ <ὁ> Θεμιστοκλῆς, καὶ πάλιν
 ἐν τῷ δῆμῳ τὸν αὐτὸν τρόπον, ἕως περιείλοντο αὐτῶν τὴν δύναμιν.
 καὶ <ὁ μὲν Θεμιστοκλῆς — —>, ἀνηρέθη δὲ καὶ ὁ Ἐφιάλτης δολο-
 φουηθεὶς μετ' οὐ πολλὸν χρόνον δι' Ἀριστοδίκου [τ]οῦ Ταναγραίου.

26. ἡ μὲν οὖν τῶν Ἀρεοπαγιτῶν βουλή τοῦτον τὸν τρόπον
 ἀπεστερήθη τῆς ἐπιμελείας. μετὰ δὲ ταῦτα εὐμβαιεν ἀνίσθαι
 μᾶλλον τὴν πολιτείαν διὰ τοὺς προθύμους δημαγωγούντας. κατὰ
 γὰρ τοὺς καιροὺς τούτους συνέπεσε μῆδ' ἡγεμόνα ἔχειν τοὺς ἐπιει-
 5 κεστέρους, ἀλλ' αὐτῶν προεστάναι Κίμωνα τὸν Μιλτιάδου, τινώτε-

21 <ὁ> Θεμ. K-W, H-L, B. 22 ΠΕΡΕΙΛΟΝ^{TO}: περιείλοντο K, K-W, B; παρεί-
 λοντο H-L. 23 καὶ <ὁ μὲν Θεμιστοκλῆς — —>, ἀνηρέθη δὲ κτλ K-W. καὶ om.
 J B Mayor, Blass, (H-L).

XXVI 4 Post ἡγεμόνα adiectivum (velut ἔμπειρον) desiderat Richards, σπουδαῖον
 Gennadios; an ἡγεμόνα ἔχειν ἱκανόν? 5 νεώτερον: νεώτερον? Kontos, K-W;
 idem mavult Herwerden qui ἀνούστερον coniecerat; 'fort. νεώτερον'; νεώτερον 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. *Præc. Ger. Reip.* c. 16 § 22
 ἢ γὰρ ὁ μὲν (Περικλῆς) πρὸς πολιτείαν, ὁ δὲ (Κίμων) πρὸς πόλεμον εὐφέστερος.

TESTIMONIA. XXV 23, 24 * Plut. *Per.* 10 (infra exscriptum).

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, *Stadt-
 geschichte*, p. cxxi), or that of Zeus 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 Μου-
 χιασίου 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 ὁ ἔχθροί δι' Ἀριστοδίκου
 τοῦ Ταναγραϊκοῦ (v. l. -αίου) κρυφαίως ἀνείλον,
 ὡς Ἀριστοτέλης εἶρηκεν. 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
 πολιτεία προαιρέσεως δολοφονήσαντος διὰ
 ζηλοτυπίας καὶ φθόνου τῆς δόξης. Diod. xi
 77, 6, τῆς νυκτὸς ἀναρθεῖς ἀδῆλον ἔσχε τὴν
 τοῦ βίου τελευταίην. [Plat.] *Axioch.* 368 D,
 ποῦ δ' Ἐφιάλτης (τέθνηκε); Antiph. 5 § 68,
 οὐδέπω νῦν ἐύρηγται ὁ ἀποκτείναντες.

XXVI. Cimon.

§ 1. ἀνίσθαι—πολιτεία] The meta-
 phorical use of ἀνίσθαι is common in

Ar. e.g. *Rhet.* i 4, 1360 a 24, πολιτεία
 καὶ ἀνιέναι καὶ ἐπιτείνωμεναι φθιρόνται
 (with Cope's note), *Pol.* v 1, 1301 b 17,
 ἵνα ἐπιταθῶσιν ἢ ἀνεθῶσιν αἱ πολιτεῖαι,
 vi (iv) 3, 1290 a 28, πολιτεῖαι ἀνιέναι
 καὶ μαλακαὶ (opp. το συντονώτεροι), iv (vii)
 4, 1326 a 28, πολιτεία ἀνιένειν 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,
 ἁρμονίαι ἀνιέναι opp. τὸ σύντονοι.

For the facts, cf. Plut. *Cimon* 15, ὡς
 δὲ πάλιν ἐπὶ στρατείας ἐξέπλευσε, τελῶς
 ἀνεθέντες οἱ πολλοὶ καὶ συγχέοντες τὸν
 καθεστῶτα τῆς πολιτείας κόσμον τὰ τε πά-
 ρα νῆματα, οἷς ἔχρωντο πρότερον, Ἐφιάλτου
 προσετώτος ἀφείλοντο τῆς ἐξ Ἀρείου πάγου
 βουλῆς τὰς κρίσεις πλὴν ὀλίγων ἀπάσας,
 καὶ τῶν δικαστηρίων κυρίους ἐάντοδς ποιή-
 σαντες εἰς ἄκρατον δημοκρατίαν ἐπέβαλον
 τὴν πόλιν, ἥδη καὶ Περικλέους δυναμένου
 καὶ τὰ τῶν πολλῶν φρονύοντος. The time
 to which Plutarch refers is later than
 Cimon's subjugation of Thasos (463 Clin-
 ton; 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'

ρον ὄντα καὶ πρὸς τὴν πόλιν ὀψὲ προσελθόντα, πρὸς δὲ τούτοις ἐφθάρθαι τοὺς πολλοὺς κατὰ πόλεμον· τῆς γὰρ στρατείας γυγνομένης ἐν τοῖς τότε χρόνοις ἐκ καταλόγου, καὶ στρατηγῶν ἐφισ[τ]αμένων ἀπειρῶν μὲν τοῦ πολεμῆν τιμωμένων δὲ διὰ τὰς πατρικὰς δόξας, αἰεὶ συνέβαινεν τῶν ἐξιόντων ἀνὰ δισχιλίους ἢ τρισχιλίους 10 ἀπόλλυσθαι, [ὧ]στε ἀναλίσκεσθαι τοὺς ἐπικεικῆς καὶ τοῦ δήμου καὶ

7 ΓΙΝ (κ-ω).

10 ΔΙΕΙ (κ, κ-ω).

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 πύρρω τῆς ἡλικίας), while in Plut. *Cim.* 4 he is said to have resembled his father in εὐθήθεια. (Cf. Wyse in *Class. Rev.* v 274 b.) The combination of νεώτερον and ὀψὲ προσελθόντα is in itself open to suspicion.

νωρότερον (which has been suggested) is found in Ameipsias, frag. 16, Pollux ix 138; cf. the description of Chares in Theopompus, frag. 288, νωροῦ τ' ὄντος καὶ βραδέος. See also Schol. to Aristides in iii 515, 8—10 and 517, 28—30 Dind.

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 ὀψὲ προσελθόντα.'

πρὸς τὴν πόλιν ὀψὲ προσελθόντα] 'having been rather late in entering on public life.' I am not aware of any exact parallel to this phrase; but we have something like it in c. 27 § 1, πρὸς τὸ δημαγωγῆν ἐλθόντος.

ἐκ καταλόγου] 'from the roll of hoplites,' as contrasted with the mercenary troops that came into vogue at a later date.

πατρικὰς] here 'ancestral.' See c. 28 § 5.

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; *Pol.* viii (v) 3, 1303 a 9, καὶ ἐν Ἀθήναις ἀνυχούτων περὶ οἱ γνώριμοι ἐλάττους ἐγένοντο διὰ τὸ ἐκ καταλόγου στρατεῦσθαι 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.

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' ἕκτω ἔτει μετὰ τὸν Ἐφιάλτου θάνατον
 15 ἔγνωσαν καὶ ἐκ ζευγιδῶν προκρίνεσθαι τοὺς κληρωσομένους τῶν
 ἐννέα ἀρχόντων, καὶ πρῶτος ἦρξεν ἐξ αὐτῶν Μνησιθείδης. οἱ δὲ
 πρὸ τούτου πάντες ἐξ ἰππέων καὶ πεντακοσιομεδίμων ἦσαν, οἱ
 <δὲ> ζευγίται τὰς ἐγκυκλίους ἦρχον, εἰ μὴ τι παρεωράτο τῶν ἐν
 τοῖς νόμοις. ἔτει δὲ πέμπτῳ μετὰ ταῦτα ἐπὶ Λυσικράτους ἄρχον- 3
 20 τος οἱ τριάκοντα δικασταὶ κατέστησαν πάλιν οἱ καλούμενοι κατὰ
 δῆμους· καὶ τρίτῳ μετὰ τούτου ἐπὶ Ἀντιδότου διὰ τὸ πλήθος τῶν 4
 πολιτῶν, Περικλέους εἰπόντος, ἔγνωσαν μὴ μετέχειν τῆς πόλεως ὅς
 ἂν μὴ ἐξ ἀμφοῖν ἀστοῖν ἦ γεγονώς.

12 οὐχ quondam debet Wyse.

14 ἀλλ' ἢ Blass (H-L).

18 δὲ add. K

(edd.). post παρεωράτο deletum ὑπὸ τῶν δῆμων retinent H-L.

21 ΜΕΤΑΥ-

ΤΟΝ ante corr. (K¹, H-L, B); μετὰ τούτου post corr. (K-W, K²).

23 HN: corr. K.

§ 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.

ἕκτω 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 κοινῆν εἶναι τὴν πολιτείαν καὶ τοὺς ἀρχοντας ἐξ Ἀθηναίων πάντων αἰρεῖσθαι. 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. προκρίνεσθαι] 8 § 1; 22 § 5.

κληρωσομένους τῶν ἐννέα ἀρχόντων] sc. ἀρχῆν. Lysias 6 § 4, ἐὰν ἔλθῃ κληρωσομένος τῶν ἐννέα ἀρχόντων καὶ λάχῃ βασιλεὺς, and *ib.* 24 § 13, τί με κωλύει κληροῦσθαι τῶν ἐννέα ἀρχόντων;

Μνησιθείδης] B.C. 457/6.

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' οὐσίας τῆς θρασυτήτος πρὸς οὐδὲν τῶν ἐγκυκλίων ἀλλ' εἴπερ πρὸς τὸν πόλεμον. The term had already been similarly used by Isocr. 3 § 22, ἐν τοῖς ἐγκυκλίους καὶ τοῖς καθ' ἡμέραν ἐκάστην γιγνομένοις, and *de Pace* 87. *Inf.* c. 43, l. 3.

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.

Περικλέους εἰπόντος—γεγονώς] *Pol.* iii 5, 1278 a 34, τέλος δεῖ μόνον τοὺς ἐξ ἀμφοῖν ἀστοῶν πολίτας ποιεῖσθαι. Plut. *Pericles* 37, ἀκμάζων ὁ Περικλῆς ἐν τῇ πολιτείᾳ πρὸ πάντων πολλῶν χρόνων καὶ παιδᾶς ἔχων

27. μετὰ δὲ ταῦτα πρὸς τὸ δημαγωγεῖν ἐλθόντος Περικλέους, καὶ πρῶτον εὐδοκίμησαντος ὅτε κατηγορήσῃ τὰς εὐθύναις Κίμωνος στρατηγούτου νέος ὢν, δημοτικώτεραν ἔτι συνέβη γενέσθαι τὴν πολιτείαν· καὶ γὰρ τῶν Ἀρεοπαγιτῶν ἕνια παρείλετο, καὶ μάλιστα προὔτρεψεν τὴν πόλιν ἐπὶ τὴν ναυτικὴν δύναμιν, ἐξ ἧς συνέβη 5

XXVII 2 πρῶτοῦ: πρὸ τοῦ Jackson, van Leeuwen; πρῶτον Blass, alii (K-W, H-L, K³). 4 ΠΑΡΕΙΛΕΤΟ (K, H-L, B): περιελέτο K-W, cf. 25 vv. 8, 22. 5 προὔτρεψε H-L.

... γνησίους, νόμον ἔγραψε μόνους Ἀθηναίους εἶναι τοὺς ἐκ δεῦν Ἀθηναίων γεγονότας. Aelian *Var. Hist.* vi 10, xiii 24, frag. 68. Cf. Isæus 8 § 10; 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 has been argued that no such law could have been proposed by Pericles (see Buermann, *Jahrb. f. cl. Phil.* Suppl. Bd ix 624—, 1878; Gilbert, *Gr. St.* i 179; Schenkl, *Wiener Studien*, ii 171; Duncker, *Bericht d. Berl. Akad.*, 1883, p. 935; Busolt in Müller's *Handbuch* IV 1, 141). 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*.

XXVII. Pericles.

§ 1. κατηγορήσῃ—Κίμωνος νέος ὢν] Plutarch, *Cim.* 14, states that Cimon was put on his trial on his return from the reduction of Thasos on the ground that he had been bribed not to follow up his success by an invasion of Macedonia: *δικὴν ἔφυγε* (ἔφευγε? cf. Plut. *Per.* 10, ὅτε—*δικὴν ἔφευγε*) τῶν ἐχθρῶν συστάτων ἐπ' αὐτόν. 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 γὰρ τῇ δίκῃ πρῶτατον γενέσθαι τῷ Κίμωνι καὶ πρὸς τὴν κατηγορίαν ἅπαξ ἀναστῆναι μόνον, ὡσπερ 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 suggested by Bauer for the revolt of Thasos is 459, and for its reduction (τρίτω ἔτει, Thuc. i 101) 457.

εὐθύναις] 59 § 2, στρατηγῶν εὐθύναις.

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).

παραιρῆσθαι, in mid., is used of 'disfranchising persons' in *Pol.* iii 5, 1278 a 32, εὐποροῦντες δὴ ὄχλου κατὰ μικρὸν παραιροῦνται τοὺς ἐκ δούλου πρῶτον ἢ δούλης, 14, 1285 b 16, τῶν ὄχλων παραιρουμένων (of the withdrawal of royal privileges on the part of the people), viii (v) 10, 1311 b 6, γυναῖκα παρῆλθαι, to seduce. In *Hdt.* ii 109, π. τί τις 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.

περαιοῦσθαι is similarly used of 'stripping off' and 'taking away,' e.g. Dem. p. 246, 23, ἀπάντων... ἐλευθερίαν περιελέτο, *Pol.* vii (vi) 2, 1318 a 1, (τὰ τοιαῦτα δημοτικά)... ἐὰν δέ τις καταλειφθῆ ἐξ ἀρχαίας μεταβολῆς, τότε περιαιοῦσθαι τὴν δύναμιν αὐτῆς καὶ ἐξ αἰρετῶν κληρωτοὺς ποιεῖν. Both words are equally defensible and the ms reading may therefore be retained. We have περιαιοῦσθαι τὰ ἐπίθετα in 25 § 2, and τὴν δύναμιν in 25 § 4; we also have περιαιοῦσθαι στέφανον in c. 57 § 4.

ναυτικὴν δύναμιν] *Pol.* vii (vi) 7, 1321 a 14, ἡ δὲ ψιλὴ δύναμις καὶ ναυτικὴ δημοτικὴ πάντων. viii (v) 4, 1304 u 22 (immediately after mention of the influence of the Areopagus), καὶ πάλω 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 Peiræus, consisting mainly of the ναυτικὸς ὄχλος, were distinctively democratical.

θαρρήσαντας τοὺς πολλοὺς ἄπασαν τὴν πολιτείαν μᾶλλον ἄγειν εἰς αὐτούς. μετὰ δὲ τὴν ἐν Σαλαμῖνι ναυμαχίαν ἐνὸς δεῦν πεντη- 2 κοστῶ ἔτει ἐπὶ Πυθοδώρ[ου] ἄρχοντος ὁ πρὸς Πελοποννησίου ἐνέστη πόλεμος, ἐν ᾧ κατακλησθεῖς ὁ δῆμος ἐν τῷ ἄστει καὶ συν- 10 εθισθεῖς ἐν ταῖς στρατείαις μισθοφορεῖν, τὰ μὲν ἐκὼν τὰ δὲ ἄκων προηρεῖτο τὴν πολιτείαν διοικεῖν αὐτός. ἐποίησε δὲ καὶ μισθοφόρα 3 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 δημο-

α.

6 ΠΑΣΑΝ: πᾶσαν B, ἄπασαν ceteri. 7 ΔΕΙ: (H-L, B): δεῦν J E B Mayor, K-W, K³. 9 ΕΝΕΣΤΗ: συνέστη H-L: confert K c. 5 vv. 11, 22; 17 v. 15; 41 v. 2, quibus omnibus in locis H-L συνέστη malunt. -ΚΛΙΘΕΙΣ: -κλεισθεῖς K, cf. 19, 32; -κλησθεῖς K-W, H-L, B. 10 ΣΤΡΑΤΙΑΙΣ.

TESTIMONIA. 14—18 Heraclidis epitoma (Rose, Ar. Frag. 611, 5³): τοὺς ἰδίους ἀγροὺς ὀπωρίζειν παρέιχε τοῖς βουλομένοις, ἐξ ὧν πολλοὺς ἐδείπνιζε. *Plut. Cim. 10 (infra exscriptum).

θαρρήσαντας] c. 22 and 24 § 1.

§ 2. δεῦν] 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 ἐπι 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 ἐνέστη. It is true that in Isocr. p. 82 B τὸν πόλεμον τὸν ἐνστάνα... τῇ 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, ἐπι 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 ἐνεστῶτα καιρῶν. Φυσικὴ Ἀκρόασις, iv 13, 222 b 14, ὁ χρόνος ἐγγὺς τοῦ ἐνεστῶτος νῦν.

κατακλησθεῖς—ἄστει] Thuc. ii 13 § 2, (Pericles) παρήγει 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; Grote, c. 46, iv 103; Gilbert, *Gr. St.* i 325.

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 ελεγαν λητουργεῖν); and the forms in λη- are found in inscriptions of the fourth century. In 386 B.C. we have [λη]τιουργίαν, CIA ii add. 554 b 14; in the time of Demosthenes and Aristotle, τὰς ε]λλας λη[του]ργίας καλῶς λητιου[ργ]εῖ... *ib.* 557, 5; in 340—332, λητιου[ργ]ησαν, *ib.* 172, 4. Meisterhans, *Grammatik d. Attischen Inschriften*, ed. 1888, p. 29, note 174 (Intro. to Dem. *Lehr.* p. iii).

τῶν δημοτῶν ἔτρεφε πολλοὺς κτλ.] Plut. *Cim.* 10, τῶν τε γὰρ ἀγρῶν τοὺς φραγμαῖς ἀφείλεν, ἵνα καὶ τοὺς ξένους καὶ τῶν πολιτῶν τοὺς δεομένους ἀδεῶς ὑπάρχη λαμβάνειν τῆς ὀπώρας, καὶ δειπνον οἰκοὶ παρ' αὐτῷ λιτῶν μὲν, ἀρκοῦν δὲ πολλοῖς, ἐποιεῖτο καθ' ἡμέραν, ἐφ' ὃ τῶν πενήτων ὁ βουλόμενος εἰσῆει καὶ διατροφῆν εἶχεν ἀπάργμονα, μόνους τοῖς δημοσίοις σχολάζων. ὡς δ' Ἀριστοτέλης φησιν, οὐχ ἀπάντων Ἀθηναίων, ἀλλὰ τῶν δημοτῶν αὐτοῦ Λακιδῶν παρεσκευάζετο βουλομένῳ τὸ δειπνον. *Pericl.* 9, ἐν ἀρχῇ... πρὸς τὴν Κίμωνος δόξαν ἀντιταττόμενος ὑπεποιεῖτο τὸν δῆμον· ἐλαττούμενος δὲ πλοῦτι καὶ χρήμασι, ἀφ' ὧν ἐκείνος ἀνελάμβανε τοὺς πέντηνας δειπνῶν τε καθ' ἡμέραν τῷ δεομένῳ παρέχων Ἀθηναίων καὶ τοὺς πρεσβυτέρους ἀμφιεννῶν, τῶν τε χωρῶν τοὺς φραγμαῖς ἀφαίρων, ὅπως ὀπωρίζωσι οἱ βουλομένοι, τοῦτος ὁ Περικλῆς καταδημαγωγούμενος τρέπεται πρὸς τὴν τῶν δημοσίων διανομήν. The

τῶν ἔτρεφε πολλούς· ἐξῆν γὰρ τῷ βουλομένῳ Λακιάδων καθ' 15
ἐκάστην τὴν ἡμέραν ἐλθόντι παρ' αὐτὸν ἔχειν τὰ μέτρια, ἔτι δὲ τὰ
χωρία πάντα ἀφρακτα ἦν, ὅπως ἐξῆ τῷ βουλομένῳ τῆς ὀπώρας
4 ἀπολαύειν. πρὸς δὲ ταύτην τὴν χορηγίαν ἐπιλειπόμενος ὁ Περι-
κλῆς τῇ οὐσίᾳ, συμβουλευσάντος αὐτῷ Δαμωνίδου τοῦ Οἰήθεν (δς

15 τοῦσπολλοῦς, delete τοῦς. 17 εἶη: ἐξῆ (K-W, H-L, K³, B). 18 ἐπι-
λειπ: ἀπολειπόμενος Richards (H-L). 19 <Δάμωνος> Δαμωνίδου "Οαθεν Wyse
(*Class. Rev.* v 227), cf. Wilamowitz, *Hermes* xiv 320. Οἰήθεν H-L, K³ (Meisterhans,
45²); Οἰήθεν K-W, B.

19 * Plut. *Per.* 9 (Ar. Frag. 365², 403³), infra exscriptum.

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 βουλόμενοι τῶν πολιτῶν εἰσιόντες ὀπωρίζονται καὶ λαμβάνωσιν εἰ τιος δέοντο τῶν ἐν τοῖς χωρίοις. ἔπειτα τὴν οἰκίαν παρέχε κοινῇ ἅπασι· καὶ δεῖπνον αἰεὶ εὐτελὲς παρασκευάζεσθαι πολλοῖς ἀνθρώποις, καὶ τοὺς ἀπόρους προσιόντας τῶν Ἀθηναίων εἰσιόντας δεῖπνῆν. 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 hospitalem fuisse: ita enim instituisse et villicis imperavisse, ut omnia praeberentur, quicumque Laciades in villam suam devertisset.' The excerpts ascribed to Heraclides tell the same story of Ephialtes: 'Εφ. τοὺς ἰδίους ἀγροὺς ὀπωρίζων παρέχε 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 ὑπανεψῶν 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 *Mnemotysne*, ix 58.

Λακιάδων] The δημόται of Cimon, Plut. *Cim.* 4. The deme itself was also called Λακιάδα.

τὰ μέτρια] 'moderate provision,' Xen. *Lac.* i 3, σίτος μετριώτατος, *Mem.* ii 6, 22, τὰ μ. κекτήσθαι, *Cyr.* v 2, 17, μετριότης τῶν σίτων. *Supra* 16 § 3.

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 sup-

ported by ὅπως ὀπωρίζονται in Theopompus and ὅπως ὀπωρίζωσιν in Plut. *Per.* 9. ὅπως ἐξῆν would be quite out of place here (Goodwin, *Moods and Tenses*, § 333²).

§ 4. ἐπιλειπόμενος] ἐπιλειπεσθαι in pass. c. gen., 'to fall short of,' is found in [Plat.] *Epinomis* 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 λαν ὑπολειπεσθαι ταῖς ἡλικίαις τὰ τέκνα τῶν πατέρων οὐτε λαν 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 τοῦτοις δουλεύειν.

Δαμωνίδου] Damonides is mentioned in Plut. *Per.* 9, τρέπεται πρὸς τὴν τῶν δημοσίων διανομὴν συμβουλευσάντος αὐτῷ Δαμωνίδου τοῦ Οἰήθεν ("Οαθεν Sintenis, collato Steph. Byz. s. v. "Οα: Δημωνίδου τοῦ "Οαθεν vulg.), ὡς Ἀριστοτέλης ἰστορήκε. 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, 424 C. Duncker, *G. d. A.*, ix c. 8; Busolt, ii 443; Holm, ii 345, 17.

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 Κλεανδρίδης and Κλεάνδρος, Φρασικλείδης and Φρασικλῆς, Εὐβουλίδης and Εὐβουλος, Τευταμίδης and Τεύταμος, Σιμχίδης and Σιμχος, Μαίανδρίδης and Μαίανδρος, Θεσπιάδης and Θεσπιος (Hemsterhuys on

20 ἐδόκει τῶν πολλῶν εἰσηγητῆς εἶναι τῷ Περικλεί, διὸ καὶ ὠστράκι-
σαν αὐτὸν ὕστερον), ἐπεὶ τοῖς ἰδίοις ἠττάτο, δίδοναι τοῖς πολλοῖς
τὰ αὐτῶν, κατεσκεύασε μισθοφορὰν τοῖς δικασταῖς· ἀφ' ὧν αἰτιῶν- 5
ταί τινες χεῖρους γενέσθαι, κληρουμένων ἐπιμελῶς αἰεὶ μᾶλλον τῶν
τυχόντων ἢ τῶν ἐπιεικῶν ἀνθρώπων. ἤρξατο δὲ μετὰ ταῦτα καὶ
25 τὸ δεκάξειν, πρώτου καταδείξαντος Ἀνύτου μετὰ τὴν ἐν Πύλῳ

20 ΠΟΛΛΩΝ (κ-ω, κ², β): ΠΟΛΕΜΩΝ (κ¹), πολιτικῶν Wyse (H-L). 22 δικαστηρίους Blass, Richards (H-L), propter χειρῶν in versu proximo positum. ἀφ' οὗ Richards (H-L). 23 χειρῶν (κ, H-L): χεῖρους Newman, Hude, κ-ω; τὰ πράγματα τὰ κατὰ τὴν πολιτείαν, vel τὴν πόλιν, excidisse putant J B Mayor et Rutherford; τὰ κατὰ τὰ δικαστήρια desiderat Bury. 25 Ἀνύτου: ΔΥΤΟΥ corr. K.

25 * Harp. δεκάξων... Ἀρ. δ' ἐν Ἰ. Αθ. πολ. Ἀνυτὸν φησι καταδείξει τὸ δεκάξειν τὰ δικαστήρια. Bekk. An. p. 211, 31 Ἀνυτος: οὗτος πρῶτος δικαστήριον <δεκάξειν> 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 Μέλης (leg. Ἀνυτος) τὰς εὐθύνας διδοὺς τῆς ἐν Πύλῳ στρατηγίας ἢ κακῶς ἐστρατήγησεν. Cf. Rose, 371², 409³.

Lucian, *Timon*, p. 157), Καλλιπίδης and Κάλλιππος, Ἀγωνίδης and Ἀγωνίον, Ἐξήκεστίδης and Ἐξήκεστος, Εὐφρονίδης and Εὐφρόνιος, Μεγακλείδης and Μεγακλής, Μνησαρχίδης and Μνήσαρχος, Ξανθιππίδης and Ξανθίππος (O. Crusius in *N. Jahrb.*, 1891, pp. 385—394, 'Die Anwendung von Vollnamen und Kurznamen bei derselben Person'). 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 Ὀα, and the politician Damonides of Οἴη, and transferred to the former some of the attributes of the latter. The demonic of the former would be "Οαθεν;" of the latter, Οἴηθεν. This has also been suggested by Gomperz, *Deutsche Rundschau*, May 1891, p. 232, and is probably the best solution of the discrepancy.

εἰσηγητῆς] apparently not found in Ar. Thuc. viii 48, τοὺς καλοὺς κάγαθοὺς—ποριστὰς ὄντας καὶ εἰσηγητὰς τῶν κακῶν τῷ δήμῳ. *Pol.* ii 8, 1268 b 30, εἰσηγείσθαι (advise, propose) νόμων λύσιν, and vi (iv) 1, 1289a 1, τοιαύτην εἰσηγείσθαι τάξιν, and several times in [Ar.] *Rhet. ad Alex.* Thuc. iv 76, ἐσηγομένου (τινός), 'on his proposal.'

δίδοναι τοῖς πολλοῖς τὰ αὐτῶν] 'to offer the people what was their own'—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).

χεῖρους γενέσθαι] The writer is possibly referring to Plato's *Gorgias* 515 E, παντὶ γὰρ ἔγωγε ἀκούω, Περικλέα πεποικηνέναι Ἀθηναίους ἀργούς καὶ δειλοὺς καὶ λάλους καὶ φιλαργύρους, εἰς μισθοφορίαν πρῶτον καταστήσαντα. Aristotle often refers to Plato in the *Politics* as *twes*, e.g. in iv (vii) 7, 5, 1327 b 38 (W. L. Newman in *Class. Rev.* v 160 b).

§ 5. δεκάξειν] Lys. 29 § 12, δεδεκασμένοι, Isocr. 8 § 50, θανάτου τῆς ζημίας ἐπιεικείνης, ἐάν τις ἀλῶ δεκάξων, Aeschin. i § 87, μαρτυρεῖν τὸν μὲν ὡς ἐδέκαζε τὸν δὲ ὡς ἐδέκαζετο. Cf. note on Dem. 46 § 26, ἐάν τις...συνδεκάξῃ τὴν ἡλιαίαν in *Select Private Orations*, ii 139, ed. 1886. Plut. *Pericl.* 9 § 3, συνδεκάσας τὸ πλῆθος.

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 Ἀνθεμιανος προδοσίας περὶ Πύλον κρυβόμενος (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*).

στρατηγίαν. κρινόμενος γὰρ ὑπὸ τιῶν διὰ τὸ ἀποβαλεῖν Πύλον, δεκάσας τὸ δικαστήριον ἀπέφυγεν.

28. ἕως μὲν οὖν Περικλῆς προειστήκει τοῦ δήμου βελτίω τὰ κατὰ τὴν πολιτείαν ἦν, τελευτήσαντος δὲ Περικλέους πολὺ χείρω. πρῶτον γὰρ τότε προστάτην ἔλαβεν ὁ δῆμος οὐκ εὐδοκιμοῦντα παρὰ τοῖς ἐπιεικέσιν· ἐν δὲ τοῖς πρότερον χρόνοις αἰεὶ διετέλουν οἱ 2 ἐπιεικεῖς δημαγωγοῦντες. ἐξ ἀρχῆς μὲν γὰρ καὶ πρῶτος ἐγένετο 5 προστάτης τοῦ δήμου Σόλων, δεύτερος δὲ Πεισίστρατος, τῶν εὐγενῶν καὶ γνωρίμων· καταλυθείσης δὲ τῆς τυραννίδος Κλεισθένης, τοῦ γένους ὧν τῶν Ἀλκμεωνιδῶν, καὶ τούτῳ μὲν οὐδεὶς ἦν ἀντιστασιώτης ὡς ἐξέπεσον οἱ περὶ τὸν Ἰσαγόραν. μετὰ δὲ ταῦτα τοῦ μὲν δήμου προειστήκει Ξάνθιππος, τῶν δὲ γνωρίμων Μιλτιάδης· 10 ἔπειτα Θεμιστοκλῆς καὶ Ἀριστείδης· μετὰ δὲ τούτους Ἐφιάλτης μὲν τοῦ δήμου, Κίμων δ' ὁ Μιλτιάδου τῶν εὐπόρων· εἶτα Περικλῆς μὲν τοῦ δήμου, Θεουκυδίδης δὲ τῶν ἐτέρων, κηδεστής ὧν Κίμωνος. 3 Περικλέους δὲ τελευτήσαντος τῶν μὲν ἐπιφανῶν προειστήκει Νικίας, ὁ ἐν Σικελίᾳ τελευτήσας, τοῦ δὲ δήμου Κλέων ὁ Κλεαι- 15

XXVIII 6—7 τῶν εὐγενῶν καὶ γνωρίμων secl. K-W; τῶν εὐγενῶν <ὧν> κτλ Richards (H-L, B).

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 ἑπτὰ

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:—βελτίω, as contrasted with that of his successors, which was χείρω. 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 εὐδοκιμοῦντα] *Pol.* 1274 a 13—15, ὁ δῆμος...δημαγωγὸς ἔλαβε φαῦλους ἀντιπολιτευομένων τῶν ἐπιεικῶν. οἱ ἐπιεικεῖς δημαγωγοῦντες] Schol. *Arist. Pax* 681, πρότερον δημαγωγούντων 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 ὧν after εὐγενῶν, or understand 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 γνωρίμων is contrasted with τοῦ δήμου.

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.* xlv1 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.

νέτου, ὃς δοκεῖ μάλιστα διαφθεῖραι τὸν δῆμον ταῖς ὀρμαῖς, καὶ πρῶτος ἐπὶ τοῦ βήματος ἀνέκραγε καὶ ἐλοιδορήσατο καὶ περιζωσάμενος ἐδημηγόρησε, τῶν ἄλλων ἐν κόσμῳ λεγόντων. εἶτα μετὰ τούτους τῶν μὲν ἐτέρων Θηραμένης ὁ Ἄγνωνος, τοῦ δὲ δήμου Κλεο-
20 φῶν ὁ λυροποῖός, ὃς καὶ τὴν διωβελίαν ἐπόρισε πρῶτος· καὶ

16 ὀρμαῖς, ἐκάστοτε χαριζόμενος vel aliquid eiusmodi desiderat J B 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 νομῇ χρημάτων τὸν δῆμον, *Eth.* 1130 ὁ 31 ἐν ταῖς διανομαῖς τιμῆς ἢ χρημάτων, 1131 ὁ 30 ἀπὸ χρημάτων κούων ἐὰν γλῆνηται ἢ διανομή, 1131 α 25. 20 ΔΙΩΒΟΛΙΑΝ.

ἐτη, ὃς πρῶτος δημηγορῶν ἀνέκραγεν ἐπὶ τοῦ βήματος καὶ ἐλοιδορήσατο... ἐπέστη δὲ καὶ τῇ πρὸς Λακεδαιμονίους εἰρήνῃ, ὡς Φιλόχορος καὶ Ἄριστοφάνης (Ἄριστοτέλης Hemsterhuis quem sequitur Rose, *Frag.* 368², 406³), προσθεῖς ἄρχοντα Βῆθωνον Ἄριστοτέλης δὲ καὶ περιζωσάμενον αὐτὸν δημηγορήσαι, εἰς τὴν θρασυτητα αὐτοῦ ἀποσκώπτων. Schol. Aeschin. i 25 "ἐν τῇ ἀγορᾷ τῇ Σαλαμινίων ἀνάκειται ὁ Σόλων ἐντὸς τὴν χεῖρ' ἔχων": ἀνετέθη ἢ Σόλωνος εἰκὼν οὐκ ἐπὶ τῷ ἐν κόσμῳ λέγειν, ὡς φησὶν Αἰσχίνης, ἀλλ' ἐπειδὴ οὕτω τὰ ἐλεγεία ἀπήγγειλε. Δημοσθένης μέντοι (*Or.* 19 § 251) νεωστὶ φησὶ πρὸ πεντήκοντα ἐτῶν ἀνατεθεῖσθαι ταύτην τὴν εἰκόνα. λέγεται δὲ Κλέων ὁ δημηγωγὸς παραβὰς τὸ ἐξ ἔθους σχῆμα περιζωσάμενος δημηγορήσαι.

16 Heraclidis epitoma, 611, 6, Κλέων παραβαλὼν διέθβειρε τὸ πολίτευμα.

20—23 Locum de pecunia theorica ad iudicium mercedem male transtulerunt interpretes antiqui. *Schol. Arist. *Vesp.* 684 τοὺς τρεῖς ὀβολούς: τὸν φόρον λέγει,

ταῖς ὀρμαῖς] hardly 'his wild undertakings' (Kenyon), or even 'his incitations' (Poste), though the latter rendering may be preferred. Better *ses emportementis* (Reinach), 'his impulsive ways.' Plut. i 1012, πρῶτερος καὶ ταῖς ὀρμαῖς φύσει μαλακώτερος, *Them.* 2, ἐν ταῖς πρῶταις τῆς νεότητος ὀρμαῖς. The pl. is found in *Ar. Eth.* i 13, 1102 ὁ 21, ἐπὶ τάναντια αἱ ὀρμαὶ τῶν ἀκρατῶν, *Magn. Mor.* i 35, 1197 ὁ 39, ἀρεταὶ φύσει οἷον ὀρμαὶ τῆς ἐν ἐκάστῳ. In contrast to Cleon, we read of Pericles (*Plut. Per.* 20) οὐ συνεχώρει 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 δικαστικός* to three obols. ἐπὶ τοῦ βήματος ἀνέκραγε] 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 τῆμενος of Zeus Ἕριστος. 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 *Stadtesgeschichte*, pp. 30 and 61. See also Prof. Crow and Mr Clarke in *Papers of Amer. School*, iv 205—277.

ἀνέκραγε] Arist. *Vesp.* 596, Κλέων ὁ κεκραξιδάμας, *Eg.* 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 λυροποῖός] 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). Cf. *Lysias* 13 §§ 8, 9, 12; 30 §§ 11—13; and *inf.* 34 § 1. For further details see Holden's *Onomasticon* to *Aristophanes*.

τὴν διωβελίαν] *Pol.* ii 7, 1267 ὁ 1,

χρόνον μὲν τινα διεδίδοδο, μετὰ δὲ ταῦτα κατέλυσε Καλλικράτης
 Παιανιεύς πρῶτος ὑποσχόμενος ἐπιθήσειν πρὸς τοῖν δυοῖν ὀβολοῖν 22

21 ΔΙΕΔΙΔΟΥ (B): διεδίδοδο Wyse, Richards, K-W, H-L (K³).
 κατηύξησε Whibley.

22 πρῶτον van Leeuwen.

ΚΑΤΕΛΥΣΕ edd.:

ἀφ' ὧν ἐδίδοδο τὸ τριῶβλον. τοῦτο δὲ ἄλλοτε ἄλλως ἐδίδοδο, τῶν δημαγωγῶν τὰ
 πλήθη κολακευόντων, ὡς φησιν Ἄρ. ἐν πολιτείαις (adde Schol. *Vesp.* 300, ἦν μὲν γὰρ
 ἄστατον τὸ τοῦ μισθοῦ ποτὲ γὰρ διωβόλου ἦν, ἐγένετο δὲ ἐπὶ Κλέωνος τριῶβλον,
Vesp. 88 ἐδίδοδο χρόνον μὲν τινα δύο ὀβολοί, ὕστερον δὲ Κλέων στρατηγησάς τριῶβλον
 ἐποίησεν ἀκμάζοντος τοῦ πολέμου τοῦ πρὸς Λακεδαιμονίους). Cf. Rose, 421², 461². Ceterum
 Kenyon noster arbitratur schol. ad Arist. *Vesp.* 684 referre partim ad c. 62 § 1
 (τὰ δικαστήρια τρεῖς ὀβολοῖς), partim fortasse ad locum tractatus nostri e fine deperditum
 ubi de iudiciis agitur.

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 ποιοῦντων, ἣ ἐπὶ τῶν τοὺς πρωτεύοντας ἐν τισιν ὑπεραι-
 ρόντων.

ἣ πονηρία τῶν ἀνθρώπων ἀπληστον, καὶ
 τὸ πρῶτον μὲν ἱκανὸν διωβόλια μόνον,
 θαν δ' ἤδη τοῦτ' ἦ 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
 μισθῶν διανομὰς προαχθῆναι, and Ulpian
 on Dem. *Ol.* i *imit.* τὰ χρήματα ταῦτα τὰ
 δημόσια θεωρικὰ ἐποίησεν ἐξ ἀρχῆς ὁ
 Περικλής, ... βουλόμενος ἀρέσαι τῷ δήμῳ καὶ
 τοῖς πέννησιν. Cf. Gilbert, i 324.

It cannot refer to the μισθὸς δικαστικός,
 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 ἐκκλησιαστικός 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).

διεδίδοδο (the fee) continued to be
 paid.

κατέλυσε either (1) 'over-
 threw him,' 'ousted him' (K.), 'outbid
 him' (Reinach); or (2) 'abolished it'
 (Kaibel and Kiessling, Poland and Haus-
 soullier). (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. Agyrr-
 rhius was certainly concerned with the
 μισθὸς ἐκκλησιαστικός (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 inaccur-
 ate reminiscence of the present passage
 in the following form: Ἀριστοτέλης δὲ
 φησιν ἐν τῇ Ἀθηναίων πολιτείᾳ Καλλικρά-
 την τινὰ πρῶτον τῶν δικαστῶν τοὺς μισθοὺς
 εἰς ὑπερβολὴν αὐξῆσαι, ὅθεν καὶ τὴν παρ-
 ομιάν εἰρήσθαι. Possibly the last clause,
 ὅθεν—εἰρήσθαι, has got displaced and
 should be placed at the end of the pre-
 vious sentence, immediately after the
 mention of the proverb. The first part
 of the explanation will then run as fol-
 lows: φησὶ Κλέαρχος ὅτι Καλλικράτης τις
 ἐγένετο ἐν Καρύστῳ πλουσιώτατος· εἴ ποτε
 οὖν ἐθαύμαζον τινα οἱ Καρύστιοι ἐπὶ πλού-
 τῳ, ὑπερβολικῶς ἔλεγον, ὑπὲρ τὰ Καλλι-
 κράτους· 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 mis-
 understood the passage as referring to the
 pay of the dicasts, which had been in-
 creased to 3 obols about 428 B.C., where-
 as Cleophon, and *a fortiori* Callicrates,
 belongs 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 en-
 able all the poorer citizens to attend the
 theatre, it is not easy to see what object

ἄλλον ὀβολόν. τούτων μὲν οὖν ἀμφοτέρων θάνατον κατέγνωσαν ὕστερον· εἶωθεν γάρ, κὰν ἐξαπατηθῆ τὸ πλῆθος, ὕστερον μισεῖν
 25 τούς τι προαγαγόντας ποιεῖν αὐτοὺς τῶν μὴ καλῶς ἐχόντων. ἀπὸ 4
 δὲ Κλεοφώντος ἤδη διεδέχοντο συνεχῶς τὴν δημαγωγίαν οἱ
 μάλιστα βουλόμενοι θρασύνεσθαι καὶ χαρίζεσθαι τοῖς πολλοῖς
 πρὸς τὸ παραυτίκα βλέποντες. δοκοῦσι δὲ βέλτιστοι γεγονῆναι 5
 τῶν Ἀθήνησι πολιτευσαμένων μετὰ τοὺς ἀρχαίους Νικίας καὶ
 30 Θουκυδίδης καὶ Θηραμένης· καὶ περὶ μὲν Νικίου καὶ Θουκυδίδου
 πάντες σχεδὸν ὁμολογοῦσιν ἄνδρας γεγονῆναι οὐ μόνον καλοὺς
 κάγαθούς ἀλλὰ καὶ πολιτικούς καὶ τῇ πόλει πάσῃ πατρικῶς χρω-

24 εἶωθε H-L. κὰν: ἐάν H-L. 25 ΠΡΟ. ΔΓΑΓΟΝΤΑΣ. 28 τὸ Kontos, Gennadios (H-L, B qui το etiam in papyro invenit): τὰ κ, κ-W. ΔΕ ex ΔΕΟΙ corr. βέλτιστοι: praestat fortasse βέλτιστα, coll. 28, 4—et 32, 10. 29 ΑΘΗΝΗΣΙC, in titulis κΑΛΩC semel tantum apparet anno 302 A.C. (Meisterhans, p. 114²). 32 ΠΑΤΡΙΚΩC.

28—30 * Plut. *Nic.* 2 (infra exscriptum).

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. θεωρικά χρήματα... ἄλλοτε μόντοι ἄλλως ὀρίσθη τὸ διδόμενον εἰς τε τὰς θέας καὶ εἰς τὰς θυσίας καὶ ἑορτάς, ὡς ἔστι δῆλον ἐκ τοῦ α' Φιλιππικῶν Δημοσθένους (i.e. Ol. i).

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, πρόφασιν μὲν ὅτι οὐκ ἦλθεν εἰς τὰ δῖπλα ἀναπανσόμενος, τὸ δ' ἀληθές ὅτι ἀντίπερ ὑπὲρ ὧν μὴ καθαιρεῖν τὰ τέλη. 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, σπῆσεν τις 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. Laert. ii 43.

§ 4. ἀπὸ δὲ Κλεοφώντος κτλ.] Isocr. *Panath.* 132 sq.

διεδέχοντο τὴν δημαγωγίαν] Schol. Arist. *Pax* 681, οὗτος ('Τέρβηλος) μετὰ τὴν τοῦ Κλέωνος δυναστείαν διεδέξατο τὴν δημαγωγίαν (Wyse).

παραιντίκα] Hitherto 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 γεγονῆναι τῶν... πολιτευσαμένων] This is somewhat carelessly paraphrased in Plut. *Nic.* 2, ἐνεστί 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 Νικηράτου καὶ Θουκυδίδης ὁ Μελησίου καὶ Θηραμένης ὁ Ἀγρωνος. 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 ἐπιεικέεις in § 1, and καλοὺς κάγαθούς in § 5; and see Holm, *Gr. Gesch.* ii 583.

πατρικῶς] 'paternally'; not 'they acted in all their public life in a manner worthy of their ancestry' (Kenyon), but

μένους, περιὶ δὲ Θηραμένους διὰ τὸ συμβῆναι κατ' αὐτὸν ταραχῶδεις <εἶναι> τὰς πολιτείας ἀμφισβήτησις τῆς κρίσεώς ἐστι. δοκεῖ μὲν<τοι> τοῖς μὴ παρέργως ἀποφαινομένοις οὐχ ὥσπερ 35 αὐτὸν διαβάλλουσι πάσας τὰς πολιτείας καταλύειν, ἀλλὰ πάσας προάγειν ἕως μηδὲν παρανομοῖεν, ὡς δυνάμενος πολιτεύεσθαι κατὰ πάσας, ὅπερ ἐστὶν ἀγαθοῦ πολίτου ἔργον, παρανομούσαις δὲ οὐ συγχωρῶν ἀλλ' ἀπεχθανόμενος.

29. ἕως μὲν οὖν ἰσόρροπα τὰ πράγματα κατὰ τὸν πόλεμον ἦν, διεφ[ύλαττον] τὴν δημοκρατίαν. ἐπεὶ δὲ μετὰ τὴν ἐν Σικελίᾳ γενομένην συμφορὰν ἰσχυρότερα τὰ τῶν Λακεδαιμονίων ἐγένετο διὰ τὴν πρὸς βασιλέα συμμαχίαν, ἠναγκάσθησαν κ[ινησα]ντες

34 <εἶναι> τὰς πολιτείας K-W: τὰς πολιτείας <εἶναι> Richards (H-L). 35 Μ(ΕΝ)-ΤΟΙΣΜΗ: μέντοι τοῖς μὴ K (H-L); μέντοι μὴ K-W; δὲ τοῖς μὴ B. 38 fortasse aut ἔργον secludendum aut ἔργον ἀγαθοῦ πολίτου scribendum putat B.

XXIX 1 πράγματα secl. H-L. 3 Δ(ΙΔ)ΦΟΡΑΝ: συμφορὰν Richards, K-W (e Schol. Ar. Lys. 421), H-L (K³, B). ΙΣΧΥΡΟΤΑΤΑ (K): ἰσχυρότερα J B Mayor, Blass, K-W, H-L. 4 με[τασθῆσ]αντες K; με[ταβαλό]ντες Hultsch (H-L); κ[ινησα]ντες K-W et B, qui in papyro recte legunt κε.....ΝΤΕC (= κειψήσαντες).

TESTIMONIA. XXIX 3 v. notam proximam.

'they ruled the state as a father rules his household' (Poste). *Pol.* viii (v) 11, 1315 a 21, (δεῖ) τὰς κολάσεις πατρικῶς φάνεσθαι 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, (οἰκονομία) πατρική.

δοκεῖ μέντοι—ἀπεχθανόμενος] This eulogy of Theramenes is all the more welcome as the traditional opinion respecting him is that he was not much better than an Opportunist. His nickname, ὁ κόθορρος, is notorious. 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 συνεπέσθη μῆνος τῶν πρότερον ἐφ' ἡγεμονίᾳ γενομένων ταύτην ἀποδοῦναι τὴν τάξιν (sc. τὴν μέσην πολιτείαν). See Newman's *Polities*, i p. 470. But it seems more probable that Solon is meant (cf. Susemihl² note 1303).

μὴ παρέργως] *Pol.* (vii) 11, 1330 b 11, ἐπιμέλειάν τινας ἔχειν μὴ παρέργως. ἀποφαινομένοις] *Pol.* i ad fin. πρῶτον ἐπισκεψόμεθα περὶ τῶν ἀποφνημαζομένων περὶ τῆς ἀρίστης πολιτείας. vi (iv) 1, 1288 b 35, οἱ πλεῖστοι τῶν ἀποφαινομένων περὶ πολιτείας. (vii) 14, 1333 b 12, ἀπεφῆναντο

τὴν αὐτὴν δόξαν. *Rhet.* ii 21, 1395 a 7, βαδῖως ἀποφαινοῦνται.

διαβάλλουσι] Critias is one of those referred to, Xen. *Hell.* ii 3, 30. Cf. Lys. 12 § 78 (Newman).

παρανομούσαις οὐ συγχωρῶν] See Meineke's notes in *Frag. Com. Gr.* ii 867 and 1165, where he quotes Hesych. τῶν τριῶν ἐν: Θηραμένης ἐψηφίσατο τρεῖς τιμωρίας κατὰ τὸν παρόνομον τι δρώτων. 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 ἂν γένοιτο, *De Part. Anim.* iv 12, 695 a 12, ἰσόρροπος ἄνθος τοῦ βάρους. Thuc. i 105, 6, μάχης γενομένης ἰσόρροπον.

μετὰ τὴν ἐν Σικελίᾳ—συμφορὰν] Thuc. viii 24, 5, μετὰ τὴν Σικελικὴν ξυμφορὰν (ἰδ. vii 85—87). Dem. *Lept.* 42, Isocr. 16 § 15.

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).

συμμαχ[ίαν] in allusion to the successive treaties with Tissaphernes on behalf

5 τὴν δημοκρατίαν καταστήσαι τὴν ἐπὶ τῶν τετρακοσίων πολιτείαν,
 εἰπό[ντο]ς τὸν μὲν πρὸ τοῦ ψηφίσματος λόγον Μηλοβίου, τὴν δὲ
 γνώμην ἰράφσαντος Πυθοδώρου τοῦ [Ἐπι]ζήλου, μάλιστα δὲ
 συμπεισθέντων τῶν πολλῶν διὰ τὸ νομίζειν βασιλέα [μᾶλλον]
 ἑαυτοῖς συμπολεμήσειν ἂν δι' ὀλίγων ποιήσονται τὴν πολιτείαν. ||
 10 ἦν δὲ τὸ ψήφισμα τοῦ Πυθοδώρου τοιούδε· τὸν δῆμον ἐλέσθαι 2 [Col. 12.]

7 [Πολυζήλου] Poland coll. Diog. Laert. ix 8, 5 Πυθόδωρος Πολυζήλου, εἰς τῶν τετρακοσίων (H-L, κ³); [Ἐπι]ζήλου K-W (B) coll. *Athen. Mittheil.* xiv 398: spatium septem octove litterarum capax, ut nomen utrumque scribi potuerit το[γ] πολ[γ] επι[ζ]ηλο[γ]. 8 μᾶλλον J B Mayor (K-W, κ³, B) quod confirmat Thuc. viii 48, 1; θάττω H-L; μέλλειν Marchant. [ἄσμενο]ν κ¹, vel propter hiatum suspectum, etiam papyri scripturae evanidae minus congruere confitetur κ.

10—14 Schol. Arist. *Lys.* 421: πρόβουλοι δὲ πρὸς τοῖς δέκα (τοῖσδε Schol., τοῖς ὄσσι Suid., correxit Schoell) ἤρθεσαν ἄλλοι κ', εισηγησόμενοι τὰ δοκούντα βέλτιστα (om. Puteanus) τῇ πολιτείᾳ (τῇ πόλει Puteanus) μετὰ τὴν ἐν τῇ Σικελίᾳ συμφορᾷ (cf. v. 3).

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 'previous to' (Kenyon). Poste vaguely renders: 'the orator who prepared the public mind for the change.' But, unless sufficient authority can be found for either use of πρὸ in such a context, it may be safer to accept περί, proposed by Mr Wyse.

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.

Πυθοδώρου] 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). A Πυθόδωρος Ἀλαίεος 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 Πολυζήλου, εἰς τῶν τετρακοσίων (Diog. Laert. 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 ἐχρηγήγει (CIA ii 1250); and a pre-Euclidean inscr. at Eleusis bears the name of a Ἰππαρχος who was son of Ἐπίζηλος. The confusion between Ἐπίζηλος and Πολύζηλος is paralleled by the corruption of the Ἐπίζηλος of Hdt. vi 117 into the Πολύζηλος of Diog. Laert. i 2, 56 and elsewhere. Cf. *Athen. Mittheil.* xiv 398.

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 ποιήσων, εἰ μὴ δημοκρατοῦτο (οὕτω γὰρ ἂν πιστεύσαι μᾶλλον βασιλέα). *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 ἡμῶν βασιλεὺς. *Pol.* viii (v) 4, 1304 b 12, (of the 400) τὸν δῆμον ἐξηπάτησαν φάσκοντες τὸν βασιλέα χρήματα παρέξεν πρὸς τὸν πόλεμον κτλ.

μετὰ τῶν προὔπαρχόντων δέκα προβούλων ἄλλους εἴκοσι ἐκ τῶν ὑπὲρ τετταράκοντα ἔτη γεγονότων, οἷτινες, ὁμόσαντες ἢ μὴν συγγράψειν ἂν ἠγῶνται βέλτιστα εἶναι τῇ πόλει, συγγράψουσι περὶ τῆς σωτηρίας· ἐξεῖναι δὲ καὶ τῶν ἄλλων τῷ βουλομένῳ γράφειν, ἵν' ἐξ ἀπάντων αἰρῶνται τὸ ἄριστον. Κλειτοφῶν δὲ τὰ 15 μὲν ἄλλα καθάπερ Πυθόδωρος εἶπεν, προσαναζητῆσαι δὲ τοὺς αἰρεθέντας ἔγραψεν καὶ τοὺς πατρίους νόμους οὓς Κλεισθένης ἔθηκεν ὅτε καθίστη τὴν δημοκρατίαν, ὅπως <ἂν> ἀκούσαντες καὶ

13 συγγράψουσι: συμβουλευέσονται Rutherford (H-L).

17 ἔγραψε H-L.

18 ὁπῶς—ΒΟΥΛΕΥΩΝΤΑΙ (κ): ὅπως—βουλεύονται H-L; ὅπως ἂν—βουλεύονται K-W, B. Cf. v. 24, c. 30, 20, et Meisterhans, p. 212².

§ 2. τῶν—δέκα προβούλων] Thuc. viii 1 § 3, (ἐδόκει) ἀρχὴν τινα πρεσβυτέρων ἀνδρῶν ἐλέσθαι, οἷτινες περὶ τῶν παρόντων ὡς ἂν κειρὸς ἢ προβουλεύουσι. 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.' Hermann, *Staatsalt.* § 165, 10 and 11; Curtius, ii 690^b 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 συγγραφεῖς αὐτοκράτορας, τοὺτους δὲ συγγραψαντας γνώμην ἐσενεγκεῖν ἐς τὸν δῆμον ἐς ἡμέραν βῆτην 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 numbering 30, and Suidas, 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 Suidas.

Cf. Schol. on Aristoph. *Lysistr.* 421, πρόβουλοι δὲ πρὸς τοῖς δέκα (τοῖσδε schol., τοῖς οὖσι Suidas; correxit Schoell) ἤρῃσαν ἄλλοι κ', εἰσηγησόμενοι τὰ δοκούντα

βέλτιστα τῇ πολιτείᾳ μετὰ τὴν ἐν τῇ Σικελίᾳ συμφορᾶν.

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 αἰρεθέντες, καθὰ φησιν Ἀνδροτιῶν τε καὶ Φιλόχορος, ἐκάτερος ἐν τῇ Ἀθηδίᾳ· ὁ δὲ Θεουκιδίδης τῶν ἱ ἐμνημόνευσε μόνων τῶν προβούλων. Cf. (with Wyse) Schol. *Lysistr.* 609, τοῖς κ' τοῖς ἐκ τῆς συναρχίας, and Harpoc. s. v. Ἀπόληξίς· εἰς τῶν συγγραφέων δὲ Πλάτων κωμῶδει ἐν Σοφισταῖς (where Cobet inserts ' after τῶν, following Thuc. l. c.).

§ 3. Κλειτοφῶν] mentioned with Theramenes as a 'pupil' of Euripides, in Arist. *Ran.* 967, οὐμὸς δὲ (μαθητὰ 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.

τὰ μὲν ἄλλα καθάπερ...εἶπεν...δὲ] This is the regular formula for introducing an amendment to a proposed decree. As examples before the archonship of Euclides we have CIA i (l. 28), 18, 38, 41, 52^o, 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, εἰποιμ' ἂν ὥσπερ οἱ ἐν τῷ δήμῳ συγγραφόμενοι, ὅτι τὰ μὲν ἄλλα καθάπερ ἡ ἀριθμητικὴ ἢ λογιστικὴ ἔχει.

Κλεισθένης] cc. 21, 22.

τούτων βουλευσονται τὸ ἄριστον, ὡς οὐ δημοτικὴν ἀλλὰ παρα-
 20 πλῆσιαν οὔσαν τὴν Κλεισθένης πολιτείαν τῇ Σόλωνος. οἱ δ' 4
 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
 ἀνείλον, ὅπως ἂν οἱ ἐθέλοντες Ἀθηναίων συμβουλεύωσι περὶ τῶν
 25 προκειμένων· ἐὰν δέ τις τούτων χάριν ἢ ζημοῖ ἢ προσκαλῆται ἢ

23 ΠΡΟΚΛΗΣΕΙΣ: corr. Wyse, Blass (κ-ω, Η-Ι, κ³).
 corr. K.

25—26 ΗΕΙΣΑΓΓΗΗΕΙΣ:

ὡς οὐ—Σόλωνος. Isocr., *Areop.* § 16, implies (like Cleitophon) that the constitution of Cleisthenes was identical with, or closely similar to, that of Solon. 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. *Cit.* 15, τοῦ Κλεισθένης...πειρωμένου ἂν τὰς δίκας ἀνάκαλεῖσθαι καὶ τὴν ἐπὶ Κλεισθένης ἐγγείρειν ἀριστοκρατίαν.

§ 4. πρῶτον μὲν ἔγραψαν—ζημῶσαι. We here find stated in full detail what is briefly summarised in Thuc. viii 67, ἐσήμερον οἱ ἐγγραφῆς ἄλλο μὲν οὐδέν, αὐτὸ δὲ τοῦτο, ἐξείναι μὲν ἀξίμιον εἰπεῖν (so *Class.*, following Wilamowitz in *Hermes*, xii 336 n. 17: 'Ἀθηναίων ἀνεῖπεν ἢ ἀνατρέπειν, MSS; 'Ἀθηναίους Suidas; 'Ἀθηναίω 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 τοὺς ἐθέλουσιν εἰπεῖν would make good sense, but would involve too great a departure from the MSS) γνώμην ἣν ἂν τις βούληται· ἣν δέ τις τὸν εἰπόντα ἢ γράψῃται παρανόμων ἢ ἄλλω τῷ τρόπῳ βλάβῃ μεγάλης ζημίας ἐπέθεσαν.

τοὺς πρυτάνεις—ἐπιψηφίζ[ειν] 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 καταλυθεῖσων καὶ τῶν δικαστηρίων ἀκέρων γενόμενων. Aeschin. 3 § 121, τῆρκαῖτα ὁ δῆμος κατελύθη, ἐπειδὴ τις τὰς γραφὰς τῶν παρανόμων ἀνείλον (*Att. Process*, p. 428—437 Lipsius; Hager in *Smith's Dict. Ant. s. v.*).

εἰσαγγελίας] various forms of denunciation, applied to three kinds of legal causes: (1) κατὰ κωῶν καὶ ἀγράφων ἀδικημάτων (Caecilius, in *Lex. Rhet. Cant.* p. 667, possibly referring to the times before Euclides, see 8 § 4); (2) wrongs done to orphans, heiresses and widows; (3) complaints against *δαιτηγαί* (c. 53 § 6). See Hager in *Dict. Ant. s. v.*; *Att. Proc.* 312 f. Lips.

προσκλήσεις] *inf.* προσκαλῆται. Legal forms of summons to the defendant. *Att. Process*, p. 770—2. In the MS *προκλήσεις* ('challenges') is a mistake for *προσκλήσεις*. 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.

ζημοῖ...προσκαλῆται...εἰσάγη κτλ.] In all three cases the present here has a tentative sense. Ζημοῖ implies an attempt to get the speaker fined either by means of a γραφὴ παρανόμων, or an εἰσαγγελία. προσκαλῆται refers to the above-mentioned προσκλήσεις. 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.

είσάγη εἰς δικαστήριον, ἔνδειξιν αὐτοῦ εἶναι καὶ ἀπαγωγὴν πρὸς
 τοὺς στρατηγούς, τοὺς δὲ στρατηγούς παραδοῦναι τοῖς ἔνδεκα
 5 θανάτῳ ζημιῶσαι. μετὰ δὲ ταῦτα τὴν πολιτείαν διέταξαν τόνδε
 <τὸν> τρόπον· τὰ μὲν χρήματα <τὰ> προσιόντα μὴ ἐξείναι
 ἄλλοσε δαπανῆσαι ἢ εἰς τὸν πόλεμον, τὰς δ' ἀρχὰς ἀμίσθους 30
 ἄρχειν ἀπάσας ἕως ἂν ὁ πόλεμος ᾗ, πλὴν τῶν ἑννέα ἀρχόντων καὶ
 τῶν πρυτανέων οἳ ἂν ᾧσιν· τούτους δὲ φέρειν τρεῖς ὀβολοὺς
 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
 κυρίους δ' εἶναι τούτους καὶ συνθήκας συντίθεσθαι πρὸς οὓς ἂν

26 εἰς τὸ H-L.
 Richards (H-L).

29 <τὸν> cf. c. 7 v. 8.

<τὰ> add. κ (K-W): χρήματα del.
 33 ΠΑΣΙΝ (K): πᾶσαν J B Mayor, Newman, K-W, H-L, B.
 ΩΝ

34 σώμασι—χρήμασι H-L.

35 ΗΠΕΝΤΑΚΙΣΧΙΛΙΟΙC. Corrector aut ἢ non viderat aut delere neglexerat; illud existimat K (ἢ πεντακισχιλίους, H-L et B), hoc K-W (πεντακισχιλίων).

δικαστήριον] articulo 'non opus in sententia condicionali' (Blass).

ἔνδειξιν...ἀπαγωγὴν] In neither of these forms of procedure was there any summons: hence they were suited to the present emergency, in which προσκλήσεις had been abolished. ἀπαγωγὴ was a summary process, resorted to in certain cases of theft, but also applicable to murderers and adulterers, and to robbers of temples. ἔνδειξις 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 ἀπαγωγὴ the delinquent was immediately brought before the *Eleven*; in those of ἔνδειξις, 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 εἶη ἄλλους ἢ τοὺς στρατευομένους, οὔτε μεθεκτέον τῶν πραγμάτων πλείοσιν ἢ πεντακισχιλίους, καὶ τούτοις οἳ ἂν μάλιστα τοῖς τε χρήμασι καὶ τοῖς σώμασιν ὠφελῆν οἴοι τε ᾧσιν, and 67, 3, ἐνταῦθα δὴ λαμπρῶς ἐλέγετο ἤδη μήτε ἀρχὴν ἄρχειν μηδεμίαν ἐτι ἐκ τοῦ αὐτοῦ κόσμου μήτε μισθοφορεῖν, προέδρους τε ἐλέσθαι πέντε ἄνδρας, τούτους δὲ ἐλέσθαι ἕκατον ἄνδρας, καὶ τῶν ἑκατὸν ἕκαστον πρὸς ἑαυτὸν τρεῖς· ἐλθόντας δὲ αὐτοὺς τετρακοσίους ὄντας ἐς τὸ βουλευτήριον ἄρχειν ὅπη ἂν ἄριστα γιγνώσκων αὐτοκράτορας. καὶ τοὺς πεντακισχιλίους δὲ ξυλλέγεω ὁπόταν αὐτοῖς δοκῇ. Lys. 20 §§ 13, 16; 30 § 8.

τοῖς δυνατωτάτοις κτλ.] The language is almost technical. Cf. (besides Thuc. viii 47, 48, οἳ δυνατωτάτοι, 63, δυνάτους and 65, already quoted) Xen. *Hipparch.* i § 9, τοὺς μὲν τοῖνυν ἱππέας... καθιστάναι δεῖ κατὰ τὸν νόμον τοὺς δυνατωτάτους καὶ χρήμασι καὶ σώμασιν. Also CIG 1845, 44 (inscr. from Corcyra), ἐλέσθαι δὲ τῶν βουλῶν τοὺς χειριζοῦντας τὸ ἀργύριον ἄνδρας τρεῖς εἰς ἑαυτὸν τοὺς δυνατωτάτους χρήμασι (Gilbert ii 320), and the phrase ἀσθενῆς χρήμασι (Wyse).

σώμασιν...λητουργεῖν] Dem. c. *Mid.* 165, λ. τοῖς σώμασι.

37 ἐθέλωσιν· ἐλῆσθαι δ' ἐκ τῆς φυλῆς ἐκάστης δέκα ἄνδρας ὑπὲρ τετταράκοντα ἔτη γεγονότας, οὔτινες καταλέξουσι τοὺς πεντακισχιλίους ὁμόσαντες καθ' ἱερῶν τελείων.

30. οἱ μὲν οὖν αἰρεθέντες ταῦτα συνέγραψαν. κυρωθέντων δὲ τούτων εἴλοντο σφῶν αὐτῶν οἱ πεντακισχιλίοι τοὺς ἀναγράψοντας 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

37 δὲ καὶ κ, κ-ω: δ' ἐκ (confusis a librario κ et κ') H-L, B.

ἐλῆσθαι...τῆς φυλῆς ἐκάστης δέκα κτλ.] These were the καταλογεῖς appointed to enroll the 5,000 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 9,000 on the roll: § 13, ἡμῶν ψηφισαμένων πεντακισχιλίοις παραδοῦναι τὰ πράγματα καταλογεῖς ὡν 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 5,000. In § 2 it is said of Polystratus: πρέθη 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.

ὁμόσαντες καθ' ἱερῶν τελείων] cf. Thuc. v 47, 10, ὁμῶντων δὲ τὸν ἐπιχώριον ὄρκον ἑκάστοι (the Athenians on the one part, and the Argives, Mantineans, Eleans and their allies on the other part) τὸν μέγιστον κατὰ ἱερῶν τελείων. Müller, *Handbuch*, v 3, 104. *supra* c. 1.

XXX § 1. κυρωθέντων] Cf. 32 l. 2, ἐκυρωθέντων. 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).

εἴλοντο σφῶν αὐτῶν οἱ πεντακισχιλίοι τοὺς ἀναγράψοντας] Here, and in c. 32 § 1, the existence of the 5,000 is assumed; whereas in 32 § 5 we are told that the 5,000 λόγω μόνον πρέθησαν. The latter statement is in accordance with

Thuc. viii 92, 11, οἱ τετρακῆσιοι...οὐκ ἤθελον τοὺς πεντακισχιλίους οὔτε εἶναι οὔτε μὴ ὄντας δῆλους 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 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 5,000 contemplated by the oligarchical revolution, though it never came into actual existence, was limited and definite in number. The envoys from the Four Hundred (as observed by Mr Kenyon) assure the army at Samos 'that they will all be members of the Five Thousand *in turn*' (τῶν πεντακισχιλίων πάντες ἐν τῷ μέρει μεθέξουσιν, Thuc. viii 86, 3).

§ 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 μὴ, τὰς ἀρχάς καὶ τὰ δικαστήρια καὶ <τῆν> 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 ἐπύριζον (1304 b 27).

καὶ τοὺς ἐννέα ἄρχοντας καὶ τὸν ἱερομνήμονα καὶ τοὺς ταξιάρχους καὶ ἱππάρχους καὶ φυλάρχους καὶ ἄρχοντας εἰς τὰ φρούρια καὶ ταμίας τῶν ἱερῶν χρημάτων τῇ θ[εῶ] καὶ τοῖς ἄλλοις θεοῖς δέκα [[καὶ ἑλληνοταμίας]] καὶ τῶν ἄλλων ὀσίων χρημάτων ἀπάντων 9

XXX 9 ἑλληνοταμίας—διαχειριοῦσιν mutila censent K-W. ἑλληνοταμίας mutat in ταμίας Richards, omisso (ut videtur) καὶ quod subsequitur; καὶ ἑλληνοταμίας et ὁ διαχειριοῦσιν, utpote e v. 13—14 exorta, sccludere maluit. καὶ et ὁ διαχειριοῦσιν iure sccludit Thompson, sed idem ἑλληνοταμίας retinet (*Class. Rev.* v 277 a).

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 &c must come; also that the ἑλληνοταμίαι 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 a 34—40, ἑτέρα δ' ἀρχὴ πρὸς τὴν ἀναγράφεσθαι δεῖ τὰ τε ἴδια συμβόλαια καὶ τὰς κρίσεις ἐκ τῶν δικάσθησαν...καλοῦνται δὲ ἱερομνήμονες καὶ ἐπιστάται καὶ μνήμονες κτλ. Hermann-Thumser, *Staatsalt.* p. 99; Gilbert, ii 413.

ταξιάρχους] c. 61 § 3. ἱππάρχους] c. 61 § 4. φυλάρχους] c. 61 § 5. ἄρχοντας εἰς τὰ φρούρια]=φρούραρχοι, the commanders of Athenian garrisons. c. 24 § 3. Gilbert, *Gr. St.* i 400.

ταμίας 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 Ἀθηνᾶς, 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 accounts previous to Euclides; in *Dem. Macart.* p. 1075, 2, and *Aeschin. Timarch.* p. 127 § 110; lastly in inscriptions belong-

ing 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' ὧν δ' 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 ταμίας 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*, and *Gilbert, Gr. St.* i 234—5).

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.

ἑλληνοταμίας] obviously corrupt. These officials are immediately afterwards described as excluded from the Council and they could not possibly be here enumerated among its official members.

That portion of the treasures on the Acropolis which, in contrast to the ἱερὰ χρήματα, was known as ὄσια 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*

10 εἴκοσι[[ν οὐ διαχειριοῦσιν]] καὶ ἱεροποιοὺς καὶ ἐπιμελητὰς δέκα
 ἑκατέρους· 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 οὐ ἂν
 διαχειρίζωσι τὰ χρήματα μὴ συμβουλευεῖν. βουλὰς δὲ ποιῆσαι 3

10 διαχειριοῦσι H-L.

13 ΕΔΝ.

TESTIMONIA. 13—14 *Harp. ἑλληνοταμίας: ... ὅτι ἀρχὴ τις ἦν οἱ ἑλληνοταμίας, οὐ
 διαχειρίζον τὰ χρήματα, καὶ Ἄρ. δηλοῖ ἐν τῇ Ἀθ. πολ.

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.

ἱεροποιοῦς] *c.* 64 § 6. Gilbert, *Gr. St.* i 249. *Pol.* vii (vi) 8, 1322 b 22—25, συμβαίνει τὴν ἐπιμελειαν ταύτην (τὴν περὶ τοῦς θεοῦς) ἑνιαχοῦ μὲν εἶναι μίαν... ἑνιαχοῦ δὲ πολλὰς καὶ κεχωρισμένας τῆς λερωσύνης, οἷον ἱεροποιοῦς καὶ ναοφύλακας καὶ ταμίαι τῶν ἱερῶν χρημάτων.

ἐπιμελητὰς] *Pol.* vii (vi) 8, 1322 b 19, ἄλλο δ' εἶδος ἐπιμελείας ἢ περὶ τοὺς θεοῦς, ὡν ἱερεῖς τε καὶ ἐπιμεληταὶ τῶν περὶ τὰ ἱερά τοῦ σφῆζεσθαι τε τὰ ὑπάρχοντα καὶ ἀνορθοῦσθαι τὰ πίπτοντα τῶν οικοδομημάτων καὶ τῶν ἄλλων ὅσα τέτακται πρὸς τοὺς θεοῦς. The ἱεροποιοί, the ναοφύλακες and the ταμίαι τῶν ἱερῶν χρημάτων are in *Pol. l. c.* separate officials entrusted with this ἐπιμέλεια. The term ἐπιμελητῆς 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 corrupt 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." 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 236.

§ 3. βουλὰς—τέτταρας] *i.e.* four Councils of 400 each, each of the four holding office for one year (*εἰς ἑνιαυτὸν ἡμέρ.*). The order in which they were to hold office was to be decided by lot (*cf. τὸ λαχόν μέρος*). The one hundred who had drawn up the constitution were to distribute themselves and 'the rest,' *i.e.* the rest of the 5,000 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 λῆξεις*),' one hundred being assigned by lot to each of the four divisions of 400.

The total number of the officials above

τέτταρας ἐκ τῆς ἡλικίας τῆς εἰρημένης εἰς τὸν λοιπὸν χρόνον, καὶ 15
 τούτων τὸ λαχὸν μέρος βουλευεῖν, νείμαι δὲ καὶ τοὺς ἄλλους πρὸς
 τὴν λῆξιν ἐκάστην. τοὺς δ' ἑκατὸν ἄνδρας διανεῖμαι σφᾶς τε
 αὐτοὺς καὶ τοὺς ἄλλους τέτταρα μέρη ὡς ἰσαίτατα καὶ διακληρώσαι,
 4 καὶ εἰς ἑνιαυτὸν βουλευεῖν. <βουλευέσθαι> δὲ ἢ ἂν δοκῇ αὐτοῖς
 ἄριστα εἶξεν περὶ τε τῶν χρημάτων, ὅπως ἂν σῶα ἦ καὶ εἰς τὸ δέον 20
 ἀναλίσκηται, καὶ περὶ τῶν ἄλλων ὡς ἂν δύνωνται ἄριστα· ἐὰν δέ
 τι ἴθελωσιν βουλευέσθαι μετὰ πλειόνων, ἐπεισκαλεῖν ἕκαστον
 ἐπέισκλητον ὃν ἂν ἐθέλῃ τῶν ἐκ τῆς αὐτῆς ἡλικίας· τὰς δ' ἔδρας
 ποιεῖν τῆς βουλῆς κατὰ πενθήμερον ἐὰν μὴ δέωνται πλειόνων.

16 ΔΟΥΛΕΥΕΙΝ. 19 βουλευεῖν. <βουλευεῖν> δὲ κ; βουλευεῖν <τοὺς λαχόντας·
 πράττειν> δὲ κ-ω; βουλευέσθαι ἢ ἂν δοκῇ κτλ Richards (H-L). malni βουλευεῖν.
 <βουλευέσθαι> δὲ scribere. βουλευεῖν <τοὺς λαχόντας· βουλευέσθαι> δὲ Blass.
 20 σῶα; et σῶος et σῶς in titulis Atticis exstant (Meisterhans, pp. 52², 117²): σφᾶ κ-ω.
 21—22 ΕΑΝΤΙ: κᾶν τι κ; ἐὰν <δέ> τι J B Mayor, κ-ω, H-L, B. 22 ἐθέλωσι H-L.

·κ.

23 ΕΠΕΙΣΚΕΚΛΗΤΟΝ CORR. Κ. 24 ΠΕΝΘΗΜΗΜΕΡΟΝ CORR. Κ.

23—24 Hesych. ἔδρα βουλῆς: αἱ ἐγίνοντο κατὰ πεντῆμερον.

enumerated is as follows, if we assume that the numbers were in every case the same as usual:

στρατηγοὶ (10), ἄρχοντες (9), ἱερομνήμων (1), ταξίγαρχοι (10), ἑπταρχοὶ (2, 1 in 31, 14), φύλαρχοι (10), ἄρχοντες εἰς τὰ φρούρια (?), ταμίαι τῶν ἱερῶν χρημάτων (10), ταμίαι τῶν ὀρίων χρ. (20), ἱεροποιοὶ (10), ἐπιμεληταὶ (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 ἑπταρχοὶ. Thus ἦ may have dropped out after φρούρια (l. 7). But it is more probable that there was only one ἑπταρχος under this constitution and therefore 9 ἄρχοντες εἰς τὰ φρούρια, in which case θ 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, Ἐνοε, Boeckh, 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.

τοὺς ἄλλους] probably, not the 300 co-opted by the 100 (Thuc. viii 67, 3), but the rest of the 5,000.

διανεῖμαι...τέτταρα μέρη] c. 21 § 4, διένεμε...τριάκοντα μέρη.

ὡς ἰσαίτατα] Plat. Leg. 744 C. διακληρώσαι, to 'assign them by lot,' Thuc.

viii 30, 1, διακληρωσάμενοι, 'having drawn lots,' vi 42, τρία μέρη νείμαντες ἐν ἐκάστῃ ἐκλήρωσαν.

§ 4. σῶα] The evidence of inscriptions shows that σῶος and σῶς were alike in use (Meisterhans, Gr. p. 117 ed. 1888). Cf. Dem. Lept. § 142 note. The codex Σ of Dem. has nom. masc. σῶος in Mid. 126, Aristocr. 131; neut. σῶν Lept. 142; acc. pl. σῶς in Pac. 17, Chers. 15; gen. sing. σῶας F.L. 78; pl. σῶσι in F.L. 57, 153, 326; acc. sing. σῶαν Mid. 177; pl. nom. σῶσι Cor. 49, Phil. iii 70, Timocr. 106 (Voemel, Proleg. Gramm. in Dem. Cont. § 33).

εἰς τὸ δέον ἀναλίσκηται] Aristoph. Nub. 859, εἰς τὸ δέον ἀπάλεσα, Dem. Ol. 3, 28, ἀηλώκαμεν εἰς οὐδὲν δέον, Plut. Per. 23.

ἐπεισκαλεῖν (to co-opt) and ἐπέισκλητον 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' ἑνιαυτῶν ('year by year'), κατὰ μῆνα, καθ' 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 βουλῆ met daily except on public holidays (43 § 3).

πλειόνων, sc. ἐδρῶν.

25 κληροῦν δὲ τὴν βουλὴν τοὺς ἐννέα ἄρχοντας, τὰς δὲ χειροτονίας
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, τρίτου πρεσ-
30 βείαις, τέταρτον τῶν ἄλλων· τὰ δὲ τοῦ πολέμου ὅταν δέη ἀκληρωτὶ
προσαγαγόντας τοὺς στρατηγοὺς χρηματίζεσθαι. τὸν δὲ μὴ ἰόντα 6
εἰς τὸ βουλευτήριον τῶν βουλευόντων τὴν ὥραν τὴν προρρηθεῖσαν
ὀφείλειν δραχμὴν τῆς ἡμέρας ἐκάστης, εἰ μὴ εὐρόμενος ἀφесιν
τῆς βουλῆς ἀπῆ. ||

25 'an πλήρουν?' K-W. 27 τὴν addidit B. 29 πρεσβείαι: πρεσβείαις Wyse, K-W, H-L, K³, B. 33 εὐρόμενος Tyrrell et Richards (H-L, B); εγρικκομενος (K, K-W).

29 πρεσβείαι: πρεσβείαις Wyse, K-W, H-L, K³, B. 33 εὐρόμενος Tyrrell et Richards (H-L, B); εγρικκομενος (K, K-W).

κληροῦν . . τὴν βουλὴν τοὺς ἐννέα ἄρχοντας] This means either (1) that 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 5,000, who were over 30 years of age, have already been divided into four groups determined by lot (§ 3). The archons in each year have to draw lots for appointing 400 out of each of these groups to serve on one of the four successive Councils. M. Th. Reinach regards this sentence as an interpolation.

For πλήρουν, which has been proposed in place of κληροῦν, cf. δικαστήρια πλήρουν in Dem. 24 § 92, 21 § 209, and Isaeus 6 § 37; also Arist. *Eccl.* 89, πληρουμένης ἐκκλησίας.

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 . . ὁσίων. Cf. also Aeschin. *Timarch.* 23, προχειροτονεῖν κελείει τοὺς προέδρους περὶ ἱερῶν τῶν πατρῶν καὶ ὁσίων καὶ κήρυξιν 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 τάπτουσιν, 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 ἐκκλησιάσων. Fines for non-attendance at the *βουλῆ* in particular are apparently not mentioned in the *Politics*.

εὐρισκόμενος, 'in the enjoyment of leave of absence,' is less likely to be right than εὐρόμενος, 'having obtained for himself leave of absence.'

ἀφесιν] not found in this sense in Ar. The corresponding adj. ἀφесιμος occurs in c. 43 § 3.

31. ταύτην μὲν οὖν εἰς τὸν μέλλοντα χρόνον ἀνέγραψαν τὴν πολιτείαν, ἐν δὲ τῷ παρόντι καιρῷ τήνδε· βουλευεῖν μὲν τετρακοσίους κατὰ τὰ πάτρια, τετταράκοντα ἐξ ἐκάστης <τῆς> φυλῆς, ἐκ προκρίτων [ο]ῦς ἂν ἔλονται οἱ φυλέται τῶν ὑπὲρ τριάκοντα ἔτη γεγυότων. τούτους δὲ τὰς τε ἀρχὰς καταστήσαι καὶ περὶ τοῦ ὄρκου ὄντινα χρῆ ὁμόσαι γράψαι, <καὶ> περὶ τῶν νόμων καὶ τῶν εὐθυ[ν]ῶν καὶ τῶν ἄλλων πράττειν ἣ ἂν ἠγῶνται [συμ]φέρειν. τοῖς δὲ νόμοις οἱ ἂν τεθῶσιν περὶ τῶν πολιτικῶν χρῆσθαι, καὶ μὴ ἐξεῖναι μετακινεῖν μηδ' ἐτέρους θέσθαι. τῶν δὲ στρατηγῶν τὸ νῦν εἶναι τὴν αἵρεσιν ἐξ ἀπάντων ποιείσθαι τῶν πεντακισχιλίων, τὴν δὲ βουλήν, ἔπειδ' ἀν καταστῆ, ποιήσασαν ἐξέτασιν <ἐν> ὄπλοις, ἐλέσθαι δέκα ἄνδρας καὶ γραμματέα τούτοις, τοὺς δὲ αἰρεθέντας ἀρχεῖν τὸν εἰσιόντα ἐνιαυτὸν αὐτοκράτορας, κἄν τι δέωνται συμβουλευέσθαι μετὰ τῆς βουλῆς. ἐλέσθαι δὲ καὶ ἵππαρχον ἓνα καὶ φυλάρχους δέκα· τὸ δὲ λοιπὸν τὴν αἵρεσιν ποιείσθαι τούτων τὴν βουλήν κατὰ τὰ γεγραμμένα. τῶν δ' ἄλλων ἀρχῶν πλὴν τῆς βουλῆς καὶ τῶν στρατηγῶν μὴ ἐξεῖναι μήτε τούτοις μήτε ἄλλω μηδεὶ πλέον ἢ

XXXI 3 τῆς addidit B. 6 <καὶ> K, K-W, H-L, B. 8 εἰς. τεθῶσι H-L. 11 ΚΑΤΑΚΤΗΧΗ corr. Wyse, Blass, etc. ΟΠΛΟΙΣ: <ἐν> ὄπλοις Wyse, Blass, K-W, H-L; ὄπλων K. 13 ἐξίοντα H-L. καὶ ἂν K, K-W, B; καὶ ἐάν H-L. CYN-ΒΟΥΛΕΥΕΣΘΑΙ. 17 ΠΛΕΙΟΝ (K-W, B): πλέον H-L, K³, cf. Meisterhans, p. 120², n. 1090.

XXXI § 1. χρόνον...καιρῷ] Ar. Anal. Pr. i 36 § 6, ὁ καιρός ἐστὶ χρόνος δέων.

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 ἔλονται 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 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.

εὐθυ[ν]ῶν] 'the examination of official accounts,' 'audits.' 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. Anab. v 3, 3, and Cyr. ii 4, 1, ἐξέτασιν ἐν 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.

§ 3. μὴ ἐξεῖναι—πλέον ἢ ἀπαξ ἀρξαι] 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

ἄπαξ ἄρξαι τὴν αὐτὴν ἀρχήν. εἰς δὲ τὸν ἄλλον χρόνον, ἵνα νεμηθῶσιν οἱ τετρακόσιοι εἰς τὰς τέτταρας λήξεις, ὅταν [[τοῖς]] αὐτοῖς
 20 γίγνηται μετὰ τῶν ἄλλων βουλευέειν, διανεμάντων αὐτοὺς οἱ ἑκατὸν ἄνδρες.

32. οἱ μὲν οὖν ἑκατὸν οἱ ὑπὸ τῶν πεντακισχιλίων αἰρεθέντες ταύτην ἀνέγραφαν τὴν πολιτείαν. ἐπικυρωθέντων δὲ τούτων ὑπὸ τοῦ πλήθους, ἐπιψηφίσαντος Ἀριστομάχου, ἡ μὲν βουλή <ἡ> ἐπὶ Καλλίου πρὶν διαβουλεύσαι κατελύθη μηνὸς Θαργηλιῶνος τετράδι
 5 ἐπὶ δέκα, οἱ δὲ τετρακόσιοι εἰσήεσαν ἐνάτη φθίνοντος Θαργηλιῶνος· ἔδει δὲ τὴν εἰληχίαν τῷ κυάμφῳ βουλήν εἰσιέναι τετράδι ἐπὶ δέκα

18—20 ἵνα et ὅταν locum inter se mutasse putat Hude, qui etiam (cum Thompson) ἐγγίγνηται conicit; ὅταν νεμηθῶσω—, ἵνα μὴ—μετὰ τῶν αὐτῶν βουλευέειν, ἄλλως διανεμάντων nimis audacter Poste. 19 τοῖς ἀστοῖς secl. κ³, retinent κ-W; τοῖς αὐτοῖς Tyrrell (H-L, et B qui etiam in papyro invenit [Δ]ΥΤΟΙC): mihi quidem [ε]ΓΕΡΟΙC aut simile aliquid scriptum fuisse videtur; malui tamen αὐτοῖς accipere, et τοῖς secludere, utpote ex interpretamento τοῖς τ' (sc. τοῖς τετρακοσίοις) exortum.

XXXII 3 <ἡ> Rutherford, Blass, κ-W, H-L, κ³. 5 ΕΙΣΗΙΕΣΑΝ: εἰήσαν K, H-L; εἰσήεσαν K-W, B. 6 ἔδει δὲ: ΕΤΙΔΕ corr. K.

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, νείμαι...τοῖς ἄλλοις πρὸς τὴν λήξιν 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 5,000, as in c. 30 § 3, twice. αὐτοῖς refers to the τετρακόσιοι aforesaid.

Kaibel and Wilamowitz explain τῶν ἄλλων as τῶν ἐν Σάμφῳ, but (as observed by Mr Kenyon) 'βουλευέειν 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.'

In διανεμάντων we have a sudden transition from the inf. of *orat.* *obliqua* to the imperative of *oratio recta*.

XXXII § 1. 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 ἐπιστάται, e.g. CIA I, 32, ἔδοξε τῇ βουλῇ καὶ τῷ δήμῳ Κεκροπίς ἐπρυτάνευε· Μνησίθεος ἐγραμμάτευε· Εὐπίεθης ἐπιστάται·

Καλλίας εἶπε. On the other hand, the addition of the deme (c. 34 *μί.*, ἔγραψε τὸ ψήφισμα Δρακοντιδῆς Ἀφιδναῖος) or father (29 § 1, γράψαντος Πυθοδώρου τοῦ Ἐπιζήλου) of the proposer, is not in the manner of 5th century inscriptions' (Wyse).

ἐπὶ Καλλίου] B.C. 412—411.

πρὶν διαβουλεύσαι] '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 21st of Thargelion, or about June 7. τετράδι ἐπὶ δέκα Σκίροφοριῶνος, the 14th of Scirophorion (June-July), or about the end of June.

ἔδει] 'was bound' in ordinary course, according to the normal constitution.

τὴν εἰληχίαν τῷ κυάμφῳ βουλῇ] Thuc. viii 66 § 1, δῆμος μέντοι ὅμως ἔτι καὶ βουλή ἡ ἀπὸ τοῦ κυάμου ξυνελέγετο, *ib.* 69 (of the attack of the Four Hundred and their emissaries on the Council of 412—411), ἐπιστήσαν τοῖς ἀπὸ τοῦ κυάμου βουλευταῖς. The object of the emphatic mention of *κύαμος* is to point the contrast between the constitutional Council and

- 2 Σκιροφοριῶνος. ἡ μὲν οὖν ὀλιγαρχία τοῦτον κατέστη τὸν τρόπον ἐπὶ Καλλίου μὲν ἄρχοντος, ἔτεσιν δ' ὕστερον τῆς τῶν τυράννων ἐκβολῆς μάλιστα ἑκατόν, αἰτίων μάλιστα γενομένων Πεισάνδρου καὶ Ἀντιφῶντος καὶ Θηραμένους, ἀνδρῶν καὶ γεγενημένων εὐ καὶ 10
- 3 συνέσει καὶ γνώμῃ δοκούντων διαφέρειν. || γενομένης δὲ ταύτης τῆς πολιτείας οἱ μὲν πεντακισχίλιοι λόγῳ μόνον ἠρέθησαν, οἱ δὲ τετρακόσιοι μετὰ τῶν δέκα τῶν αὐτοκρατόρων εἰσελθόντες εἰς τὸ βουλευτήριον ἤρχον τῆς πόλεως, καὶ πρὸς Λακεδαιμονίους πρεσβυσάμενοι κατελύοντο τὸν πόλεμον ἐφ' οἷς ἑκάτεροι τυγχάνουσιν 15 ἔχοντες. οὐχ ὑπακου[σά]ντων δ' ἐκείνων εἰ μὴ καὶ τὴν ἀρχὴν τῆς [θ]αλάττης ἀφήσουσιν, οὕτως ἀπέστησαν.

8 ἔτεσι H-L. 9 μάλιστα ante ἑκατόν temere om. H-L, utpote e verbis proxime sequentibus illapsum. 12 ΗΡΕΘΗΣΑΝ ΗΡΕΘΗΣΑΝΟΔΕ. 14 ἤρχον <τε> ΗΡΗ
Hude (K-W). 16 ὑπακου[ό]ντων H-L.

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—10 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 ἐκκλησία held at Colonus), ἦν δὲ ὁ μὲν τὴν γνώμην ταύτην εἰπὼν Πεισάνδρος, καὶ τάλλα ἐκ τοῦ προφανοῦς προθυμώτατα ξυγκαταλύσας τὸν δῆμον· ὁ μόντο πᾶν τὸ πρᾶγμα ξυμβεῖς ὅτῳ τρόπῳ κατέστη ἐς τοῦτο καὶ ἐκ πλείστου ἐπιμεληθεῖς Ἀντιφῶν ἦν, ἀνὴρ Ἀθηναίων τῶν καθ' ἑαυτὸν ἀρετῇ τε οὐδενὸς δεύτερος καὶ κράτιστος ἐνθυμηθῆναι γενόμενος καὶ ἀγνοίᾳ εἰπεῖν. In § 3 Thuc. mentions Phrynichus who παρέσχε... ἑαυτὸν πάντων διαφερόντως προθυμώτατον ἐς τὴν ὀλιγαρχίαν, and in § 4 Θηραμένους, who ἐν τοῖς ξυγκαταλύσει τὸν δῆμον πρῶτος ἦν, ἀνὴρ οὐτε εἰπεῖν οὐτε γνῶναι ἀδύνατος. ὥστε ἀπ' ἀνδρῶν πολλῶν καὶ ξυνητεῶν (cf. συνέσει) πρᾶχθῆν τὸ ἔργον οὐκ ἀπεικότως καὶ πρᾶχθῆν μέγα ἂν προύχρησε. 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 οὐτε εἶναι οὐτε μὴ ὄντας δῆλους εἶναι, τὸ μὲν καταστήσαι μετόχους σοσούτους ἀντικρὺς ἂν δῆμον ἡγούμενοι, τὸ δ' αὖ ἀφανὲς φόβον ἐς ἀλλήλους παρέξεω.

οἱ δὲ τετρακόσιοι κτλ.] Thuc. viii 70, οἱ τετρακόσιοι εἰσελθόντες ἐς τὸ βουλευτήριον...

τά τε ἄλλα ἔνεμον κατὰ κράτος τὴν πόλιν κτλ. τῶν δέκα] the ten στρατηγοὶ of c. 31 § 2. πρὸς Λακ. κτλ.] Thuc. *ib.* πρὸς τε Ἄγων τὸν Λακεδαιμονίων βασιλέα ὄντα ἐν τῇ Δεκελείᾳ ἐπεκρυκεύοντο, λέγοντες διαλλαγήναι βούλεσθαι (Grote, v p. 391). 71 § 3, μετὰ δὲ τοῦτο παρὰ τε τὸν Ἄγων ἐπρεσβεύοντο οἱ τετρακόσιοι οὐδὲν ἤσσαν, κἀκείνου μᾶλλον ἤδη προσδεχομένου καὶ παρανοήοντος ἐκπέμποσι καὶ ἐς τὴν Λακεδαίμονα περὶ ξυμβάσεως πρέσβεις βουλευμένοι διαλλαγήναι. 90 § 2, ἀπέστειλαν Ἀντιφῶντα καὶ Φρύνιχον καὶ ἄλλους δέκα κατὰ τάχος... ἐπιστείλαντες παντὶ τρόπῳ ὅστις καὶ ὅπως οὐκ 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); Antiphon was condemned and executed (Phrynichus had been already assassinated).

κατελύοντο] tentative impf.

33. μήνας μὲν οὖν ἴσως τέτταρας διέμεινεν ἡ τῶν τετρακοσίων πολιτεία, καὶ ἤρξεν ἐξ αὐτῶν Μνησίλοχος δίμηνον ἐπὶ Θεοπόμπου ἄρχοντος, <ὄς> ἤρξε τοὺς ἐπιλοιποὺς δέκα μῆνας. ἡττηθέντες δὲ τῇ περὶ Ἐρετριαν ναυμαχίᾳ κ[αὶ] τῆς Εὐβοίας ἀποστάσης ὅλης 5 πλὴν Ὀρεοῦ, χαλεπῶς ἐνεγκόντες ἐπὶ τῇ συμφορᾷ μάλιστα τῶν προγεγενημένων (πλείω γὰρ ἐκ τῆς Εὐβοίας ἢ τῆς Ἀττικῆς ἐτύγχανον ὠφελούμενοι), κατέλυσαν τοὺς τετρακοσίους καὶ τὰ πράγματα παρέδωκαν τοῖς πεντακισχιλίοις τοῖς ἐκ τῶν ὄπλων, ψηφισάμενοι μηδεμίαν ἀρχὴν εἶναι μισθοφόρον. αἰτιώτατοι δ' 2 10 ἐγένοντο τῆς καταλύσεως Ἀριστοκράτης καὶ Θηραμένης, οὐ συνα-

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XXXIII 2 ΜΝΑΣΙΛΟΧΟΣ; Μνησίλοχος (κ, Η-Λ): Μνησίλοχος κ-ω, β. 3 <ὄς> κ (κ-ω, β): ὄ δ' Η-Λ. ἡττηθέντες δὲ <οὐ> Ἀθηναῖοι? Herwerden, Richards. 5 ὠριοῦ. 9 ΜΙΣΘΟΦΟΡΩΝ: μισθοφόρον J B Mayor, Rutherford, Naber, Fränkel, edd.

TESTIMONIA. 1 *Harp. s.v. τετρακόσιοι: ... οἱ τετρακόσιοι πρὸ ἑπτὰ ἐτῶν κατέστησαν τῶν τριάκοντα τυράννων παρ' Ἀθηναίους ὅτινες τέτταρας μῆνας ἤρξαν τῆς πόλεως, ὡς φησὶν Ἄρ. ἐν Ἀθ. πολ. (Frag. 372², 410²).

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.

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 ἀνῆλθον ἐπὶ Μνησίλοχον ἄρχοντος]. This expenditure was authorised not (as usual) by vote of the δῆμος, but ψηφισα-

μένης 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.

ἐπιλοιποὺς] not found in the *Index Ar.* In 40 § 1 we have the ordinary word ὑπολοιπός. ἐπιλοιπός is often used by Plato, *Rep.* 540 B and *Leg.* 728 D, τὸν ἐπιλοιπὸν βίον, *ib.* 628 A, εἰς τὸν ἐπιλοιπὸν χρόνον.

τῇ περὶ Ἐρετριαν ναυμαχίᾳ] Thuc. viii 95. In Lys. 20 § 14 one of the καταλογεῖς sails for Eretria after holding office under the 400 for eight days only. πλὴν Ὀρεοῦ. Thuc. *l.c.* § 7, (the Lac.) Εὐβοίαν ἅπασαν ἀποστήσαντες πλὴν Ὀρεοῦ.

χαλεπῶς ἐνεγκόντες κτλ.] Thuc. viii 96 § 1, τοῖς δ' Ἀθηναίοις ὡς ἦλθε τὰ περὶ τὴν Εὐβοίαν γεγενημένα, ἐκπληξίς μεγίστη δὴ τῶν πρὶν παρέστη.

πλείω—ὠφελούμενοι] Thuc. viii 96 § 2, (Euboea) ἐξ ἧς πλείω ἢ τῆς Ἀττικῆς ὠφελούνητο. Decelea was at this time in the occupation of Agis.

κατέλυσαν τοὺς τετρακοσίους κτλ.] Thuc. viii 97 § 1, τοὺς τετρακοσίους καταπάσαντες τοῖς πεντακισχιλίοις ἐψηφίσαντο τὰ πράγματα παραδοῦναι· εἶναι δὲ αὐτῶν ὄπσοι καὶ ὄπλα παρέχονται· καὶ μισθὸν μηδένα φέρειν μηδεμιᾶ ἀρχῇ.

§ 2. Ἀριστοκράτης καὶ Θηραμένης] Thuc. viii 89, 2 (of the opposition to the

ρεσκόμενοι τοῖς ὑπὸ τῶν τετρακοσίων γιγνομένοις· ἅπαντα γὰρ δι' αὐτῶν ἔπραττον, οὐδὲν ἐπαναφέροντες τοῖς πεντακισχιλίοις. δοκοῦσι δὲ καλῶς πολιτευθῆναι κατὰ τούτους τοὺς καιρούς, πολέμου τε καθεστῶτος καὶ ἐκ τῶν ὅπλων τῆς πολιτείας οὔσης.

14

34. τούτους μὲν οὖν ἀφείλετο τὴν πολιτείαν ὁ δῆμος διὰ τάχους· ἔτει δ' ἐβδόμῳ μετὰ τὴν τῶν τετρακοσίων κατάλυσιν, ἐπὶ Καλλίου τοῦ Ἀγγελῆθεν ἄρχοντος, γενομένης τῆς ἐν Ἀργινοῦσαις ναυμαχίας, πρῶτον μὲν τοὺς δέκα στρατηγούς τοὺς τῇ ναυμαχίᾳ

4

11 ΓΕΝΟΜΕΝΟΙΣ; γινομένοις K-W; γιγν. H-L, K³, B. 13 an καίπερ πολέμου? Herwerden.

XXXIV 2 ΕΒΔΟΜΟΙ: ἔκτω K-W².

ΚΑΤΑΛΥCIN K, H-L, K-W², B; κατάστασιν

ΔΙ

K-W¹. 3 ΑΡΓΙΝΟΥCΑC: Ἀργινοῦσαις B.

4 τὴν ναυμαχίαν Tyrrell. τοὺς—

νικῶντας e margine irrepsisse putat Richards.

TESTIMON. XXXIV 3—12 *Schol. Arist. *Ran.* 1532 Κλεοφῶν δὲ μαχέσθω: παρσόν, ὡς Ἀρ. φησί, μετὰ τὴν Ἀργινοῦσαις ναυμαχίαν Λακεδαιμονίων βουλομένων ἐκ Δεκλείας ἀπέιναι ἐφ' οἷς ἔχουσιν ἐκάτεροι καὶ εἰρήνην ἄγειν ἐπὶ (τοῦ secl. K-W) Καλλίου, Κλεοφῶν ἔπεισε τὸν δῆμον μὴ προσδέξασθαι, “ἐλθὼν εἰς τὴν ἐκκλησίαν—ἐάν μὴ πάσας ἀφῶσι τὰς πόλεις οἱ Λακεδαιμόνιοι.” (Frag. 370², 408⁸).

extreme members of the 400), ἔχοντες ἡγεμόνας τῶν πάντων [στρατηγῶν] τῶν ἐν τῇ δλιγαρχίᾳ [καὶ] ἐν ἀρχαῖς ὄντων, οἷον Θηραμένην τε τὸν Ἀγωνος 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. (Ἐνέπ.) ἐγώ; | 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 Theoclines, [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).

οὐδὲν ἐπαναφέροντες τοῖς πεντακισχιλίοις] In Thuc. *l.c.* the opponents of the 400 insist τοὺς πεντακισχιλίοις ἔργω καὶ μὴ ὀνόματι χρῆναι ἀποδοκινῆναι.

δοκοῦσι δὲ καλῶς πολιτευθῆναι κτλ.] Thuc. viii 97, 2, οὐχ ἦκιστα δὴ τὸν πρῶτον χρόνον ἐπὶ γ' ἐμοῦ Ἀθηναῖοι φαινόνται εὖ πολιτευσάντες· μετρία γὰρ ἦ τε ἐς τοὺς ὀλίγους καὶ ἐς τοὺς πολλοὺς ἐνύκρasis ἐγένετο καὶ ἐκ πονηρῶν τῶν πραγμάτων τοῦτο πρῶτον ἀνήνεγκε τὴν πόλιν. Grote c. 57, v 430.

ἐκ τῶν ὅπλων] c. 4 § 2, ἀπεδέδοτο ἡ πολιτεία τοῖς ὅπλοισι παρεχομένοις. *Pol.* 1297 b 1, δεῖ δὲ τὴν πολιτείαν εἶναι μὲν ἐκ τῶν

τὰ ὅπλα ἔχοντων μόνων.

XXXIV. *Arginusae* and *Aegospotami*.

§ 1. ἔτει δ' ἐβδόμῳ 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. Mr Kenyon suggests 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.'

τοῦ Ἀγγελῆθεν] Added 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 Μνησθέων (the Callias of 456). In Schol. *Nub.* 971 Phrynis is said to have been victorious at the Panathenaea ἐπὶ Καλλίου ἀρχοντος, probably B.C. 406, as this was the third year of the Olympiad (Wyse).

Ἀργινοῦσαις] 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, Archedstratus, Protomachus,

5 νικῶντας συνέβη κριθῆναι μὲν χειροτονίᾳ πάντας, τοὺς μὲν οὐδὲ

Thrasyllus, Aristogenes. Of these Conon was blockaded in the harbour of Mitylene, and was therefore not present at the battle of Arginusae (*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, Thrasyllus, Lysias, and Aristogenes. We know from Lysias 21 § 8 that Archestratus 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 (Archestratus) ἐν Μυτιλήνῃ Ἐρασινίδης 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, μὲν ψήφῳ ἅπαντας κρίνειν). In the assembly it was moved by Eurypolemus that each of the generals should be tried separately (κρίνεσθαι τοὺς ἀνδρας διχα 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, οὐκὼ 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 μὲν χειροτονίᾳ, 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 συνναυμαχῆσαντας must refer to Conon who was at Mitylene, and to Archestratus who died there. τοὺς δ' ἐπ' ἄλλοις τριῶν νεῶς σωθέντας is so far borne out by Xenophon that, according to the statement made in the speech of Eurypolemus (*l.c.* § 32), *one* of the generals was ἐπὶ καταδύσεως νεῶς διασωθεῖς (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 Androtion'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 δῆμος 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 fancifully regarded by Bauer (p. 161) as implying that the charge concerned all the ten.

Plato Aropol. 32 B says: ὅτε ὑμεῖς τοὺς δέκα στρατηγῶν τοὺς οὐκ ἀνελομένους τοὺς ἐκ τῆς ναυμαχίας ἐβουλεύσαθε ἀθροῦς κρίνειν παρανόμως, τότε ἐγὼ μόνος τῶν πρωτάνεων ἠναντιώθημ ὑμῶν. [*Plat.* *Asiach.* 368 D states that all the ten στρατηγῶν 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 Thrasyllus' (*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 definite 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 Xenophon. 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 opinion the author can only refer to Leon in the vague plural τοὺς οὐδὲ συνναυμαχῆσαντας, which Bauer admits is an exaggeration.

συνναυμαχῆσαντας, τοὺς δ' ἐπ' ἀλλοτρίας νεὼς σωθέντας, ἔξαπατη-
θέντος τοῦ δήμου διὰ τοὺς παροργισαντας· ἔπειτα βουλομένων
Λακεδαιμονίων ἐκ Δεκελείας ἀπιέναι καὶ ἐφ' οἷς ἔχουσιν ἑκάτεροι
[Col. 15.] εἰρήνην ἀγειν, ἔτιοι μὲν ἐσπούδαζον, τὸ δὲ πλῆθος || οὐχ ὑπήκουσεν
ἔξαπατηθέντες ὑπὸ Κλεοφῶντος, ὃς ἐκώλυσε γενέσθαι τὴν εἰρήνην 10
ἐλθῶν εἰς τὴν ἐκκλησίαν μεθῶν καὶ θώρακα ἐνδεδυκώς, οὐ φάσκων

6 ἘΞΑΠΑΤΗΘΕΝΤΕΣ corr. κ.

8 ΔΝΙΕΝΔΑΙ: ἀπιέναι J B Mayor, Sidgwick, Wyse, Blass, Herwerden, Naber, Gennadios, coll. Schol. Arist. *Ran.* 1532, H-L, κ-w, κ³.

καὶ ἐφ' οἷς ἐχοῦσιν ἰρῆνην ἑκάτεροι ἀγειν; καὶ ἐφ' οἷς ἔχουσιν ἑκάτεροι εἰρήνην ἀγειν κ (H-L):—εἰρήνην ἀγειν ἑκάτεροι Gomperz; ἐφ' οἷς ἔχουσιν ἑκάτεροι καὶ εἰρήνην ἀγειν κ-w e Schol. Arist. (et B, in archetypo ἐφ' οἷς ἔχουσιν ἑκάτεροι supra verbum adscriptum fuisse arbitratus). 9 ὑπήκουσαν mavult Herwerden. 10 ἔξαπατηθὲν Rutherford.

7—12 *Schol. Arist. *Ran.* 1532; v. Testimonia in p. 129.

ἔξαπατηθέντος τοῦ δήμου] Xen. *Hell.* i 7 § 35, ὕστερον... ἐψηφίσαντο οἵτινες τὸν δῆμον ἐξηπάτησαν, προβολὰς αὐτῶν εἶναι καὶ ἐργητὰς καταστήσαι, ἕως ἂν κριθῶσιν.
παροργισαντας] 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 retained 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 Arginusae 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 *init.* p. 537 n) to suppose that the Scholiast on Aristoph. *Ranae ult.*, who quotes the present passage, had confounded the two battles. It now appears that the Scholiast's quotation was correct. It is not improbable 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 πρὸς βουσαμένων περὶ εἰρήνης ἀπιστήσαντες οἱ Ἀθηναῖοι οὐ προσήκαντο. Cf. Schol. on l. 722. Grote v 460 n.

ἔξαπατηθέντες ὑπὸ Κλεοφῶντος] In c. 28 § 4 Cleophon (and Callicrates) are described as having 'deceived the people.' Cleophon's action is described as follows in Lysias 13 § 8, ὅτε γὰρ ἡ πρώτη ἐκκλησία περὶ τῆς εἰρήνης ἐγγλυετο, καὶ οἱ παρὰ Λακεδαιμονίων ἦκοντες ἔλεγον ἐφ' οἷς ἐτοιμοὶ εἶεν τὴν εἰρήνην ποιέσθαι Λακεδαιμόνιοι, εἰ κατασκαφὴ τῶν τειχῶν τῶν μακρῶν ἐπὶ δέκα στάδια ἑκάτερο, τότε ὑμεῖς τε, ὦ ἄν. Ἀθ., οὐκ ἠρέσχεσθε ἀκούσαντες περὶ τῶν τειχῶν τῆς κατασκαφῆς, Κλεοφῶν τε ὑπὲρ ἡμῶν πάντων ἀναστὰς ἀντέειπεν ὡς οὐδενὶ τρόπῳ οἶόν τε εἴη ποιεῖν ταῦτα. Aeschin. *F. L.* 76, Κλεοφῶν... ἀποκόψων ἠπέλειε μαχαίρα τὸν τράχηλον, εἰ τις τῆς εἰρήνης μνησθήσεται, and *F. L.* 151, παντάπασιν ἐκφῶν ἐγένετο (with schol. on 150, where εἰ τις εἰρήνην γεννηθήσεται, printed εἰρήνης γεννητῆς ἔσται, is clearly a mistake for εἰρήνης μνησθήσεται). Cf. Arist. *Ran.* *ad fin.* Κλεοφῶν δὲ μαχέσθω, and Holden's *Onomasticon* s. v.

μεθῶν 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 μεθῶν (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.). (Herwerden's n.) It will be remembered that Cicero, at the time of the Catilinarian conspiracy, went down to the *Campus Martius* armed with a *lata insignique lorica* (Cic. *pro Murena*, § 52).

ἐπιτρέψειν ἂν μὴ πάσας ἀφῶσι Λακεδαιμόνιοι τὰς πόλεις. οὐ 2
 χρησάμενοι δὲ καλῶς τότε τοῖς πράγμα[σι], μετ' οὐ πολλὸν χρόνον
 ἔγνωσαν τὴν ἀμαρ[τίαν]. 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 τοιῶδε. τῆς εἰρήνης γενομένης αὐτοῖς ἐφ' ᾧ τε 3
 πολιτεύονται τὴν πατριον πολιτείαν, οἱ μὲν δημοτικοὶ διασφῶζεν
 ἐπειρῶντο τὸν δῆμον, τῶν δὲ γνωρίμων οἱ μὲν ἐν ταῖς ἐταιρείαις
 20 ὄντες καὶ τῶν φυγάδων οἱ μετὰ τὴν εἰρήνην καταλθόντες ὀλιγαρχίας
 ἐπεθύμουν, οἱ δ' ἐν ἐταιρεία μὲν οὐδεμιᾷ συγκαθεστῶτες [ἄ]λλως
 δὲ δοκοῦντες οὐδενὸς ἐπιλείπεσθαι τῶν πολιτῶν τὴν πατριον
 πολιτείαν ἐξήτουν· ὃν ἦν μὲν καὶ Ἀρχίνος καὶ Ἄνυτος καὶ
 Κλειτοφῶν καὶ Φορμίσιος καὶ ἕτεροι πολλοί, προειστήκει δὲ

12 ἀφίωσι (κ) : ἀφῶσι Naber, Gennadios, Richards, K-W, H-L, B e schol. Arist.

18 ΔΙΑΔΩΞΕΙΝ ; -σῶσειν κ¹; -σῶσαι hiatus admissio J B Mayor et Wyse ; -σῶξεν Blass, K-W, H-L, κ³.

20 ΑΡΧΙΑΝ corr. J B Mayor, Rutherford, Blass, Fränkel.

22 ΕΠΙΛΙΠΕΣΘΑΙ : ἐπιλείπει. κ, B, ('ἀπ λείπεσθαι?') K-W ; ἀπολείπει. Richards, Gennadios, Kontos, Hulstsch (H-L).

23 ΕΖΗΤΟΥΝ (κ, K-W, B) : ἐξήλων H-L.

§ 2. ἐπ' Ἀλεξίου] B.C. 405/4.
 ἠτύχησαν τὴν—ναυμαχίαν] an excep-
 tional, but quite intelligible, phrase for
 expressing 'defeat in the naval engage-
 ment.' We have something like it in
 Aristides ii 334 Dind., Σοφοκλῆς Φιλο-
 κλέους ἠτῆτο...τὸν Οὐδῖπου.

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 ἄσπει, δέκα δὲ ἐν
 Πειραιεὶ καταστήσας ἄρχοντας, Grote c.
 65, v 559.

§ 3. τὴν πατριον πολιτείαν] c. 31,
 l. 3. Xen. *Hell.* ii 3 § 2, εδοξε τῷ δήμῳ
 τριάκοντα ἄνδρας ἐλέσθαι, οἱ τοὺς πατρῶους
 νόμους ξυγγράψωσι, 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 mode-
 rate 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 πατρῷ πολιτείᾳ.

τῶν γνωρίμων] 2 § 1, 5 § 1, 16 § 9, 28 § 2.
 ἐταιρείαις] Cf. Thuc. iii 82, 8; viii
 54, 4. Hermann, *Staatsult.* 70, 2 and
 10; Schömann, *Anf.* p. 363 E. T.

Ἀρχίνος] Dem. *Timocr.* p. 742 § 135,
 Ἀρχίνου...τοῦ καταλαβόντος Φυλῆν καὶ μετὰ
 γε τοὺς θεοὺς αἰτιωτάτων ὄντος τῆς καθόδου
 τῷ δήμῳ καὶ ἄλλα πολλὰ καὶ κατὰ πεπο-
 λτευμένον καὶ ἐστρατηγηκὸς 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
 Thrasybulus 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
 μᾶλλον ἂν ἐνθάδε βούλεσθαι γίγνεσθαι ἢ
 ὁ οὔτοι πράττουσιν;

Κλειτοφῶν] the proposer of the rider
 to the proposal of Pythodorus respecting
 the establishment of the 400 (29 § 3).
 Isocr. *Callim.* 11 § 30. 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] Ἐπιθέσις to Lysias *Or.* 34,
 Dionys. Halic. *de Lysia*, c. 32, τοῦ γὰρ
 δήμου καταλθόντος ἐκ Πειραιῶς, καὶ ψηφί-
 σαμένον διαλύσασθαι πρὸς τοὺς ἐν ἄσπει,
 καὶ μηδενὸς τῶν γεγενημένων μνησκακεῖν,
 δέους δὲ ὄντος, μὴ πάλιν τὸ πλήθος εἰς τοὺς
 εὐπόρους ὑβρίζῃ τὴν ἀρχαίαν ἐξουσίαν κεκο-
 μωμένον, καὶ πολλῶν ὑπὲρ τούτου γυμνο-

μάλιστα Θηραμένης. Λυσάνδρου δὲ προσθεμένου τοῖς ὀλιγαρχικοῖς καταπλαγείν ὁ δῆμος ἠναγκάσθη χειροτονεῖν τὴν ὀλιγαρχίαν. ἔγραψε δὲ τὸ ψήφισμα Δρακοντίδης Ἀφιδναῖος.

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 ἐκ τῶν χιλίων, καὶ προσελόμενοι σφίσιν αὐτοῖς τοῦ Πειραιεύς 5

XXXV 1 ΚΑΤΕΣΤΗCE COG. K. 5 ἐκ τῶν χιλίων delet Marindin: πεντακισχιλίων? K-W, ἐκ τῶν πεντακισχιλίων Thompson, H-L; ἐκ τῶν φυλῶν Hude. καὶ τὰς ἄλλας ἀρχὰς καταστήσαντες ἐκ προκρίτων ἐκ τῶν χιλίων post μισθοφόρον in c. 33, 9 ponit Harberton, mutato χιλίων in πεντακισχιλίων et nostro in loco προσελόμενοι δὲ scripto

ε

(Class. Rev. vi 123).

ΠΙΡΑΙΩC: Πειραιεύς K, K-W; Πειραιῖος H-L, B.

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. 373², 411³).

XXXV 5—6 Bekk. *Anecdota*, p. 235 δέκα τιwes εἰσι: δέκα ἦσαν τιwes ἐν Πειραιεῖ οἱ ἄρξαντες κατὰ τὴν τυραννίδα τῶν τριάκοντα. ἀλλὰ καὶ προσέταξαν αὐτοῖς εὐθύνας τῆς ἀρχῆς δοῦναι. μὴ ἀγνωμῶνεν δὲ ὅτι ἕτεροι εἰσι δέκα, οὓς Ἀθηναῖοι εἶλοντο μετὰ τὴν τῶν τριάκοντα κατάλυσιν (c. 38, 5).

νων λόγων, Φορμισίος τις τῶν συγκατελθόντων μετὰ τοῦ δήμου γνώμην εισηγήσατο, τοὺς μὲν φεύγοντας κατιέναι, τὴν δὲ πολιτείαν μὴ πᾶσιν, ἀλλὰ τοῖς τὴν γῆν ἔχουσι παραδοῦναι, βουλομένων ταῦτα γενέσθαι καὶ Δακεδαμονίων. 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 κέρην τρέφων καὶ φοβερὸς δοκῶν εἶναι.

Λυσάνδρου—τοῖς ὀλιγαρχικοῖς] Diodorus, xiv 3.

ψήφισμα] Isocr. 15 § 67, οἱ μὲν γὰρ ψήφισματι παραλαβόντες τὴν πόλιν.

Δρακοντίδης] Lysias 12 § 73, Θηραμένης ἐκέλευσεν ὑμᾶς τριάκοντα ἀνδράσιν ἐπιτρέψαι τὴν πόλιν, καὶ τῇ πολιτείᾳ χρῆσθαι ἢν Δρακοντίδης ἀπέφαινε. 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 Πυθόδωρου ἄρχοντος] ὅν Ἀθηναῖοι, ὅτι ἐν ὀλιγαρχίᾳ ἤρεθθη, οὐκ ὀνομαζόμενον, 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 ξυγγράψαι νόμους, καθ' οὓσιν τω πολιτεύσουτον, τοῦτους μὲν αἰεὶ ἐμειλλον ξυγγράφειν τε καὶ ἀποδεικνύειν, βουλὴν δὲ καὶ τὰς ἄλλας ἀρχὰς κατέστησαν, ὡς ἔδδοκε αὐτοῖς. τὰς ἄλλας ἀρχὰς, e.g. that of King-Archon which was filled by Patrocles, Isocr. *Callim.* 18 § 6.

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 ('Ἱππεῦσιν Schow)' ἀλλ' εἰσιν ἱππῆς ἄνδρες ἀγαθοὶ χίλιοι [Aristoph. *Eq.* 225]. σύστημα πολεμικῶν ἀνδρῶν χιλίων ἱπποῦς τρεφόντων. Φιλόχορος δὲ ἐν τετάρτῳ εἰρηκε, πότε κατεστάθησαν χίλιοι. διάφορα γὰρ ἦν ἱππέων πλήθη κατὰ χρόνον Ἀθηναίους. Cf. Gilbert's *Gr. St.* i 305. The Knights were generally credited with oligarchical sympathies. Cf. Martin, *Les Cavaliers Athéniens*, 1886,

ἀρχοντας δέκα καὶ τοῦ δεσποτηρίου φύλακας ἔνδεκα καὶ μαστιγοφόρους τρια[κ]οσίους ὑπηρέτας, κατείχον τὴν πόλιν δι' ἑαυτῶν. τὸ 2 μὲν οὖν πρῶτον μέτριοι τοῖς πολίταις [ἦ]σα[ν] καὶ προσεποιούντο διώκειν τὴν πάτριον πο[λιτ]είαν, καὶ τοὺς τ' Ἐφιάλτου καὶ 10 Ἀρχεστράτου νόμους τοὺς περὶ τῶν Ἀρεοπαγιτῶν καθεῖλον ἐξ Ἀρείου [πάγου] καὶ τῶν Σόλωνος θεσμῶν ὅσοι διαμφισβητ[ήσ]εις εἶχον, καὶ τὸ κύρος ὃ ἦν ἐν τοῖς δικασταῖς κ[ατέ]λυσαν, ὡς ἐπανορθοῦντες καὶ ποιοῦν[τες] ἀναμφισβήτητον τὴν πολιτείαν.

7 ὑπηρ. del. Rutherford. ΕΔΥΤΩΝ: αὐτῶν J B Mayor sc. τῶν ὑπηρετῶν (H-L). 8 πολιτεύμασι Poste. 9 ΔΙΟΙΚΕΙΝ (K coll. c. 27, 11): διώκειν Kontos, Gertz, K-W, H-L, B, coll. c. 13, 18. 11 ΔΙΑΜΦΙΣΒΗΤ. 13 ΑΝΑΜΦΙΣΒΗΤΗΤΟΝ. Post annum 329 A.C. etiam in titulis Atticis apparet ζ aut σζ pro σ, e.g. ἐνδέξουσ (329 A.C.). ψήφισμα (paullo post 100 A.C.), Meisterhans, p. 68².

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 bearing arms.

τοῦ Πειραιέως ἀρχοντας δέκα] Plut. *Lysander* 15, δέκα δὲ ἐν Πειραιεῖ καταστήσας ἀρχοντας. Plat. *Epist.* vii p. 324 B. Scheibe, *Oligarchische Umwälzung*, p. 68.

ἔνδεκα] 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 *ραΐνισκοι*, 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.

Ἐφιάλτου] c. 25 § 2.

Ἀρχεστράτου]. Possibly the *στρατηγός* 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 Archestratus, who is described as the father of Chæreas.

Mr Kenyon conjectures that 'probably Archestratus was one of the supporters of Ephialtes, and some of the laws curtailing the power of the Areopagus stood in his name.'

καθεῖλον ἐξ Ἀρείου πάγου] This implies that the laws of Ephialtes &c 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 Archestratus and can only be separated from them by striking out τ' before Ἐφιάλτου.

Σόλωνος] Schol. Aeschin. i § 39, οἱ λ' 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 are 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 *φανερὸν* in 1332 b 20 and *Categ.* 5, 3 b 4. The adverb is found in *Categ.* 8, 11 a 2.

[Col. 16.] οἶο[ν] <τὸν> || περὶ τοῦ δοῦναι τὰ ἑαυτοῦ ᾧ ἂν ἐθέλῃ κύριον ποιήσαντες καθάπαξ, τὰς δὲ προσούσας δυσκολίας 'ἐὰν μὴ μανίων ἢ γήρωας <ἐνεκα> ἢ γυναικὶ πειθόμενος' ἀφείλον, ὅπως μὴ ᾗ τοῖς συκοφάνταις ἔφοδος· ὁμοίως δὲ τοῦτ' ἔδρων καὶ ἐπὶ τῶν ἄλλων.

3 κατ' ἀρχὰς μὲν οὖν ταῦτ' ἐποίουν καὶ τοὺς συκοφάντας καὶ τοὺς τῷ δήμῳ πρὸς χάριν ὀμιλοῦντας παρὰ τὸ βέλτιστον καὶ κακοπράγμονας ὄντας καὶ πονηροὺς ἀνήρουν, ἐφ' οἷς ἔχαιρεν ἡ πόλις 20

4 γιγνομένοις, ἡγούμενοι τοῦ βελτίστου χάριν ποιεῖν αὐτούς. ἐπεὶ δὲ τὴν πόλιν ἐγκρατέστερον ἔσχον, οὐδενὸς ἀπέιχοντο τῶν πολιτῶν, ἀλλ' ἀπέκτεινον τοὺς καὶ ταῖς οὐσίαις καὶ τῷ γένει καὶ τοῖς

14 οἶον <τὸν> K-W. ἂν <τις> H-L. ΠΟΙΗΣΑΝΤΕΣ: ἐποίησαν 'emendatio incerta, nec. praestat ποιήσαντες καθάπαξ, τὰς προσούσας δυσκολίας' K-W. 15 ΜΑΝΙΩΝΗΓΗΡΩΝ, μανίων ἢ γηρώων K, K-W: μανίων ἢ γήρωας <ἐνεκα> Blass et Wyse, coll. [Dem.] 46 § 14; μανίων ἢ γήρωας <ἢ φαρμάκων ἢ νόσου ἐνεκα παρανοῶν> Poland; eadem (nisi quod ἐνεκα malunt et παρανοῶν non accipiunt) H-L. 16 ΠΙΘΟΜΕΝΟΣ (edd.): πειθόμενος Wyse et Poland coll. [Dem.] l.c. 'sed praestat aoristus (= πεισθεῖς)' H-L. 19 καὶ secl. K-W. 20 ΕΧΑΙΡΟΝ propter participium ἡγούμενοι retineri posse putat K, retinent H-L, B: ἔχαιρεν Sidgwick, Rutherford (K-W, H-L). 21 ΓΙΓΝ (edd.). 23 ΑΠΕΚΤΕΙΝΑΝ (K): ἀπέκτεινον Blass, Kontos, H-L, K-W.

περὶ τοῦ δοῦναι τὰ ἑαυτοῦ ᾧ ἂν ἐθέλῃ] Plut. Sol. 21, εὐδοκίμησε δὲ κἀν τῷ περὶ διαθηκῶν νόμῳ· πρότερον γὰρ οὐκ ἐξῆν, ἀλλ' ἐν τῷ γένει τοῦ τεθνηκότος ἔδει τὰ χρήματα καὶ τὸν οἶκον καταμενεῖν, ὃ δ' ᾧ βούλεται τις ἐπιτρέψας, εἰ μὴ παῖδες ὡσι γῆραιοι, δοῦναι τὰ αὐτοῦ κτλ. οὐ μὴν ἀνέδην γε πάλιν οὐδ' ἀπλῶς τὰς δόσεις ἐφήκει, ἀλλ' εἰ μὴ νόσον ἐνεκεν ἢ φαρμάκων ἢ δεσμῶν ἢ ἀνάγκῃ κατασχεθεῖς ἢ γυναικὶ πειθόμενος. See note on Dem. *Lept.* § 102.

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 μανίων—πειθόμενος] [Dem.] 46 § 14, ἐὰν μὴ μανίων ἢ γήρωας ἢ φαρμάκων ἢ νόσου ἐνεκα, ἢ γυναικὶ πειθόμενος, and § 16, νοσοῦντα ἢ φαρμακῶντα ἢ γυναικὶ πειθόμενον ἢ ὑπὸ γήρωας ἢ ὑπὸ μανίων ἢ ὑπὸ ἀνάγκης τινος καταληφθέντα. 48 § 56, ἀκρά γε ταῦτα πάντα ἐνομοθέτησεν εἶναι ὁ Σόλων, ὃ τι ἂν τις γυναικὶ πειθόμενος πράττη. Lys. frag. 74, τῆς διαθέσεως... ἦν κεισθὼς διέθετο οὐ παρανοῶν οὐδὲ γυναικὶ πεισθεῖς. Isaacs 6 § 9, ἐὰν μὴ ἀρα μανεῖς ἢ ὑπὸ γήρωας κτλ.

§ 3. τοὺς συκοφάντας κτλ.] Xen. *Hell.*

ii 3, 12, πρώτων μὲν οὖς πάντες ᾗδεσαν ἐν τῇ δημοκρατίᾳ ἀπὸ συκοφαντίας ζῶντας καὶ τοῖς καλοῖς κάγαθοῖς βαρεῖς ὄντας συλλαμβάνοντες ὑπήγουν θανάτου· καὶ ἡ τε βουλή ἠδῆως αὐτῶν κατεψηφίζετο, οἱ τε ἄλλοι, ὅσοι ἐξηγῆσαν ἑαυτοῖς μὴ ὄντες τοιοῦτοι, οὐδὲν ἤχοντο. 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, *Epist.* 324 BC (Grote, v 562).

πρὸς χάριν] (λέγειν τινι) Xen. *Mem.* iv 4, 4: *Hell.* vi 3, 7; *Rhet.* i 1, 1354 b 34, ἀκροᾶσθαι πρὸς χάριν. *Pol.* iii 16, 1287 a 38, πολλὰ πρὸς ἐπήρειαν καὶ χάριν πράττειν. *Eth.* 10, 2, 1173 b 33, (ὁ φίλος) πρὸς τὰγαθὸν ὀμιλεῖν δοκεῖ, (ὁ κδολαξ) πρὸς ἠδονήν.

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 ἀπέιχοντο κτλ.] Xen. *Hell.* ii 3 § 14, οὐς ἐβούλοντο ξυνελάμβανον, οὐκέτι τοὺς πονηροὺς τε καὶ ὀλιγοῦ ἀξίους.

ἀπέκτεινον κτλ.] *ib.* § 15 (ὁ Κριτίας) προπετής ἦν ἐπὶ τὸ πολλοὺς ἀποκτενεῖν, and § 17, ἀποθησκόντων πολλῶν καὶ ἀδίκων. Among those who were put to death were Strombichides and other officers who were attached to the demo-

ἀξιώμασιν προέχοντας, ὑπεξαιρούμενοί τε τὸν φόβον καὶ βουλό-
25 μνοι τὰς οὐσίας διαρπάξουσιν καὶ χρόνου διαπεσόντος βραχέος, οὐκ
ἐλάττους ἀνηγήκεσαν ἢ χιλίους πεντακοσίους.

36. οὕτως δὲ τῆς πόλεως ὑποφερομένης, Θηραμένης ἀγανακτῶν
ἐπὶ τοῖς γιγνομένοις τῆς μὲν ἀσελγείας αὐτοῖς παρήγει παύσασθαι,
μεταδούναι δὲ τῶν πραγμάτων τοῖς βελτίστοις. οἱ δὲ πρῶτον
ἐναντιωθέντες, ἐπεὶ διεσπάρησαν οἱ λόγοι πρὸς τὸ πλήθος καὶ
5 πρὸς τὸν Θηραμένην οἰκείως εἶχον οἱ πολλοί, φοβηθέντες μὴ
προστάτης γεόμενος τοῦ δήμου καταλύσῃ τὴν δυναστείαν κατα-
λέγουσιν τῶν πολιτῶν τρισχιλίους ὡς μεταδώσουσιν τῆς πολιτείας.
Θηραμένης δὲ πάλιν ἐπιτιμᾷ καὶ τούτοις, πρῶτον μὲν ὅτι, βουλό- 2
μνοι μεταδούναι τοῖς ἐπιεικέσι, τρισχιλίους μόνοις μεταδιδόασιν, ὡς
10 ἐν τούτῳ τῷ πλήθει τῆς ἀρετῆς ὠρισμένης, ἔπειθ' ὅτι δύο τὰ ἐναν-
τιώτατα ποιούσιν, βίαιόν τε τὴν ἀρχὴν καὶ τῶν ἀρχομένων ἥττω
κατασκευάζοντες. οἱ δὲ τούτων μὲν ὀλιγόρησαν, τὸν δὲ κατάλογον

24 ἀξιώμασι H-L.
θόντος Herwerden.

XXXVI 1 οὕτω H-L.

25 ΔΙΑΠΕΣΟΝΤΟΣ (edd.)?: διαλπόντος J B Mayor, διελ-

2 ΓΙΝ (K-W).

3 ΠΡΩΤΟΙ COG. K.

6 κατα-
κα

λέγουσι H-L.
ΚΕΥΑΖΟΝΤΕΣ.

7 ΔΙΣΧΙΛΙΟΥΣ COG. K.

9 μεταδιδόασιν H-L.

12 ΜΕΤΑ-

XXXV 26 Heraclidis epitoma, Frag. 611, 6³ (locus infra exscriptus).

cracy (Lysias 13 § 13; 30 § 14); Lycurgus who belonged to one of the most eminent sacred *gentes* in the State ([Plut.] *Vit. Orat.* p. 838); a wealthy man named Antiphon; Leon of Salamis (Plat. *Apol.* p. 32); and even Niceratus the son, and Encrates 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 ἐπιτήδειοι εἶναι ὑπεξαιρεθῆναι. Either τὸν φόβον, as suggested by Mr W. L. Newman (*Class. Rev.* v 164 ὁ), is the ‘object of their fear’ (a somewhat poetic usage), or we must render the passage ‘getting quit of their own apprehension.’

χιλίους πεντακοσίους] Heraclides 9, καὶ ἀνεῖλον οὐκ ἐλάσσους χιλίων φ’. Isocr. *Areop.* 67 (of the Thirty), οἱ μὲν γὰρ ψηφίσματι παραλαβόντες τὴν πόλιν πεντακοσίους μὲν καὶ χιλίους τῶν πολιτῶν ἀκρίτους ἀπέκτειναν, *Paneg.* 131. Aeschin. *Ctes.* § 235. 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.

διεσπάρησαν] δ. λόγον, Xen. *Hell.* v 1, § 25.

φοβηθέντες—πολιτείας] Xen. *Hell.* ii 3 § 18, ἐκ τούτου μέντοι Κριτίας καὶ οἱ ἄλλοι τῶν τριάκοντα, ἤδη φοβούμενοι καὶ οὐχ ἤκιστα τὸν Θηραμένην, μὴ συρρηύησαν πρὸς αὐτὸν οἱ πολῖται, καταλέγουσι τρισχιλίους τοὺς μετέξοντας δὴ τῶν πραγμάτων.

προστάτης τοῦ δήμου] c. 2 l. 9; c. 28 § 2.

§ 2. Θ. πάλιν ἐπιτιμᾷ] Xen. *Hell.* ii 3 § 19, ὁ δ' αὖ Θ. καὶ πρὸς ταῦτα ἔλεγεν, ὅτι ἀποπον δοκοῖ ἐαυτῷ γε εἶναι τὸ πρῶτον μὲν βουλομένους τοὺς βελτίστους τῶν πολιτῶν κοινωνοὺς ποιήσασθαι τρισχιλίους, ὥσπερ τὸν ἀριθμὸν τούτων ἐχοντά τινα ἀνάγκην καλοῦς κάγαθους εἶναι, καὶ οὐτ' ἔξω τούτων σπουδαίους οὐτ' ἐντὸς τούτων πανηροὺς οἷον τε εἴη γενέσθαι ἔπειτα δ', ἔφη, ὁρῶ ἔγωγε δύο ἡμᾶς τὰ ἐναντιώτατα πράττοντας, βίαιαν τε τὴν ἀρχὴν καὶ ἥττω τῶν ἀρχομένων κατασκευαζόμενους.

τὸν δὲ κατάλογον κτλ.] The narrative in Xenophon (*Hell.* ii 3 § 20) pro-

τῶν τρισχιλίων πολλὸν μὲν χρόνον ὑπερεβάλλοντο καὶ παρ' αὐτοῖς ἐφύλαττον τοὺς ἐγνωσμένους, ὅτε δὲ καὶ δόξειεν αὐτοῖς ἐκφέρειν τοὺς μὲν ἐξήλειφον τῶν <ἐγ>γεγραμμένων, τοὺς δ' ἀντενέγραφον ¹⁵ τῶν ἔξωθεν.

37. ἤδη δὲ τοῦ χειμῶνος ἐνεστῶτος, καταλαβόντος Θρασυβούλου μετὰ τῶν φυγάδων Φυλὴν, καὶ κατὰ τὴν στρατιάν ἦν ἐξήγαγον οἱ τριάκοντα κακῶς ἀποχωρήσαντες, ἔγνωσαν τῶν μὲν ἄλλων τὰ ὄπλα παρελῆσθαι, Θηραμένην δὲ διαφθεῖραι τόνδε <τὸν> τρόπον. νόμους εἰσήνεγκαν εἰς τὴν βουλὴν δύο κελεύοντες || ⁵ ἐπιχειροτονεῖν, ὧν ὁ μὲν εἰς αὐτοκράτορας ἐποίει τοὺς τριάκοντα

13 ὑπερβαλλ. 14 συμφέρειν van Leeuwen. 15 γεγραμμένων (κ) : <ἐγ> γεγραμμένων Herwerden (H-L, K-W, B).

XXXVII 2 καὶ secl. K-W.

ΣΤΡΑΤΙΑΝ Κ, H-L, B: στρατείαν K-W.

3 ol

τριάκοντα del. Richards (H-L), ante ἔγνωσαν posit J B Mayor. corr. K. 5 <τὸν> K-W, H-L, K³, B, coll. c. 7, 8.

4 παρίεσθαι

ε

ceeds 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 Κριτίας εἶναι ἐξαλείφειν... ὃν ἂν βούληται, ἀλλ' ὄνπερ νόμον ὄντοι ἔγραψαν περὶ τῶν ἐν τῷ καταλόγῳ, κατὰ τοῦτον... τὴν κρίσιν εἶναι, *ib.* 4 § 28.

ἀντενέγραφον] 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 Thrasylbulus. 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) Thrasylbulus ὁρμηθεὶς 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 Thrasylbulus 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 Thrasylbulus 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 παρελῆσθαι] Xen. *Hell.* ii 3 § 20, τὰ ὄπλα πάντων πλὴν τῶν τρισχιλίων παρεῖλοντο, and *ib.* § 41. *Pol.* 1311a 8 ff. νόμους εἰσήνεγκαν] *asyndeton.*

αὐτοκράτορας—τρισχιλίων] Xen. *Hell.* ii 3 § 51 (Critias *λογιμῶν*), ἔστι δὲ ἐν τοῖς καινοῖς νόμοις τῶν μὲν ἐν τοῖς τρισχιλίοις ὄντων μηδένα ἀποθνήσκων ἄνευ τῆς ὑμετέρας ψήφου, τῶν δ' ἔξω τοῦ καταλόγου κυρίους εἶναι τοὺς τριάκοντα θανατοῦν. ἐγὼ οὖν, ἔφη, Θηραμένην τουτοῦ ἐξαλείφω ἐκ τοῦ καταλόγου ξυνδοκοῦν ἅπασιν ἡμῖν καὶ τοῦτον, 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,

τῶν πολιτῶν ἀποκτεῖναι τοὺς μὴ τοῦ καταλόγου μετέχοντας τῶν
 τρισχιλίων, ὁ δ' ἕτερος ἐκόλυε κοινωνεῖν τῆς παρουσίας πολιτείας
 ὅσοι τυγχάνουσιν τὸ ἐν Ἡετιωνείᾳ τεῖχος κατασκάψαντες, ἢ τοῖς
 10 τετρακοσίοις ἐναντίον τι πράξαντες [ἢ] τοῖς κατασκευάσασι τὴν
 προτέραν ὀλιγαρχίαν ὧ[ν] ἐτύγχανεν ἀμφοτέρων κεκοινωνηκῶς ὁ
 Θηραμένης, ὥστε συνέβαινεν ἐπικυρωθέντων τῶν νόμων ἔξω τε
 γίνεσθαι τῆς πολιτείας αὐτὸν καὶ τοὺς τριάκοντα κυρίως εἶναι
 15 πάντων πλὴν τῶν τρισχιλίων, καὶ ἐν τοῖς ἄλλοις πολλὴ πρὸς
 ἁμότητα καὶ πονηρίαν ἐπέδωσαν.— — πρέσβεις πέμψαντες εἰς

7 τῶν τρισχιλίων *delere vult v.* 9 *τυγχάνουσι H-L.* 10 ἢ *secl. k-w, H-L.*
 14 ΘΑΝΑΤΟΥΝΤΑΣ (κ, κ-w) *defendit Kontos coll. Thuc. v 34, Plat. Leg. 878 E, Polyb.*
iii 85, 2 etc. : ανατοῦν Lacon, Keil, (+αὐτὸν Poland), coll. Xen. Hell. ii 13, 51.
 16 πρέσβεις <δὲ> J B Mayor, Blass, Hude (H-L, κ³, B) : ante πρέσβεις lacunam indi-
 cant κ-w; verba πρέσβεις—ἐφρούρουν olim in fine capitis 36 locum habuisse censet van
 Leeuwen.

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 τείχος ἐποίουντο. *ib.* 90 § 3, ἦν δὲ τοῦ τείχους ἡ γνῶμη αὐτῆ, ὡς ἔφη Θηραμένης καὶ οἱ μετ' αὐτοῦ, οὐχ ἵνα τοὺς ἐν Σάμφῳ, ἦν βία ἐπιπλέωσι, μὴ δέξωνται ἐς τὸν Πειραιᾶ, ἀλλ' ἵνα τοὺς πολεμίους μάλλον, ὅταν βούλωνται, καὶ ναυσὶ καὶ πεζῶ δέξωνται. *χρηλὴ γάρ ἐστι τοῦ Πειραιῶς ἡ Ἡετιωνεία, καὶ παρ' αὐτῆν εὐθὺς ὁ ἔσπλους ἐστίν.* *ib.* 92 § 10, τὸν Θηραμένην ἠρώτων εἰ δοκεῖ αὐτῷ ἐπ' ἀγαθῷ τὸ τεῖχος οἰκοδομεῖσθαι, καὶ εἰ ἄμεινον εἶναι καθαιρεθῆν. ὁ δὲ, εἴπερ καὶ ἐκεῖνος δοκεῖ καθαιρεῖν, καὶ ἐαυτῷ ἔφη ξυνοκεῖν. καὶ ἐντεῦθεν εὐθὺς

ἀναβάντες οἱ τε ὀπλίται 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.

§ 2. ὄπλα παρέιλοντο] 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.

πολλὴ πρὸς ἁμότητα—ἐπέδωσαν] *Xen. Hell.* ii 3, 21, πολλοὺς μὲν ἐχθρας ἕνεκα ἀπέκτεινον, πολλοὺς δὲ χρημάτων. It was after the disarmament, and before the 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 ἐπιδοίη ἂν εἰς τὸ βέλτιον εἶναι, *Eth.* 10, 5, 1175 a 35, ἐπιδοῖσασιν εἰς τὸ οἰκεῖον ἔργον. *Magis. Mor.* i 9, 1186 b 29, πρὸς ἅ μάλλον ἐπιδομεν. Isocr. 33 B, εἰ πρὸς εὐδαίμονιαν.

πρέσβεις πέμψαντες] This asyndeton is not justifiable on the same grounds as νόμους εἰσηνεγκαν 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

Λακεδαίμονα τοῦ τε Θηραμένους κατηγοροῦν καὶ βοηθεῖν αὐτοῖς ἤξιον· ὧν ἀκούσαντες οἱ Λακεδαιμόνιοι Καλλίβιον ἀπέστειλαν ἄρμοσθην καὶ στρατιώτας ὡς ἑπτακοσίους, οἳ τὴν ἀκρόπολιν ἐλθόντες ἐφρούρου.

38. μετὰ δὲ ταῦτα καταλαμβάνοντων τῶν ἀπὸ Φυλῆς τὴν Μουνιχίαν, καὶ νικησάντων μάχῃ τοὺς μετὰ τῶν τριάκοντα βοηθήσαντας, ἐπαναχωρήσαντες μετὰ τὸ[ν] κίνδυνον οἱ ἐκ τοῦ ἄστεως καὶ συναθροισθέντες εἰς τὴν ἀγοράν, τῇ ὑστεραία τοὺς μὲν τριάκοντα κατέλυσαν, αἰροῦνται δὲ δέκα τῶν πολιτῶν αὐτοκράτορας ἐπὶ τὴν [τοῦ πο]λέμου κατάλυσιν. οἱ δὲ παραλαβόντες τὴν ἀρχὴν ἐφ' οἷς μὲν ἤρβηθησαν οὐκ ἔπραττον, *ἐπέ[στελλον] δ' εἰς Λακεδαίμονα 2 βοήθειαν μεταπε[μπόμ]ενοι καὶ χρήματα δανειζόμενοι. χαλεπῶς δὲ [φε]ρόντων ἐπὶ τούτοις τῶν ἐν τῇ πολιτείᾳ, φο[βούμεν]οι μὴ καταλυθῶσιν τῆς ἀρχῆς καὶ βουλόμενοι κατ[απληξ]αι τοὺς ἄλλους 10 (ὅπερ ἐγένετο), συλλαβόντες [Δ]ημάρετον οὐδενὸς ὄντα δεύτερον τῶν πολιτῶν ἀπέκτειναν, καὶ τὰ πράγματα βεβαίως εἶχον, συνα-

17 ΔΥΤΟΙΣ (K, H-L): αὐτοῖς K-W, ἐαυτοῖς B.

XXXVIII 2 et 16 ΜΟΥΝΥΧΙΑΝ. Cf. c. 19, 5. 4 CΥΝΑΘΡΟΙΘ? 6 ΕΝΟΙC COIG. K. 7 [ἐπρέσβευ]ισ[αν] K (K-W): ἐπέ[μψαν] H-L, B; spatium litteras aliquanto plures quam ἐπέμψαν, paullo pauciores quam ἐπρέσβεισαν, postulare videtur; scripsi ἐπέστελλον, coll. Thuc. viii 38 ἐπιστέλλει—ἐς τὴν Λακεδαίμονα. 10 καταλυθῶσι H-L. 11 Δημάρετον Blass (K-W, H-L, K³); post hoc nomen ἀρετῇ fortasse recte inserit Richards. 12 συναγωνιζομένων papyrus habere putabant H-L.

TESTIMONIA. XXXVIII 5 Bekk. An. 235—6 (cf. Testim. ad xxxv 5—6).

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 The-ramenes placed after, instead of before, the arrival of the Spartan garrison.

Καλλίβιον] Xen. *l.c.* and Plut. *Lysand.* 15 *ad fin.* In neither of these passages is the number of the garrison mentioned. XXXVIII—XL. *The Rule of the Ten. The end of the oligarchical revolution and the restoration of the democracy.*

XXXVIII § 1. καταλαμβάνοντων—Μουνιχίαν 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 ἐκείνους μὲν καταπαῖσαι, ἄλλους δὲ ἐλέσθαι. καὶ εἰλοντο δέκα, ἕνα ἀπὸ φυλῆς.

The appointment of the Ten is described by Lysias, *c. Eratosth.* 12 § 54, ἀρχοντας δὲ τοὺς ἐκείνους ἐχθίστους εἰλοντο. 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 ἐπολέμουν, τοῖς τε τριάκοντα πάντα κακὰ εἰργασμένοι καὶ ὑμῖν πάντα κακὰ πεπονθῶσι (57). ἐπέστελλον κτλ.] (Pheidon) ἐλθὼν εἰς Λακεδαίμονα ἐπειθεν αὐτοὺς στρατεῦσθαι...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 ἐγένοντο (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.

γωνιζομένου Καλλιβίου τε καὶ τῶν Πελοποννησίων τῶν παρόντων
καὶ πρὸς τού[τοι]ς ἐνίων τῶν ἐν τοῖς ἰππεύσι· τούτων γὰρ τινες
15 μάλιστα τῶν πολιτῶν ἐσπούδαζον μὴ καταλθεῖν τοὺς ἀπὸ Φυλῆς.
ὡς δ' οἱ τὸν Πειραιέα καὶ τὴν Μουνιχίαν ἔχοντες, ἀποστάντος 3
ἅπαντος τοῦ δήμου πρὸς αὐτούς, ἐπεκράτουν τῷ πολέμῳ, τότε
καταλύσαντες τοὺς δέκα τοὺς πρώτους αἰρεθέντας, ἄλλους εἴλοντο
20 διαλύσεις || γενέσθαι καὶ καταλθεῖν τὸν δῆμον, συναγωνιζομένων καὶ [Col
προθυμουμένων τούτων. προειστήκεσαν δ' αὐτῶν μάλιστα Ἐρίων τε
ὁ Παιανιεύς καὶ Φάυλλος ὁ Ἀχερδούσιος· οὗτοι γὰρ πρὶν <τε> [[ῆ]]
Παυσανίαν [[τ']] ἀφικέσθαι διεπέμ[ποντ]ο πρὸς τοὺς ἐν Πειραιεῖ, καὶ
ἀφικομένου συνεσπούδασαν τὴν κάθοδον. ἐπὶ πέρας γὰρ ἤγαγε 4
25 τὴν εἰρήνην καὶ τὰς διαλύσεις Παυσανίας ὁ τῶν Λακεδαιμονίων
βασιλεὺς μετὰ τῶν δέκα διαλλακτῶν τῶν ὕστερον ἀφικομένων ἐκ

ε ε

16 ΠΙΡΑΙΔ: Πειραιέα κ, κ-w, β; Πειραιᾶ H-L: in titulis Atticis Πειραιέα saepius quam Πειραεά apparet; Πειραιᾶ pondum inveni. 17 ΑΠΑΝΤΟΣ Blass (κ⁸): ΠΑΝΤΟΣ κ¹ (κ-w, H-L). ΑΥΤΗΝ (κ): αὐτοὺς Blass, Kontos, Hude, κ-w, H-L. 22 ΑΧΕΡΔΟΥΣΥΙΟΣ corr. Bywater, etc. 22—23 ΠΡΙΝ Η ΠΑΥΣΑΝΙΑΝ ΤΕ ΚΤΛ (κ): πρὶν ἢ Π.—διεπέμποντο <τε> κ-w¹; πρὶν <τε> Π.—διεπέμποντο Richards (H-L,

ε ε

κ-w², β). 23 ΠΙΡΑΙΔ: Πειραιεῖ κ, H-L; Πειραεῖ κ-w, β. Πειραιεῖ tituli Attici (Meisterhans, p. 25²) duodecim in locis habent, e.g. Dittenberger 337, 9, 14, 36 (B.C. 320) ἐν vel ἐμ Πειραεῖ. 24 ΑΦΙΚΝΟΜΕΝΟΥΣ corr. κ. 25 ΠΑΥΣΑΝΙΑΣ del. H-L; ὁ—βασιλεὺς del. Richards, regis nomine iam antea commemorato.

21 Heraclidis epitoma, 611, 6⁸, τούτων δὲ καταλυθέντων Θρασύβουλος καὶ Ἐρίων προειστήκεσαν, δς ἦν ἀνὴρ καλὸς καὶ ἀγαθός.

§ 2. τοῖς ἰππεύσι] Xen. *Hell.* ii 4, 24. Lysias *Manitith.* 16 § 3, οὐχ ἰππευόν... ἐπὶ τῶν τριάκοντα. After the restoration of the democracy there was evidently a prejudice against those who had been ἰππεῖς at the time of the Thirty. Manititheus 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 ἑπαρχοὶ (*ib.* 8).

§ 3. ἄλλους εἴλοντο δέκα] These are not mentioned either by Lysias or by Xenophon.

συναγωνιζομένων] with the democratical party. τούτων probably refers to the Ten.

Ἐρίων] Isocr. *Callim.* § 7, 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 καταστάτες.

Φάυλλος] otherwise unknown.

πρὶν] The removal of ἦ (proposed by Herwerden) is justified not only by its rarity in Attic Greek, but also by the fact that MSS often vary between πρὶν καὶ πρὶν ἦ (Wyse).

§ 4. ἐπὶ πέρας—ἤγαγε] The phrase πέρας εἶχειν=περαίνεσθαι is found in Isocr. 42 v, Lycurg. 155, 34 (§ 60) and elsewhere; and Polybius uses πέρας λαμβάνειν (v 31, 2) and π. ἐπιθιναῖα τιμῆ (i 41, 2). Ar. *Meteor.* i, 14, 353 a 18, τὸ ἔργον αὐτῶν εἶχει πέρας, ὁ δὲ χρόνος οὐκ εἶχει. 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.

Παυσανίας] Xen. *Hell.* ii 4, 29—39. τῶν δέκα διαλλακτῶν κτλ.] *l.c.* § 38, ἐξέπεμψαν πεντεκαίδεκα ἀνδρας εἰς τὰς Ἀθήνας καὶ ἐπέταξαν ἐν Παυσανίᾳ διαλλάξαι δπη 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 ἔχουν ὡς πρὸς ἀλλήλους, ἀπίενοι δὲ ἐπὶ τὰ ἑαυτῶν

Λακεδαιμόνος, οὓς αὐτὸς ἐσπούδασεν ἐλθεῖν. οἱ δὲ πε[ρι] τὸν Ῥίνωνα διὰ τε τὴν εὐνοίαν τὴν εἰς τὸν δ[ῆμον] ἐπηρεήθησαν, καὶ λαβόντες τὴν ἐπιμέλειαν ἐν ὀλιγαρχίᾳ τὰς εὐθύνας ἔδοσαν [ἐ]ν δημοκρατίᾳ, καὶ οὐδεὶς οὐδὲν ἐνεκάλεσε[ν αὐ]τοῖς οὔτε τῶν ἐν ἄστει 30 μεινάντων οὔτε τῶν ἐκ Πειραιεύως κατελθόντων, ἀλλὰ διὰ ταῦτα καὶ στρατηγὸς εὐθύς ἤρθε 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 κυρίου 2 καὶ αὐτοκράτορας [ἐ]αυτῶν καὶ τὰ αὐτῶν καρπούμενους. τὸ δ' ἱερὸν εἶναι κοινὸν ἀμφοτέρων, ἐπιμελεῖσθαι δὲ Κήρυκας καὶ 5 Εὐμολπίδας κατὰ τὰ πάτρια. μὴ ἐξεῖναι δὲ μήτε τοῖς Ἐλευσίνοθεν εἰς τὸ ἄστυ μήτε τοῖς ἐκ τοῦ ἄστεως Ἐλευσίναδε ἰέναι πλὴν μυστηρίους ἑκατέρους. συντελεῖν δὲ ἀπὸ τῶν προσιόντων εἰς τὸ

E

29 post ἐπιμέλειαν . . σογς (εὐθύς ? H-L) deletum. 31 πειραιῶς: Πειραιεύως K, K-W; Πειραιῶς H-L. [Π]ε[ρι]ραῶς CIA ii 834 b i 64 (B.C. 329).

XXXIX 2 ΑΘΗΝΑΙΩΝ, supra τῶν additum, retinet K, post τῶν locat K¹, coll. c. 27, 15 τῷ βουλομένῳ Λακιδῶν et c. 29, 24 οἱ ἐθέλοντες Ἀθηναίων: delent K-W, H-L; ante τῶν ponunt Blass et K³. 4 [ἐ]αυτῶν Jackson, K-W, K³, B: ἐ[πι] πᾶσιν K¹; ἀπάντων Poland (H-L). 8 ἑκατέρους fortasse aut defendi aut excusari posse putat Jackson, sed mavult ἑκατέρους, 'mysteriis maioribus minoribusve'; idem mavult Hude.

ἐκαστον πλὴν τῶν τριάκοντα καὶ τῶν ἑνδεκα καὶ τῶν ἐν τῷ Πειραιεὶ ἀρξάντων δέκα. εἰ δέ τινες φοβούντο τῶν ἐξ ἄστεως, ἔδοξεν αὐτοῖς (αὐτοῖς Hartman) Ἐλευσίνα κατοικεῖν.

XXXIX § 1. 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 Peiraens 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 ἔχειν] If we retain Ἐλευσίνα, we should probably have to render the passage: 'should have Eleusis to migrate to.' The words are generally understood to mean: 'should have it in their power to migrate to Eleusis.' This would require Ἐλευσίναδε. Cf. Dem. 29 § 3, Μέγαράδ' ἐξώκηκε, and Lys. 31 § 19, of an incident of the same date as the present, (Philon) συσκευασάμενος γὰρ τὰ ἑαυτοῦ ἐνθάδε εἰς τὴν ὑπερορίαν ἐξώκησε.

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 ἑκατέρους. Xenophon is referring to the ψήφισμα of Patrocleides, quoted in Andoc.

de Myst. 77—79; *ib.* 73, ἐπεὶ γὰρ αἱ νῆες διεφθάρησαν καὶ ἡ πολιορκία ἐγένετο, ἐβουλεύσασθε περὶ ὁμονομίας 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). κυρίου 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 Ἐλευσίνοθεν] *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 πρώτον μὲν τῷ πρεσβυτάτῳ τῶν πολιτῶν... ἐπὶ τὸ βῆμα παρελθόντι τὰ βέλτεστα τῇ πόλει συμβουλεύειν, δεύτερον δ' ἦδη καὶ τῶν ἄλλων

συμμαχικὸν καθάπερ τοὺς ἄλλους Ἀθηναίους. εἰάν δέ τινες τῶν 3
 10 ἀπιόντων οἰκίαν λαμβάνωσιν Ἐλευσίνι, συμπεῖθειν τὸν κεκτη-
 μένον· εἰάν δὲ μὴ συμβαίνωσιν ἀλλήλοις, τιμητὰς ἐλέσθαι τρεῖς
 ἑκάτερον, καὶ ἦντιν ἂν οὗτοι τάξωσιν τιμὴν λαμβάνειν. Ἐλευ-
 σινίων δὲ συνοικεῖν οὓς ἂν αὐτοὶ βούλωνται. τὴν δ' ἀπογραφὴν 4
 εἶναι τοῖς βουλομένοις ἐξοικεῖν, τοῖς μὲν ἐπιδ[ημ]οῦσιν ἀφ' ἧς ἂν
 15 ὁμόσωσιν τοὺς ὄρκους δ[έκ]α ἡμερῶν, τὴν δ' ἐξοικῆσιν εἴκοσι, τοῖς
 δ' ἀποδημοῦσιν ἐπειδὰν ἐπιδημήσωσιν κατὰ ταυτά. μὴ ἐξεῖναι δὲ 5
 ἄρχειν μηδεμίαν ἀρχὴν τῶν ἐν τῷ ἄστει τὸν Ἐλευσίνι κατοικοῦντα
 πρὶν ἂν ἀπογράφηται πάλιν ἐν τῷ ἄστει κατοικεῖν. τὰς δὲ || δίκας [Col. 19.]

12 ΕΚΑΤΕΡΩΝ (B): ἑκάτερον Bury, Richards, Hude, Papabasilius (K-W, H-L, K³). τάξωσι H-L. 13 ΟΥΤΟΙ (K, K-W, H-L): αὐτοὶ Richards, Herwerden, B qui etiam ol ἂν αὐτοὶ scribendum suspicatur. 15 ὁμόσωσι H-L. δ[έκ]α K-W, H-L, K³, B: δι' [επτ]α K¹. 16 ἀποδημοῦσι <ν> K, H-L. 18 ΑΠΟΓΡΑΦΗ | ΨΗΤΑΙ: —γράφηται K-W, H-L, B; —γράφηται K.

πολιτῶν τὸν βουλούμενον γνώμην ἀποφα-
 νεσθαι (Kühner, § 475, 2 c, Anm. 1). ἑκα-
 τέρος is possibly preferred to avoid the
 ambiguity arising from ἑκατέρους, which
 would naturally agree with *μισσηρίοις* and
 has actually been proposed in this sense.
 συντελεῖν...εἰς] Dem. *Lept.* 28, *συντε-*
λοῦσιν εἰς τὸν πόλεμον.

τὸ συμμαχικόν] elsewhere of 'the allied
 forces' (Thuc. iv 77), or of a 'treaty of
 alliance' (iii 91, v 6): here 'the fund for
 the common defence.'

§ 3. συμπεῖθειν] not 'shall first obtain
 the assent of the owner' (Poste), but 'the
 people would help them to obtain the
 consent of the owner' (Kenyon).

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 ξυνοικη-
 σάντες σφίσι αὐτοῖς μᾶλλον ἦκοιεν ἐν τῇ
 ἀλλοτρίᾳ ἢ Λεοντίου ἐς τὴν οἰκίαν κατο-
 κοῦντες, *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 con-
 ditions, 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). ἀπο-
 γραφή, in Attic law, is generally applied
 to a register of land, property, moneys,
 rather than of persons. Lys. 25 § 9,
 εἰσὶ δὲ ὅτινες τῶν Ἐλευσίναδε ἀπο-
 γραφάμενων, ἐξελθόντες μεθ' ὑμῶν, ἐπο-
 λιοκοῦντο μετ' αὐτῶν (Westermann, Cobet;

μεθ' αὐτῶν MS; ἐπολιόρουν τοὺς μεθ' αὐτῶν
 Scheibe, Frohberger).

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 re-
 mainder), ὁμόσαντες ὄρκους ἡ μὴν μὴ μνησι-
 κακῆσεν. δέκα ἡμερῶν, 11, 5 δέκα ἐτών.

§ 5. πρὶν—ἀπογράφηται] '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 ἀπογραψάμενοις ἐκκλη-
 σιάξεν καὶ δικάξεν, εἰάν δὲ ἀπογραψάμενοι
 μὴτ' ἐκκλησιαξῶσι μήτε δικάξωσιν, ἐπί-
 κεινται μεγάλα ζημίαι τούτοις). Xen.
Hell. ii 4 § 8, vi 5 § 29. The passage is
 found in Plat. *Leg.* 914 c, ἂν ἀπογραψά-
 μένον ἢ παρὰ τοῖς ἀρχουσι τὸ κτῆμα.

τὰς δὲ δίκας τοῦ φόβου—] 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, ὡ καὶ πάτριόν ἐστι καὶ ἐφ' ἡμῶν
 (ὑμῶν MSS) ἀποδίδοται (ἀποδεδόται the read-
 ing of an inferior MS) τοῦ φόβου τὰς δίκας
 δικάξεν. Grote, Rauchenstein (*Philol.* x
 604 ff.) and Curtius (iv 16 note) hold that
 it was suspended; Schömann (*Anst.* p. 549
 E. T.) that it was not. Practically, how-
 ever, its authority was obviously superseded
 by the Reign of Terror. See also Philippi,
Areop. p. 265, 266, and Frohberger's
Lysias vol. ii 180.

τοῦ φόνου εἶναι κατὰ τὰ πάτρια, εἴ τις τινα αὐτόχειρ ἀπέκτεινεν, ὃ ἢ ἔτρωσεν. τῶν δὲ παρεληλυθότων μηδενὶ πρὸς μηδένα μνησικακεῖν²⁰ ἐξεῖναι, πλὴν πρὸς τοὺς τριάκοντα καὶ τοὺς δέκα καὶ τοὺς ἔνδεκα καὶ τοὺς τοῦ Πειραιέως ἄρξαντας, μηδὲ πρὸς τούτους, ἐὰν διδώσιν εὐθύνας. εὐθύνας δὲ δοῦναι τοὺς μὲν ἐν Πειραιεῖ ἄρξαντας ἐν τοῖς ἐν Πειραιεῖ, τοὺς δ' ἐν τῷ ἄστει ἐν τοῖς τὰ τιμήματα παρεχομένοις. εἴθ' οὕτως ἐξοικεῖν τοὺς ἐθέλοντας. τὰ δὲ χρήματα ἃ ἐδανείσαντο²⁵ εἰς τὸν πόλεμον ἑκατέρους ἀποδοῦναι χωρὶς.

40. γενομένων δὲ τοιούτων τῶν διαλύσεων, καὶ φοβουμένων

ε ε
19 ΑΥΤΟΧΗΡΑΕΚΤΙ (C) ('ita ut paene N legi possit' B) ΕΗΡΩΣΑΚΤΩΝ ante ρω
deletis ΕΗ (B), vel ΟΤ, i.e. ὁ τρώσας (K), vel ΟΙC (K-W), vel CH (H-L): αὐτοχειρὶ <ἀ-
έκτων> ἐκτίσει λερώσας K¹, †αὐτοχειρα ἐκτίσει λερώσας† K²; αὐτοχειρὰ ἔκτεινε τρώσας
Wyse; αὐτοχειρὰ ἔκτεινεν ἢ ἔτρωσεν K-W, H-L; αὐτόχειρ (van Leeuwen) ἀπέκτεινεν
ε ε
ἢ ἔτρωσεν B. 22 ΠΙΡΑΙΩC: Πειραιῶς H-L. 23 ΠΙΡΑΙΙ. 24 ΠΙΡΑΙΙ.
Praestaret ἐν τοῖς <ἐν τῷ ἄστει K et Gertz> τιμήματα (= ἀποτιμήματα) παρεχομένους,
Δ
aut τὰ <αὐτὰ Gertz> τιμήματα παρεχομένοις. Cf. c. 2, 12. 25 ΤΟΥC ΕΘΕΛΟΝ-
ΤΑC: τοὺς ἀλόντας B, qui in archetypo litteras θεε deletas, et Δ (non Δ) scriptum fuisse
putat.

TESTIMONIA. XXXIX 21—23 Bekk. An. 235—6 (cf. Testim. ad xxxv 5—6).

αὐτόχειρ ἀπέκτεινεν] Hdt. i 140 etc. αὐτοχειρὰ κτείνειν. αὐτόχειρ ἔκτεινεν would be a poetic form of expression, but αὐτόχειρ itself is used in prose, as 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 δοῦς ἀποκτείνῃ et similia. 'Unlawful wounding' comes under the cognation of the courts that try cases of homicide, c. 57 § 3 fin. κτείνει ἢ τρώσαι τινα.

§ 6. μνησικακεῖν] Xen. Hell. ii 4 ult., ὁμῶσαντες ὄρκους ἢ μὴν μὴ μνησικακῆσιν, ἐπεὶ καὶ νῦν ὁμοῦ τε πολιτεύονται καὶ τοῖς ὄρκους ἐμμένει ὁ δῆμος. Aristoph. Plut. 1146, μὴ μνησικακῆσθης, εἰ σὺ Φυλῆν κατέλαβες, ἀλλὰ ξύνοικον πρὸς θεῶν δέξασθέ με, with Schol. Andoc. de Myst. 90, καὶ οὐ μνησικακῆσω τῶν πολιτῶν οὐδενὶ πλὴν τῶν τριάκοντα καὶ τῶν ἔνδεκα, οὐδὲ τούτων δὲ ἂν ἐθέλοι εὐθύνας δίδόναι τῆς ἀρχῆς ἣς ἤρξεν and ib. 81, 91. Aeschin. F. L. 176, (Archinus and Thrasybulus) τὸ μὴ μνησικακεῖν πρὸς ἀλλήλους ἔνορκον ἡμῶν καταστησάντων. Justin v 10 § 11. Cf. Luebert, De Amnestia, Kiel, 1881.

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. παρέχουσαι, is 'to have as one's own, to produce as one's own,' 'to bring forward' (L and S); τοῖς ὅπλα παρεχομένοις occurs in c. 4, but I can find no instance of παρέχουσαι being coupled with τιμήματα.

τιμήματα is here understood of penalties, by Poland, Kaibel and Kiessling, and Haussoullier (εὐθῆναι came under the class of δίκαι τιμηταί, Att. Proc. pp. 226, 264 Lips.). Reinach makes τιμημα synonymous with ἀποτιμημα, 'a security,' comparing CIA ii 570, 21, [τιμη]ματι ἢ ἐγγυητῆ, and Lys. ap. Harp. s.v. τιμημα. οὕτως] after satisfying all these legal requirements.

ἀποδοῦναι χωρὶς] inf. c. 40 § 4.

ὄσοι μετὰ τῶν τριάκοντα συνεπολέμησαν, καὶ πολλῶν ἐπινοούντων μὲν ἐξοικεῖν ἀναβαλλομένων δὲ τὴν ἀπογραφὴν εἰς τὰς ἐσχάτας ἡμέρας, ὅπερ εἰώθασιν ποιεῖν ἅπαντες, Ἀρχίνος συνιδῶν τὸ πλήθος
5 καὶ βουλόμενος κατασχεῖν αὐτοὺς ὑφείλε τὰς ὑπολοίπους ἡμέρας τῆς ἀπογραφῆς, ὥστε συναναγκασθῆναι μένειν πολλοὺς ἄκοντας ἕως ἐθάρρησαν. καὶ δοκεῖ τοῦτο τε πολιτεύσασθαι καλῶς Ἀρχίνος, 2 καὶ μετὰ ταῦτα γραφάμενος τὸ ψήφισμα τὸ Θρασυβούλου παρα-

XL 2 ΜΕΝΕΠΙΝΟΟΥΝΤΩΝ (κ, <ἐξοικεῖν> μὲν ἐπινοούντων? κ-ω): ἐπινοούντων μὲν Blass (H-L). 3 ΑΝΑΓΡΑΦΗΝ (κ): ἀπογραφὴν Jackson, Wyse, Bury, Blass, κ-ω, H-L, B; ἀνα-γραφὴν fortasse casu ex ἀνα-βαλλομένων ortum. 4 εἰώθασιν H-L, B.

XL § 1. Ἀρχίνος] mentioned (with Dion) as an orator in Plat. *Menex.* 234 B, and with Cephalus in Dinarchus, 1 § 76. He was the proposer of a law to prevent *συνκοφαντία* 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 (Suidas 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, Ἀρχίνου καὶ Θρασυβούλου προστάντων τοῦ δήμου, Aeschin. *F. L.* 176. It was Archinus who moved the decree on that occasion: c. *Ctes.* 187, ὃ τὸ ψήφισμα γράψας καὶ νικήσας Ἀρχίνος ὁ ἐκ Κολλῆς, 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. γραφάμενος 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 Σπειριεὺς μετὰ τὸ κατελθεῖν τὸν δῆμον ἀπὸ Φυλῆς ἔγραψε ψήφισμα δοθῆναι

πολιτεῖαν Λυσία τῷ Κεφάλῳ (Κεφάλῳ MS, correxit Wyse) τῷ ῥήτορι πολλὰ εὐεργετήσαντι τοὺς εἰς (τὴν MS) Φυλὴν καταφυγόντας καὶ τοῦτο ἀπροβούλευτον εἰσήνεγκεν εἰς τὸν δῆμον. οὐδέπω γὰρ ἦν καθισταμένη βουλὴ μετὰ τὴν τῶν Ἰ καταλύσιν· τοῦτο τὸ ψήφισμα ἐγράψατο παρανόμως Ἀρχίνος ὁ ἐκ Κολλῆς καὶ εἶλε καὶ ἐτίμησεν τῷ Θρασυβούλῳ οἱ δικασταὶ δραχμῆς μίαις. Ἄλλως ἐπίστευον τοῖς δοκοῦσιν ἄμυνεν τοῖς νόμοις. Ἀρχίνος γὰρ ὁ ἐκ Κολλῆς ἐγράψατο παρανόμως ὅτε κατήλθεν ὁ δῆμος... Λυσίου τοῦ Συρακοσίου πεντακοσίας μὲν ἀσπίδας δόντας τοῖς μαχεσαμένοις ἐν Φυλῇ, τριακοσίου δὲ (Συρακοσίου MS, correxit Blass) στρατιώτας μισθωσαμένον ἐξ Αἰγίνης, ἔγραψε ψήφισμα πολίτην αὐτὸν γενέσθαι Θρασύβουλος. παρανόμως δὲ αὐτὸν Ἀρχίνος ὁ ἐκ Κολλῆς ἐγράψατο, ὅτι οὐπω γενεμένης βουλῆς ψήφισμα ἔγραψεν καὶ <οἱ> δικασταὶ κατήνεγκαν αὐτοῦ τὰς ψήφους ὀλιγώρους πρὸ τοῦ βουλήν ὑπάρξει (ὀλιγώρους—ὑπάρξει placed after ἔγραψεν by Schultz). ὃ δὲ ἐν τῇ τιμῇσι παρελθῶν, θανάτου, ἔφη, τιμῶμαι ὅτι ἀχαρίστους Ἀθηναίους ὄντας εὐ ἐποίησα. οἱ δὲ δικασταὶ αἰδεσθέντες τῷ μὲν ἐτίμησαν τὴν καταδικὴν δραχμῆς, τὸν δὲ Λυσίαν οὐδ' οὕτως ἐποίησαντο πολίτην. Maximus Planudes, Scholia on the στάσεις of Hermogenes in Walz, *Rh. Gr.* v 343, παραπλήσιον καὶ τὸ περὶ Θρασυβούλου ἱστορούμενον, ὅς μετὰ τὴν τῶν τριάκοντα καταλύσιν ἔγραψε τῷ Λυσία ψήφισμα περὶ τοῦ δεῖν αὐτὸν γενέσθαι πολίτην καὶ κατηγορηθεῖς ὡς ἀπροβούλευτον ψήφισμα... εἰσενεγκῶν, οὐ γὰρ ἦν πω καταστάσα ἡ βουλὴ, κατεδικάσθη χρημάτων· ὃ δὲ, οὐ μὰ Δία, ἔφη, 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 βουλὴ had not yet been constituted. See Blass *Att. Ber.* i 340¹,

νόμων, ἐν ᾧ μετεδίδου τῆς πολιτείας πᾶσι τοῖς ἐκ Πειραιέως συγκατελθούσι, ὧν ἔνιοι φανερώς ἦσαν δούλοι, καὶ τρίτον, ἐπεὶ τις 10 ἤρξατο τῶν κατελληλυθῶτων μνησικακεῖν, ἀπαγαγὼν τοῦτον ἐπὶ τὴν βουλὴν καὶ πείσας ἄκριτον ἀποκτεῖναι, λέγων ὅτι νῦν δείξουσιν εἰ βούλονται τὴν δημοκρατίαν σφάζειν καὶ τοῖς ὄρκοις ἐμμένειν ἀφέντας μὲν γὰρ τοῦτον προτρέψειν καὶ τοὺς ἄλλους, ἐὰν δ' ἀνέλωσιν παράδειγμα ποιήσειν ἅπασιν. ὅπερ καὶ συνέπεσεν 15 3 ἀποθανόντος γὰρ οὐδεὶς πώποτε ὕστερον ἐμνησικακήσεν. ἀλλὰ δοκοῦσιν κάλλιστα δὴ καὶ πολιτικώτατα ἁπάντων καὶ ἰδίᾳ καὶ κοινῇ χρήσασθαι 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 20 κοινῇ, κελουσοῦν τῶν συνθηκῶν ἐκατέρους ἀποδιδόναι χωρὶς, τοὺς τ' ἐκ τοῦ ἄστεως καὶ τοὺς ἐκ τοῦ Πειραιέως, ἡγούμενοι τοῦτο πρῶτον ἄρχειν δεῖν τῆς ὁμοιοῦς· ἐν δὲ ταῖς ἄλλαις πόλεσιν οὐχ ὅτι προστιθέασιν τῶν οἰκείων οἱ δῆμοι κρατήσαντες, ἀλλὰ καὶ

ΕΩΣ

9 ΠΙΡΑΙΟΙΣ: Πειραιῶς H-L.

13 ΩΖΕΙΝ.

17 ΔΟΚΟΥΣΙ H-L, B.

Ε

καὶ ἰδία ante corr.

22 ΠΙΡΑΙΟΙΣ: Πειραιῶς H-L.

23 ΔΕΝ correctum in ΔΕΙΝ.

23—24 ΟΥΧ ΟΙΟΝ ΕΤΙ (vel ΕΠΙ): οὐχ οἶον ἐτι K, H-L, B; οὐχ οἶον ἐπιπροστιθέασιν Genadios (K-W); οὐχ ὅτι προστιθέασιν J B Mayor, ὅτι in ἐτι corruptum atque οἶον deinde per errorem insertum arbitratus.

24 ΟΙΔΗΜΟΚΡΑΤ: οἱ δημοκρατήσαντες K et B cui 'est δημοκρατήσαντες ut μοναρχήσαντες': οἱ δῆμοι κρατήσαντες van Leeuwen, Hude (H-L, K-W), quod unice verum est,—'alibi cum vicerunt populares, spoliare solent divites, non propria etiam bona in publicum commodum absumere' (Herwerden).

34⁹, 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 of his law against *συκοφαντία* (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. ἀπαγαγὼν] of summary arrest, 29 § 4.

τοῖς ὄρκοις ἐμμένει ὁ δῆμος. *ut. . . 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 κεμένους νόμους ἐξαλείψαι, ἐτέρους δὲ θεῖναι, 30 § 5, τὰ μὲν ἐγγράφεις τὰ δ' ἐξαλείφεις. Here probably metaphorical, as in *Dem. Pant.* 37 § 34, τὸ γινώσκων καὶ συνιέναι τὰ δίκαια...ἐξαλείψαι. ἐξα-

λείφειν is not found in the *Index Ar.*; ἀπαλείφειν occurs in c. 47 *fin.* and 48 *inil.* and προεξαλείφειν in c. 47 *ult.*

τὰ χρήματα—ὁμοιοῦς] See note on *Dem. Lepi.* p. 460, esp. § 12, τοῦτο πρῶτον ὑπάρξει τῆς ὁμοιοῦς σημεῖον, κοινῇ διαλύσαι τὰ χρήματα, and *Isocr. Areop.* §§ 67, 68 there quoted.

οὐχ ὅτι] 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 δῆμοις. viii (v) 10, 1310 b 21, οἱ δῆμοι (opp. τοῦ αὐτοῦ ὀλιγαρχίαι). iii 11, 1282 a 28, ἄς (εὐθύνας καὶ ἀρχάς) ἐν ἐνιαυτοῖς πολιτείας...τοῖς δῆμοις ἀποδιδάσων. vii (vi) 4, 1320 a 4, οἱ δὲ νῦν δημαγωγῶι χαριζόμενοι τοῖς δῆμοις πολλὰ δημεύουσι διὰ τῶν δικαστηρίων. 7, 1321 a 19, ταύτῃ δὲ ἐπικρα-

25 τὴν || *χώραν ἀνάδαστον ποιούσιν*. διελύθησαν δὲ καὶ πρὸς τοὺς 4
[[έν]] Ἐλευσίνοι [κατοι]κήσαντας ἔπει τρίτῳ μετὰ τὴν ἐξοίκησιν, ἐπὶ
[Ξεναί]νέτου ἄρχοντος.

41. ταῦτα μὲν οὖν ἐν τοῖς ὕστε[ρο]ν συνέβη γενέσθαι καιροῖς,
τότε δὲ κύριος ὁ δῆμος γενόμενος τῶν πραγμάτων, ἐνεστήσατο τὴν
[νῦν] οὖσαν πολιτείαν, ἐπὶ Πυθόδωρου μὲν ἄρχοντος, [δ]οκούντος
δὲ δικαίως τοῦ δήμου λαβεῖν τὴν [ἐξουσί]αν, διὰ τὸ ποιήσασθαι τὴν
5 *κάθοδον δι' αὐτοῦ τὸν δῆμον*. ἦν δὲ τῶν μεταβολῶν ἐνδεκάτη τὸ[ν] 2
ἀρι]θμὸν αὐτῆ. *πρώτη μὲν γὰρ ἐγένετο [κ]ατάστασις τῶν ἐξ*

26 EN supra scriptum melius abesset (K, coll. Cobet, *Var. Lect.*, pp. 30, 201);
retinent K-W, B, delent H-L. Cf. Meisterhans, p. 169². [ἐξοί]κήσαντας K, K-W,
H-L: [μετοι]κήσαντας propter hiatus conicit J W Headlam; [κατοι]κήσαντας B, qui
ἐξοικ. 'et propter hiatus et propter spatium vestigiaque' condemnat.

XLI 3 Πυθόδωρον: Eὐκλείδου exspectaret B coll. c. 39, 1. Post ἄρχωντος lacunam
indicant K-W, 'hiat sententia; damnatae Pythodori memoriae facta erat mentio.'
4—5 δῆμου—δήμον: ἀν Θρασυβούλου—δι' αὐτὸν τὸν δῆμον? K. [ἐξουσί]αν K, K-W, B:

[προστασ]ίαν? K et Kontos (H-L). 5 ΔΙΑΥΤΟΝ? δι' αὐτὸν K (ἀν ἐφ' αὐτοῦ? H-L):
δι' αὐτοῦ B; idem, seclusis τὸν δῆμον, K-W. 6 . . ΔΑΤΑΤΑΙΣ: ἡ κατάστασις K,
K-W; κατὰστασις B. [τῶν κ]ατασ[τάσεων] 'dubitanter van Leeuwen' (H-L).

τοῦσιν ἐν ταῖς διαστάσεσιν οἱ δῆμοι τῶν
ἐσπόρων. Thuc. iii 82, 1; viii 65, 1.

τὴν *χώραν ἀνάδαστον ποιούσιν* Pol.
viii (v) 5, 1305 a 2, *ὅτε μὲν γάρ, ἵνα*
χαρίζωνται, ἀδικούντες τοὺς γυναικίους συν-
ιστάσιν, ἢ τὰς οὐσίας ἀνάδαστους ποιοῦντες
ἢ τὰς προσόδους ταῖς λειτουργίαις, ὅτε δὲ
διαβάλλοντες, ἕν' ἐχῶσι δημεύειν τὰ κτήματα
τῶν πλουσίων. 7, 1307 a 1 (of the Laca-
daemonians about the time of the second
Messenian war), *θλιβόμενοι γὰρ τινες διὰ*
τὸν πόλεμον ἤξιον ἀνάδαστον ποιεῖν τὴν
χώραν. 8, 1309 a 14, *δεῖ δ' ἐν μὲν ταῖς*
δημοκρατίαις τῶν ἐσπόρων φείδεσθαι, μὴ
μόνον τῷ τὰς κτήσεις μὴ ποιεῖν ἀνάδαστους,
ἀλλὰ μηδὲ τοὺς καρπούς.

§ 4. *διελύθησαν* Xen. Hell. ii 4, 43,
ὅστ' ἐρῶ δὲ χρόνῳ ἀκούσαντες ξένους μισ-
θοῖσθαι τοὺς Ἐλευσίνοι, στρατηγούμενοι παν-
δημει ἐπ' αὐτοὺς τοὺς μὲν στρατηγούς αὐτῶν
εἰς λόγους ἐλθόντας ἀπέκτειναν, τοῖς δὲ ἄλλοις
εἰσπέμψαντες τοὺς φίλους καὶ ἀναγκαίους
ἐπεισαν συναλλαγῆναι' καὶ δρόσαντες ὄρκους
ἣ μὴ μὴ μνησικακήσεν, ἔτι καὶ νῦν ὁμοῦ τε
πολιτεύονται, καὶ τοῖς ὄρκοις ἐμμένει ὁ
δῆμος.

ἔπει τρίτῳ—ἐπὶ Ξεναίνετου B.C. 401/0.
The final reconciliation is thus placed
later than has generally been inferred
from Xenophon's phrase *ὅστ' ἐρῶ*
(corresponding to *ἐν τοῖς ὕστερον καιροῖς*
of c. 41 § 1). Grote c. 65 end, v 598—9.

XLI. *Recapitulation*.

§ 1. *ἐνεστήσαντο* Frobl. 951 a 28, ἐν-

στήσασθαι 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, συσ-*
τήσασθαι) *πόλιω, πολιτείαν*, is found in
Pol. 1266 a 23, 1284 b 18, 1288 u 40,
1319 b 33, also in *Oecon.* 1343 a 7.

ἐπὶ Πυθόδωρον B.C. 404/3. In c. 39
§ 1 the formal convention for the restora-
tion 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 occupa-
tion of the Peiraeus, took place about
January 403, in the archonship of Pytho-
dorus.

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.

§ 2. *κατάστασις τῶν ἐξ ἀρχῆς Ἴωνος*
The constitution under Ion (which is, of
course, prehistoric) was doubtless described
in the early chapters of the treatise. Cf.
fragm. 343²=381².

ἀρχῆς Ἴωνος καὶ τῶν μετ' αὐτοῦ συνοικησάντων· τότε γὰρ πρῶτον εἰς τὰς τέτταρας συνενεμήθησαν φυλάς καὶ τοὺς φυλοβασιλεῖς κατέστησαν. δευτέρα δὲ καὶ πρώτη μετὰ ταύτη[ν] ἔχουσα πολιτείας τάξιν ἢ ἐπὶ Θησεύς γενομένη, μικρὸν παρεγκλίνουσα τῆς βασιλικῆς. μετὰ δὲ ταύτην ἢ ἐπὶ Δράκοντος, ἐν ᾗ 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 Μηδικά, τῆς ἐξ Ἀρείου πάγου βουλῆς ἐπιστατούσης. ἑβδόμη δ' ἢ μετὰ ταύτην, ἣν Ἀριστείδης μὲν ὑπέδειξεν, Ἐφιάλτης δ' ἐπετέ-

7 συνοικησάντων Blass coll. frag. 381⁸, K-W, H-L: συνοικισάντων defendit K² coll.

HN

c. 15, 7 et Thuc. i 24, vi 5. 8 τετταρας. 9 μετὰ ταῦτα εχοῦσαι (deleto i) ΠΟΛΙΤΕΙΑΝ ΤΑΞΙΝ: μετὰ ταῦτα [ἐξ]έχουσα πολιτείας τάξις K¹, —[μετ]έχουσα J B Mayor, —ὕπαρχουσα Richards; [παρ]έχουσα aut πολιτείας τάξις (Rutherford) aut πολιτείας τάξιν (Wyse), νέαν ἔχουσα πολιτείας τάξιν Gertz. μετρίαν τῶν ἔχουσα πολιτείας τάξιν H-L; μετὰ ταῦτα .. ἔχουσα πολιτείας τάξιν K-W; μετὰ ταύτην ἔχουσα πολιτείας τάξιν K², B. 14 <τὴν> add. K (edd.). 16 Δε καὶ (K, B coll. vv. 9 et 20—21): δ' ἢ J B Mayor, K-W, H-L. 17 ἐπετέλεσε H-L.

συνοικησάντων] Heraclides *init.*, συνοικῆσαντος δὲ Ἴωνος αὐτοῖς.

εἰς τὰς τέτταρας—φυλάς] c. 8 § 3. συνενεμήθησαν] cf. 21 § 2, συνένειμε (*al. διένειμε*).

φυλοβασιλεῖς] c. 8 § 3; c. 57 *ult.*

δευτέρα...καὶ πρώτη] *i.e.* the constitution of Theseus was second to that of Ion and was the first of the eleven μεταβολαί.

πολιτείας τάξιν] c. 3 § 1, ἡ 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 Ἀριστοτέλης φησί, καὶ ἀφῆκε τὸ μοναρχεῖν, ἔοικε μαρτυρεῖν καὶ Ὀμηρος ἐν νεῶν καταλόγῳ μόνους Ἀθηναίους δῆμον προσαγορευούς. παρεγκλίνειν intr. is found in *Hist. Anim.* 498 a 16, σκέλη μικρὸν εἰς τὸ πλάγιον παρεγκλίνοντα. ἐγκλίνειν intr. in *Pol.* 1307 a 21, ἐφ' ὁπότερον ἂν ἐγκλίνη ἡ 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 ᾗ 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 θεσμούς ἔθηκεν. On the other hand, the remarkable 'Draconian 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.

Σόλωνος] 5—12. ἀρχὴ δημοκρατίας] 9 § 1. Πεισιστράτου] 14—19. Κλεισθένους] 22. δημοτικωτέρα] 22 *init.* τῆς ἐξ Ἀρείου πάγου βουλῆς] 23.

Ἀριστείδης] 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

λεσεν καταλύσας τὴν Ἀρεοπαγίτιν βουλὴν ἐν ἣ πλείστα συνέβη
τὴν πόλιν διὰ τοὺς δημαγωγοὺς ἀμαρτάνειν — — διὰ τὴν τῆς
20 θαλάττης ἀρχήν. ὀγδόη δ' [ἦ] τῶν τετρακοσίων κατάστασις, καὶ
μετὰ ταύτην ἐνάτη [[δὲ]] [δ]ημοκρατία 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, ἀεὶ προσεπιλαμβάνουσα τῷ πλήθει τὴν ἐξουσίαν. ἀπάντων
25 γὰρ αὐτὸς αὐτὸν πεποίηκεν ὁ δῆμος κύριον καὶ πάντα διοικεῖται
ψηφίσμασιν καὶ δικαστηρίοις, ἐν οἷς ὁ δῆμός ἐστιν ὁ κρατῶν. καὶ
γὰρ α[ί] τῆς βουλῆς κρίσεις εἰς τὸν δῆμον ἐληλύθασιν. καὶ τοῦτο

19 διὰ (κ, κ-w, β): <καί> διὰ Η-Ι; — — 'deest fere θαρρήσασαν' κ-w coll. *Pol.* 1274 a 12. 20 ΟΓΔΟΗΝΔ—ΚΑΤΑΚΤΑΚΤΑCΙΝ. 21 δὲ secl. J B Mayor (κ-w, Η-L), retinent κ, β. 22 καὶ [ἦ] κ-w. 23 ΠΕΙΡΑΙΩC (Η-L). ΤΗC: τοῦ Η-L. 24 Locus corruptus, κ-w. 26 ψηφίσμασι Η-L.

doubted whether he really has any claim to have acted with Ephialtes in overthrowing the Areopagus, as narrated in c. 25 § 3-

17. 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).

Ἐπιφύλαξις] 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 *imit.* τῶν δέκα] 38 § 1.

προσεπιλαμβάνουσα τῷ πλήθει τὴν ἐξουσίαν] *Schömann, Ant.* p. 386 E. T.: 'The demagogues found it their interest to enlarge 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 Nearch.* p. 1375; *Xen. Hell.* i 7, 12). On the other hand, 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 τὰλλα μὲν εἶναι ταῦτα, κύριον δ' εἶναι τὸ πλήθος καὶ μὴ τὸν νόμον. τοῦτο δὲ γίνεται θαντὰ ψηφίσματα κύρια ἢ ἄλλα μὴ ὁ νόμος. συμβαίνει δὲ τοῦτο διὰ τοὺς δημαγωγούς κτλ. *Dem. Lept.* § 92.

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 b 38 ff.

καὶ τοῦτο κτλ.] This is understood by 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 βουλὴ to the ἐκκλησία, and both of these bodies are

δοκοῦσι ποιεῖν ὀρθῶς· εὐδιαφθωρότεροι γὰρ <οἱ> ὀλίγοι τῶν πολλῶν
 3 εἰσιν κ[αί] κέρδει κ[αί] χάρισιν. μισθοφόρον δ' ἐκκλησίαν τὸ μὲν
 πρῶτον ἀπέγνωσαν ποιεῖν. οὐ συλλεγομένω δ' εἰς τὴν ἐκκλησίαν, 30
 ἀλλὰ πολλὰ σοφιστομένων τῶν πρυτάνεων, ὅπως προσιστῆται τὸ
 [Col. 21.] πλήθος πρὸς τὴν ἐπικύρωσιν τῆς χειροτοσίας, πρῶτον μὲν
 Ἀγύρριος ὀβολὸν ἐπόρισεν, μετὰ δὲ τοῦτον Ἡρακλείδης ὁ Κλαζο-
 μένιος ὁ βασιλεὺς ἐπικαλούμενος διώβολον, πάλιν δ' Ἀγύρριος
 τριώβολον.

42. ἔχει δ' ἡ νῦν κατάστασις τῆς πολιτείας τόνδε τὸν

28 ΟΛΙΓΟΝ : ὀλίγοι K : <οἱ> ὀλίγοι Gennadios, Kontos, K-W, H-L, B. 29 εἰσὶν
 H-L. δ' : δὲ <τῆν> K-W, δὲ B. 31 CO(?)ΦΙΖΟΜΕΝΩΝ Blass, Gomperz,
 K-W, K³ : ψηφισμένων K¹, ψηφισμένων <μῶνων> H-L.

TESTIMONIA. **ΧΙΙ 33—34** Hesych. Κλαζομένιος· οὗτος Ἡρακλείδης ὁ Κλαζομένιος
 τε καὶ ὁ βασις (ex hoc loco βασιλεὺς scripsit Houtsma) καλούμενος.

distinctly democratic. The text is in fact in perfect accord with a passage in the *Politeia*, iii 15, 1286 a 30, διὰ τοῦτο καὶ κρῖνε ἄμεινον ὄχλος πολλὰ ἢ εἰς ὄσσιου. ἐτι μᾶλλον ἀδιάφθωρον τὸ πολὺ, καθάπερ ὕδωρ τὸ πλείον, οὕτω καὶ τὸ πλήθος τῶν ὀλίγων ἀδιαφθωρότερον. Cf. O. Crusius, *Philol.* 1, p. 175.

§ 3. τὸ μὲν πρῶτον] on the restoration of the democracy.

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).

Schol. on Arist. *Ecc.* (B.C. 392) 102—5 (Ἀγύρριος...πράττει τὰ μέγιστ' ἐν τῇ πόλει): ὁ Ἀ. στρατηγὸς θηλυδριώδης, ἀρξας ἐν Δέσβῳ. καὶ τὸν μισθὸν δὲ τῶν ποιητῶν συνέτεμε (cf. Schol. on *Ran.* 367 and Plat. *Com. frag.* 133 Kock) καὶ πρῶτος ἐκκλησιαστικὸν δέδωκε. In *Ecc.* 300—310 the poet refers to the time when only one obol was allowed instead of three: ἦνικ' ἔδει 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 *Ecc.* 102 was right in making Agyrrius the originator of the fee. Boeckh (*II* xiv p. 316 Lamb) inferred from the mention of Myronides in *Ecc.* 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. Καλλίστρατος 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.*

Agyrrius also restored the θεωρικόν (Philochorus ap. Harpocr. *s.v.*). On the death of Thrasybulus (early in 389) he was elected στρατηγός (Xen. *Hell.* iv 8, 31; Diod. xiv 99). Plat. *Com. frag.* 185 Kock, λαβοῦ λαβοῦ τῆς χειρὸς ὡς τάχιστα μὲν 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, ἐνδείξαμένους ὅτι ἀξιοὶ λόγον εἶσι, 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. Heraclides is identified by Köhler (*Hermes*, xxvii 68 ff.) with the person of that name mentioned in an inscr. in *Bull. Corr. Hell.* 1888, p. 163.

τρόπον. μετέχουσι μὲν τῆς πολιτείας οἱ ἐξ ἀμφοτέρων γεγυότες ἀστῶν. ἐγγράφου[ται] δ' εἰς τοὺς δημότας ὀκτωκαίδεκα ἔτη γεγυότες· ὅταν δ' ἐγγράφονται, διαψηφίζονται περὶ αὐτῶν ὁμόσαντες 5 οἱ δημόται, πρῶτον μὲν εἰ δοκοῦσι γεγυόταί τῆν ἡλικίαν τῆν ἐκ τοῦ νόμου, κὰν μὴ δόξωσι, ἀπέρχονται πάλιν εἰς παῖδα[ς, δ]εύτερον δ' εἰ ἐλεύθερός ἐστι καὶ γέγονε κατὰ [το]ύς νόμους. ἔπειτ' ἂν μὲν ἀποψηφίσονται μὴ εἶναι ἐλεύθερον, ὁ μὲν ἐφήσιω εἰς τὸ δικαστή-

XLII 2 μετέχουσι H-L. 3 ΟΚΤΩΚΑΙΔΕΚΑΕΤΕΙC ante corr. 4 ΔΕΓΡΑΦ : δ' ἐγγράφ. Wyse, Blass, Herwerden, Naber (κ-w, H-L, K²). 6 δόξωσι H-L. 7 ἂν μὲν H-L. 8 ΕΠΙΨΗΦ (κ) : ἀποψηφ. Wyse, Blass, κ-w, H-L; cf. Phot. l.c.

TESTIMONIA. XLII 3—4 *Schol. Arist. *Vesp.* 578 παῖδων τοῖνων δοκιμαζομένων· πρὸς τὸ ἔθος. Ἄρ. δὲ φησιν ὅτι ψήφω οἱ ἐγγραφόμενοι δοκιμάζονται, μὴ νεώτεροι (νεώτεροι μὴ codd., correx. κ-w) ἢ ἑτῶν εἰεν (Frag. 427², 467²). Ἰσως δ' ἂν περὶ τῶν μὴ κρινομένων παῖδων εἰς τοὺς γυμνικοὺς ἀγῶνας λέγει (sc. ὁ Ἀριστοφάνης)· οὐχ ὡς ἐν δικαστηρίῳ κρινομένων ἀλλ' ὑπὸ τῶν πρεσβυτέρων.

8 Phot. (et Etym. M.) φησιν: ...ἐγένετο δὲ Ἀθήνησιν ἐπὶ τῶν ἐν τοῖς δήμοις ἀποψηφισθέντων, ἐφέσθαι γὰρ αὐθὺς ἐξῆν αὐτοῖς εἰς δικαστήριον περὶ τῆς πολιτείας· καὶ εἰ μὲν ἐάλασαν, ἐπωλοῦντο ὡς ξένοι· εἰ δὲ μή, ἐπαρήσσαν εἰς τοὺς ἐξ ὧν ἀπεψηφίσθησαν δήμους.

Part II, c. XLII—LXIII. *The Existing Constitution.*

XLII § 1. *Enrolment on the list of citizens.*

§ 1. 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 ποιῶσιν. 1275 b 21, ὀρίζονται δὲ πρὸς τὴν χρῆσιν πολίτην τὸν ἐξ ἀμφοτέρων πολιτῶν καὶ μὴ θατέρου μόνον, ὅσον πατὸς ἢ μητρός. See note on 26 § 4.

ἐγγράφονται] *Pol.* iii 1, 1275 a 14, παῖδας τοὺς μήπω δι' ἡλικίαν ἐγγεγραμμένους. Dem. *Eubul.* 57 § 61, ἥλικ' ἐνεγράφην ἐγὼ καὶ ὁμόσαντες οἱ δημόται δικαίως πάντες περὶ ἐμοῦ τὴν ψήφον ἔφερον, οὔτε κατηγορήσεν οὐτ' ἐναντίαν τὴν ψήφον ἤνεγκεν. Isaeus 7 § 28, ὁμόσαντες καθ' ἑρῶν ἐνεγράψαν με (sc. εἰς τὸ ληξιαρχικὸν γραμματεῖον). Lycurg. *Leocr.* 76, ἐπειδὴν εἰς τὸ ληξιαρχικὸν γραμματεῖον ἐγγραφῶσι καὶ ἐφηβοὶ γένωνται. The earliest erhebic inscr. (B.C. 334—3) mentions οἱ ἐφηβοὶ οἱ ἐπὶ τοῦ Κτησικλέους ἄρχοντος 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 ἐγγράφεσθαι εἰς ἐφήβους (Pseudo-Plat. *Asioch.* 365 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 ages of 16 and 18 (A. Schäfer, *Dem.* iii 2, 19—38; Lipsius in *N. Jahrb. f. Philol.*, no. 117, p. 299 ff.; Gilbert, *Gr. St.* i 186).

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 free 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 διαψήφισις here described might be followed by an appeal to a δικαστήριον. The procedure was the same as in the special διαψήφισις described in Dem. 57 § 60, ἔπεισε διαψήφισσῶσθαι τοὺς Ἀλιμουσίους περὶ αὐτῶν καὶ κατηγορῶν δέκα τῶν δημοτῶν ἐξέβαλεν, οὐδ' ἅπαντας πλὴν ἐνὸς κατεδέξατο τὸ δικαστήριον.

ριον, οἱ δὲ δημόται κατηγορούς αἰροῦνται πέντε [ἄν]δρας ἐξ αὐτῶν, κἂν μὲν μὴ δόξη δι[καλ]ῶς ἐγγράφ[εσ]θαι, πωλεῖ τοῦτον ἢ πόλις· 10
2 εἰ δὲ νικήσῃ, τοῖς [δη]μόταις ἐπάναγκες ἐγγράφειν. μετὰ δὲ ταῦτα δοκιμάζει τοὺς ἐγγραφεύτας ἢ βουλή, κἂν τις δόξ[η] ὑἱώτερος ὀκτωκαίδεκα ἐτῶν εἶναι, ζημιοῖ [του]ς δημότας τοὺς ἐγγράφσαντας. ἐπὶ δὲ δοκιμα[σθ]ῶσιν οἱ ἔφηβοι, συλλεγέστες οἱ πατέρες αὐτῶν κατὰ φυλάς, ὁμόσαντες αἰροῦνται τρεῖς ἐκ τῶν φυλετῶν τῶν 15
ὑπὲρ τετταράκοντα ἔτη γεγονότων, οὓς ἂν ἠγῶνται βελτίστους εἶναι καὶ ἐπιτηδειοτάτους ἐπιμελεῖσθαι τῶν ἐφήβων, ἐκ δὲ τούτων

11 Versus in fine ΕΝΓΡΑΦΕΙ ἐγγράφειν (sc. ἐπάναγκες ἐστὶν αὐτὸν ἐγγράφειν) recte

van Leeuwen (H-L, B): ΕΝΓΡΑΦΕΤ ἐγγράφεται κ, κ-W; 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
ἐκκλησία, c. 42, 34 λαμβανούσι, c. 43, 4 χειροτονουσι, 7 πρυτανεῦσι, 15 βουλή, 17 χειροτονεῖ, 29 κελουουσι; quorum exemplorum sex in fine versus inventa sunt. 13 ὀκτωκαίδεκ' K-W, B. 14 ΕΠΑΝ: ἐπειδὴν H-L.

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.

ἐφήβῳ κτλ.] Dem. 57 § 6, ἀξιώ... μηδέπω τὴν τῶν δημοτῶν ἀποψηφίσιω ποιείσθαι τεκμήριον ὑμᾶς, ὡς ἄρ' οὐχὶ προσήκει μοι τῆς πόλεως. εἰ γὰρ ἐνομιζέτε τὰ δίκαια δυνήσεσθαι 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 φράτερες recorded in the Decree of the inscr., CIA ii 2, p. 534—6, no. 841 b, ll. 30—34, εἰ δὲ τις βούληται ἐφεῖναι εἰς Δημοτιωιδας, ὧν ἂν ἀποψηφίσωνται, ἐξείναι αὐτῷ, ἐλεσθαι δὲ ἐπ' αὐτοῖς συνηγόρους τῶν Δεκελειῶν οἰκῶν πέντε ἄνδρας ὑπὲρ τριάκοντα ἔτη γεγονότας. Cf. *Class. Rev.* v 221 a.

πωλεῖ] Dionys. on Isaens, 16 p. 617, ἐργάτῃ δὴ τις ὑπὸ τῶν Ἀθηναίων νόμος· ἐξέτασαν γενέσθαι τῶν πολιτῶν κατὰ δῆμους, τὸν δὲ ἀποψηφισθέντα ὑπὸ τῶν δημοτῶν τῆς πολιτείας μὴ μετέχειν, τοῖς δὲ ἀδίκως ἀποψηφισθεῖσιν ἐφεσιν εἰς τὸ δικαστήριον εἶναι, προσκαλεσαμένους τοὺς δημότας, καὶ εἰ τὸ δεύτερον ἐξελεγχθῶσι, πεπράσθαι καὶ τὰ χρήματα εἶναι δημοσία. Bekker, *Anecd.* (and Suidas) s. v. ἀποψηφισθέντα·

εἰ τις ξένος ἐδοξεν εἶναι καὶ οὐ πολίτης, τοῦτον ἐν ταῖς διαψηφίσεσι τῶν δῆμων ἀπεψηφίζοντο οἱ δημόται, καὶ ἐλέγετο ἀπεψηφισμένος. εἰτα εἰσῆγετο εἰς τὸ δικαστήριον καὶ ἐκρίνετο ξενίας, καὶ εἰ μὲν ἄλλω, 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 Ephēbis 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 Athénienne*, 1889, pp. 271—327; and esp. the same scholar's article in Daremberg and Saglio, 1891, iii 621—636 (the only account of the subject written since the discovery of this treatise).

§ 2. Δοκιμάζει] This δοκιμασία (like that of adopted sons) probably took place at the time of the ἀρχαιρεσῆαι (Isaens 7 § 28; Dem. c. *Leoch.* 44 § 39) at the beginning of the official year (Lys. 21 § 1). Cf. Gilbert, i 187.

ὑπὲρ τετταράκοντα ἔτη] Similarly any χορηγός who had boys under his superintendence had to have attained the age of 40 (56 § 3).

ὁ δῆμος ἕνα τῆ[ς φ]υλῆς ἐκάστης χειροτονεῖ σωφρονιστήν, καὶ [κοσ]μητήν ἐκ τῶν ἄλλων Ἀθηναίων ἐπὶ πάντας. συλλαβόντες δ' 3
20 οὗτοι τοὺς ἐφήβους, πρῶτον μὲν τὰ ἱερά περιῆλθον, εἴτ' εἰς

19 ...ΜΗΤΗΝ?: κοσμητήν Paton, van Leeuwen (H-L), K-W, K³, B; [ἐπιμ]ελητήν^{K1}. ΠΑΝΤΑ VEL ΠΑΝΤΑΣ ante CΥΛΛ: πάντα. συλλ. K; πάντας. συλλ. K-W, B; πάντας. παραλ. H-L.

18—25 Bekk. *Anecd.* 301 (infra exscriptum).

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. σωφρονιστήν] [Plat.] *Asioch.* 367 A, πᾶς ὁ τοῦ μερακίσκου χρόνος (v. l. πῶνος) ἐστὶν ὑπὸ σωφρονιστάς. Dinarachus, *adv. Philocl.* 15, ὁ μὲν δῆμος ἅπας οὐτ' ἀσφαλὲς οὕτε δίκαιον νομίζων εἶναι παρακαταθέσθαι τοὺς ἑαυτοῦ παῖδας, ἀπεχειροτόνησεν αὐτὸν ἀπὸ τῆς τῶν ἐφήβων ἐπιμελείας. Philocles, the στρατηγὸς here referred to, was a σωφρονιστής, not a κοσμητής (Gilbert, i 297; Dumont, *Essai sur l'Éphebée Attique*, 1876, p. 169 f.). In Bekker *Anecd.* 301 the σωφρονισταὶ are defined as ἀρχοντές τινες χειροτονητοί, δέκα τῶν ἀριθμῶν, ἐκάστης φυλῆς εἰς. ἐπιμελοῦντο δὲ τῆς σωφροσύνης τῶν ἐφήβων μισθὸν παρὰ τῆς πόλεως λαμβάνοντες ἕκαστος καθ' ἡμέραν δραχμὴν (similarly in Photius and Etym. M. s. v.).

They are mentioned in the earliest ephobic inscr. now extant, B.C. 334—3 (*Bull. Corr. Hell.* xiii 253); 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 σωφρονιστῶν καὶ τῶν διδασκάλων. The κοσμητής also appears to be named near the beginning: [ἐπειδὴ οἱ ἐφηβοί... ἐπιμελοῦνται ἐ... καὶ .. φιλοτ]μοῦν[ται...] ιτωσι εὐτάκτως... τε κοσμη[τ... τ]ἄλλα τὰ περὶ τῆ[ν... τοῖς διδασκάλους 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 χειροτονηθεὶς [τῶν] ἐφήβων τῶν ἐγγραφεύτων [τῆς] Πανδιονίδος φυλῆς ἐπὶ Δεωστράτου ἀρχοντος (B.C. 303) καλῶς καὶ σωφρόνως καὶ εὐτάκτως ἐ[πιμ]εμεληται αὐτῶν καὶ ἀποφ[αν]ίσουσιν αὐτὸν εἰς τὴν φυλὴν [οἱ π]ατέρες τῶν ἐφήβων ἐπιμεμ[ε]ληθῆσθαι 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 σωφρονισταὶ 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 Ditten-

berger, *De Ephebis Atticis*, pp. 29, 44; Dumont, *Sur l'Éphebée*, p. 200; Smith, *Dict. Ant.* i 998 b; and esp. Girard in Daremberg and Saglio, iii 626.

κοσμητήν] Erotianus, *Lex. Hipp.* s. v. κόσμον· κοσμηταὶ οἱ τῶν ἐφήβων εὐτάκτας προνοοῦντες. The word is found in [Plat.] *Asioch.* 363 B (as quoted by Stobaeus), ἐπειδὴ δ' εἰς τοὺς ἐφήβους ἐγγραφεῖ, κοσμητής καὶ φόβος χειρῶν, and in a general sense in Plat. *Leg.* 372 A. The usual formula for the election of this officer is χειροτονηθεὶς κοσμητής· ἐπὶ τοὺς ἐφήβους εἰς τὸν ἐπὶ (τοῦ δέιμος) ἀρχοντος ἐνιαυτὸν, CIA ii 465, 467, 469; in 471 l. 56 the people κοσμη[τ]ῆρ καθιστήσ[ω ἐκ] τῶν ἀριστα βε[β]βιωκότων. 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 Ephebis*, p. 31) that the office was created in the time of Alexander. The inscr. of B.C. 305 (already quoted) shows that for a short time the κοσμητής and the σωφρονισταὶ existed together. This is confirmed by the text, if the restoration is correct. Cf. Dumont, *Éphebée Attique*, p. 166 ff.; Gilbert, i 299; and Girard in Daremberg and Saglio, iii 626—7.

In literature, one of the earliest passages on the κοσμητής is in Teles (fl. middle of 3rd cent.), ap. Stob. 98, 72, ἐφήβος γέγονεν ἔμπαλον τὸν κοσμητὴν φοβεῖται, τὸν παιδοτριβὴν, τὸν ὀπλομάχον, τὸν γυμνασιάρχον, ὑπὸ πάντων τούτων μαστιγοῦνται, παρατηρεῖται, τραχηλλίεται. ἐξ ἐφήβων ἐστὶ καὶ ἡδὴ ἔκκοσιν ἐτῶν· ἐτι φοβεῖται καὶ παρατηρεῖ καὶ ταξίάρχον καὶ στρατηγόν.

ἐπὶ πάντας] For ἐπὶ, of persons set over others, cf. Xen. *Cyr.* iv 5, 58, ἐπὶ τοὺς πεζοὺς καθιστάται ἀρχοντα, and *Hell.* iii 4, 20. In this sense it is more common c. gen. or dat.

§ 3. τὰ ἱερά περιῆλθον] 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, 48; Pollux viii 105; another clause is quoted in Plut. *Alc.* 15).

Πειραιά πορεύονται, καὶ φρουροῦσιν οἱ μὲν τὴν Μουνιχίαν οἱ δὲ τὴν Ἀκτὴν. χειρο[τουεῖ] δὲ καὶ παιδοτρίβας αὐτοῖς δύο καὶ διδασκάλους, [οἷ]τινες ὀπλομαχεῖν καὶ τοξεύειν καὶ ἀκοντίζειν κ[αί] καταπάλτην ἀφιέναι διδάσκουσιν. δίδωσι δὲ καὶ εἰς τρο[φὴν] 24

21 Πειραιά H-L. ΜΟΥΝΥΧΙΑΝ. Cf. c. 19, 5. 23 [οἷ]τινες K, H-L, B: τ[έτ]τ[α]ρα
ΔΠΕΛΤΗΝ

<ο> K-W. 24 ΚΑΤΗΝ καταπέλτην (K², K-W²): —πάλτην K-W¹, H-L, K², B,
cf. Meisterhans, p. 12² (καταπαλτῶν annis A.C. 330—323). διδάξουσιν Rutherford (H-L).

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. (Cf. Schömann, *Ant.* p. 359 E. T.; Gilbert, i 296 n.) The taking of the oath is exhibited on a vase in the Hermitage Museum, which shews us an ἐφηβος, 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 ἐφηβος we have a Νίκη holding a helmet (Daremberg and Saglio, iii 624).

Μουνιχίαν] 19 § 2. Even in Roman times, B.C. 100, the ἐφεβὶ 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. ἐπιθαλαττιδὸς τις μόρα τῆς Ἀττικῆς. Lycurg. *Leocr.* §§ 17, 55; Diod. xx 45; *inf.* 61 § 1. Wachsmuth, *Stadt Athen*, ii 46.

παιδοτρίβας] officials employed to train the ἐφεβὶ 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 *l.*

διδασκάλους] Down to about B.C. 136 this term is regularly applied to the instructors of the ἐφεβὶ, including the παιδοτρίβης, the ὀπλομάχος 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.

ὀπλομαχεῖν] Xen. *Anab.* ii i, 7; Plat. *Gorg.* 456 E, τοὺς παιδοτρίβας καὶ τοὺς ἐν ὀπλοῖς διδασκοντας μάχεσθαι, *Eukhyd.* 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. 203). In the ephobic inscriptions the ὀπλομάχος, or 'drill-serjeant,' ranks next to the κοσμητῆς and the παιδοτρίβης (Dumont, pp. 185—9). CIA ii 467 (=Ditt. no. 347) l. 52, B.C. 100, ἐπαινεῖσαι δὲ καὶ τοὺς διδασκάλους, τὸν τε παιδοτρίβην—καὶ τὸν ὀπλομάχον—καὶ τὸν ἀκοντιστήν—καὶ τὸν ἀφέτην. In an inscr. of Teos, the ὀπλομάχος 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 ὀπλομάχος, ἀκοντιστής, τοξότης, καταπαλτῆς, ἀφέτης, and after these the γραμματεὺς and ὑπηρέτης (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 ἀφιέναι] *Eth.* iii 2, 17, p. 1111 a 11, ὁ δὲ πράττει ἀγνόησειεν ἂν τις, οὐκ...δεῖξαι βουλόμενος ἀφέναι, ὡς ὁ τὸν καταπέλτην. The instructor in charge of this department was called the ἀφέτης or the καταπαλαφάτης (*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, ἐπαινεῖσαι δὲ καὶ τὸν παιδοτρίβην—καὶ τὸν ἀκοντιστήν—[καὶ τὸν καταπ]αλ[τῆ]ν—καὶ τὸν γραμματέα—καὶ τὸν τοξότην (mentioned last in this case because he was not an Athenian, but a Cretan). καταπαλαφάτης, καταπαλαφασία and καταπάλης occur in an inscr. of Ceos, Ditt. no. 348, 25, 30, 27. Cf. CIA ii 413 (=Ditt. 196), 15 (after B.C. 200),

25 τοῖς μὲν σωφρονισταῖς δραχμὴν μίαν ἐκάστω, τοῖς δ' ἐφήβοις
 τέτταρας ὀβολοὺς ἐκάστω· τὰ δὲ τῶν φυλετῶν τῶν αὐτοῦ λαμ-
 βάνων ὁ σωφρονιστὴς ἕκαστος ἀγοράζει τὰ ἐπιτήδεια πᾶσιν εἰς τὸ
 κοινόν (συσσιτοῦσι γὰρ κατὰ φυλάς), καὶ τῶν ἄλλων ἐπιμελεῖται
 πάντων. καὶ τὸν μὲν πρῶτον ἐνιαυτὸν οὕτως διάγουσι· τὸν δ' 4
 30 ὕστερον, ἐκκλησίας ἐν τῷ θεάτρῳ γενομένης, ἀποδειξάμενοι τῷ

25 δραχμὴν μίαν per compendium scriptum < δ. 28 συσσιτοῦσιν B. 29 οὕτω H-L.
 29—30 ΔΥΣΤΕΡΟΝ; δ' ὕστερον K, H-L, B: δεύτερον K-W, coll. Harpocr. τὸν δεύτερον

ΓΙΓ

ἐνιαυτόν.

30 ΓΕΝ? γενομένης Blass (K-W, H-L, K³).

ΑΠΟΔΕΙΞ Κ, K-W, B;

ἐπιδειξ. H-L.

§ 4 * Harp. περίπολος: ... Ἄρ. ἐν Ἄθ. πολ. περὶ τῶν ἐφήβων λέγων φησὶν οὕτως τὸν
 δεύτερον ἐνιαυτὸν ἐκκλησίας ἐν τῷ θεάτρῳ γενομένης (γιν. CD) ἀποδειξάμενοι (ἀποδειξάμενοι
 Dittenberger) τῷ δήμῳ περὶ τὰς τάξεις καὶ λαβόντες ἀσπίδα καὶ δόρυ παρὰ τοῦ δήμου
 περιπολοῦσι τὴν χώραν καὶ διατριβούσιν ἐν τοῖς φυλακτηρίοις (Frag. 428³, 468³). Schol.
 Aeschin. 2, 167.

εἰς τοὺς καταπάτας νευρὰς ἐπέδωκεν. The
 engine used in this exercise is termed in
 the inscriptions καταπάτης, θργανον or
 λιθοβόλος. καταπαλῶν is the spelling
 found in 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; Grasberger, iii 166.

δραχμὴν μίαν κτλ.] Bekker, *Anecd.* 301,
 quoted on σωφρονιστῆν 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 ἐγενόμην δὴ
 ἔτη. Hence it has been supposed that
 the ἐφήβοι 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 Epherbis, and Gilbert, i 296). The
 discrepancy is noticed in Harpocr. s. v.
 περίπολοι... παρατηρητέον οὖν ὅτι ὁ μὲν
 Ἀριστοτέλης ἕνα φησὶν ἐνιαυτὸν ἐν τοῖς
 περιπόλοις γίγνεσθαι τοὺς ἐφήβους, ὁ δὲ
 Διοσχίνης δύο (cf. Dumont, p. 28 ff.). The
 purport of the text is quoted by the Schol.
 on Aeschin. l. c., οἱ γὰρ ἐφήβοι τὸν δεύ-
 τερον ἐνιαυτὸν, ἐκκλησίας ἐν τῷ θεάτρῳ
 γενομένης, λαβόντες ἀσπίδα καὶ δόρυ παρὰ
 τοῦ δήμου, περιεπόλουν τουτέστι περιήρ-
 χοντο 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 éphèbes 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 éphébique' (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'
 (Mayor).

ἀποδειξάμενοι κτλ.] i.e. 'having given
 public proof of proficiency in military
 exercises.' Harpocr. has ἀποδειξάμενοι,
 corrected by Dittenberger, *De Epherbis*,
 p. 12, n. 10. The ἐφήβοι of B.C. 100
 similarly appeared in public, at the end
 of their period of service, ἐποιήσαντο
 καὶ ἐπ' ἐξέδωκ τῆς ἐφηβείας τὴν ἀπόδειξιν
 τῇ βουλῇ, CIA ii 467 (= Ditt. 347, 43); cf.
 ii 468, 26.

[[Col. 22.] δῆμῳ || τὰ περὶ τὰς τάξεις, καὶ λαβόντες ἀσπίδα καὶ δόρυ παρὰ τῆς πόλεως, περιπολοῦσι τὴν χώραν καὶ διατρίβουσιν ἐν τοῖς φυλακτηρίοις. φρουροῦσι δὲ τὰ δύο ἔτη, χλαμύδας ἔχοντες, καὶ ἀτελεῖς εἰσὶ πάντων· καὶ δί[κην] οὐτ[ε] διδύασιν οὔτε λαμβάνουσιν, ἵνα μὴ π[ρ]ό[φ]ασις ἢ τ[ο]ῦ ἀπιέναι, πλὴν περὶ κλήρου καὶ ἐπικλή- 35 [ρου], κἄν τινι κατὰ τὸ γένος ἱερεωσύνη γένηται. διεξεληθόντων δὲ τῶν δυεῖν ἐτῶν, ἤδη μετὰ τῶν ἄλλων εἰσίν. τὰ μὲν οὖν περὶ τὴν τῶν πολιτῶν ἐγγραφήν καὶ τοὺς ἐφήβους τοῦτον ἔχει τὸν τρόπον.

43. τὰς δ' ἀρχὰς τὰς περὶ τὴν ἐγκύκλιον διοίκησιν ἀπάσας

31 τὰ om. Harp.

32 τῆς πόλεως: τοῦ δήμου Harp. et Schol. Aeschin.

35 π[ρ]ό[φ]ασις ἢ τ[ο]ῦ ἀπιέναι in ectypo feliciter agnovit Blass (κ³); legebatur πράγμασι συμμειγείεν τι? κ¹; πρά[γμα]σι συμμειγνύονται J B Mayor, Hude (H-L); πρά[γμα]σι συγγίνωνται Rutherford (K-W).

κατὰ γένος K-W.

36 ΚΑΤΑΤΟΓΕΝΟΣ?, κατὰ τὸ γένος K, H-L, B;

κατὰ γένος K-W.

ΙΕΡΟΣΥΝΗ; ἱερωσύνη K, H-L, B; ἱερεωσύνη K-W (cf. Meisterhans, p. 36²).

ΔΙΕ.ΕΛΘΟΙΝΤΩΝ: διελθόντ. H-L.

37 ΔΥΕΙΝ: δυῶν K-W.

ἀσπίδα καὶ δόρυ] These are exhibited on the vase representing the *ephebus* taking the oath, mentioned in note on § 3, τὰ ἑρὰ περιήλθον.

§ 5. φρουροῦσι] The Schol. on Aeschin. *F. L.* 167 quotes the two following lines from Eupolis, οὗτος ἐν τοῖς φρουρίοις κοιτάζεται, and τοὺς περιπόλους ἀπιέναι εἰς τὰ φρούρια. The ἐφηβοὶ of B.C. 100 (CIA ii 467, 22 and 87) ἐξήλθον ἐπὶ τὰ φρούρια καὶ τὰ ἔρια τῆς Ἀττικῆς πλεονάκεις ἐν ὄπλοις. Among the φρούρια were Anaphlytus, Thoricus, Sunium, Rhamnus, Eleusis, Phyle, Aphidna (Gilbert, i 297).

χλαμύδας] 'short gowns or mantles.' Pollux, x 164, τὸ δὲ τῶν ἐφήβων φόρημα πέτασος καὶ χλαμῆς· Φιλήμων ἐν Θυρωρίῳ ἐγὼ γὰρ ἐς τὴν χλαμίδα κατεβέβηκε ποτὲ καὶ τὸν πέτασον.

Cf. Antidotus, ap. Athen. 240 B, ἐγγραφήναι καὶ λαβεῖν τὸ χλαμύδιον. Meleager, in *Anth. P.* vii 468, has an epitaph on a youth whom his mother ὀκτωκαιδέκταν ἐστόλισεν χλαμίδι. ἐκ χλαμύδος = ἐξ ἐφήβου in Plut. ii 752 F, 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 ἐνμυμένοι 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, *Untiv. Life*, p. 9).

ἀτελεῖς—πάντων] This general exemption did not include the *τριηραρχία*, which was incumbent on all Athenians of a certain *census* from 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, οὗς ἡ πόλις οὐ μόνον παῖδας ὄντας ἀτελεῖς ἐποίησεν, ἀλλὰ καὶ ἐπειδὴν δοκιμασθῶσιν ἐνιαυτὸν ἀφήκεν ἀπασῶν τῶν *λητουργιῶν*.

περὶ κλήρου] Thus Demosthenes sued his guardians as soon as he came of age, *Onei.* 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 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. τὴν ἐγκύκλιον διοίκησιν] *Pol.* 1255 b 25, ἐγκύκλια διακονήματα, 1263 a 21, ἐγκύκλια διακονία (every-day duties). 1269

ποιούσι κληρωτάς, πλὴν ταμίου στρατιωτικῶν καὶ τῶν ἐπὶ τὸ θεωρικόν καὶ τοῦ τῶν κρηνῶν ἐπιμελητοῦ. ταύτας δὲ χειροτονοῦσιν, καὶ οἱ χειροτονηθέντες ἄρχουσιν ἐκ Παναθηναίων εἰς Παναθηναία. χειροτονοῦσι δὲ καὶ τὰς πρὸς τὸν πόλεμον ἀπάσας.

Κ

ΧΛΠΙ 2 ΠΛΗΡΩΤΑΣ (6 ΠΛΗΡΟΥΤΑΙ). <τοῦ> ταμίου <τῶν> στρατιωτικῶν
Richards. 3 ΚΡΗΝΩΝ : κοινῶν J W Headlam (H-L).

ὁ 35 (of courage), *χρήσιμος πρὸς οὐδέν τῶν ἐγκυκλίων ἄλλ' ἐπερὲς τὸν πόλεμον. Oecon.*

2, 1346 a 8, πρόσσδος ἀπὸ τῶν ἐγκυκλίων.
ταμίου—στρατιωτικῶν The war-fund included the income from the property-tax and the surplus of the yearly revenue, [Dem.] *Neaer.* 4, τὰ περιόντα χρήματα τῆς διοικήσεως. The fund was administered by the *ταμίης τῶν στρ.* This official provided pay for the troops and defrayed all other military expenses (Smith, *Dict. Ant.* ii 761 b). He is first mentioned in B.C. 338, [Plut.] *Lycurg.* 27. In 334 (CIA ii 739) he makes payments to the treasurers of Athens 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 237; Dürrbach, *Forateur Lycurgue*, pp. 32—33). For some of his other duties cf. *inf.* c. 47 § 2, 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 229). 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 ἐπιμεληταί* 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 Ἀρχαιο-*

λογική, 1889, pp. 13—16, no. 28, describes the work done by one Pytheas as *ἐπιμελητῆς τῶν κρηνῶν* in B.C. 333. *ἐπειδὴ Πυθέας ἀιρεθεὶς ἐπὶ τὰς κρήνας τῶν ἄλλων ἐν τῇ ἀρχῇ ἐπιμελεῖται καλῶς καὶ φιλοτιμῶς κτλ' ἐπανέειπε Πυθέαν... ἀρετῆς ἔνεκα καὶ δικαιοσύνης τῆς περὶ τὴν ἐπιμέλειαν τῶν κρηνῶν, ὅπως ἂν οἱ ἄλλοι οἱ αἰεὶ χειροτονοῦμενοι ἐπὶ τὰς κρήνας φιλοτιμῶνται κτλ.*

Cf. Hesych. s. v. *κρηνάγγελη* (*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 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 latter title is supposed by Felner to have been introduced about 300 B.C., but the supposition is not approved by Gilbert, i 233. Cf. Dürrbach, *Lycurgue*, pp. 21—38.)

This official, like those in the text, held office for one term of four years only, [Plut.] *vit. Lycurg.* 3. Lycurgus, whose financial activity began in 338, is described as *ταχθεὶς ἐπὶ τῇ διοικήσει* (Hyper. *frag.* 121 Blass); he probably ceased to hold this office in 334, and this treatise was written about ten years later. Hence, it is suggested by Mr J. W. Headlam to alter *κρηνῶν* into *κοινῶν*. It would be safer, however, to suppose that *καὶ τοῦ ἐπὶ τῇ διοικήσει* had dropped out, than to accept this suggestion. 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 Metageitinion,

- 2 βουλή δὲ κληροῦται πεντακόσιοι, πενήκοντα ἀπὸ <τῆς> φυλῆς ἐκάστης. πρυτανεύει δ' ἐν μέρει τῶν φυλῶν ἐκάστη καθ' ὅ τι ἀν λάχωσι, αἱ μὲν πρώται τέτταρες ἕξ καὶ τριάκοντα ἡμέρας ἐκάστη, 8

6 φ̄ N̄ (K, H-W, B); πεντακόσιοι, πενήκοντα H-L.

<τῆς> φυλῆς B.

TESTIMONIA. XLIII § 2 *Harp. πρυτανείας:...ἔστι δὲ ἀριθμὸς ἡμερῶν ἢ πρυτανεία ἦτοι ἢς ἢ λε, ἅς ἐκάστη φυλὴ πρυτανεύει. διελεκταὶ δὲ περὶ τούτων 'Αρ. ἐν τῇ 'Αθ. 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. p. 459: πρυτανεία δὲ ἐστὶν ἀριθμὸς τῆς ἡμερῶν ἦτοι ἢς ἢ λε, ἅς ἐκάστη φυλὴ πρυτανεύει λέγεται...καὶ διήρηνται εἰς ταύτας αἱ ἡμέραι τοῦ ἐνιαυτοῦ· κατὰ γὰρ σελήνην ἄγουσι τοῦτον, ὡς ἐκάστη φυλὴ τῶν δέκα ἐπιβάλλει λαχόμενα ἡμέρας, πλεονάζει δὲ ὀλίγας. διὸ καὶ τὰς λοιπὰς ἀπέδουκάν οἱ 'Αθηναῖοι ταῖς πρώταις τέσσαρασι φυλαῖς, ἵνα ἐκείνων μὲν ἐκάστη τὰς ἢς ἡμέρας πρυτανεύη, αἱ δὲ λοιπαὶ ἕξ ἀνὰ λε. Fere eadem Photius, πρυτανεία, inter alia ἐνιαυτῶν δὲ οἱ 'Αθηναῖοι τὸν σεληνιακὸν ἦγον (Frag. 393³, 433³). Schol. Maximī Planudis ad Hermog. in *Rhet. Gr.* v p. 509, 20 Walz: ὠριμμένοι ἦσαν ἐκκλησίαι κατὰ πρυτανείαν ἐκάστην τέσσαρες· δέκα δὲ οὐσῶν 'Αθηναῖσι φυλῶν ἐπρυτάνεον αἱ μὲν πρώται λαχοῦσαι φυλαὶ τέσσαρες ἀνὰ τριάκοντα ἕξ ἡμέρας, αἱ δὲ λοιπαὶ ἕξ ἀνὰ τριάκοντα πέντε κτλ.

eleven days after the close of the Panathenaea.

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, &c; 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, *Parthenon*, Anhang II, 318—333.

τὰς πρὸς τὸν πόλεμον] The offices of στρατηγῶν and their subordinates, the ὑπαρχος, φύλαρχος and ταξίαρχος. Cf. Gilbert i 220 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 251—264; 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 'Draconian constitution' is described as appointed by lot (4 § 3). The earliest documentary evidence bearing 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.

πρυτανεύει] '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 determined by lot (cf. Headlam, *l. c.*, p. 51). This fact had already been ascertained by Clinton, *Fasti*, ii 344—6 = 415—8.

αἱ μὲν πρώται κτλ.] The normal Attic year consisting of 354 days, the tenth part would be 35 days, and 4 over. It has been supposed by Gilbert, i 255, 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 Choisenl Marble, CIA i 188 (Ditt. no. 44), ll. 25—40, 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.

αἱ δὲ ἐξ αἱ ὕστεραι πέντε καὶ τριάκοντα ἡμέρας ἐκάστη· κατὰ
 10 σελήνην γὰρ ἄγουσιν τὸν ἐνιαυτόν. οἱ δὲ πρυτανεύοντες αὐτῶν 3
 πρῶτον μὲν συσσιτοῦσιν ἐν τῇ θόλῳ, λαμβάνοντες ἀργύριον παρὰ
 τῆς πόλεως, ἔπειτα συνάγουσιν καὶ τὴν βουλὴν καὶ τὸν δῆμον,
 τὴν μὲν [οὖν] βουλὴν ὄσαι ἡμέραι, πλὴν ἐάν τις ἀφέσιμος ᾖ, τὸν δὲ
 δῆμον τετράκις τῆς πρυτανείας ἐκάστης. καὶ ὄσ[α] δεῖ χρηματι-

9—10 κατὰ σελήνην—ἐνιαυτόν del. Lipsius, Herwerden. 10 ἄγουσι H-L.
 12 συνάγουσι H-L. ΚΑΙ (vel EI ?): καὶ τὴν K³, K-W, B: εἰς τὴν K¹, τὴν H-L. 13 ΟΥΝ
 om. Harp. (K-W, H-L, B): retinet K coll. Ar. *Poet.* 1458 a 25 etc (*Ind. Ar.* p. 540 b).
 ΠΛΗΝΕΝΔΑΝ corr. K. 14 ΧΡΗΜΑΤΙΖΕΙ corr. K.

§§ 3, 4, 6 Pollux viii 95, πρυτάνεις: οὗτοι τὴν βουλὴν συνάγουσιν δσημέραι, πλὴν
 ἂν τις ᾖ ἀφετος, “τὸν δὲ δῆμον τετράκις” ἐκάστης πρυτανείας· καὶ προγράφουσι πρὸ τῆς
 βουλῆς καὶ πρὸ τῆς ἐκκλησίας ὑπὲρ ὧν “δεῖ χρηματίζειν.” τῶν δ’ ἐκκλησιῶν ἡ μὲν
 κυρία, ἐν ᾗ τὰς ἀρχὰς ἐπιχειροτονοῦσιν, εἶπερ καλῶς ἀρχοῦσιν, ἢ ἀποχειροτονοῦσιν· ἐν ᾗ
 καὶ τὰς εἰσαγγελίας ὁ βουλευόμενος εἰσαγγέλλει, “καὶ τὰς ἀπογραφὰς τῶν δημονομένων”
 ἀναγιγνώσκουσιν οἱ πρὸς ταῖς δίκαις, “καὶ τὰς λήξεις τῶν κλήρων.” 96, ἢ δὲ δευτέρα
 ἐκκλησία ἀνεῖται τοῖς βουλομένοις ἰκετηρίαν θεμένοις λέγειν ἀδεῶς περὶ τε τῶν ἰδίων
 καὶ τῶν δημοσίων· ἢ δὲ τρίτη “κῆρυξι καὶ πρεσβείαις” ἀξιοὶ χρηματίζειν, οὐδὲ
 πρῶτον τοῖς πρυτάνεσιν ἀποδοῦναι τὰ γράμματα, ἢ δὲ τετάρτη περὶ ἱερῶν καὶ ὄσιων
 (Frag. 394², 434³). Cf. Schol. in Aeschin. i § 104.

§§ 3, 4. * Harp. κυρία ἐκκλησία:… τίνες δὲ αἱ κύρια ἐκκλησίαι Ἄρ. δεδήλωκεν ἐν τῇ
 Ἄθ. πολ. λέγων τὸς πρυτάνεις συνάγειν “τὴν βουλὴν καὶ τὸν δῆμον, τὴν μὲν βουλὴν”
 ὄσημέραι, “πλὴν—ἐκάστης.” προγράφουσι δὲ φησι καὶ κυρία ἐκκλησίαν, ἐν ᾗ δεῖ τὰς
 ἀρχὰς ἀποχειροτονεῖν οἱ δοκοῦσι μὴ καλῶς ἀρχεῖν· καὶ περὶ φυλακῆς δὲ τῆς χώρας.
 “καὶ τὰς εἰσαγγελίας—ποιεῖσθαι” φησι καὶ τὰ ἐξῆς (Frag. 395², 435³).

κατὰ σελήνην—ἐνιαυτόν] This ex-
 planation is introduced quite as natu-
 rally 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), ἤξιωσέ
 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 neces-
 sarily follow that it is an interpolation, as
 suggested by Lipsius, *Leipzig Verhandl.*,
 1891, p. 47 n.

§ 3. συσσιτοῦσιν ἐν τῇ θόλῳ] Dem.
F. L. § 190, οἱ πρυτάνεις θύουσιν ἐκάστοτε
 κοινῇ καὶ συνδειπνοῦσιν ἀλλήλοις καὶ συσ-
 πένδουσιν. Ammonius ap. Harpocr. s. v.
 θόλος,—ὁ δὲ τόπος θπου ἐστὶ ὠνάται οἱ πρυ-
 τάνεις καλεῖται θόλος. Cf. Pollux viii
 155; Bekker, *Anecd.* 264. On a special
 emergency the βουλή even passed the
 night there, Andoc. *de Myst.* 45. It was
 also called the σικιάς (Gilbert, i 256, n. 4).
 It was near the βουλευτήριον (Paus. i 5,

i), to the north of the east end of the
 Areopagus (Curtius, *Stadtgeschichte*, p.
 xciii and 171). Thus the πρυτάνεις could
 readily leave the θόλος to attend the
 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 δὲ βουλῆς καὶ τοῦ
 δήμου καὶ τῶν ἄλλων ὧν αὐτοῖς προσέταττον
 οἱ νόμοι.

ὄσαι ἡμέραι] The manuscript reading
 has been retained, ‘as it facilitates the
 following τις’ (J. B. Mayor). Hitherto
 our earliest authority for this equivalent
 to ὄσημέραι has been Themistius (A.D.
 355), who also has ὄσαι ὥραι in p. 192 D.
 ὄσοι 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 *Apaturia* (Athen. 171 E),
 the *Thesmophoria* (Arist. *Thesm.* 79), the
Kronia (Dem. 24 § 26), and the ἀποφράδες
 ἡμέραι (Plut. *Alc.* 34). Gilbert, i 258,
 n. 4.

τετράκις] Elsewhere (Photius, s. v.
 κυρία ἐκκλησία, Schol. Arist. *Ach.* 19 and
 Schol. Dem. 24 § 20) we are told of *three*

ζευ τὴν βουλὴν [[καὶ ὁ τι]] ἐν ἐκάστη τῇ ἡμέρᾳ, καὶ ὅπου καθίζειν, 15
 4 οὗτοι προγράψουσι. προγράψουσι δὲ καὶ τὰς ἐκκλησίας οὗτοι,
 μίαν μὲν κυρίαν, ἐν ἣ δὲ τὰς ἀρχὰς ἐπιχειροτονεῖν εἰ δοκοῦσι
 καλῶς ἄρχειν, καὶ περὶ σίτου καὶ περὶ φυλακῆς τῆς χώρας χρημα-
 τίζειν, καὶ τὰς εἰσαγγελίας ἐν ταύτῃ τῇ ἡμέρᾳ τοὺς βουλομένους
 ποιεῖσθαι, καὶ τὰς ἀπογραφὰς τῶν δημονομένων ἀναγιγνώσκειν, καὶ 20
 τὰς λήξεις τῶν κλήρων καὶ τῶν ἐπικλήρων [[ἀναγιγνώσκειν]], [ὄπω]ς

15 ΚΑΙΟΤΙ (COG. e ΚΑΙΤΟΥ) secl. B. ΟΤΙΟΥΚΑΘ...: ὁ τι οὐ καθήκει? K; ΟΤΙΟΥΚΑΘΕΙΖΕΙ? ὅπου καθίζειν egregie K-W (B); etiam Herwerden verbum καθίζει hic latere suspicabatur. 20, 21 ἀναγιγνώσκειν (bis) K⁸, H-L (Meisterhans, u. 1238²): ΔΝΑΓΙΝ (K, K-W); verbum in v. 21 secl. K-W, B.

§ 4 *Lex. rhet. Cantab. κυρία ἐκκλησία... ἔμεινον οὖν Ἀριστοτέλει <πειθεσθαι>· τὰς γὰρ ἀρχὰς ἐν ταῖς κυρίαις ἐκκλησίαις φησὶν ἐπιχειροτονεῖσθαι καὶ τὰς εἰσαγγελίας <τὸν βουλόμενον εἰσαγγέλλειν addidit Meier> καὶ τὰ ἄλλα τῶν ἀναγκαίων χρηματίζων "καὶ περὶ σίτου <κα> φυλακῆς τῆς χώρας, καὶ τὰς ἀπογραφὰς—κλήρων."

meetings in each month, all of them termed κυρία ἐκκλησία. But the text shews that there was only one κυρία ἐκκλησία in each month (§ 4), as already held by Gilbert, i 269, n. 1.

ὅπου καθίζειν] The sessions of the βουλή, though ordinarily held in the βουλευτήριον, were occasionally transferred to the Eleusinion, the Thesemion or the Panathenaic Stadium, or even to the Acropolis (Gilbert, i 259 n. 1). ὁ τι οὐ καθήκει could only mean 'what is not suitable'; and such a sense is out of place here. I was once inclined to suggest ὅταν καθήκη, 'at the proper time,' lit. 'whenever the time arrives.' Dem. p. 399, 6, ἐκκλησίαν ποιῆσαι, ὅταν ἐκ τῶν νόμων καθήκη. Ar. Hist. An. viii 2, 23, ὁ χρόνος καθήκει.

προγράψουσι] CIA ii 61, ἐπειδὴν δὲ ταῦτα παρασκευασθῆ, τοὺς πρῶτους προγράψαι περὶ τούτων ἐν βουλευτηρίῳ ὅταν ὀν τε ἦ.

§ 4—6. The Public Assembly.

§ 4. προγράψουσι—ἐκκλησίας] Five days notice was given; Bekker, Anecd. 296, 8, πρόπρεμπα (Gilbert, i 270 n. 1).

μίαν μὲν κυρίαν] see note on τεράκις, § 3. The agenda for the κυρία ἐκκλησία were already known through citations of this passage in Harpocr. (Gilbert, i 282).

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 καταχειροτονηθῆ, οὗτος εἰσῆγο εἰς τὸ δικάστηριον. For this καταχειροτονία he refers to Theophrastus, ἐν δ' Νόμων. Cf. Schömann, De Comitibus, p. 231; Ant. 391 E. T. The term προ-

βολή 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 ἰκανὸς ἐστὶν ὁ ἐκ τῆς χώρας γιγνώμενος σίτος διατρέφειν τὴν πόλιν, καὶ πόσον εἰς τὸν ἐνιαυτὸν προσδέεται.

περὶ φυλακῆς] ib. § 10, περὶ γε φυλακῆς τῆς χώρας οἷδ' ὅτι ἦδη σοι μεμῆλκε, καὶ οἶσθα, ὅπόσαι τε φυλακαὶ ἐπικαιροὶ εἰσι καὶ ὅπόσαι μὴ, καὶ ὅποσοι τε φρουροὶ ἰκανοὶ εἰσι κτλ. This topic of deliberation is mentioned in Ar. Rhet. i 4 § 10, περὶ φυλακῆς τῆς χώρας μὴ λανθάνειν πὼς φυλάττεται κτλ.: in Pol. 1298 a 3 it is omitted. Cf. CIA ii 225 and 334, εἰς φυλακὴν τῆς χώρας (Gilbert i 282 n. 2).

τὰς εἰσαγγελίας] Such information might either be brought before the βουλή, through the πρῶταίους; or (as here) before the ἐκκλησία, through the θεσμοθέται (c. 59). Cf. Hager in Smith, Dict. Ant. i 709, ii 1067.

τὰς ἀπογραφὰς τῶν δημονομένων] 'inventories of confiscated property.' Pol. 1298 a 3, περὶ... θεμεύσεως. On ἀπογραφή 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). Meier and Schömann, pp. 791—4, 606—8, 616 Lips.; Dict. Ant. s. v. Heres, i 947 a and Epicleterus, p. 747 a.

ὄπως—ἐρημον γενόμενον] 'that all may have cognisance of any vacancy in an

μηδένα λάθη μηδὲν ἔρημον γενόμενον. ἐπὶ [δὲ] τῆς ἕκτης πρυτανείας πρὸς τοῖς εἰρημένους καὶ περὶ τῆς ὄστρακοφορίας ἐπιχειροτολίαν διδῶσιν, εἰ δοκεῖ ποιεῖν ἢ μὴ, καὶ συκοφαντῶν προβολὰς τῶν
25 Ἀθηναίων καὶ τῶν μετοίκων μέχρι τριῶν ἑκατέρ[ων, κἂν τις] ὑποσχόμενός τι μὴ ποιήσῃ τῷ δήμῳ. ἑτέραν δὲ ταῖς ἱκετηρίαις, 6

23 ΗΡΗΜΕΝΟΙΣ. ἐπιχειροτολίαν; idem habet lexicī rhet. Cantabrig. codex a Dobreo exscriptus (K, H-L, B): προχειροτολίαν K-W quod ibidem a Meiero scriptum est. 25 ΕΚΑΤΕΡΑΝ? κἂν τις Blass, Fränkel (H-L, K³); ἕως τις K¹; καὶ ἕως τις K-W. 26 ἑτέραν δὲ K, K-W, B; ἑτέρα δ' ἐστὶ H-L, quod 'spatium non capit' (K³).

§ 5 *ib.* "ἐπὶ δὲ τῆς ἕκτης—ἐπιχειροτολίαν" (προχειροτολίαν edd.) διδοσθαι εἰ δοκεῖ ἢ μὴ (Frag. 396^b, 436^b). Hesych. κυρία ἐκκλ.: μία κυρία ἐκκλησία ἤγετο Ἀθήνῃσιν, ἐν ἣ τὰς ἀρχὰς ἐπιχειροτολίαν ἔδει.

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.* 927, εἰς ὄρφανὰ καὶ ἔρημα ὑβρίζουσιν. 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).

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).

"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 eight 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 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 Arginusae (Xen. *Hell.* i 7 § 34). The case against Midias began with a προβολή. Cf. Schömann, *De Comitibus*, p. 231 ff., Meier and Schömann, p. 335 Lips., *Dict. Ant.* ii 492 a, 732 a.

For its application in the case of συκοφανταί, 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 αὐτῆς συκοφαντίας γραφαί.

τῶν μετοίκων] This implies that a μέτοικος could be charged with συκοφαντία. 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 βουλευμένῳ κτλ.). A foreigner, who desired to accuse a person of any offence against the people, was required to obtain special permission for that purpose, ἀδεία, Andoc. *De Myst.* § 15. Cf. Meier and Schömann, p. 330 Lips.

κἂν τις ὑποσχόμενος κτλ.] Dem. *Lept.* 100, ἐστὶ δὲ δήπου νόμος ὑμῖν, ἕως τις ὑποσχόμενός 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). The procedure began either with a προβολή (as in Xen. *Hell.* i 7 § 35) or an εἰσαγγελία, [Dem.] c. *Timoth.* 49 § 67.

§ 6. ἱκετηρίαις] 'supplications,' formal

Col. 13.] ἐν ἧ θείσι ὁ βουλόμενος ἰκετηρίαν, [ὑπὲρ] ὧν ἂν βούληται || καὶ ἰδίων καὶ δημοσίων διαλέξεται πρὸς τὸν δῆμον. αἱ δὲ δύο περὶ τῶν ἄλλων εἰσὶν, ἐν αἷς κελεύουσιν οἱ νόμοι τρία μὲν ἱερῶν χρηματίζουσιν, τρία δὲ κήρυξιν καὶ πρεσβείαις, τρία δ' ὁσίων. χρηματίζουσιν δ' ἐνίοτε 30

27 ΟΥΒΟΓΛΟ corr. K. ΩΝ K: περὶ ὧν Kontos, Lipsius, Gertz, K-W, sed spatium vix duarum litterarum capax vacuum relictum; ὑπὲρ (Υ) ὧν H-L (B). 28 ΔΙΑΔΕΞΕΤΑΙ: διαλέξεται K (K-W, B); διαλέγεται H-L. 30 κήρυξι H-L. ΤΡΙΑΔΟΣΙΩΝ suprascripto CYRACOCION 'corruptumne ex CAPA Δ ΟΣΙΩΝ ut Ar. τέτταρα δ' ὁσίων scripserit?' K-W. χρηματίζουσι H-L.

petitions.' For θείσι...ἰκετηρίαν cf. Dem. *de Cor.* 107, οὐχ ἰκετηρίαν ἔθηκε τριήραρχος οὐδέτις πῶσποθ' ὡς ἀδικούμενος παρ' ὑμῖν, c. *Timocr.* 12, ἔθεσαν τὴν ἰκ. ὧν ἦσαν τὰ χρέματα ἀνθρώποι, *ib.* 53; Aeschin. *F. L.* 15, ἰκ. θέντες οἰ κείτοι ἐθέοντο ὑμῶν. 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 δόσεως, and see Schömann, *Ant.* p. 397 E.T.; Gilbert, i 294; *Dict. Ant.* i 24 b, 702 a.

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 ὁσίων. This distinction is not in accordance with the text. The latter is confirmed by Aeschines i § 23, πῶς δὲ κελεύει τοὺς προέδρους χρηματίζεω;—προχειροτονεῖν—περὶ ἱερῶν τῶν πατρῶν καὶ κήρυξι καὶ πρεσβείαις καὶ ὁσίων. 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 (= ὁσίων).

τρία.] This implies that only three questions under each of the several headings were allowed to be discussed in each προταεῖα. Similarly in § 5 only three συγκοφαντῶν 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 Εὐμόλπειδαι) 605. On p. 173 ff., he cites the following inscriptions: Ἀθήναιον vi 152 (= Ditt. no. 101, Hicks no. 111) l. 55 (B.C. 347/6 on the πρόσβευσι from the sons of Leucön), χρηματίζουσι τοὺς προέδρους οἱ ἂν λάχῃσι προεδρεύον ἐν τῷ δήμῳ τῇ ὀγδόῃ ἐπὶ δέκα πρώτων μετὰ τὰ ἱερά. The privilege of access to the βουλή (and in most cases to the δῆμος) μετὰ τὰ ἱερά was granted to Aretus of Colophon (CIA i 36), to the Νεοπολίται (*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...ὁσίων] 'things sacred and profane.' ὅσια, when contrasted with ἱερά, includes all that is untouched by divine law. Thus, in things concrete, ἱερά would include temples and their treasures; ὅσια, civic buildings and money belonging to the state. Dem. 24 § 9, τῶν ἱερῶν μὲν χρημάτων τοὺς θεοὺς, τῶν ὁσίων δὲ τὴν πόλιν ἀποστρεφεῖ. 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 ὁσίων καὶ τῶν ἱερῶν ἀντιγραφεὺς (see Frohberger's *Lysias*, iii p. 172, and Ruhnken, *Timaeus*, s.v. ὅσια: 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. Cf. c. 30 § 5.

χρηματίζουσιν—ἀνευ προχειροτονίας]

καὶ ἄνευ προχειροτονίας. προσέρχονται δὲ καὶ οἱ κήρυκες καὶ οἱ πρέσβεις τοῖς πρυτάνεσιν πρῶτον, καὶ οἱ τὰς ἐπιστολὰς φέρουτες
33 τούτοις ἀποδιδάσκει.

44. Ἔστι δ' ἐπιστάτης τῶν πρυτάνεων εἰς ὁ λαχῶν

32 πρυτάνεσι H-L, B.

33 ἀποδιδάσκει H-L.

TESTIMONIA. XLIV § 1, 2 * Harp. ἐπιστάτης ... δύο εἰσιν οἱ καθιστάμενοι ἐπιστάται, ὧν ὁ μὲν ἐκ πρυτάνεων κληρούμενος, ὁ δὲ ἐκ τῶν προέδρων, ὧν ἑκάτερος τίνα διοίκησιν διοικεῖ δεδήλωκεν Ἄρ. ἐν Ἀθ. πολ. Lex. Dem. Patm. p. 13 Sakkellion, ἐπιστάτης: οὗτος ἐκ τῶν πρυτάνεων ἐκληροῦτο καὶ ἐπιστάται "νύκτα καὶ ἡμέραν" μόνον, καὶ οὐκ ἐξῆν δευτέρον τὸν αὐτὸν γίνεσθαι. τὰς δὲ κλεῖς τῶν "λερῶν ἐν οἷς" ἀπέκειτο τὰ χρήματα καὶ τὰ γράμματα τῆς πόλεως... Suidas (e lexico Photiano) ἐπιστάτης: "τῶν πρυτάνεων εἰς ὁ λαχῶν" ἐπιστάτης ἐλέγετο. δις δὲ τὸν αὐτὸν ἐπιστάτηα οὐκ ἐξῆν. φυλάσσει δὲ τοῦ λεροῦ τὰς κλεῖς ἐν ᾧ τὰ δημόσια χρήματα, ἔτι μὴν καὶ τὴν δημοσίαν σφραγιδα (φυλάσσει—σφραγιδα Etym. M. p. 364, 41). ἐπειδὴν δὲ οἱ πρυτάνεις "συναγάγῳσι τὴν βουλὴν ἢ τὸν δῆμον," ὁ ἐπιστάτης "κληροῖ προέδρους ἐννεά," ἀπὸ "φυλῆς ἐκάστης" ἕνα "πλὴν τῆς πρυτανευούσης. καὶ πάλιν" ἐκ τῶν ἐννεά τούτων ἐπιστάτην ἕνα καὶ τὸ πρᾶγμα (sic) παραδίδωσιν. Telephus ap. Eustath. in Od. p. 455... γίνεται γὰρ φησὶ Ἀθήνησιν ἐκ τῶν πρυτάνεων εἰς δς "ἐπιστατεῖ νύκτα καὶ ἡμέραν" μίαν, καὶ πλείω χρόνον οὐκ ἔξεστιν οὐδὲ "δις τὸν αὐτὸν γενέσθαι, τὰς τε κλεῖς <τῶν λερῶν> ἐν οἷς τὰ χρήματα εἰσι φυλάττει καὶ τὰ γράμματα τῆς πόλεως καὶ τὴν δημοσίαν σφραγιδα. κληροῖ δὲ καὶ τὸν προέδρου ἐξ ἐκάστης φυλῆς ἕνα "πλὴν τῆς πρυτανευούσης καὶ πάλιν ἐκ τούτων ἐπιστάτην ἕνα" (Frag. 397², 437³). Pollux viii 96: ἐπιστάτης δ' ἐστὶν εἰς τῶν πρυτάνεων, ὁ κληρῶ λαχῶν, δις δ' οὐκ ἔξεστι γενέσθαι τὸν αὐτὸν ἐπιστάτην. ἔχει δὲ οὗτος τῶν λερῶν τὰς κλεῖς ἐν οἷς τὰ χρήματα καὶ τὰ γράμματα. καὶ ὅταν οἱ πρυτάνεις τὸν δῆμον ἢ τὴν βουλὴν συνάγῳσιν, οὗτος ἐξ ἐκάστης φυλῆς πρεδρον ἕνα κληροῖ, μόνην τὴν πρυτανεύουσαν ἀφίει (Frag. 394², 434²).

'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: "... ὅπῳ τῆς βουλῆς πρὸς βουλευσάσης εἰσφέρειται εἰς τὸν δῆμον ἢ γνώμη πρότερον γίνεται χειροτονία ἐν τῇ ἐκκλησίᾳ ὅτερον δοκεῖ περὶ τῶν προβουλευθέντων σκέψασθαι τὸν δῆμον, ἢ ἀρκεῖ τὸ προβούλευμα. In Dem. 24 § 12 (after a προβούλευμα) γενομένης ἐκκλησίας προχειροτόνησεν ὁ δῆμος. Cf. Aeschin. I § 23, and see Gilbert, i 276 n. 3.

The course described in the text would involve a departure from the principle laid down by Solon, μηδὲν εἶν 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 278 n. 3).

προσέρχονται—τοῖς πρυτάνεσιν πρῶτον] Aeschin. F. L. 58, (the βουλή) ταῖς ξενικαῖς πρεσβείαις τὰς εἰς τὸν δῆμον προσδόντος προβουλεύει. On the capture of Elateia, the messenger brought the news ὡς τοὺς πρυτάνεις (de Cor. 169). Cf. Arist. Thesm. 654, ταῦτα τοῖς πρυτάνεσιν ἀγγεῖλαι.

XLIV. The Public Assembly, continued.

§ 1. ἐπιστάτης τῶν πρυτάνεων] In the fifth century the ἐπιστάτης τῶν πρυτάνεων actually presided at the meetings of the βουλή 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 πρύτανι, ταῦτα... ἐπιψήφισε (Thuc. vi 14). Again, in 406, on the memorable occasion when Socrates refused to put the illegal proposal that the generals concerned with the battle of Arginusae should have judgment passed upon them collectively, his own tribe was the φυλή πρυτανεύουσα (Plat. Apol. 32 B), and he

οὗτος δ' ἐπιστατεῖ νύκτα καὶ ἡμέραν, καὶ οὐκ ἔστιν οὔτε πλείω χρόνον οὔτε δις τὸν αὐτὸν γενέσθαι. τηρεῖ δ' οὗτος τὰς τε κλείς τὰς τῶν ἱερῶν ἐν οἷς τὰ χρήματ' ἐστὶν καὶ <τὰ> γράμματα τῆ πόλει, καὶ τὴν δημοσίαν σφραγίδα, καὶ μένειν ἀναγκαῖον ἐν τῇ 5 θόλῳ τοῦτόν <τ'> ἐστὶν καὶ τριττὸν τῶν πρυτάνεων ἢν ἂν οὗτος 2 κελεύῃ. καὶ ἐπειδὴν συναγάγῃσιν οἱ πρυτάνεις τὴν βουλὴν ἢ τὸν δῆμον, οὗτος κληροῖ προέδρους ἑνέα, ἕνα ἐκ τῆς φυλῆς ἐκάστης

XLIV 2 οὐκ ἔστι πλείω H-L.

3 κλεις (κ-w, κ³, β; cf. Meisterhans, p. 28²):

κλῆς κ¹, H-L.

4 γράμματα κ: <τὰ> γράμματα e gramm. κ-w, H-L, B.

6 τοῦτόν <τ'> κ-w.

§§ 2, 3 *Harp. πρόεδροι ἐκλήροιντο τῶν πρυτάνεων καθ' ἐκάστην πρυτανείαν εἰς ἕξ ἐκάστης φυλῆς πλὴν τῆς πρυτανευούσης, οἵτινες τὰ περὶ τὰς ἐκκλησίας διώκουν... ὅτι δ' ὁ καλούμενος ἐπιστάτης κληροῖ αὐτοῦς, εἴρηκεν Ἄρ. ἐν Ἀθ. πολ. (=Snid. 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.

was ἐπιστάτης for the day (Xen. Mem. i 1, 18, ἐπιστάτης ἐν τῷ δῆμῳ γενόμενος). Cf. Gilbert, i 257 n. 3.

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, *ib.* n. 5), 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 βουλή. 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 adds: ἐν' οἷν μὴ ἐραστῆ τυραννίδος, διὰ τοῦτο μὴν ἡμέραν ἐποιούσιν 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 Athens 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 Μητροῦν 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 σημάτων. The seal probably represented an owl or a Gorgon's head. Cf. Curtius, *Abh. d. Berlin Akad.* 1874, p. 88 (Gilbert, i p. 256 n. 2). Both the badges above mentioned may be seen on the extant examples of δικαστῶν πώακια (c. 63 § 4).

§ 2. πρόεδρους] In the fifth century it was the πρυτάνεις who presided over the βουλή and 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 1 b, 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 Ὠα, 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

πλήν τῆς πρυτανευούσης, καὶ πάλιν ἐκ τούτων ἐπιστάτην ἓνα, καὶ
 10 παραδίδωσι τὸ πρόγραμμα αὐτοῖς· οἱ δὲ παραλαβόντες τῆς τ' 3

10 πρόγραμμα corrupte mutatum in πρᾶγμα habet Suidas s. v. ἐπιστάτης. οἱ
 K-W, B; οἱ K, H-L.

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 b (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 Ἄθμονον which belongs to a different tribe, Cecropis. In ii 50 (Ditt. 75), B.C. 368/7, in the prytany of the tribe Aecantis, the ἐπιστάτης belongs to a deme of the tribe Aegaeis. 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 clearly to give all the tribes a concurrent share in the superintendence of the βουλή 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 δέινα ἐπιστάται. 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 δέινα. From 347 onwards the last alone is found (Gilbert, i 257 n. 5).

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.

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 Harpocration, 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 βουλή 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 257 (with the authorities there quoted); also Caillemet on *Boule* in Daremberg and Saglio, i 740—1, and Chavannes on *Epistates*, *ib.* iii 700; and Wayte in Smith's *Dict. Ant.* i 320—1, and on Dem. *Timocr.* § 21.

ἐπιστάτην] sc. τῶν προέδρων. He is mentioned as presiding (1) at the βουλή in Aeschin. c. *Timarch.* 104, βουλευτῆς ὢν καὶ προεδρεύων, and in CIA ii 168 (B.C. 333) τῶν προέδρων ἐπεψήφισεν, and similarly in ii 179 (B.C. 325) about the time

εὐκοσμίας ἐπιμελοῦνται, καὶ ὑπὲρ ὧν δεῖ χρηματίζειν προτιθέασιν, καὶ τὰς χειροτονίας κρίνουσιν, καὶ τὰ <τ'> ἄλλα πάντα διοικουσιν, καὶ τοῦ [[τ']] ἀφεῖναι 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 ἀρχαιρείας στρατηγῶν καὶ ἱππάρχων καὶ τῶν ἄλλων τῶν πρὸς τὸν πόλεμον ἀρχῶν ἐν τῇ ἐκκλησίᾳ, καθ' ὅ τι ἂν τῷ δήμῳ δοκῇ· ποιούσι δ' οἱ μετὰ τὴν ἕκτην πρυτανεύοντες ἐφ' ὧν

.ΔΕΙΚ(ΔΙ).

11 ΔΕΙΧΡΗΜΑΤΙΖΕΙΝ: δεῖ χρηματίζειν κ, H-L, B: χρηματίζειν δεῖ κ-W. 12 τὰ <τ'> κ-W. 13 τ' delent Richards, Blass, κ-W, B; in δ' mutat Hude; τὴν ἐκκλησίαν Rutherford (H-L). 14 ἔξεστι H-L. ΠΛΕΙΟΝ (κ-W, B): πλέον H-L, κ⁸, Meisterhans, p. 120². 16 ΔΕΚ(ΔΙ)ΔΕΚΑΡΧ: delevi ΔΕΚ ε ΔΕΚ(ΔΙ) male iterato exortum, idem fecerunt Blass, Fränkel, κ-W, H-L, κ⁸; etiam in versu propinquo (18) dittographiae vitium denuo apparet ΜΕΤΑΤΑΤΗΝ (μετὰ τὴν).

when this treatise was written; (2) at the ἐκκλησία, *id. c. Ctes.* 39, τὸν δ' ἐπιστάτην τῶν προέδρων διαχειροτονίαν διδόναι τῷ δήμῳ, *F. L.* 82, (Demosthenes) λαγχάνει προεδρεύειν and (84) ἀναστὰς ἐκ τῶν προέδρων οὐκ ἔφη τὸ ψήφισμ' ἐπιψηφιεῖν, *cf. id.* 68.

τὸ πρόγραμμα] 43 § 3, προγράφουσι.

§ 3. εὐκοσμίαις ἐπιμελοῦνται] In the previous century the same duties had been performed by the πρυτάνεις with the aid of the τοξόται: *Arist. Thesm.* 923, 929—946, and esp. 854, εἰ μὴ κοσμίως ἔξεις ἕως ἂν τῶν πρυτανέων τις φωνῇ. The πρόεδροι as well as the πρυτάνεις are named in *Aeschin. c. Ctes.* 4, τῆς τῶν ῥητόρων ἀκοσμίαις οὐκέτι κρατεῖν δύνανται οὐθ' οἱ νόμοι οὐθ' οἱ πρυτάνεις οὐθ' οἱ πρόεδροι οὐθ' ἡ προεδρεύουσα φιλῆ.

The phrase ἐπιμελεῖσθαι εὐκοσμίαις 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 πώλεως λόγον προτιθέσης. 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 put the question to the vote, λόγον δὲ μὴ προτιθέναι. In the fifth century this was the duty of the πρυτάνεις. *Thuc.* vi 14, ὃ πρύτανι... γνώμας προτιθεῖ αὐθις, iii 36, 4; 42, 1.

χειροτονίας] *Aeschin. c. Ctes.* 3, ἂν δὲ τις τῶν ἄλλων βουλευτῶν ὄντως λαχῇ κληρούμενος προεδρεύειν καὶ τὰς ὑμετέρας χειροτονίας ὁρθῶς ἀναγορεύει κτλ.

ἀφεῖναι] *Arist. Ach.* 173, οἱ γὰρ πρυτάνεις λύουσι τὴν ἐκκλησίαν. *Dem. Timocr.* § 26 (during the Κρόνια), ἀφεμένης 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 Ἀλμυοῦσιος ἐπιστάται. It was rightly inferred by A. Schaefer that both were passed at the same meeting of the ἐκκλησία. The text shows 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 ἀρχαιρείαις, στρατηγῶν καὶ ἱππάρχων 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. Androt.* p. 590 erroneously states that the ἀρχαιρείαι 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 ἀρχαιρείαι are fixed κατὰ τὴν μανθελίαν 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 152). The text shows that the election was held in the seventh prytany. This would begin

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 Λυσίμαχος αὐτῆς ἀγαγούσης

19 ΓΕΝΕΣΘΑΙ Κ, Η-Λ, Β: γίνεσθαι Κ-Ω.

XLV 1 χρήμασι Η-Λ. 2 post ἀποκτείνειαι lacunam indicant Κ-Ω.

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 &c 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 στρατηγός 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 ἀρχαιρεσῖαι 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 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 Mr Marchant in *Class. Rev.* v 165.

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 μᾶλλον εὐσημῶς ἔχειν ὁ τοῦ δριζοντος 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 ἐκκλησία came to be held in the theatre of Dionysus (e.g. in 290 B.C.), the Pnyx continued to be the scene of the ἀρχαιρεσῖαι (Pollux viii 133).

When the δήμος 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 βάνης βέβληκέ με (*Ach.* 171). Cf. Suidas, s.v.

προβούλευμα κτλ.] In accordance with the general principle ordained by Solon, Plut. *Sol.* 19, μηδὲν εἶαν ἀπροβούλευτον 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. *Euzerg.* p. 1152 § 43, (after an εἰσαγγελία) ἐν τῷ διαχειροτονεῖν ἢ ἡ βουλή πτέρω δικαστηρίῳ παραδοίῃ ἢ ζημιώσῃ τὰς πεντακοσίας, ὅσων 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, δεῖ ἀν ἐγγυητὰς τρεῖς καθιστῆ τὸ αὐτὸ τέλος τελοῦντας· πληρὴν εἶναι ἐπὶ προσοίᾳ τῆς πόλεως ἢ ἐπὶ καταλύσει τοῦ δήμου συνίων ἀλλῶ 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 ἄκρον τοῦ δήσου, 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

ὡς τὸν δῆμιον * καὶ αὐθημερόν* ἤδη μέλλοντα ἀποθνήσκειν Εὐμη-
λίδης ὁ Ἄλωπεκῆθεν ἀφείλετο, οὐ φάσκων δεῖν ἄνευ δικαστηρίου
γνώσεως οὐδένα τῶν πολιτῶν ἀποθνήσκειν καὶ κρίσεως ἐν δικα-
στηρίῳ γενομένης ὁ μὲν Λυσίμαχος ἀπέφυγεν καὶ ἐπωνυμίαν ἔσχεν
ὁ ἀπὸ τοῦ τυπάνου, ὁ δὲ δῆμος ἀφείλετο τῆς βουλῆς τὸ θανατοῦν
καὶ δεῖν καὶ χρήμασι ζημιοῦν, καὶ νόμον ἔθετο, ἂν τινος ἀδικεῖν
ἢ βουλή καταγνῶ ἢ ζημιώση, τὰς καταγνώσεις καὶ τὰς ἐπιζημιώ-
σεις εἰσάγειν τοὺς θεσμοθέτας εἰς τὸ δικαστήριον, καὶ ὅ τι ἂν οἱ 10
δικασταὶ ψηφίσωνται, τοῦτο κύριον εἶναι.

12 κρίνει δὲ || τὰς ἀρχὰς ἢ βουλή τὰς πλείστας, μάλισθ' ὅσαι
χρήματα διαχειρίζουσιν· οὐ κυρία δ' ἢ κρίσις, ἀλλ' ἐφέσιμος εἰς

3 καθήμενον ἤδη μέλλοντα ἀποθν. κ, κ-ω, Η-Λ; καθήμενον ἤδη <κα> μέλλοντα ἀποθν.
J B Mayor: legendum fortasse καὶ αὐθημερόν ἤδη μέλλοντα ἀποθν. cf. Aeschin. 1 § 16
(lex) παραδοθεὶς τοῖς ἔνδεκα τεθνάτω αὐθημερόν. 3, 5 ΑΠΟΘΝΗΣΚΕΙΝ: ἀποθνήσκειν
κ-ω, Η-Λ, κ³, β, cf. Meisterhans, p. 141², n. 1234. 3 ΕΥΜΗΛΙΔΗΣ (β coll.
Φιλομηλίδης Od. ρ 134): Εὐμηλίδης κ-ω, Η-Λ, κ³. 4 ΑΛΩΠΕΘΗΚΕΝ corr. κ.
5 <τῷ> δικαστηρίῳ κ-ω, idem in c. 46, 10 et c. 55, 7 τῷ non inserunt. 6 ἀπέ-
φυγε Η-Λ. ΕΣΧΕΝ: ἔσχε β, εἶχεν κ. 8 εἰάν Η-Λ. 9 ἐπιζημιώσεις
(nusquam alibi inventum) κ, κ-ω, β: ζημιώσεις Wyse, Η-Λ. 13 ΕΣΤΦΕΣΙΜΟΣ?;
ἐφέσιμος κ, κ-ω, β; ἔτ' ἐφέσιμος Η-Λ.

the Council and a dicastery, *ib.* 11, and 13 § 12 (Newman).

Λυσίμαχος] possibly the person of that name mentioned in Xen. *Hell.* ii 4, 8, (the Thirty) *Λυσίμαχος τὸν ἑπάρχον ἐκέλευον ἀναγαγόντα παραδοῦναι αὐτοὺς τοῖς ἔνδεκα*. On the restoration of the democracy his services to the Thirty may well have been remembered against him.

καὶ αὐθημερόν—ἀποθνήσκειν] *Hist. An.* 603 a 15, ἀποθνήσκουσιν αὐθημερόν, 398 a 35, 568 b 21.

One Sosias had a similarly narrow escape: Antiphon 5 § 70, ὁ ἀνὴρ ἀπήχθη (MSS, ἀνήχθη Dobree, ἀπελύθη Kayser, ἀπηλλάχθη Baiter; ἀφείλετο, in the text, suggests ἀφρήθη) ὑπὸ τοῦ δήμου τοῦ ὑμετέρου παραδεδομένος ἦδη τοῖς ἔνδεκα.

Εὐμηλίδης] The only passage where the name is found, as that of an Athenian, is [Dem.] 49 § 11, τῷ 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.'

ὁ ἀπὸ τοῦ τυπάνου] 'the man who escaped the bastinado.' *Schol. Arist. Plut.* 476, τύμπανα...ξύλα, δι' ὧν τοὺς καταδικαστοὺς ἐτυπτον, and Photius, s. v. τύμπανον. Cf. Lys. 13 § 56, ὡς ἀνδροφόνου δῖτα—τῷ δημῷ παρέδωτε καὶ ἀπετυμπανίσθη, ib. 67, 68; and Dem. 9 § 61. This form of punishment was inflicted on

κακούργοι, including ἀνδροφόνου. This confirms the conjecture that Lysimachus was arraigned for taking part in causing citizens to be put to death under the Thirty (Xen. *l. c.*). The restriction in the powers of the βουλή mentioned in this chapter has already been noticed in more general terms in c. 41, αἱ τῆς βουλῆς κρίσεις εἰς τὸν δῆμον ἐληλύθησαν, 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 δωροδοκῆσάντων καταψηφισμένην, καὶ εἰς δικαστήριον αὐτοὺς εἰσάγειν, καθότι ἂν δοκῇ αὐτῇ.

ἐπιζημιώσεις] not found elsewhere. τὰ ἐπιζήμια is used of 'penalties' in Dem. and Plato; ἐπιζημιῶν, in Xen. *Hell.* v 2 § 22; ἐπιζημιωμα, in Pollux viii 149. **θεσμοθέτας**] 59.

§ 2. κρίνει τὰς ἀρχὰς] Antiphon, 6 § 49, πυθόμενος αὐτοὺς (the πορισταί, πωληταί, πρακτόρες and ὑπογραμματεῖς) δεῖν καὶ σχέτλια ἐργάζεσθαι, εἰσῆγον εἰς τὴν βουλήν.

ἐφέσιμος] [Dem.] 7 § 9, ταῦτα δὲ κύρια ἔσεσθαι οὐκ ἐπειδὴν ἐν τῷ δικαστηρίῳ τῷ παρ' ἡμῶν κυροῦσιν...ἀλλ' ἐπειδὴν ὡς ἑαυτὸν ἐπανενεχθῆ, ἐφέσιμον τὴν παρ' ἡμῶν γενομένην γνῶσιν ὡς ἑαυτὸν ποιούμενος. Lucian,

τὸ δικαστήριον. ἔξεστι δὲ καὶ τοῖς ἰδιώταις εἰσαγγέλλειν ἦν ἂν
15 βούλωνται τῶν ἀρχῶν μὴ χρῆσθαι τοῖς νόμοις. ἔφεσις δὲ καὶ
τούτοις ἐστὶν εἰς τὸ δικαστήριον, ἐὰν αὐτῶν ἡ βουλή καταγνῶ.

δοκιμάζει δὲ καὶ τοὺς βουλευτάς τοὺς τὸν ὕστερον ἐνιαυτὸν 3
βουλευσούσας καὶ τοὺς ἐννέα ἀρχοντας. 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 4
δῆμον, καὶ οὐκ ἔξεστιν οὐδὲν ἀπροβουλευτοῦ οὐδ' ὅ τι ἂν μὴ
προγράψωσιν οἱ πρυτάνεις ψηφίσασθαι τῷ δήμῳ· κατ' αὐτὰ γὰρ
ταῦτα ἔνοχος ἐστὶν ὁ νίκησας γραφῆ 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 κατὰ γὰρ ταῦτα Kontos, H-L; v. Dem. 20 § 96.

XLVI 2 δὲ secl. κ (edd.).

pro *Imaginibus* 15, ἐφέσιμον ... δικην.
Pollux viii 125, (κρίσιν) ἐφέσιμον.

εἰσαγγέλλειν] probably here used in
the general sense of bringing to the know-
ledge of the Council, without reference to
the special process called εἰσαγγελία.
The procedure in the latter case is de-
scribed by Dr Hager in *Dict. Ant. s. v.*,
i 709 a.

§ 3. δοκιμάζει—βουλευτάς] Dem. *Mid.*
111, βουλευτὴν μου λαχόντος δοκιμαζομένου
κατηγόρει, *Neaer.* 3, λαγχάνει βουλευτὴν
'Ἀπολλόδωρος· δοκιμασθεὶς δὲ καὶ ὁμόσας
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 βίου λόγον διδόναι.

ἀρχοντας] *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 im-
possible: § 6, δικαστήριον...οὐ δυνατὸν
πληρωθῆναι. Dem. *Lept.* 90 asserts that
the junior archons underwent a double
δοκιμασία:—τοὺς θεσμοθέτας δις δοκιμασ-
θέντας ἀρχεν ἐν τε τῇ βουλῇ καὶ παρ' ἑμῖν
ἐν τῷ δικαστηρίῳ. The δοκιμασία before
the βουλή is called an ἐνάκρισις in Dem.
Eubul. 66; it is described as affecting all

the archons (*ib.* 70). Cf. c. 55 § 2.

§ 4. οὐδὲν ἀπροβουλευτοῦ] *Plut. Sol.*
19, quoted on c. 44 *ult.*

προγράψωσιν] 43 § 3 *ult.*

γραφῆ 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 261 n. 4.

τῶν σκευῶν] esp. of 'naval stores and
engines,' and 'the tackling of ships,'
[Dem.] 47, i. *Euerg.* § 19, σκευὴ τριηρικὰ.
Xen. Oec. viii 12, διὰ πολλῶν...ἔυλων
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, are still extant
(CIA ii 1054=Ditt. no. 352). This
σκευοθήκη was intended τοῖς κρεμαστοῖς
σκεύεσιν, and (though not finished) was
probably already in use in B.C. 329, a
few years before the text was written.
Cf. Dürnbach, *Lycurgus*, 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
Dürnbach, *l.c.* p. 65, n. 3). In [*Xen.*]
de Rep. Ath. iii 2, among the duties of

τετρήρεις, ὅποτέρας ἂν ὁ δῆμος χειροτονήσῃ, καὶ σκεύη ταύταις καὶ νεωσοίκους. χειροτονεῖ δ' ἀρχιτέκτονας ὁ δῆμος ἐπὶ τὰς ναυς ἂν δὲ μὴ παραδώσιν ἐξευργασμένα ταῦτα τῇ νέᾳ βουλῇ, τὴν δωρεὰν οὐκ ἔστιν αὐτοῖς λαβεῖν. ἐπὶ γὰρ τῆς ὕστερον βουλῆς [Col. 25.] λαμβάνουσιν. || ποιεῖται δὲ τὰς τριήρεις, δέκα ἄνδρας ἐξ ἀ[πάντων] 2 ἑλομένη τριηροποιούς. ἐξετάζει δὲ καὶ τὰ οἰκοδομήματα τὰ δημόσια πάντα, κἄν τις ἀδικεῖν αὐτῇ δόξῃ τῷ τε δήμῳ τοῦτον [ἀπ]οφαίνει καὶ καταγνόντος παραδίδωσι δικαστηρίῳ. 10

5 ἂν H-L. 7 ἀ[πάντων] K, H-L: ἐαυτῆς Wayte, ἀ[ὐτῶν] K-W, B coll. 48, 13. 10 ΚΑΤΑΓΝΟΥΣΑ K, H-L: καταγνόντος K-W, B. <τῷ> δικαστηρίῳ Gennadios, Naber (H-L, idem τῷ non addunt in c. 45, 5 et c. 55, 7).

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 customary compliment of a golden crown; and for this he was attacked under a γραφή παρανόμων (Dem. *Androt.* 8).

ἡ τετρήρεις] In the list of the fleet for B.C. 330/29 eighteen quadriremes are mentioned: CIA ii 807 b 76—79, τετρήρεις δ' ἔμ μὲν τοῖς νεωρίοις παρέδομεν ΠΙΙΙ, ἔμ 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, *Seurkunden*, 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).

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, *Seurkunden*, pp. 93—100). The ἀρχιτέκτων of Dem. *de Cor.* § 28 is a different kind of official,—the manager of the Theatre of Dionysus.

παραδῶσιν] ὁ βουλευταὶ. τὴν δωρεάν] Dem. *Androt.* § 8, (νόμου) οὐκ ἐάντος ἐξ-

εἶναι μὴ ποιησαμένη τῇ βουλῇ τὰς τριήρεις αἰτῆσαι τὴν δωρεάν (=τὸν στέφανον, *ib.* 36).

τριηροποιούς] In Dem. *Androt.* 17 the treasurer of this body is mentioned: οὐχ ἡ βουλή γέγονεν αἰτία τοῦ μὴ πεποιθήσθαι τὰς ναυς, ἀλλ' ὁ τῶν τριηροποιῶν ταμίαις ἀποδρὰς ὄχουτο ἔχων πένθ' ἡμιτάλαντα. The reference to the τριηροποιοὶ in Aeschin. c. *Ctes.* 30 implies that they were an ἀρχὴ αἰρετή: οὐδ' αἱ φυλαὶ καὶ αἱ τριπτύες καὶ οἱ δῆμοι ἐξ ἐαυτῶν αἰροῦνται τὰ δημόσια χρήματα διαχειρίζειν. This last passage suggests that they were chosen by the tribes out of candidates nominated by the demes: the text implies that the choice rested with the βουλή. Probably the latter ratified, as a matter of course, the selection made by the tribes. Among similar commissioners elected by the tribes, may be mentioned the τεχνοποιοὶ and the ταφροποιοὶ; the ἀποστολεῖς were certainly elected ἐξ Ἀθηναίων ἀπάντων (Gilbert, i 250).

§ 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 τεμένη καὶ ἱερὰ καὶ οἰκίας, [Xen.] *de Vect.* iv 19.

ἀποφαίνει] 'formally denounces,' 'reports.' Ant. *de Chor.* 9, ἀποφῆναι καὶ ἐξελέγξασιν, Lys. 20 § 7 (οἱ κατήγοροι) ἀδικούντας ἀποφαίνουσι, and Dinarch. c. *Dem.* 48, κάμου κατέγνω πρότερον ἡ βουλή (the Areopagus), and *ib.* 49, ἀπέφηνεν ἡ βουλή.

παραδίδωσι δικαστηρίῳ] CIA i 59, (B.C. 410), [τὴν βουλήν] βουλευσῶν ἐν τῇ πρώτῃ ἐδ[ρα] ἐν τῷ βουλευτηρίῳ καὶ κολλάξει τῶν δωροδοκησάντων καταψ[ηφισμένην, καὶ εἰς δικαστήριον αὐτοῦ εἰσάγει]ν, καθότι ἂν δοκῇ αὐτῇ τ[ῶν δὲ δικαστῶν τοῦ] παρόντος ἀποφαίνειν, κτλ.

47. συνδιοικεῖ δὲ καὶ ταῖς ἄλλαις ἀρχαῖς τὰ πλείστα. πρῶτον μὲν γὰρ οἱ ταμίαι τῆς Ἀθηνᾶς εἰσὶ μὲν δέκα, κλ[ηροῦται] δ' εἰς ἓκ τῆς φυλῆς, ἓκ πεντακοσιομεδίμων κατὰ τὸν Σόλωνος νόμον (ἔτι γὰρ ὁ νόμος κύριός ἐστιν), ἄρχει δ' ὁ λαχὼν κἂν πάνυ πένης 5 ἦ. παραλαμβάνου[σι δὲ τ]ό τε ἄγαλμα τῆς Ἀθηνᾶς καὶ τὰς Νίκας καὶ τὸν ἄλλον κόσμον καὶ τὰ χρ[ήματ]α ἐναντίον τῆς βουλῆς.

XLVII 2 κληροῦται δ' Gertz (edd.): κληρωτοὶ κ¹. 2, 7 κληροῦνται δ' εἰς ἓκ ἐκάστης φυλῆς Wyse coll. 61, 2; — ἐκ τῆς φυλῆς <ἐκάστης> Bury. 6 ἄχρηματα ἱερά τε καὶ δημοσία Phot. et Bekk. An. 7 K-W.

TESTIM. § 1 * Harp. ταμίαι: ... ἀρχὴ τις παρ' Ἀθηναίους ἦν οἱ ταμίαι δέκα τὸν ἀριθμὸν. παραλαμβάνουσι δ' οὗτοι "τό τε ἄγαλμα—βουλῆς," ὡς φησὶν Ἀρ. ἐν Ἀθ. πολ. Phot. (Bekk. An. 306, 7): ἀρχοντές εἰσιν Ἀθήνησι κληρωτοὶ ἀπὸ τῶν πεντακοσιομεδίμων, οἱ τὰ ἐν τῷ ἱερῷ τῆς Ἀθηνᾶς ἐκ ἀκροπόλεως χρήματα ἱερά τε καὶ δημοσία φυλάττουσιν, ἀλλὰ καὶ αὐτὸ τὸ ἄγαλμα τῆς Ἀθηνᾶς <καὶ τὸν κόσμον add. Bekk. An. l. c.>. Pollux viii 97: ταμίαι τῆς θεοῦ κληρωτοὶ μὲν ἐκ πεντακοσιομεδίμων ἦσαν, τὰ δὲ χρήματα παρελάμβανον τῆς βουλῆς παρουσίας.

XLVII § 1. οἱ ταμίαι τῆς Ἀθηνᾶς] The full title is ταμίαι τῶν ἱερῶν χρημάτων τῆς Ἀθηνᾶς. This is found in the inventories of the treasures in the Parthenon, the Hecatompedes and the Pronaos (CIA i 117—175), and in the records of payments from the treasury 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, *Seurkunden*, p. 465). See Boeckh II v; Schömann, p. 418; Gilbert, i 234; and cf. note on 30 § 2, ταμίαι τῶν ἱερῶν χρημάτων κτλ.; also Panske, *de Magistratibus Atticis*, 1890, i pp. 13—46.

Σόλωνος νόμον] 8 § 1, κληροῦν τοὺς ταμίαις ἐκ πεντακοσιομεδίμων.

ἄρχει 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 Παναθήναια).

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 Νίκας τὰς

χρυσᾶς καὶ τὰ π[ομπεία]. The number was probably ten. About 407/6 eight of these were melted down and made into gold coin, the κωνὸν χρυσίον 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 χρυσῆ 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 Ἀθηνᾶς 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 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 Stratoles, preserved in [Plut.] ii 852, recites that Lycurgus αλρεθεῖς ὑπὸ τοῦ δήμου χρήματα πολλὰ συνήγαγεν εἰς τὴν ἀκρόπολιν καὶ παρασκευάσας τῇ θεῷ κόσμον Νίκας τε ὀλοχρόσους πομπεία τε χρυσᾶ καὶ ἀργυρᾶ καὶ κόσμον χρυσοῦν εἰς ἑκατὸν κανηφόρους (cf. *ib.* *vii.* *Lycurg.* § 5, πομπεία τε χρυσᾶ καὶ ἀργυρᾶ τῇ πόλει κατεσκεύασε καὶ Νίκας χρυσᾶς, and Paus. i 29, 16, κατεσκεύασε δὲ πομπεία τῇ θεῷ καὶ Νίκας χρυσᾶς καὶ παρθένους κόσμον ἑκατὸν). 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

2 ἔπειθ' οἱ πωληταὶ δέκα μὲν εἰσι, κληροῦνται δ' εἰς ἓκ τῆς φ[υλῆς. μισθ]οῦσι δὲ τὰ μισθώματα πάντα καὶ τὰ μέταλλα πωλοῦσι, καὶ τὰ τέλη [μετὰ τ]οῦ ταμίου τῶν στρατιωτικῶν καὶ τῶν ἐπὶ τὸ θεωρικῶν ἡρημένων ἐναντίον τῆς [βουλῆς] κατακυροῦσιν ¹⁰ ὅτφ ἂν ἡ βουλή χειροτονήσῃ· καὶ τὰ πραθέντα μέταλλα, [τά τ'] ἐργάσιμα τὰ εἰς τρία ἔτη πεπραμένα, καὶ τὰ συγκεχωρημένα τὰ

11 μέταλλα [ῥσα] κ;εἰ Η-Λ (in papyro scriptum non εἰ, sed ἄρ vel ἄγ vel αἰ; μ. τὰ τ' κ-ω (B), ΜΕΤΑΛΛΑ ΤΑΤΑΡΕΡΓ deletis ἄρ sec. κ-ω). In archetypō erat fortasse ΤΑ Τ ΑΡΓΑ Κ ΤΑ ΕΡΓΑΣΙΜΑ. 12 συγκεχωρημένα Poland, Busolt.

§§ 2, 3 *Harp. πωληταί: οἱ μὲν πωληταὶ ἀρχὴ τίς ἐστίν Ἀθήνησι, δέκα τῶν ἀριθμῶν ἄνδρες, εἰς ἓκ φυλῆς ἑκάστης. διοικοῦσι δὲ τὰ πιπρασκόμενα ὑπὸ τῆς πόλεως πάντα, τέλη καὶ μέταλλα καὶ μισθώσεις καὶ τὰ δημεύμενα... διελκεταὶ δὲ περὶ αὐτῶν καὶ Ἄρ. ἐν Ἀθ. πολ. Fere eadem in Bekk. An. 291, 17 et Lex. Dem. Patm. p. 14. Pollux viii 99: πωληταὶ τὰ τέλη πιπράσκουσι "μετὰ τῶν ἐπὶ τὸ θεωρικῶν ἡρημένων," καὶ τὰς "τῶν ἐξ Ἀρείου πάγου" μετὰ τὸν πρότερον λόγον φυγόντων οὐσίας καὶ τὰ δεδημευμένα (Frag. 401², 441³).

στρατιωτικῶν was spent *eis tas Nika[s] καὶ* τὰ π[ομ]πτεία (CIA ii 739). These may be identified with certainty as the Νίκαί of the text. κόσμος refers in part to the κόσμος κληφορικὸς (CIA ii 162, frag. c 10), including δίφοροι, ὑποδερίδες (necklaces), ἀμφιδεαί (bracelets), and στέφανοι (ii 741 B c 3—5). Cf. Michaelis, *Parthenon*, p. 292; Boeckh, note 719 Fränkel; Foucart, *Les Victoires en or de l'Acropole*, *Bull. de corr. hellén.* xii 283—; and Diirrbach, *Lycurgus*, pp. 80—91.

§ 2. πωληταί] Hermann, *Staatsalt.* § 151, 2; Schömann, p. 417; Gilbert, i 227; Panske, *de Magistratibus Atticis*, i p. 10.

μισθούσι κτλ.] 'farm out the public contracts.' Thus the contracts for setting up tablets inscribed with public documents (στήλαι) were let out by the πωληταί (Ditt. no. 13, 51; 43, 35; 45, 8). The contract for building the walls of 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 διαγραφὰ μετὰλλων drawn up by the πωληταί.

τὰ τέλη] Most of the tolls, customs and taxes were farmed by τελώναι (Boeckh, III viii; Gilbert, i 335; *Dict. Ant. s.v.*).

τοῦ ταμίου τῶν 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 ταμίαι τῶν στρατιωτικῶν. The first to hold this office was Callias, the brother-in-law of Lycurgus ([Πλλτ.] *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 ταμίαι 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 (Ἀθήν. vi 152), which implies that the ταμίαι τῶν στρ. was not yet in existence (A. Schaefer in *Rhein. Mus.* xxxiii 431, quoted by Gilbert i 237 n. 3, and *Dem. u. s. Zeit.*, II² 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 (Diirrbach, *Lycurgus*, p. 32). It is at present therefore impossible to assume any earlier date than 338 for its institution.—The same official took part in superintending the Panathenaic games (49 § 3).

τῶν ἐπὶ τὸ θεωρικῶν] These financial officers were apparently instituted under the administration of Eubulus, between 354 and 339. The plural here decides the question whether there was only one official of the name, or more. Boeckh (II vii, p. 249²) supposed that there were ten. The pl. in Aeschin. c. *Ctes.* 25, οἱ ἐπὶ τὸ θ. κεχειροτονημένοι used to be understood of successive holders of the office. Cf. Gilbert, i 230.

τρία ἔτη] It has hitherto been supposed

εἰς <τρία> ἔ[τη] πεπραμένα. καὶ τὰς οὐσίας τῶν ἐξ Ἀρείου
 πάγου φευγόντων καὶ τῶν [ὀφειλε]τῶν ἐν[αντίου τῆς] βουλῆς
 15 πωλοῦσιν, κατακυροῦσι δ' οἱ ἐννέα ἄρχοντες· καὶ τὰ τέλη τὰ εἰς
 ἐνιαυτ[όν] πεπραμένα, ἀναγράφαντες εἰς λελευκωμένα γραμματεῖα
 τόν τε πριάμενον καὶ [ὄσου] ἂν πρήται, τῇ βουλῇ παραδιδόασιν.
 ἀναγράφουσιν δὲ χωρὶς μὲν οὐς δεῖ κατὰ πρυ[τ]ανεῖαν ἐκάστην 3
 καταβάλλειν εἰς δέκα γραμματεῖα, χωρὶς δ' οὐς τ[ρὶς τοῦ] ἐνιαυτοῦ,

13 εἰς . ἔτη κ³, κ-W, 'εἰς γ' ἔτη dubitanter nunc legit κ', εἰς τρία ἔτη B: [εἰς αἰέ] H-L.

14 [ὀφειλε]τῶν? κ³: [ἔξ ἔφε]τῶν dubitanter κ-W; ἀτιμῶν (quod quondam coniecti) acceperunt H-L; ἀλλ (i.e. ἄλλως vel ἄλλοθεν) post τ(ων) agnoscis posse putat B qui τῶν [ἄλλοθεν ἐ]ν[αντίου] dedit.

17 [ὄψσου] Tyrell, H-L: ὄσου spatiosius κ-W, κ³, B. 18 τῆν ante πρυτανεῖαν ins. B. 19 τ[ρὶς τοῦ] κ-W, B; τ[ελοῦντος] κ¹, τ[έλει τοῦ] κ²³; πρὸ τέλους H-L.

that the state never let the mines for a 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 πωληται '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 $\frac{1}{2}\tau$ 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 Hyperides, *Eux.* col. xliv, and [Dinarchus] fragm. in Baiter 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. 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 πρυτανεῖα (*ib.* 780) for the small sum of 150 dr.

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 § 69), 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 ἀδροφόνων τῶν ἐξεληλυθόντων, ὧν τὰ χρήματα ἐπίτιμα.

τῶν ὀφειλετῶν] If a debt to the treasury remained unpaid at the ninth prytany, it was doubled and the debtor's property sold (Andoc. *De Myst.* 73; Dem. c. *Nicasstr.* p. 1255 § 27; c. *Neaer.* p. 1347 § 7).

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, λεύκωμα ἐστὶ πιναξ γύψω ἀηλιμμένος, πρὸς γραφὴν πολιτικῶν γραμμάτων ἐπιτήδειος.

§ 3. καταβάλλειν...καταβολήν] of payment by instalments, as in [Dem.] c. *Neaer.* 27, ἐωνημένους τὴν πενητηκοστὴν τοῦ σίτου...καὶ δέον αὐτὸν καταβάλλειν τὰς καταβολὰς εἰς τὸ βουλευτήριον κατὰ πρυτανεῖαν, c. *Timocr.* 98, αἱ τῶν τελῶν καταβολαί.

γραμματεῖον κατὰ τὴν καταβολὴν ἐκάστην ποιήσαντες, χωρὶς δ' ²⁰
οὓς [ἐπὶ] τῆς ἐνάτης πρυτανείας. ἀναγράφουσι δὲ καὶ τὰ χωρία
καὶ τὰς οἰκίας [τὰ ἀπογραφ]έντα καὶ πραθέντα ἐν τῷ δικαστηρίῳ
καὶ γὰρ ταῦθ' οὗτοι πωλ[ούσιν. ἔστι] δὲ τῶν μὲν οἰκιῶν ἐν πέντε
⁴ καταβάλλουσιν δὲ ταῦτα ἐπὶ τῆς ἐνάτης πρυτανείας. εἰσ[φέ]ρει ²⁵
δὲ καὶ ὁ βασιλεὺς τὰς μισθώσεις τῶν <τε>μενῶν ἀναγράφας ἐν
γραμματε[ῖοις λελευκ]ωμένους. ἔστι δὲ καὶ τούτων ἡ μὲν μίσθωσις

22 [τὰ ἀπογραφ]έντα Wyse, K-W, H-L, K³; τάπογρ. B; τὰ μισθωθ]έντα K¹.
23 [ἔστι] δὲ K-W, K³, B; καὶ H-L. 25 καταβάλλουσι H-L. εἰσφέρει K-W,
K³, B; παραδίδωσι quondam Paton (H-L). 26 Τ(ΩΝ) Μ(ΕΝ)ΩΝ: τῶν τεμενῶν
Wyse, Blass, (K-W, H-L, K³). 27 suppleverunt Jackson, van Leeuwen (edd.).

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 πωληται 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 ὄντα); also 811 col. c 183—195, κατεβλήθη ἐξ ἀπογραφῆς, ἧς ἀπέγραφεν—τοῦτο κατεβλήθη πρὸς πωλητὰς τοὺς ἐφ' Ἠγησίου ἀρχοντος, B.C. 324/3; cf. Boeckh, *Seurkundern*, p. 543.

πέντε...δέκα] These details have been hitherto unknown. The only definite statement about the rent of a house is in Isaeus i 1 § 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 sqq. Ἀδούσιος εἶπε· εἶρξαι τὸ λερόν τὸ Κόδρου καὶ τὸ Νηλέως καὶ τῆς Βασιλῆς (Plat. *Charit.* 153 A) κ[α]ὶ μισθῶσαι τὸ τέμενος κατὰ τὰς συναγραφάς, οἱ δὲ πωληται τὴν εἶρξ[ω] ἀπομισθώσαντων, τὸ δὲ τέμενος ὁ βασιλεὺς ἀπομισθώσάτω κατὰ [τ]ὰς ξυνογραφάς. . . . τὸ δὲ ἀργύριον ἐς τὴν εἶρξιν ἀπὸ τοῦ τεμένου εἶναι, πράξει δὲ ταῦτα πρὶν ἢ ἐξέειναι τήνδε τὴν βουλὴν ἢ

εὐθύνεσθαι χιλιασι δραχμῆσι ἕκαστον κατὰ τὰ εἰρημένα. v. 11 sqq.: Ἀδούσιος εἶπε· τὰ μὲν ἄλλα καθάπερ τῆ βουλῆ· ὁ δὲ βασιλεὺς μ[ε]λίσθωσάτω καὶ οἱ πωληται τὸ τέμενος τὸ Νηλέως καὶ τῆς Βασιλῆς κα[τὰ] τὰς ξυνογραφάς ἐκοσι ἔτη. τὸν δὲ μισθωσάμενον εἶρξαι τὸ εἶρξ[ω]ν τὸ Κόδρου καὶ τὸ Νηλέως καὶ τῆς Βασιλῆς τοῖς ἐαυτοῦ τέλεσιν. ὁπ[ὸ]σσην δ' ἂν ἄλλη μισθ[ω]σιον τὸ τέμενος κατὰ τὸν ἐναυτὸν ἕκαστον, καταβάλλέτω 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 Αἰγυπιοῦ πρυτανείας, εὐθυνέσθω μωρίησι δραχμῆσιν. τὸν δὲ εἰ[ω]νημένον τὴν ἰλὴν ἐκκομίσασθαι ἐκ τῆς τάφρου ἐπὶ τῆσδε τῆς βουλῆς ἀπόδοντα τὸ ἀργύριον τῷ Νηλεῖ ὅσον ἐπρίατο. ὁ δὲ βασιλεὺς ἐξαλειψ[ά]τω τὸν πριάμενον τὴν ἰλὴν ἐπειδὴ ἀποδῶ τῆμ μίσθωσιν, τὸν δὲ μισθωσάμενον τὸ τέμενος καὶ ὅπσον ἂν μισθώσῃται ἀντενγραφάτω ὁ βασιλεὺς ἐς τὸν τοῖχον καὶ τοὺς ἐγγυητὰς κατὰ τὸν νόμον ὅσπερ κείται (περὶ) τῶν τεμενῶν. Cf. J. R. Wheeler in *American Journal of Archaeology*, iii, nos. 1 and 2.

The βασιλεὺς is associated with other officials in an inscr. of B.C. 329, Ἐφ. Ἄρχ. iii, 1883, p. 110 B 29, [τῶν τεμενῶν] ἂ ἐμισθῶσαν ὁ βασιλεὺς καὶ οἱ πάρεδρα καὶ οἱ ἐπιπράτ[τ]αι οἱ Ἐ[μ]ε[μ]ισθῶσθαι καὶ οἱ ἐπιμεληται τῶν μιστηρίων.

τὰς μισθώσεις τῶν τεμενῶν] [Dem.] 43 § 58, τοὺς μὴ ἀποδιδόντας τὰς μισθώσεις τῶν τεμενῶν. Didymus ap. Harpocr. s.v. ἀπὸ μισθωμάτων (Isocr. *Areop.* 11)... ἐκ τῶν τεμενικῶν προσδων. [Xen.] *de Vect.* iv 19, μισθοῦνται γούν καὶ τεμένη καὶ ἱερὰ καὶ οἰκίας, καὶ τέλη ὠνοῦνται παρὰ τῆς πόλεως. Plat. *Leg.* 759 E.

εἰς ἔτη δέκα, καταβάλλεται δ' ἐπὶ τῆς [ἐνάτης] πρυτανείας· διὸ
καὶ πλείστα χρήματα ἐπὶ ταύτης συλλέγεται τῆς πρυ[τα]νείας.
30 εἰσφέρεται μὲν οὖν εἰς τὴν βουλὴν τὰ γραμματ[εῖα τὰ] τὰς κατα-
βολὰς ἀναγεγραμμένα, τηρεῖ δ' ὁ δημόσιος· ὅταν δ' ἢ χρ[ημάτων]
καταβ[ολή], παραδίδωσι τοῖς ἀποδέκταις αὐτὰ ταῦτα καθελῶν ἀπὸ
τῶν] ἐπιστυλίων ὧν ἐν ταύτῃ τῇ ἡμέρᾳ δεῖ τὰ χρήματα καταβλη-
[θῆν]αι [καὶ ἀ]παλειφθῆναι· τὰ δ' ἄλλα ἀπόκειται χωρὶς ἕνα μὴ
35 προεξαλλ[εῖφθῆ].

48. [εἰσὶ] δ' ἀποδέκται δέκα, κεκληρωμένοι κατὰ φυλᾶς·

30 κ? τας, καὶ per errorem scriptum putat K: [τὰ] τὰς K-W, B; πάντων τὰς H-L sed spatium non sinit. 32 καθελῶν] ἀπ[ὸ τῶν] van Leeuwen (H-L, K³, B): καθελῶν] ἐκ [τῶν] K-W sed l incertum et ἐκ valde dubium putat K. 33 λει, ante τὰ χρήματα K³, K-W, B; om. H-L. καταβληθῆναι καὶ K-W, K³, B: καταβληθέντα δεῖ H-L. 34 ἀλειφθῆναι corr. K. 35 προεξαλλ[εῖφθῆ] K³, K-W, B: προεξαλλ[εῖφθῆ] H-L.

TESTIMONIA. XLVIII §§ 1, 2 * Harp. ἀποδέκται :... Ἄρ. δ' ἐν τῇ Ἀθ. πολ. δεδήλωκεν ὡς δέκα τε εἴσαν καὶ ὡς "παραλαβόντες—χρήματα" τῆς βουλῆς ἐναντίον "ἐν τῷ—δημοσίῳ." καὶ ἀπλῶς ἀ πράττουσι διασαφεῖ. Bekk. An. 198, 1 (Etym. M. 124, 41;

ἔτη δέκα.] CIA ii 1059 (= *Inscr. Brit. Mus.* p. 24 xiii), in B.C. 321, μισθοῖσι Πειραιεῖς Παραλιῶν καὶ Ἀλμυρίδα καὶ τάλλα τεμμένη 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 τεμμένη τὰ τοῦ θεοῦ εἰς ἔτη δέκα κατὰ τὴν λεῖρην 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 (see note on *οφειλετῶν*, *supra*, § 2).

§ 5. ὁ δημόσιος] 'the public clerk'; slaves were employed as ἀντιγραφεῖς or 'checking-clerks.' *Dict. Ant. s.v.*, and Gilbert, i 323 n. 3.

ἀποδέκται] 48 § 1. αὐτὰ ταῦτα, sc. τὰ γραμματεῖα.

ἐπιστυλίον] 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), Πάρασατάδας καὶ κίονα καὶ τὰ ἐπάνω αὐτῶν ἐπιστύλια καὶ ψαλίδας): 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. K-W translate it *repositorium* or *loculi*. Haussonllier suggests a modern parallel in 'certains 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 annulling laws and decrees (in Lys. i § 48, and Andoc. *De Myst.* 76), and to cancelling debts (in Dem. 25 § 70, ἐξαλήπται τὸ ὀφλημα, and CIA i 32, 10, ἀποδόντων τὰ χρήματα καὶ ἐξαλειφόντων). Cf. CIA iv *fasc.* 2, 53 a, ἐξαλειψάτω contrasted with ἀντενγραφάτω.

XLVIII § 1. ἀποδέκται] 'general receivers.' These officials were instituted

οὔτοι δὲ παραλαβόντες τὰ [γρα]μματεῖα, ἀπαλείφουσι τὰ καταβαλλόμενα χρήματα ἐναντίον [τῆς βουλῆς] ἐν τῷ βουλευτηρίῳ, καὶ πάλιν ἀποδιδόασιν τὰ γραμματεῖα [τῷ δη]μοσίῳ· κἄν τις ἐλλίπη καταβολήν, ἐνταῦθ' ἐγγέγραπται, καὶ διπλ[οῦν ἀ]νάγκη τὸ 5 [ἐλλ]ειφθὲν καταβάλλειν ἢ δεδέσθαι, καὶ ταῦτα εἰσπρά[ττειν ἢ 2 β]ο[υ]λῆ καὶ δῆσαι [κυρ]ία κατὰ τοὺς νόμους ἐστίν. τῇ μὲν οὖν προτεραίᾳ δέχονται τὰ χρ[ήματα] καὶ μερίζουσι ταῖς ἀρχαῖς, τῇ δ' ὑστεραίᾳ τὸν τε μερισμὸν εἰσ[φέρου]σι γράψαντες ἐν σανίδι καὶ καταλέγουσιν ἐν τῷ βουλευτηρίῳ, καὶ π[ροτιθέ]ασιν ἐν τῇ βουλῇ 10 εἴ τις τινα οἶδεν ἀδικοῦντα περὶ τὸν μερισμὸν ἢ ἄρ[χοντα] ἢ ἰδιώτην, καὶ γνώμας ἐπιψηφίζουσιν ἐάν τις τι δοκῇ ἀ[δικεῖν].

3 κ]ληροῦσι δὲ καὶ λογιστὰς ἐξ αὐτῶν οἱ βουλευταὶ δέκα τοὺς

XLVIII 4 ἀποδιδάσι H-L.

5 ΕΝΤΕΥΘΕΝΓΕ, ἐντεῦθεν γέγραπται K: ἐνταῦθ'

ἐγγέγραπται Herwerden, Kontos, Gertz (H-L, K-W, B). διπλοῦν ἀνάγκη van

Leeuwen (K-W, H-L, K³, B). 9 εἰσφέρουσι van Leeuwen (K-W, H-L, K³).

10 προτιθέασιν olim conieci (H-L), idem habent K-W, K³, B.

Zonaras 234; Bekk. *An.* 427, 13): ἄρχοντες κληρωτοὶ, δέκα τὸν ἀριθμὸν κατὰ φυλὴν εἰσιν, οἷνες παρελάμβανον καὶ ἀπεδέχοντο τὰ γραμματεῖα τῶν ὀφειλόντων τῷ δημοσίῳ... εἶτα ἐξήταζον τὰ τε ὀφειλόμενα καὶ τὰ ἀποδιδόμενα χρήματα σὺν τῇ βουλῇ καὶ ἐμέριζον εἰς ἀρχὴ ἀναλλοκνε (Frag. 400², 440³). Schol. in Aeschin. 3 § 25 ἀποδέκται ἦσαν οἱ δεχομένοι τὰ χρήματα τῶν καταβολῶν κτλ.

§ 3 *Harp. λογισταί:...εἰσι δὲ τὸν ἀριθμὸν δέκα (ἐκάστης φυλῆς εἰς Schol. in Aeschin.

by Cleisthenes to take over most of the duties previously performed by the κωλακρέται (Androktion 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' ᾧ φυλαττόντων μερίζονται (cf. l. 8 μερίζουσι) πρὸς ἐκάστην διοίκησιν· καλοῦσι δ' ἀποδέκτας τοῦτους καὶ ταμίας, also in an inscr. of 418/7 B.C. quoted in note on § 4, ὁ βασιλεὺς. See Boeckh, II iv; Schömann, p. 417; Gilbert, i 226; and *Dict. Ant. s. v.*; also Panske, *de Magistratibus Atticis*, i 46—60.

τὰ καταβαλλόμενα χρήματα ἐναντίον τῆς βουλῆς] CIA II 807 col. b 15, τοῦτο καταβάλλομεν ἀποδέκταις in B.C. 330/29; b 30, in B.C. 329/8; 803 col. d 93 and 138, ὁ εἰς βουλευτηρίον καταβάλλομεν, B.C. 360 and 363.

ἐλλίπη καταβολήν] 'fail to pay an instalment.' Polyb. iv 60, 2, ἐλλειλοπέναι τινα τῶν ὀφωνίων.

ἐνταῦθ' ἐγγέγραπται] 'it is entered in this document'; this seems preferable to ἐντεῦθεν γέγραπται, 'a note is made of it from this record' (K.). ἐγγράφειν is specially applied to entering the names of state-debtors, Dem. 25 § 70 (cf. L and S, II 3).

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 βουλῆ (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 καταβαλλομένων χρημάτων ἐπειδὴν τὰ ἐκ τῶν νόμων μερίσωσι. *Ib.* 181, τοὺς δὲ ἀποδέκτας μερίσαι τῷ ἀρκ[θ]εώρῳ δε ἂν αἰεὶ ἀρκ[ε]θ[ω]ρήσῃ τὸ ἀργύριον. 115 b 44, [τὸ ἀργ]ύριον τοῦτο μερίζειν τ[ὸ]ς ἀποδ[έ]κτας τῷ ταμίᾳ τοῦ δήμου εἰς τὸν ἐναντιὸν ἕκαστον. 834 b (B.C. 329/8) col. ii 3, τὸ μερισθὲν εἰς τὰ ἔργα παρ' ἀποδεκτῶν ἐπιστάταις ἔλευσινοθεν. *Pol.* 1321 b 31, quoted above. Cf. Boeckh, i 210 n. a, Fränkel.

μερισμὸν] 'the apportionment'; rarely found in this sense. For exx. see Dittenberger, no. 344, 18, 21, 23.

σανίδι] rare in sing. Dem. 25 § 70 (of the record of a debt) ἢ σάνις ἢ παρὰ τῇ θεῷ κειμένῃ.

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 λογισταί in the text are a

λογιουμένους τ[αῖς ἀρ]χαῖς κατὰ τὴν πρυτανείαν ἐκάστην. κλη- 4
 15 ροῦσι δὲ καὶ εὐθύνοισ, ἕνα τῆς φυλῆς ἐκάστης, καὶ παρέδρους
 δύο ἐκάστῳ τῶν εὐθύνων, οἷς ἀναγκαῖόν ἐστι ταῖς ἀ[γορ]αῖς κατὰ
 τὸν ἐπάνυμον τὸν τῆς φυλῆς ἐκάστης καθῆσθαι, κἄν τις βού[ληται]
 τινι τῶν τὰς εὐθύνας ἐν τῷ δικαστηρίῳ δεδωκότων, ἐντὸς τριῶν
 ἡ[μερῶν ἀφ'] ἧς ἔδωκε τὰς εὐθύνας, εὐθυναί, ἂν τ' ἰδίαν ἂν τε

16 ταῖς ἀ[γορ]αῖς K (K-W): ταῖς εὐθύναις H-L et B invita papyro. ΚΑΤΑ (K, B):
 παρὰ van Leeuwen (K-W, H-L). 17 ἐκάστης K, K-W; ἕκαστον H-L; ἐκάστο[ι]ς B;
 post τ prior tantum pars litterae η vel ο dispici potest. 19 ἂν τ' ἰδίαν ἂν τε
 δημοσίαν optime Gertz (H-W, κ³, ἐάν τ'—ἐάν τ'—H-L).

3 § 15; cf. ib. § 9), οἱ τὰς εὐθύναις τῶν διωκημένων ἐκλογίζονται ἐν ἡμέραις ἄ, ὅταν τὰς
 ἀρχὰς ἀποθῶνται οἱ ἀρχόντες... διελκεται περὶ τούτων Ἄρ. ἐν τῇ Ἄθ. πολ., ἕνα δεικνύται
 ὅτι διαφέρουσι τῶν εὐθύνων. Pollux viii 99: καὶ τούτους ἢ βουλή κληροὶ κατ' ἀρχὴν ὡς
 παρακολουθεῖν τοῖς δικαστοῖς.

§ 4 *Harp. εὐθνοὶ:—δέκα τὸν ἀριθμὸν ἦσαν ἄνδρες, παρ' οἷς ἐδίδοσαν οἱ πρσβεύσαντες
 ἢ ἀρξάντες ἢ διοικήσαντές τι τῶν δημοσίων τὰς εὐθύναις. διελκεται περὶ αὐτῶν Ἄρ. ἐν
 τῇ Ἄθ. πολ. Phot. εὐθνοὶ: ἀρχὴ ἦν τις. ἐξ ἐκάστης δὲ φυλῆς ἕνα κληροῦσι· τούτῳ
 δὲ δύο παρέδρους (Frag. 405², 445³).

committee of the Council. They are there-
 fore to be distinguished from the board of
 λογισταί, who, with their συνήγοροι, audit
 the accounts of all officials at the close
 of their term of office. The officials ap-
 pointed by lot are enumerated in c. 50—
 64; c. 54, in which the λογισταί are named,
 is introduced with the words: κληροῦσι
 δὲ καὶ τάσδε τὰς ἀρχάς. 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 τῷ θεωρικῶν
 ἡρημένοι (CIA ii 739), and the βουλευτῆς
 described as ἐπὶ τῷ θεωρικῶν (CIA ii 114
 c 5), existing by the side of the official
 board οἱ ἐπὶ τῷ θεωρικῶ. The double
 sense of λογισταί is confirmed by Pollux
 viii 99, λογισταί δύο ἦσαν ὁ μὲν τῆς βουλῆς
 ὁ δὲ τῆς διοικήσεως, καὶ τούτους ἢ βουλή
 κληροὶ κατ' ἀρχὴν ὡς παρακολουθεῖν τοῖς
 διοικοῦσιν (Lipsius, *Leipzig Verhandl.* pp.
 66, 67). λογισταί δύο is the reading in
 Bekker's best MS; the rest have δύο δ',
 making it refer to the ἀντιγραφεῖς (see
 54 § 3).

τοῖς λογιουμένοις—πρυτανείαν ἐκάσ-
 τιν] Lys. 30 § 5, οἱ μὲν ἄλλοι τῆς αὐτῶν ἀρχῆς
 κατὰ πρυτανείαν λόγον ἀποφέρουσι (ἀναφέ-
 ρουσι MSS). The text shews that this pas-
 sage was rightly understood by Schömann,
 as referring to the accounts which had to
 be presented to the λογισταί, and not to the
 ἐπιχειροτομία τῶν ἀρχῶν (43 § 4). ἀναφέ-
 ρειν nihil aliud esse potest quam quod alibi

dicitur λόγον ἐγγράφειν, hoc est perscrip-
 tam rationem ad eos, quibus ea examinanda
 est, deferre, quemadmodum ipsum Lysiam
 mox hoc verbo ἐγγράφειν uti videmus, et
 Aeschines quoque ἀποφέρειν λόγον πρὸς
 τοὺς λογιστάς dicit, in Ctesiph. § 22, eodem
 sensu quo paullo ante, § 20, λόγον ἐγγρά-
 φειν πρὸς τοὺς λογιστάς dixerat' (*Orusc.*
Acad. i 295).

§ 4. εὐθύνουσι 'Examiners of accounts.'
 Harp. in *Testim.* At the audit of accounts
 by the board of λογισταί, the εὐθνοὶ were
 entitled to bring charges against the
 ὑπεύθυνος. The assessors of the εὐθνοὶ
 are mentioned in Andoc. *De Myst.* 78,
 ὅσων εὐθνοὶ τινὲς εἰσι κατεγνώσμεναι ἐν
 τοῖς λογιστηρίοις ὑπὸ τῶν εὐθύνων καὶ
 (ἢ MSS) τῶν παρέδρων, and in CIA 809 b,
 ὀφειλέτω ὁ μὴ ποιήσας μυριάς δραχμῶν
 ἰεράς τῇ Ἀθηναῖ καὶ ὁ εὐθνοὶ καὶ οἱ
 πάρεδροι ἐπάναγκες αὐτῶν καταγεγνώσ-
 κύντων ἢ αὐτοὶ ὀφειλόντων. In CIA ii 571
 (B.C. 368), the εὐθνοὶ (of a deme) is
 mentioned together with his πάρεδροι;
 and *ib.* 578, the εὐθνοὶ (of another deme)
 with the λογιστῆς and the συνήγοροι.

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.* pp. 66, 67.

ταῖς ἀγοραῖς] i.e. at the regular
 meetings held by the several tribes for
 the transaction of tribal business. CIA
 ii 555, τῇ κυρῆ ἀγορᾷ κρύβδην ψηφισα-
 μένων τῶν φυλετῶν ἐν τῇ ἀκροπόλει,

δ[ημοσίαν], ἐμβαλέσθαι, γράφας εἰς πινάκιον λελευκωμένον τοῦ-
νομα τό <τε> [αὐτο]ῦ καὶ τὸ τοῦ φεύγοντος καὶ τὸ ἀδίκημ' ὅ τι ἂν
ἐγκαλῆ, καὶ τίμημα [ἐπιγραφά]μενος ὅ τι ἂν αὐτῷ δοκῆ, δίδωσιν
5 τῷ εὐθύνῳ· ὁ δὲ λαβὼν τοῦτο καὶ ἀ[νακρίνας], εἴαν [[μὲν]] καταγνῶ,
παραδίδωσιν τὰ μὲν ἴδια τοῖς δικασταῖς τοῖς κατὰ δ[ήμους, τοῖς] τὴν
φυλὴν ταύτην εἰσάγουσιν, τὰ δὲ δημόσια τοῖς θεσμοθέτα[ις ἐπι-] 25
γράφει, οἱ δὲ θεσμοθέται, εἴαν παραλάβωσιν, πάλιν εἰσάγουσιν
[τὴν] εὐθυναν εἰς τὸ δικάστηριον, καὶ ὅ τι ἂν γνῶσιν οἱ δικαστ[αί,
τοῦτο κύ]ριόν ἐστι.

49. δοκιμάζει δὲ καὶ τοὺς ἵππους ἢ βουλή, κὰν μὲν τις καλὸν

21 τὸ αὐτοῦ Blass, Richards, H-L, K³; τό τε αὐτοῦ K-W. 22 [ἐπιγραφό]μενος
Wyse, Lipsius (K³); [ἐπιγραφά]μενος H-L, B; ὑ[πογραφώ]μενος K-W, sed u valde incer-
tum putat K. δίδωσι H-L. 23 ἀ[νακρίνας] Wayte, Lipsius: ἀ[ναγνοῦς] Blass,
K-W, H-L, K³, quamquam vel propter proximum καταγνῶ suspectum; ἀ[κούσας] K¹.
μὲν secl. K-W, B. 24 legendum fortasse τὰ μὲν ἴδια παραδίδωσιν, alioqui in altero
membro verbum languet. τοῖς τὴν B; οἱ τὴν cet. 25 ΕΙΣΑΓΟΥΣΙΝ K, H-L, B:
δικάζουσιν coni. Richards, Thompson (K-W). [ἀνα]γράφει K, H-L; [ἐγ]γράφει
Lipsius; [ἐπι]γράφει B; [τίμημα δ' ὑπο]γράφει K-W, sed spatium non sinit. 26 εἰσά-
γουσι H-L. 28 τοῦτο κύριόν ἐστι van Leeuwen (K-W, H-L, K³, B).

XLIX 1—2 καλὸν ἵππον K-W (K³, B); καλ[ῶς] ἔχων K¹ qui nunc in papyro ONI
agnoscit; κατὰστασιν Wyse (H-L).

554 b, ἐν τῇ ἀγορῇ (of the tribe Pandi-
onis), 564, ὅταν ἀγορὰν ποιῶσιν (Gilbert,
i 192).

ἂν τ'...ἂν τε] Kühner, § 541.

ἐμβαλέσθαι of formally 'putting in' a
document, Dem. p. 1014, 25, ἐμβεβλη-
μένους οὐδεμίαν μαρτυρίαν, 1104, 6; 1203,
26, ἐμβαλομένου γὰρ ἐμοῦ τὸν ὄρκον εἰς τὸν
ἔχονα.

τίμημα ἐπιγραφάμενος] Arist. *Plut.*
480, τι δὴτά σοι τίμημ' ἐπεγράψω τῇ δίκῃ;
Lex ap. Aeschin. i § 16, τίμημα ἐπι-
γραφάμενος. Dem. 29 § 8, τῶν ἐπιγε-
γραμμένων ('the damages claimed') ἐτί-
μησαν.

§ 5. ἀνακρίνας—καταγνῶ] The exami-
nation of the accounts by the λογισταί
and συνήγοροι is described as an ἀνάκρισις.
Ar. ap. *Lex. Rhét. Cant. s.v. λογισταί*,
(συνήγοροι) συνακρίνουσι τούτοις (sc. τοῖς
λογισταῖς). For the general use of ἀνα-
κρίνω, as applied to the official conducting
an ἀνάκρισις, cf. Dem. *Olympt.* 31, ὁ
ἀρχων ἀνέκρινε πᾶσιν ἡμῖν τοῖς ἀμφισ-
βητοῦσιν, and Isaeus, *Dicaeog.* 32, ἀνα-
κρίναντες ἡμᾶς πολλὰς οἱ διαίτηται. Cf.
56 § 6 (γραφᾶν and δικαί) ἄς ἀνακρίνας
εἰς τὸ δικάστηριον 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 exami-

nation, εἰ ὅλως εἰσάγειν χρὴ (*Harp. s.v.*).

δικασταῖς...κατὰ δῆμους] 16 § 5; 26
§ 3; 53.

τὴν φυλὴν ταύτην εἰσάγουσιν] 53 § 2,
παραδίδωσι...τοῖς τὴν φυλὴν τοῦ φεύγοντος
δικάζουσιν, 58 § 2, τοὺς τὴν φυλὴν δικά-
ζοντας, Lys. *Pancl.* 2, τοὺς τῇ Ἴππο-
θωντίδι δικάζοντας, and Isaeus frag. 1,
ὅτι πρὸς τὴν φυλὴν τοῦ κεκτημένου αἰ πρὸς
δούλους λαγχάνονται δίκαι (Meier and
Schömann, p. 90 n. Lips.).

ἐπιγράφει] Aeschin. i § 35, μέχρι πεν-
τήκοντα δραχμῶν καθ' ἕκαστον ἀδίκημα
ἐπιγράφειν τοῖς πράκτορσιν.

One of the other suggestions, ἐγγράφει,
is supported by Aeschin. 3 § 20, λόγον
ἐγγράφειν πρὸς τοὺς λογιστάς, Lys. 30 § 5,
Dem. 24 § 199, Arist. *Vesp.* 996 (Lipsius).

The construction is slightly irregular,
as a principal verb is not wanted, παρα-
δίδωσι 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
ἵππείας δοκιμάζει, *Hipparch.* i 8, (ἢ πῶλις)
προσέταξε τῇ βουλῇ συνεπιμελεῖσθαι τοῦ
ἵππου, and iii 9—14. A *patra* from
Orvieto, now in the Berlin Museum,

Ἰππων ἔχ]ων κακῶς δοκῆ τρέφειν, ζημιοῖ τῷ σίτῳ, τοῖς δὲ μὴ
 δυναμένοις [ἀκολ.]ουθεῖν, ἢ μὴ ἔθελουσι μένειν ἀναγ<ώγοις> οὔσι,
 τροχὸν ἐπὶ τὴν γν[άθον ἐπιβάλλει, καὶ ὁ τ]οῦτο παθὼν ἀδόκιμὸς
 5 ἔστι. δοκιμάζει δὲ καὶ τοὺς πρ[οδ]ρ[όμους, ὅσοι ἂν α]ὔτῃ δοκῶ[σιν] [Col
 ἐπιτήδειοι προδρομεύειν εἶναι, κἂν τιν' ἀποχειροτονήσῃ, καταβέ-

3 ἀκολουθεῖν Wyse (κ², B); τρέφειν κ¹, τρέχειν Campbell, K-W, H-L θέλουσι
 λΓ (vel ΛΛ)

κ, B. ΜΕΝΕΙΝ ΔΝΑΓΟΥΣΙ; μένειν, ἀναγράφουσι Campbell; μένειν, ἐπιβάλλουσι
 R D Hicks; μένειν ἀναγ<ώγοις> οὔσι H-L (κ²); μένειν ἀλλ' ἀνάγουσι B (intrans.
 certe usurpatur in Arist. *Av.* 383, 400, 1720 et Xen. *Cyr.* vii 1, 45 ἀναγαγὼν ἐστρα-
 τοπεδεύσαστο, sed non de equis dictum); (post θέλουσι) σημειῖν ἐπιβάλλουσι K-W.
 4 γνάθῳ Hicks coll. Hesych. s.v. τρυσίππιον; ἐπιβάλλουσι post μένειν posuit Hicks,
 post γνάθῳ H-L (κ²), sed (ut videtur) novem tantum litteris locus relictus; praestat
 igitur ἐπιβάλλει B. [καὶ ὁ τ]οῦτο κ, H-L, B: [καὶ ὁ ἵππος ὁ τ]οῦτο; (post γνά-
 θῳ) K-W. 5 οἷτως κ¹; οἷ ἂν κ² (H-L); [κρίνουσα, οἷ δ']ν <αὐ>τῇ K-W sed
 spatium non sufficit: ὅσοι ἂν κ² (B); inter προδρόμους et αὐτῇ sex septemve litterarum
 spatium superest. 6 ΤΙΝΑΠ[ΡΟ]Χ (ut infra, v. 7): τιν' ἀποχ. J B Mayor, Camp-
 bell, Wyse, Blass, etc. K-W, H-L, κ².

TESTIMONIA. XLIX 4 Hesych. τρυσίππιον et ἵππου τροχός, infra exscriptus. Phot.
 ἵππου τροχός: τὸ τρυσίππιον διὰ τὸ τοῖς διὰ γῆρας ἐκτροχωθείσιν ἵπποις ἐκτυποῦσθαι
 τροχόν, ἀπολεγόντων αὐτοῦς τῶν στρατηγῶν.

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 δοκι-
 μασία (*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 ἵππεῖς and
 their horses, see Martin, *Les Cavaliers*
Athéniens, pp. 328—334.

ταῖς μὴ δυναμένοις ἀκολουθεῖν κτλ.]
 Xen. *Mem.* iii 3, 4, ἐὰν οὖν...παρέχωνται
 σοι τοὺς ἵππους οἱ μὲν οὕτως κακόποδας ἢ
 κακοσκελεῖς ἢ ἀσθενεῖς ὥστε μὴ δύνασθαι
 ἀκολουθεῖν, οἱ δὲ οὕτως ἀναγώγους ὥστε
 μὴ μένειν ἔπου ἂν σὲ τάξης...τί σοι τοῦ
 ἵππου ὄφελος ἔσται; *Hipparch.* i 13,
 τοῦ...ἵππεῖας ἢ βουλή ἂν μοι δοκεῖ προει-
 ποῦσα ὤσ...τὸν μὴ δυνάμενον ἵππον
 ἀκολουθεῖν ἀποδοκιμάσει, ἐπιτείναι ἂν
 τρέφειν τε ἄμενον καὶ ἐπιμελεῖσθαι μάλλον
 τῶν ἵππων. ἀνάγωγος is also an epithet
 of 'unmanageable' dogs in *Mem.* iv 1, 3.
 τροχόν—ἐπιβάλλει.] Hesych. s.v.
 τρυσίππιον· τὸν χαρακτήρα τὸν ὑπὸ τῆς
 βουλήs ἐν ταῖς δοκιμασίαις τοῖς ἀδυνάτοις
 καὶ τετρυμμένοις <τῶν ἵππων ἐπιβαλλό-
 μενον addidit Petitus>, ἵνα μηκέτι στρα-
 τεύωνται, τὸ παλαιὸν ἐκάλουν τρυσίππιον·
 τροχός δ' ἦν ὁ ἐπιβαλλόμενος χαρακτήρ τῆς
 γνάθῳ τῶν ἵππων. Hesych. ἵππου τροχός·

τῶν γεγρακῶσιν ἵπποις ἐχάραττον ἐπὶ τὴν
 γνάθον σημειῶν, τροχῶδ' σχῆμα ἔχων. ἐκα-
 λεῖτο δὲ καὶ τρυσίππιον. Aelius Dionys.
 apud Eustath. ad *Od.* iv 562, p. 1517, 8,
 τρυσίππιον· ἔγκανμα ἵππου γεγρακῶτος
 ἐπὶ τῆς γνάθου, ὅμοιον τροχῷ. Crates,
frag. 30 (Kock i 140), ἵππῳ γηράσκοντι
 τὰ μείονα κύκλ' ἐπιβάλλει, quoted by
 Zenob. iv 41, ...μετῆκται δὲ ἀπὸ στρατιω-
 τικῶν ἵππων, οἱς γηράσκουσι ἐπέβαλλον
 τὸ καλούμενον τρυσίππιον· ἔστι δὲ τοῦτο
 σιδηροῦς τροχίσκος...ὃν ἐκτυροῦντες ἐπέ-
 βαλλον ταῖς σιαγῶσι τῶν ἵππων. Eurpolis
 318 (Kock i 343) ἄλλ' ὥσπερ ἵππῳ μοι
 πιβαλεῖς τρυσίππιον; Cf. Photius s.v.
 τρυσίππιον and ἵππου τροχός, and Pollux
 vii 186. As suggested by Kaibel and
 Wilamowitz, most of the above explana-
 tions probably rest ultimately on a
 scholium on the *Taxiarchi* of Eurpolis
 founded on the present passage.

προδρόμους] 'mounted skirmishers.'
 The term is applied by Hdt. to 'horse-
 men 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 κοσμήσας μὲν
 ὄπλους ὡς κάλλιστα, ἀκοντίζων δὲ μελετᾶν
 ἐξαναγκάσαις ὡς μάλιστα, κτλ. In the
 march of Alexander to the Granicus, the
 Paeonians formed a special corps of πρό-
 δρομοι for purposes of reconnoitring (*Att.*
An. i 12, 7; Droysen, *Kriegsalterthümer*,
 p. 117, 3).

προδραμεύειν] not found elsewhere.

καταβέβηκεν] 'dismounts' (as dis-

βηκεν οὗτος. δοκιμάζει δὲ καὶ τοὺς ἀμίππους, κἄν τιν' ἀποχειρο-
 2 τουήσῃ, πέπανται μισθοφορῶν οὗτος. τοὺς δ' ἰππέας καταλέγου-
 σιν οἱ καταλογεῖς, οὓς ἂν ὁ δῆμος χειροτουήσῃ δέκα ἄνδρας· οὓς δ'
 ἂν καταλέξωσι, παραδιδόασι τοῖς ἰππάρχουσι καὶ φυλάρχοις, οὗτοι 10
 δὲ παραλαβόντες εἰσφέρουσι τ[ὸν] κατάλογον εἰς τὴν βουλήν, καὶ
 τὸν πίνακ' ἀνοίξαντες, ἐν ᾧ κατασεσημασμένα τὰ ὀνόματα τῶν
 ἰππέων ἐστί, τοὺς μὲν ἐξομνυμένους τῶν πρότερον ἐγγεγραμμένων
 μὴ δυνατοὺς εἶναι τοῖς σώμασιν ἰππεύειν ἐξαλείφουσι, τοὺς δὲ
 κατειλεγμένους [κ]αλοῦσι, κἄν μὲν τις ἐξομότηται μὴ δύνασθαι τῷ 15
 σώματι ἰππεύειν ἢ τῇ οὐσίᾳ, τοῦτον ἀφιάσιν, τὸν δὲ μὴ ἐξομνύμενον
 διαχειροτονοῦσιν οἱ βουλευταί, πότερον ἐπιτήδειός ἐστιν ἰππεύειν

7 ΔΝΙΠΠΟΥΣ : ἀμίππους Newman, Wyse, Blass, K-W, H-L, K³. ΤΙΝΑΠΡΟΧ
 (ut supra, v. 6). 12 ΠΙΝΑΚΑΝΟΙΖΑΝΤΕΣ : πίνακ' ἂν. K-W, B; πίνακα ἂν. K, H-L.
 Κ(ΔΤΑ)ΣΕΧΣΜ(ΕΝ)ΔΣΜ(ΕΝ)Δ. 13 ΕΝΓΕΓΡ. 15 ΕΞΟΜΗΧΗΤΑΙ : ἐξομότηται
 K, H-L; ἐξομότηται K-W (B).

qualified); used differently in [Dem.] 42 § 24 of giving up riding, καταβέβηκεν ἀπὸ τῶν ἰππων.

ἀμίππους] 'infantry fighting in the ranks of the cavalry.' Thuc. v 57, 2, (of the Boeotians at Delium) ὀπλίται, ψιλοί, ἰππῆς and ἀμπίποι. Xen. *Hell.* vii 5, 24 (Epameinondas) ἀμίππους πεζοὺς συνέταξεν αὐτοῖς (= τῷ ἰππικῷ); the opposite side was ἔρμιον πεζῶν ἀμίππων (23); the MSS have in both cases ἀνίππ., corrected by Morus. Xenophon recommends their use: *Hipparch.* v 13, ἀσθενὲς τὸ πεζῶν ἔρμιον ἰππικὸν πρὸς τὸ ἀμίππους πεζοὺς ἔχον. Harpocr. s. v. ... οἱ σὺν ἰπποῖς στρατεῦόμενοι... μήποτε (perhaps) πρόδρομοι τινὲς εἰσιν οἱ ἅμα τοῖς ἰππεῦσι τεταγμένοι. Φιλόχορος γοῦν ἐν τῇ 15' φησὶ καὶ πρόδρομος. Ar., in *Pol.* 1321 a 17, speaks of generals οἱ συνδυάζουσι πρὸς τὴν ἰππικὴν δύναμιν καὶ ὀπλιτικὴν τὴν ἀρμάττουσαν 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 cavalry; they hand it over to the Hipparchi and Phylarchi, to be brought by them before the Council. The fact that the βουλή conducted the δοκιμασία of the ἰππεῖς was already known (Xen. *Oec.* ix 15). In Lys. 14 § 10, Ἀλκιβιάδης ἐτόλμησεν ἀναθῆναι... οὗτε ὅφ' ὁμῶν δοκιμασθεῖς, the pronoun loosely identifies the δικασταὶ with the βουλευταί. The text

shews that no proceedings before a law-court were involved in a δοκιμασία ἰππέων.

The term κατάλογος is applied to the official list of the ἰππεῖς in Lys. 16 § 13 (of Mantiheus), προσελθὼν ἔφη τῷ Ὀρθοβούλῳ (doubtless his Phylarchus) ἐξαλείψαι με ἐκ τοῦ καταλόγου, ἰβ. § 6, τοῖς φυλάρχουσι ἀπενεγκεῖν τοὺς ἰππεύσαντας. The Hipparchi, as well as the Phylarchi, were responsible for the κατάλογος, as had already been pointed out by Bake, *Scholica Hyponymmata*, v 150, 170: the text shews that it was drawn up in the first instance by the καταλογεῖς.

τῶν πίνακ'] 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 ἰππευκοῦς αὐτοῦ ἐπὶ τῶν τριάκοντα τοῖνομα ἐν ταῖς σανίσιν ἐνεγέγραπτο.

κατασεσημασμένα] Plat. *Leg.* 756 E, (in the scheme proposed for the appointment of the βουλή) τὰ κατασημανθέντα ὀνόματα ἐξενεγκεῖν τοὺς ἄρχοντας ἰδεῖν πᾶσι τοῖς πολίταις.

ἐξομνυμένους] Pollux viii 55 (ἐξωμοσία) ὅταν τις ἢ πρεσβευτὴς ἀρεθὲς ἢ ἐπ' ἄλλην τινα δημοσίαν ὑπηρεσίαν, ἀρρωστεινὴν ἢ ἀδυνατεῖν φάσκων ἐξομνηται αὐτὸς ἢ δι' ἑτέρου. Schol. on Arist. *Eccl.* 1026.

ἐγγεγραμμένων] Lys. 26 § 10, quoted above, and 16 § 6 (as emended by Markland). Arist. *Eccl.* 1371, ὀπλίτης ἐντεθεῖς ἐν καταλόγῳ ἐγγεγράψεται.

ἐξαλείφουσι] Lys. 16 § 7, ἐκ τούτων (the lists of ἰππεῖς under the Thirty) ῥᾶδιον ἢν ἐξαλειφθῆναι τῷ βουλομένῳ.

ἡ οὐ κὰν μὲν χειροτονήσωσιν, ἐγγράφουσιν εἰς τὸν πίνακα, εἰ δὲ μὴ, καὶ τοῦτον ἀφιάσιν.

20 ἔκριεν δέ ποτε καὶ τὰ παραδείγματα καὶ τὸν πέπλον ἢ βουλή, 3
νῦν δὲ τὸ δικαστήριον τὸ λαχόν' ἐδόκουν γὰρ οὗτοι καταχαρίζεσθαι
τὴν κρίσιν. καὶ τῆς ποιήσεως τῶν Νικῶν, καὶ τῶν ἄθλων τῶν εἰς
τὰ Παναθήναια, συνεπιμελείται μετὰ τοῦ ταμίου τῶν στρατιω-
τικῶν.

25 δοκιμάζει δὲ καὶ τοὺς ἀδυνάτους ἢ βουλή' νόμος γάρ ἐστιν ὃς 4

20 ἔκρινε H-L.

K(ΔΙ) ΤΟΝ Κ, K-W, H-L: τὰ εἰς τὸν Β.

§ 4 *Harp. ἀδύνατοι...οἱ ἐντὸς τριῶν μῶν κεκτημένοι τὸ σῶμα πεπηρωμένοι [πεπηρω-
μένον codd. praeter E (Suïd.), ubi οἱ πεπηρωμένοι τὸ σῶμα; τὸ δὲ σῶμα πεπηρωμένοι

§ 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 ἡγοράσαμεν παρά Χρησίμου Διτ. ἐπισκευάσαντι τὸν πίνακα Θεοδῆμου Ητ. λευκώσαντι τὸν πίνακα ἀμφοτέρωθεν Ητ. The wood used for the πίναξ is also mentioned: τοῦ φοίνικος τοῦ περιγενομένου ἀπὸ τοῦ παραδείγματος (Wyse, *Class. Rev.* v 275 b). Cf. CIA ii 807 b 101 (B.C. 330), παράδειγμα τῶν κεραμίδων τῶν ἐπὶ τὴν σκευοθήκην and *ib.* 126, π. ξύλων 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.

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 ἡγρασμένων τῇ Ἀθηνᾷ τὰ ἔρια τὰ εἰς τὸν πέπλον. These were the ἐργαστίαι αἱ τὸν πέπλον ὄφαινοσαι (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 *peplos* 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. ἐπιώψατο, describes the ἀρρηφόροι as selected by the archon βασιλεὺς, 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 *proculo* 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] The musical, gymnastic, and equestrian contests. Among the minor contests were those in εὐανδρία (60 § 3), the Pyrrhic dance and the Lampadedromia (see Michaelis, *Parthenon*, Anh. II §§ 46—130, and Smith, *Dict. Ant. s. v.* Panathenaea). The special officials were the ten *Athlothetae* (60 § 1), who received subsidies from the ταμίαι ἱερῶν χρημάτων τῆς Ἀθηνῶν (CIA i 188, 1—7).

ταμίου τῶν στρατιωτικῶν] 43 § 1.

§ 4. τοὺς ἀδυνάτους] Schol. Aeschin.

κελεύει τοὺς ἐντὸς τριῶν μῶν κεκτημένους, καὶ τὸ σῶμα πεπηρωμένους ὥστε μὴ δύνασθαι μηδὲν ἔργον ἐργάζεσθαι, δοκιμάζειν μὲν τὴν βουλὴν, διδόναι δὲ δημοσίᾳ τροφὴν δύο ὀβολοὺς ἐκάστῳ τῆς ἡμέρας.

καὶ ταμίας ἐστὶν αὐτοῖς κληρωτός.

5 συνδιοικεῖ δὲ καὶ ταῖς ἄλλαις ἀρχαῖς τὰ πλεῖσθ', ὡς ἔπος εἰπεῖν.

50. τὰ μὲν οὖν ὑπὸ τῆς βουλῆς διοικούμενα ταῦτ' ἐστὶν. κληροῦνται δὲ καὶ ἱερῶν ἐπισκευασταὶ δέκα ἄνδρες, οἱ λαμβά-

28 δὲ ὀβολοὺς κ-w, v : δύο ὀβολοὺς cum pap. κ, Η-L.

31 συνδιοικεῖ—εἰπεῖν delet Herwerden utpote 'ex capitis 47 initio maximam partem repetita, hic autem incommoda': eadem recte idcirco retinet κ, quod talia Senatus officia nondum omnia sint commemorata.

post Bekkerum Dind.]. ἐλάμβανον δὲ οὗτοι δοκιμασθέντες ὑπὸ τῆς βουλῆς δύο ὀβολοὺς τῆς ἡμέρας ἐκάστης [τῆ ὀβολῶν], ὡς φησιν Ἄρ. ἐν Ἀθ. πολ. Bekk. An. 345, 15 (cf. 200, 3) : οἱ μέγροι τι βεβλαμμένοι τοῦ σώματος ὡς μηδὲ ἐργάζεσθαι· οἱ καὶ ἐχρηγοῦντο τὰ πρὸς τὸ ζῆν παρὰ τῆς πόλεως, μισθοφορούντων αὐτῶν (αὐτοῖς cod.) ὡς (τῶν cod.) ἐντὸς τριῶν μῶν (om. cod.) περιουσίαν κεκτημένων. ἐδοκιμάζοντο δὲ οἱ ἀδύνατοι ὑπὸ τῆς τῶν πεντακισίων βουλῆς καὶ ἐλάμβανον τῆς ἡμέρας, ὡς μὲν Λυσίας λέγει, ὀβολῶν ἕνα, ὡς δὲ Φιλόχορος, πέντε, Ἄρ. δὲ δύο ἔφη. Hesych. οἱ ἐντὸς κεκτημένοι τριῶν μῶν παρὰ Ἀττικοῖς. ἐλάμβανον δὲ παρὰ τῆς βουλῆς δύο ὀβολοὺς (Frag. 430², 470²).

ι 103, κατὰ μῆνα (πρυτανεῖαν?) ἐκ τοῦ δημοσίου δίδονται τοῖς ἀδύνατοις πολίταις μισθός ἀδύνατος δὲ πάντας λέγουσι τοὺς ὀπρωδηγοῦντων ἠχρειωμένους πρὸς ἐπικουρίαν ἑαυτῶν. 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 τρέφειν κελεύων. This limitation was afterwards 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 329). The speech is addressed to the βουλὴ on the occasion of an εἰσαγγελία. The βουλῆ are there described as having given the grant (§ 7, εἶστε, and in more general terms § 22, πάλαι κοινῇ πάντες ἔδοτέ μοι). The grant had to be confirmed by each successive βουλῆ, 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 κέκταμαι βραχέα δυναμένων ὠφελεῖν ἢ αὐτὸς μὲν ἤδη χαλεπῶς 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 ἡ ὀβολῶν must be struck out (as was suggested by Hullemann, *Quaestiones Graecae*, p. 5). The text is correctly quoted in Bekker's *Anecd. Gr.* 345, 15.

ταμίας] In B.C. 343/2, CIA ii 114, there were two βουλῆς ταμίαι. They superintended τὰ κατὰ ψηφίσματα ἀναλισκόμενα τῇ βουλῇ (114 B 61). Early in the third century we have an inscr. mentioning only one; CIA ii 329 Νικοκράτης βουλευεῖν λαχῶν—καὶ ταμίαις ἀιρεθεῖς ὑπὸ τῆς βουλῆς εἰς τε τὰς θυσίας τοῖς..... σιν μεμέρικεν τοῖς ἱεροποιαῖς—καὶ ὑπὲρ ἀπάντων ὧν ἰκονόμηκεν ἀπολελθῆσται τῇ βουλῇ ὀρθῶς καὶ δικαίως (Gilbert, i 254); cf. ii 431, 36.

§ 5. συνδιοικεῖ—πλεῖσθ' 47 init.; 57 § 1, ὡς δ' ἔπος εἰπεῖν—διοικεῖ οὗτος πάσας. 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. The word is used in an unofficial sense in Dem. *Androt.* 69.

νουντες τριάκοντα μνάς παρὰ τῶν ἀπο[δε]κτῶν, ἐπισκευάζουσιν τὰ
 μάλιστα δεόμενα τῶν ἱερῶν, καὶ ἀστυνόμοι δέκα. τούτων δὲ 2
 5 πέντε [μὲν] ἄρχουσιν ἐν Πειραιεῖ, πέντε δ' ἐν ἄστει, καὶ τὰς τε
 αὐλητρίδας καὶ τὰς ψαλτρίας [καὶ] τὰς κιθαριστρίδας οὗτοι σκο-
 ποῦσιν, ὅπως μὴ πλείονος ἢ δυεῖν δραγμαῖν μισθωθῆσονται, κἂν
 πλείους τὴν αὐτὴν σπουδάσωσι λαβεῖν, οὗτοι διακληροῦσι καὶ τῷ
 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

L 3 ἐπισκευάζουσι H-L.
 ΔΙC

5 ΠΕΙΡΑΕΙ (K-W, B): Πειραιεῖ K, H-L.

7 ΛΥΓΙΝ

ΔΡΑΧΜ... (fortasse δραγμαῖν scriptum erat); δυεῖν δραγμαῖς idcirco retinet K quod in titulis Atticis δυεῖν cum plurali tantum iunctum sit, Meistrhans, p. 162²; δυεῖν

CTA

δραγμαῖν K-W¹, B; δυοῖν δραγμαῖν H-L, K-W².

9 ΕΝΤΟCΙΔΙΩΝ: ἐντὸς ἰ σταδίων

J E B Mayor (K-W, H-L, K³, B), ἐντὸς ἰ σταδίων <ἀπό> malebat van Leeuwen.

10 ΚΑΤΑΒΑΛΗ? ante corr.

ΕΠΙΜΕΛΟΝΤΑΙ.

TESTIMONIA. L § 2 *Harp. ἀστυνόμος: ...δέκα φησιν εἶναι τοὺς ἀστυνόμους Ἄρ. ἐν τῇ Ἄθ. πολ., "πέντε μὲν ἐν Πειραιεῖ, πέντε δ' ἐν ἄστει." τούτους δὲ φησι μέλειν περὶ τε τῶν αὐλητρίδων καὶ ψαλτρίων καὶ τῶν κοπρολόγων καὶ τῶν τοούτων (Frag. 408², 448³). Heraclidis epitom. Rose, Frag. 611, 8, καὶ τῶν ὁδῶν ἐπιμελοῦνται ὅπως μὴ τινας κατοικοδομῶσιν αὐτὰς ἢ δρυφάκτους ὑπερτείνωσιν.

ἀποδεκτῶν] 48 §§ 1, 2.

§ 2. ἀστυνόμοι] Ρολ. 1321 ὁ 18, ἑτέρα δ' ἐπιμέλεια... ἢ τῶν περὶ τὸ ἄστυ δημοσίων καὶ ἰδίων, ὅπως εὐκοσμία ἦ καὶ τῶν πιπτόντων οἰκοδομημάτων καὶ ὁδῶν σωτηρία καὶ διόρθωσις καὶ τῶν ὀρίων τῶν πρὸς ἀλλήλους... καλοῦσι δ' ἀστυνομίαν οἱ πλείστοι τῶν τοιαύτην ἀρχὴν, ἰδ. 1331 ὁ 9 τὴν καλουμένην ἀστυνομίαν. The fact that the ἀστυνόμοι were appointed by lot is stated in Dem. 24 § 112. Cf. Gilbert, i 245, and Häderli, *die Astynomen und Agoranomen* (Teubner) 1886.

αὐλητρίδας] Hyperides, ii 4, 3, πλείονος μισθούντες τὰς αὐλητρίδας ἢ ὁ νόμος κελεύει. Cf. Plato, *Protag.* 347 D (of the συμπόσια τῶν φαύλων καὶ ἀγοραίων ἀνθρώπων) οὗτοι τιμὰς ποιοῦσι τὰς αὐλητρίδας, πολλοὺ μισθούμενοι ἄλλοτριαν φωνὴν τὴν τῶν αὐλῶν. —ὅπου δὲ καλοὶ κάγαθοι συμπόται καὶ παιδευμένοι εἰσὶν, οὐκ ἂν ἴδωσι ὅσπερ αὐλητρίδας ὅσπερ ὀρηστρίδας ὅσπερ ψαλτρίδας. 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 καὶ ἡ ψαλτρία in the mural paintings from the Farnesina garden in Baumeister's *Denkmäler*, figs. 1605, 1609.

κοπρολόγων κτλ.] Arist. Frag. 662 Kock, *κοπρολογεῖ κόφριν λαβῶν*. Schol. Dem. *Timocr.* 735, 16, ἀστυνόμος ὁ τῶν

δημοσίων ἐπιμελούμενος καὶ τοῦ καθαρὰν εἶναι τὴν πόλιν. Cf. Wachsmuth, *Stadt Athen*, ii 282.

τὰς ὁδοῦς] 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) καταβεβληκότας εἰς τὰς ὁδοὺς πάντα ἀναρεῖν τρόπον ὅτι ἂν ἐπιστρωταῖ... μὴ ἐξείναι μηδὲν μὴτε χοῦν καταβάλλειν μὴτε ἄλλο μὴδὲν μὴτε κόπρον μὴτε ἐν τῇ ἀγορᾷ μὴτ' 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 δημοσίον. 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. Polyaen. iii 9, 30, Ἴφικράτης ἐν ἀπορία χρημάτων ἐπεσεῖν 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

ὑπερτείνειν, καὶ ὄχετους μετεώρους εἰς τὴν ὁδὸν ἔκρουν ἔχον[τας] ποιεῖν, καὶ τὰς θυρίδας εἰς τὴν ὁδὸν ἀνοίγειν· καὶ τοὺς ἐν ταῖς ὁδοῖς ἀπογιγνομένους ἀναιρούσιν, ἔχοντες δημοσίους ὑπηρετάς. 14

51. κληροῦνται δὲ καὶ ἀγορανόμοι, πέντε μὲν εἰς Πειραιέα, πέντε δ' εἰς ἄστυ. τούτοις δὲ ὑπὸ τῶν νόμων προστέτακται τῶν ὠ[νίω]ν ἐπιμελεῖσθαι πάντων, ὅπως καθαρὰ καὶ ἀκίβδηλα πω- 4
λῆται.

TESTIMONIA. LI § 1 * ΗΑΡ. ἀγορανόμοι: οἱ κατὰ τὴν ἀγορὰν ὧνα διοικούντες ἀρχόντες... Ἄρ. δ' ἐν Ἀθ. πολ. κληροῦσθαί φησι "πέντε μὲν εἰς Πειραιᾶ, πέντε δὲ εἰς ἄστυ" (Frag. 409², 449²).

and again by Honorius and Theodosius.) Schol. Arist. *Vesp.* 386 δρύφακτοι· τὰ νῦν ταβλιωτὰ (ταβλιώματα Schol. *Eg.* 675) καλούμενα, τὰ τῶν οικοδομημάτων ἐξέχοντα ξύλα, cf. 349 and 830 with Schol.

ὄχετους κτλ.] the *laurai* of Arist. *Pax* 99; cf. Wachsmuth, *Stadt Athen*, p. 284-5.

θυρίδας εἰς τὴν ὁδὸν ἀνοίγειν] *thuris* 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 παρακύπτωμεν, Plut. *Dion* 57, πρὸς ταῖς θύρας τοῦ οἴκου καὶ ταῖς θυρίδας, and *Mor.* 522 (*de Curiositate* 13). The same meaning can be retained in Plat. *Rep.* 359 D, ἔπικον χαλκοῦν, κῶλον, θυρίδας ἔχοντα, καθ' ὅς ἐγκύψαντα ἰδεῖν ἐνόητα νεκρῶν, cf. Lucian, *Hermotimus*, 20, τὸν ἀρχιτέκτονα ἐπέπληξε τὸν Ἠφαίστον, διότι μὴ καὶ θυρίδας ἐποίησεν αὐτῷ κατὰ τὸ στέρον, ὡς ἀναπετασθεῖσῶν κτλ., and Plut. *Mor.* 2, 273 B, διὰ τὴν πύλην μίαν θυρίδα καλοῦσι (τὴν γὰρ φανεστραν τοῦτο σημαίνει) and *ib.* διὰ θυρίδος προκύψασα. I can find no passage in which *thuris* means the same as *thura*. In L and S *thuris* is defined as a diminutive of *thura*; 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.

The author of the *Oeconomica*, 2, 1347 a 6, says of Hippias, τὰ ὑπερέχοντα τῶν ὑπερφῶν εἰς τὰς δημοσίας ὁδοὺς καὶ τοὺς ἀναβαθμοὺς καὶ τὰ προφράγματα, καὶ τὰς θύρας τὰς ἀνοίγομένας ἔξω ἐπόλησεν (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 *thuris* as synonymous with *thura*, supposes that the *δοτυνόμοι* prohibited this. If so, it must have been in defiance of the *δοτυνόμοι* 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 *thuris* is to mean the same as *thura*, an opinion which, in the light of the general usage of Greek authors, we can hardly accept.—*thuridas* and *thuras* are, however, sometimes confounded in MSS (see *apparatus criticus* to Aesch. i § 74, συγκλῆουσι τὰς θύρας, where one MS has *thuridas*).

ἀναιρούσιν] 'take up for burial,' Arist. *Vesp.* 386, Xen. *Anab.* vi 4, 9.

LI § 1. ἀγορανόμοι] *Pol.* 1321 b 12, πρῶτον μὲν οὖν ἐπιμέλεια τῶν ἀναγκαίων ἢ περὶ τὴν ἀγορὰν, ἐφ' ἣ δει τινα ἀρχὴν εἶναι τὴν ἐφορῶσαν περὶ τε τὰ συμβόλαια καὶ τὴν εὐκοσμίαν, and 1209 b 17. Lys. 22 κατὰ τῶν σιτοπωλῶν, § 16, ἐπὶ μὲν τοῖς ἄλλοις ὧνοις ἅπασιν τοῖς ἀγορανόμοις κατεστήσατε. In Dem. 24 *Timocr.* § 112 the ἀγορανόμος, as well as the *δοτυνόμος*, is described as holding a κληρωτὴν ἀρχήν. Arist. *Vesp.* 1407, *Ach.* 724, 968 and Schol. on 896; Xen. *Symp.* ii. 20. Cf. Meier and Schömann p. 101—4 Lipsius; Schömann, *Ant.* p. 416; Büchschütz, *Besitz u. Erwerb*, p. 536; Gilbert, i 246; Häderli, *die Astynomen und Agoranomen*.

ἐπιμελεῖσθαι... ὅπως... πωλῆται] At the end of the next sentence the papyrus has ἐπιμελεῖσθαι followed by ὅπως χρῆσονται. In the inscriptions of the fourth century against 37 exx. of ὅπως ἂν c. subj. we have only one of ὅπως, CIA ii 115, 45 (Ditt. no. 106), ἐπιμελεῖσθαι... ὅπως... κομισῶνται: in the same inscr. ὅπως ἂν occurs twice (Meisterhans, p. 212²). Cf. 29 § 3. In this respect the usage of in-

5 κληροῦνται δὲ καὶ μετρονόμοι, πέντε μὲν εἰς ἄστυ, πέντε δὲ 2
εἰς Πειραιέα· καὶ οὗτοι τῶν μέτρων καὶ τῶν σταθμῶν ἐπιμελοῦνται
πάντων, ὅπως οἱ πωλοῦντες χρήσονται δίκαιοις.

ἦσαν δὲ καὶ σιτοφύλακες κληρωτοί, πέντε μὲν εἰς Πειραιέα, 3
πέντε δ' εἰς ἄστυ, νῦν δ' εἴκοσι μὲν εἰς ἄστυ, πεντεκαίδεκα δ' εἰς
10 Πειραιέα. οὗτοι δ' ἐπιμελοῦνται, πρῶτον μὲν ὅπως ὁ ἐν ἀγορᾷ

II 7 ΧΡΗΣΩΝΤΑΙ: χρήσονται Sidgwick, Rutherford, Blass, H-L, K-W, K³.
8 δὲ καὶ <δέκα> B; κληρωτοὶ <ι'> ex Harp. addiderunt K-W. Quidam etiam in vv. 1, 5?
ΠΕΡΑΙΑ: Πειραιέα K, K-W, B; Πειραιᾷ H-L. 9 ΕΙΚΟΣΙ (littera i evanida) K,
H-L, B: εἰσι τε K-W. 10 ΠΕΡΑΙΕΔ K, K-W, B: περαιᾷ H-L.

§ 2 *Harp. μετρονόμοι: ἀρχὴ τις Ἀθήνησιν ἔστυ ἡ τῶν μετρονόμων... ἦσαν δὲ τὸν ἀριθμὸν ἰ, εἰ μὲν εἰς Πειραιᾷ, εἰ δ' εἰς ἄστυ (legebatur τὸν ἀριθμὸν ἰε, εἰς μὲν τὸν Π. ἰ, εἰ δὲ εἰς ἄστυ: epitomes ope correxit Dind. collato Voemelio in Bergkii *Erphem. 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 ἡ τῶν μετρονόμων, δέκα τὸν ἀριθμὸν, ὧν πέντε μὲν ἦσαν ἐν τῷ Πειραιεῖ, πέντε δὲ ἐν ἄστυ. οὗτοι δὲ τὴν ἐπιμέλειαν εἶχον ὅπως δίκαια ἦ τὰ μέτρα τῶν πωλούντων. Photius: ἀρχοντες ἦσαν δέκα τὸν ἀριθμὸν, ὧν πέντε μὲν ἐν ἄστυ, πέντε δ' ἐν Πειραιεῖ· καὶ εἶχον τὴν ἐπιμέλειαν ὅπως—πωλούντων (cf. Frag. 412², 452³).

§ 3 *Harp. σιτοφύλακες: ἀρχὴ τις ἦν Ἀθήνησιν, ἣτις ἐπεμελεῖτο ὅπως ὁ ὅστος δίκαιος πρᾶθῆσεται καὶ τὰ ἄλφιστα καὶ οἱ ἄρτοι. ἦσαν δὲ τὸν ἀριθμὸν ἰ, εἰ μὲν ἐν ἄστυ (τὸν ἀριθμὸν ἰε μὲν ἐν ἄστυ), εἰ δ' ἐν Πειραιεῖ, ὡς Ἄρ. ἐν Ἀθ. πολ. Photius: ἀρχὴ τις—ἄρτοι. ἦσαν δὲ τὸν ἀριθμὸν πάλαι μὲν πέντε καὶ δέκα ἐν ἄστυ, πέντε δὲ ἐν Π. ὕστερον δὲ τράκοντα μὲν ἐν ἄστυ, πέντε δ' ἐν Π. Bekk. *An.* 300, 19: ἀρχοντες Ἀθήνησι κληρωτοί. οὗτοι δ' ἐπεμελοῦντο ὅπως — οἱ ἄρτοι κατὰ τὰ ὠρισμένα τιμὰς καὶ τὸν σταθμὸν (Frag. 411², 451³).

scriptions differs from that of ordinary literature. In the latter *δπως* *ἄν* is less common; *δπως* with the future indicative is frequent in both. See Goodwin's *Moods and Tenses*, §§ 339, 348, ed. 2; Madvig, *Gk. Syntax*, §§ 122—123.

§ 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 247). The MSS of Harpocr. have: ἦσαν δὲ τὸν ἀριθμὸν ἰ'ε', εἰς μὲν τὸν Πειραιᾷ ἰ', ε' 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', ε' μὲν εἰς τὸν Πειραιᾷ, ε' δ' εἰς ἄστυ, and this is confirmed by the text.

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 ἀρχοντες mentioned in the inscr. are doubtless the μετρονόμοι.

ἐπιμελοῦνται... ὅπως... χρήσονται] The papyrus has *χρήσωνται*. 'Quicumque Codices Graecos paulo diligentius inspexit saepissime vidit librariorum *δπως* et

δπως μὴ cum coniunctivi aoristis [primis] coniungere, ubi veteres indicativi futurum possissent' (Cobet, *Nov. Lect.* 266). Cf. l. 3.

§ 3. σιτοφύλακες] Harpocr. *s.v.* ἦσαν δὲ τὸν ἀριθμὸν ἰ'ε' (ἰ'ε', ἰ' Valesius) μὲν ἐν ἄστυ, ε' δ' ἐν Πειραιεῖ. These numbers, as altered by Valesius, seemed to be confirmed by Photius, ἦσαν δὲ τὸν ἀριθμὸν πάλαι μὲν πεντεκαίδεκα, <ι'> ἐν ἄστυ, ε' δ' ἐν Πειραιεῖ, and were accepted by Boeckh. But the text, which is Harpocraton's authority for his statements, 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 247.

κληρωτοί] Lys. 22 § 16, σιτοφύλακας ἀποκληροῦτε.

νῦν δ' εἴκοσι κτλ.] Photius, ὕστερον δὲ ἕ μὲν ἐν ἄστυ, ε' δ' ἐν Πειραιεῖ. Here the total is correct, but the text shews that Photius ought to have said: κ' μὲν ἐν ἄστυ, ἰ'ε' δ' ἐν Π.

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 ὅσου ἂν οὗτοι τάξωσιν· ὁ γὰρ νόμος τούτους κελεύει τάττειν.

4 ἔμπορίου δ' ἐπιμελητὰς δέκα κληροῦσιν· τούτοις δὲ προσ- 15
τέτακται τῶν τ' ἔμπορίων ἐπιμελεῖσθαι, καὶ τοῦ σίτου τοῦ κατα-
πλέοντος εἰς τὸ Ἄττικὸν ἔμπόριον τὰ δύο μέρη τοὺς ἐμπόρους
ἀναγκάζειν εἰς τὸ ἄστυ κομίζειν.

52. καθιστᾶσι δὲ καὶ τοὺς ἕνδεκα κληρωτοὺς, ἐπιμελησομέ-

12 πωλήσουσι H-L. 17 ΣΙΤΙΚΟΝ Κ, Κ-W, H-L: Ἄττικόν ex Harp. Torr; ἀστικὸν quondam proposui coll. Bekk. *An.* 255, 208, 284, 456; accepit B: nunc unice verum arbitrator Ἄττικόν, etenim σιτικόν et ἀστικόν oculi errore e proximis verbis σίτου et ἄστυ videntur irrepisse.

LII 1 <τοὺς> ἐπιμελησομένους Rutherford, H-L; cf. Heracl. in Testimoniis.

§ 4 * Harp. ἐπιμελητῆς ἔμπορίου... Ἄρ. “ἔμποριον δ' ἐπιμελητὰς — τοῦ σίτου τοῦ καταπλέοντος εἰς τὸ Ἄττικὸν ἔμπόριον — κομίζειν” (Frag. 409^b, 449^b). Bekk. *An.* 255, 22: ἔμποριον ἄρχοντες ἦσαν κληρωτοί, δέκα τὸν ἀριθμὸν, ἐκάστου ἔτους καθιστάμενοι, οἷς προστετάκτο τῶν ἔμπορίων ἐπιμελεῖσθαι, καὶ τοῦ σίτου τοῦ καταπλέοντος εἰς τὸ ἔμπόριον τὸ ἀστικὸν τὰ δύο μέρη τοὺς ἐμπόρους ἀναγκάζειν (reliqua propter ἀμοιοτέλειτον ommissa)...ib. 208, 26 ἀστικὸν ἔμπόριον· ὅπου οἱ ἀστοὶ ἐμπορεῦνται. ἦν δὲ καὶ ἄλλο ξενικόν, ὅπου οἱ ξένοι c. 284, 6; 456, 3).

TESTIMONIA. LII 1 Heraclidis epitoma; Rose, Frag. 611, 8: ὁμοίως δὲ “καθιστᾶσι καὶ τοὺς ἕνδεκα” τοὺς (secl. K-W; sed fortasse e κληρωτοὺς exortum) “ἐπιμελησομένους τῶν ἐν τῷ δεσμοτηρίῳ.” Pollux viii 102: οἱ ἕνδεκα: εἰς ἀφ' ἐκάστης φυλῆς ἐγγίνοτο καὶ γραμματεῖς αὐτοῖς συναριθμᾶτο...ἐπεμελοῦντο δὲ “τῶν ἐν τῷ δεσμοτηρίῳ” καὶ ἀπήγγον κλέπτας ἀνδραποδιστὰς λωποδύτας, εἰ μὲν ὁμολογοῖεν, θανατώσοντας, εἰ δὲ μὴ, εἰσάγοντες εἰς τὰ δικαστήρια, κἀν ἀλώσιν, ἀποκτενοῦντες. Bekk. *An.* 310, 14: οἱ ἕνδεκα τοὺς κλέπτας καὶ τοὺς λωποδύτας καὶ τοὺς ἀνδραποδιστὰς ὁμολογοῦντας μὲν ἀποκτενοῦσιν, ἀντιλέγοντας δὲ εἰσάγουσιν “εἰς τὸ δικαστήριον” (Frag. 429^b). Phot.

σίτος ἀργός] ‘unprepared corn,’ Hipoccr. *Vet. Med.* 12, πυροὶ ἀργοί. The position of ἀργός (after, instead of before, σίτος) is defended by *Eth. Nic.* vi 4, 2, ἡ μετὰ λόγου ἕξις πρακτικῆς ἕτερόν ἐστι τῆς μετὰ λόγου ποιητικῆς ἕξεως, quoted by Dr Jackson to prove that part of a complex epithet may be placed after the article and substantive. Mr Newman adds *Pol.* 1252 b 27, ἡ ἐκ πλειονῶν κωμῶν κωνῶν τέλεις πόλις ἤδη.

§ 4. ἔμποριον...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... χρήματα δανείσῃ εἰς ἄλλο τι ἔμπόριον ἢ τὸ Ἀθηναίων; 58 §§ 8, 9 (Gilbert, i 248). Cf. Meier and Schöm., p. 98 Lips. The ἔμπόριον extended over the greater part of the east shore of the harbour of the

Peiraeus; Wachsmuth, *Stadt Athen*, ii 96—esp. 114.

ἔμπόριον] After τοῦ σίτου the epithet σιτικόν (which is first found in Polybius) is redundant. The variant Ἄττικόν in Harpocration's quotation of this passage is supported by Dem. 34 § 36, Ἀθήναζε εἰς τὸ Ἄττικὸν ἔμπόριον σιτηγῆν, and § 37, εἰ τις...ἀλλοσε ποι σιτηγῆσειεν ἢ εἰς τὸ Ἄττικὸν ἔμπ., 35 § 28 τοῦ ὑμετέρου ἔμπορίου (quoted by Mr Torr). ἀστικόν is suggested by Bekk. *Anecd.* 208, ἀστικὸν ἔμπόριον· ὅπου οἱ ἀστοὶ ἐμπορεῦνται. ἦν δὲ καὶ ἄλλο ξενικόν, ὅπου οἱ ξένοι, cf. 255, 284, 456. One of the parts of the ἔμπόριον in the Peiraeus was the στοὰ ἀλφειτόπωλις, also called the μακρὰ στοὰ (Dem. 34 § 37, cf. Thuc. viii 90, 5, Wachsmuth, *u. s. p.* 101); but I can find no authority for applying the epithet σιτικόν to the ἔμπόριον, or to any part of it, at or before the date when the text was written.

LII § 1. τοὺς ἕνδεκα] c. 7 § 3. Schömann, p. 414; Gilbert, i 243; *Dict. Ant.* i 942.

νους τῶν ἐν τῷ δεσμοτηρίῳ, καὶ τοὺς ἀπαγομένους κλέπτας καὶ 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 [ἀ]πογραφόμενα χωρία καὶ οἰκίας εἰσάξοντας εἰς τὸ δικαστήριον, καὶ τὰ δόξαντα δ[ημ]όσια εἶναι παραδώσοντας τοῖς πωληταῖς, καὶ τὰς ἐνδείξεις εἰσάξοντας· καὶ γὰρ ταύτας εἰσάγουσιν οἱ ἔνδεκα. εἰσάγουσι δὲ τῶν ἐνδείξεων τινὰς καὶ οἱ θεσμο-
10 θέται.

κληροῦσι δὲ καὶ εἰσαγωγέας πέντε ἄνδρας, οἱ τὰς ἐμμήνους 2

2 <κακούργους, τοὺς τε> κλέπτας, κ-ω, coll. Etym. Mag. 3 τοὺς bis delent
H-L. 3, 4 ἐὰν bis H-L. 4 ΖΗΜΙΩΘΗCONΤΑCENΔ COIT K.

ἡγεμονία δικαστηρίου :... τοῖς ἔνδεκα δοσι ληστὰς καὶ λωποδύτας καὶ ἀνδραποδιστὰς εἰσάγουσι. Etym. M. 338, 31 : κληρωτοὶ ἄρχοντες ἦσαν οὗτοι, προστηκότες τοῦ δεσμοτηρίου· καὶ τοὺς ἀπαγομένους κακούργους ἐπὶ θάνατον παραλαμβάνοντες ἐξημίουν· τοὺς δὲ ἀμφισβητοῦντας εἰσήγον “εἰς τὸ δικαστήριον” καὶ τὸ γνωσθὲν περὶ αὐτῶν ἔπραττον. εἰσήγον δὲ “καὶ τὰ ἀπογραφόμενα χωρία <καὶ Schleusner> οἰκίας” καὶ τὰ “δημόσια εἶναι” δόξαντα παρείδουν τοῖς πολιταῖς (πωληταῖς Schleusner). εἰσήγον δὲ ἐνιαυτοὺς ἐνδείξεις. Bekk. An. 250, 4 : ...καὶ τοὺς ἀγομένους ἐπὶ κακουργήμασι παρελάμβανον κλέπτας καὶ ἀνδραποδιστὰς καὶ φονεῖς. καὶ τοὺς μὲν ὀμολογοῦντας θανάτῳ ἐξημίουν, τοὺς δὲ ἀμφισβητοῦντας εἰσήγον εἰς δικαστήριον. Schol. Arist. *Vesp.* 1108 : ἡ τῶν ἔνδεκα ἀρχὴ τοὺς μὲν ὀμολογοῦντας καὶ ἀνδραποδιστὰς καὶ λωποδύτας θανάτῳ ἐκόλαζον, τοὺς δὲ ἀρνούμενους εἰς δικαστήριον εἰσήγον. εἰσήγον δὲ καὶ τὰς ἐνδείξεις. Schol. Patm. Dem. p. 11, 16, Sakkellion; Schol. Lucian. iv 170 Jacobitz.
§ 2 Pollux viii 101 : εἰσαγωγεῖς οἱ “τὰς ἐμμήνους δικὰς” εἰσάγοντες· ἦσαν δὲ

ἀπαγομένους κλέπτας...ἀνδραποδισ-
τὰς...λωποδύτας] Isocr. *Antid.* § 90, τοῦτον ἀπαγαγὼν ἀνδραποδιστὴν καὶ κλέπτην καὶ λωποδύτην. Meier and Schöm. p. 273—6, Lips. Pollux ἀνδραποδιστῆς· ὁ τὸν ἐλεύθερον καταδουλούμενος ἢ τὸν ἀλλότριον οἰκέτην ὑπαγόμενος.

κλέπται, ἀνδραποδιστὰς καὶ λωποδύταις came under the general heading of κακούργοι; cf. [Dem.] 35 *Lacr.* 47, τοιχωρύχους καὶ κλέπτας καὶ τοὺς ἄλλους κακούργους τοὺς ἐπὶ θανάτῳ οὗτοι (sc. οἱ ἔνδεκα) εἰσάγουσιν, *Anatol.* §§ 26—28. Cf. Meier and Schöm. p. 86 Lips.

ἂν μὲν ὀμολογῶσι κτλ.] Aeschin. i § 113, οἱ δὲ νόμοι κελεύουσι τῶν κλεπτῶν τοὺς μὲν ὀμολογοῦντας θανάτῳ ζημιουῖσθαι, τοὺς δ' ἀρνούμενους κρινεσθαι, and Dem. in *Timoacr.* § 65, τῶν...κακούργων τοὺς ὀμολογοῦντας ἄνευ κρίσεως κολάζει οἱ νόμοι κελεύουσιν. Schol. Arist. *Vesp.* 1108, ἡ τῶν ἔνδεκα ἀρχὴ τοὺς μὲν ὀμολογοῦντας 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*.

θανάτῳ] Dem. 4 § 47, τὸν ἀνδραποδιστῶν καὶ λωποδυτῶν θάνατον...κακούργου μὲν γὰρ ἐστὶ κριθέν· ἀποθανεῖν.

τὰ ἀπογραφόμενα χωρία κτλ.] Our knowledge of this part of the duties of the Eleven has hitherto been derived from the Etym. Magn. 338, 35, which is obviously quoted from the text; see *Testimonia*. 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 ἐλεσφόρον εἰς δικαστήριον ἂς μὲν οἱ ἔνδεκα, ἂς δὲ οἱ θεσμοθέται. Etym. Mag. 338, 39, εἰσήγον δὲ ἐνιαυτοὺς 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 ἔνδεκα, is modified in the following sentence.

§ 2. εἰσαγωγέας] These officials are

εἰσάγουσι δίκας, δυοῖν φυλαῖν [ἔ]καστος· εἰσὶ δ' ἔμμηνοι προικός, εἰάν τις ὀφείλων μὴ ἀποδῶ, κἂν τις ἐπὶ δραχ[μ]ῆ δανεισάμενος ἀποστερῆ, κἂν τις ἐν ἀγορᾷ βουλόμενος ἐργάζεσθαι δανείσθαι παρά [τ]ινος ἀφορμῆν· ἔτι δ' αἰκείας καὶ ἐρανικαὶ καὶ κοινωνικαὶ 15 καὶ ἀνδραπόδων καὶ ὑποζυγίων] καὶ τριηραρχίας καὶ τραπεζιτι-

13 ΑΠΟΔΩΙ (κ) cf. Lys. 30 § 22 δύο τάλαντα ἀποδοῦναι: ἀποδιῶ Blass, Kontos, K-W, H-L; cf. Dem. 34 § 13 οὐδ' ἀποδίδωσι τὸ δάνειον. ἐπὶ δραχμῆ: ὑπὲρ δραχμῆν H-L. 14 ἐν: εἰς. 15 ΔΙΚΕΙΑΣ (κ, H-L, B): αἰκίας K-W. ΕΡΑΝΙΚΑΣ—ΚΟΙΝΩΝΙΚΑΣ (κ', B): ἐρανικαὶ—κοινωνικαὶ Bury, K-W, H-L, κ³. 'Desiderantur autem ἐμπορικαί, cf. Poll.' (B). 16 ΤΡΙΗΡΑΡΧΙΑΣ (κ, H-L, B): τριηραρχικαὶ Bury (K-W). ΤΡΑΠΕΖΙΤΙΚΑΣ (B): τραπεζιτικαὶ Bury, K-W, H-L, κ³.

προικός, ἐρανικαὶ, ἐμπορικαὶ. Hesych. εἰσαγωγή (εἰσαγωγῆς = εἰς Scaliger): ἀρχῆ Ἀθηναίων τῶν τὰ ἐγκλήματα (leg. ἔμμηνα K-W) εἰσαγόντων (cf. Schol. Dem. Mid. § 3).

mentioned twice in Pollux viii 93, ἀρχῆς κληρωτῆς ὄνομα, and 101, εἰσαγωγεῖς οἱ τὰς ἔμμηρους δίκας εἰσάγοντες, ἦσαν δὲ προικός, ἐρανικαὶ, ἐμπορικαὶ. 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 εἰσαγωγῶν (Meier and Schömann, p. 94 Lips.; Gilbert, i 396). The text shews that their number was five; not ten, as had been conjectured.

Pollux is mistaken in placing ἐμπορικαὶ δίκαι under the control of the εἰσαγωγεῖς. These 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 εἰσαγόντων ἔμμηνα ἐς τὸ δικαστήριον, thus shewing that at that time (probably shortly after 432 B.C.) there were some ἔμμηνοι δίκαι not under the care of the εἰσαγωγεῖς (Gilbert, i 358).

τὰς ἔμμηρους—δίκας] Lawsuits which had to be decided within a month (Meier and Schöm. p. 906f.). 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, εἰάν τις ὀφείλων μὴ ἀποδῶ.

κἂν 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 had 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. Theonnest. i 19, (the owner was liable) οὐκ ἔστι καὶ δοῦλης βλάβην ὀφείλειν, cf. Plat. Leg. 936 D. On ὑποζυγίων κτλ. see next page.

καί. οὔτοι μὲν οὖν ταύτας δικάζουσιν ἐμμήνους εἰσάγ[ον]τες, οἱ δ' 3
ἀποδέκται τοῖς τελώναις καὶ κατὰ τῶν τελωνῶν, τὰ μὲν μέχρι δέκα
δραχμῶν ὄντες κύριοι, τὰ δ' ἄλλ' εἰς τὸ δικαστήριον εἰσάγοντες
20 ἔμμηνα.

53. κληροῦσι δὲ καὶ τετταράκοντα, τέτταρας ἐκ τῆς
φυλῆς ἐκάστης, πρὸς οὓς τὰς ἄλλας δίκας λαγχάνουσιν· οἱ

18 δέκα (=δραχμῶν).

LIII 1 <τοὺς> τετταράκοντα K-W.

1—2 EK THC ΦΥΛΗΣ (casu obliteratum)

ΦΥΛΗΣ

ΕΚΑΣΤΗΣ ἐξ ἐκάστης φυλῆς K¹; ἐκ τῆς φυλῆς ἐκάστης K-W, H-L, K³, B.
2 ἄλλας: ἰδίας Wyse.

§ 3 Pollux viii 97: ἀποδέκται δὲ ἦσαν δέκα, οἱ τοὺς φόρους καὶ τὰς εισφορὰς καὶ τὰ
τέλη ὑπεδέχοντο, καὶ τὰ περὶ τούτων ἀμφισβητούμενα ἐδίκαζον. εἰ δέ τι μείζον εἴη,
εἰσήγον εἰς δικαστήριον.

LIII § 1 *Harp. κατὰ δήμους δικαστάς:...περὶ τῶν κατὰ δήμους δικαστῶν, ὡς “πρότερον
μὲν—ἐδίκαζον,” εἴτα ἐγένοντο τετταράκοντα, εἶρηκεν Ἄρ. ἐν τῇ <Ἀθηναίων addidit
Meier> πολιτεία. Pollux viii 101: οἱ δὲ τετταράκοντα “πρότερον μὲν ἦσαν
τριάκοντα,” οἱ περιόντες κατὰ δήμους τὰ μέχρι δραχμῶν δέκα ἐδίκαζον, τὰ δὲ ὑπὲρ
ταῦτα τοῖς διαιτηταῖς παρεδίδοσαν “μετὰ δὲ τὴν τῶν τριάκοντα διευαρχίαν” μίσει τοῦ
ἀριθμοῦ τοῦ τριάκοντα τετταράκοντα ἐγένοντο. Phot.: κληρωτὴ τις ἦν Ἀθήνησιν
ἀρχὴ μ (μετὰ cod.) τὸν ἀριθμὸν, οἱ τὰς ἰδιωτικὰς δίκας ἐδίκαζον· ἀλλὰ τὰς μὲν ἀρχὴ
“δέκα δραχμῶν αὐτοτελεῖς” ἦσαν δικάζειν, τὰς δὲ ὑπὲρ ταύτας τοῖς διαιτηταῖς παρεδίδοσαν.
Bekk. An. 306, 15: ἀρχὴ τίς ἐστι κληρωτὴ τεσσαράκοντα τὸν ἀριθμὸν πρὸς οὓς αἱ ἴδιαι
δικαί ἐλαγχάνοντο καὶ τὰ “μέχρι δέκα δραχμῶν.” “τὰ δ' ὑπὲρ τούτου τὸ τίμημα τοῖς
διαιτηταῖς παραδίδοσιν” (cf. p. 310, 22; Frag. 413², 453²).

l. 16. 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, ἐὰν υποζύγιον ἢ
ἵππος (Dinarch. c. Antírh. περὶ ἵππου) ἢ
κύων (Lys. περὶ τοῦ κυνός αρ. Harpocr.
s. υ. καρκίνος) ἢ τι τῶν ἄλλων θρεμμάτων
σίνηται τι τῶν πέλας, κατὰ ταῦτα ἐκτίνει
τὴν βλάβην (τὸν δεσπότην). The special
case of homicide caused by a υποζύγιον
ἢ ζῷον ἄλλο τι is considered *ib.* 873 E
(*inf.* c. 57 *ad fin.*).

τριηραρχίας] 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 prede-
cessor Apollodorus had incurred extra ex-
penses for which he sues Polycles.

τραπέζιτικά] In the *Trapeziticus* of
Isocr. the banker Pasion is accused of re-
pudiation and forgery.—δίκαι μεταλλικαὶ
καὶ ἐμπορικαὶ are not included in the list,
probably because they came under the
ἡγεμονία of the Thesmothetae (Dem. c.
Apol. § 12, and *inf.* 59 § 5).

§ 3. δικάζουσιν] *i.e.* ‘have the ἡγε-
μονία τοῦ δικαστηρίου in these law-suits,’
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 de-
frauding the revenue. They might even
arrest him and bring him before a magis-
trate. Cf. Gilbert, i 335.

LIII § 1. τετταράκοντα] a body of
officials instituted by Peisistratus under
the name of οἱ κατὰ δήμους 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
(σανλίων ἀναγκαίων ἐνεύσαι) τοὺς τ' ἐν τοῖς
ἰδίοις πράγμασιν ἀδικούντας καὶ τοὺς μὴ
δικαίως ἐγκαλοῦντας. In Dem. *Rant.* 33
we are told that cases of αἰκεία and τὰ
τῶν βιαιῶν came under their jurisdiction.
They are described as appointed by lot
in *Timoocr.* 112, εἰ μὲν τις ἀγορανόμος ἢ
ἀστυνόμος ἢ δικαστὴς κατὰ δήμους κλοπῆς
ἐν ταῖς εὐθύναις ἐάλωκεν, ἀνθρωπος πένης
καὶ ἰδιώτης καὶ πολλῶν ἀπειροῦ 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,

πρότερ[ον] μὲν ἦσαν τριάκοντα, καὶ κατὰ δήμους περιόντες ἐδίκαζον, μετὰ δὲ τὴν ἐπὶ τῶν τριάκοντα ὀλιγαρχία[ν] τετταράκοντα γεγόνασιν. καὶ τὰ μὲν || μέχρι δέκα δραχμῶν αὐτοτελεῖς εἰσὶ 5 [κρίνει]ν, τὰ δ' ὑπὲρ τοῦτο τὸ τίμημα τοῖς διαιτηταῖς παραδιδόασιν. οἱ δὲ παραλαβόντες, [ἐ]ὰν 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, ἐμβαλόντες τὰς μαρτυρίας καὶ τὰς προκλήσεις καὶ τοὺς νόμους εἰς 10 ἐχίνους, χωρὶς μὲν τὰς τοῦ διώκοντος, χωρὶς δὲ τὰς τοῦ φεύγοντος,

3 ΠΕΡΙΟΝΤΕΣ retinent κ-w² (et B) coll. Hyper. i 13, 6 et ii 2, 12: περιόντες Κ, κ-w¹, H-L. 4 ΕΠΙ supra versum, non habet Pollux. 7 ΓΙΓΝΩΣΚΟΥΣΙ γιγνώσκουσι (coll. 54, 7 et Herondae papyro v 21) B: sed cf. Meisterhans, p. 141, 17². 9 εἰάν H-L.

§ 2 *Harp. διαιτηταί: ...καὶ εἰ μὲν ἤρεσκε τοῖς ἀντιδίκους, τέλος εἶχεν ἡ δίκη· εἰ δὲ μὴ, τὰ ἐγκλήματα καὶ τὰς προκλήσεις καὶ τὰς μαρτυρίας, ἐτι δὲ καὶ τοὺς νόμους καὶ τὰς ἄλλας πίστει ἐκατέρων ἐμβαλόντες εἰς καθίσκους καὶ σημηνάμενοι παρεδίδωσαν τοῖς εἰσαγωγέσιν τῶν δικῶν. λέγει δὲ περὶ αὐτῶν Ἄρ. ἐν Ἀθ. πολ. Pollux viii 126: ἡ δ' ἔφευξεν αὐτῶν εἰ εἰς δικαστήριον γένοιτο, εἰς ἐχίνους τὰς ψήφους (sic) ἐμβαλόντες ἰδίᾳ ἐκατέρας τὰς τοῦ φεύγοντος καὶ διώκοντος κατασημαίνοντο. Bekk. An. 235, 20.

11 *Harp. ἐχίνος: ἔστι μὲν ἄγγος τι εἰς ὃ τὰ γραμματεῖα τὰ πρὸς τὰς δίκας ἐτίθεντο... μνημονεῖ τοῦ ἄγγους τούτου καὶ Ἄρ. ἐν τῇ Ἀθ. πολ.... Phot. i 240 Naber, ἐχίνοι: οἱ μὲν χαλκοῖ, οἱ δὲ ἐκ κεράμων· εἰς οὓς καθίσαισι οἱ διαιτηταὶ τὰ γραμματεῖα τῶν μαρτυριῶν ἢ τινας ἐμαρτύρησαν, καὶ κατασημηνάμενοι μετὰ ταῦτα εἰ ἐγκληθῆ ἡ δίατα τοῖς δικασταῖς ἐπεδίδωσαν (fere eadem habet *Schol. Arist. *Vesp.* 1436, additis τοῦ δ' ἄγγους τούτου καὶ Δημοσθένους μνημονεούσι καὶ Ἄρ.). Phot. ἐχίνος: καθίσκος τίς ἐστι χαλκοῦς, εἰς ὃν αἰ τε μαρτυρία καὶ αἰ προκλήσεις ἔγγραφω ἐνεβάλλοντο ὑπὸ τῶν δικαζομένων καὶ κατασημαίνοντο ἵνα μηδεὶς κακουργήσῃ περὶ τὰ ἐμβαλλόμενα (fere eadem Etym. M.; καὶ κατασημαίνετο ὁ ἐχίνος, ἵνα μηδεὶς κακουργήσῃ μετὰ τὸ ἀπαξ ἐμβάλλεσθαι, Bekk. An. 258, 6). Cf. Frag. 415², 455³.

in the first instance, to the arbitrators, and, if necessary, to the law-courts. Cf. Gilbert, i 358.

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 δήμους 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 Caillemier 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 εἰσαγόντες, 58 § 2, οἱ τὴν φυλὴν δικάζοντες, and *inf.* § 2, οἱ τὴν φυλὴν τοῦ

φεύγοντος δικάζοντες.

λαγχάνουσιν] sc. 'the suitors.'

§ 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. The text shews that all private causes (except the ἐμμηνοὶ δίκαι, c. 52) were in the first instance tried by the διαιτηταί.

ἐμβαλόντες—ἐχίνους] Dem. 45 § 17, ἔχρην 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.

καὶ τούτους κατασημηνάμενοι, καὶ τὴν [γνώ]σιν τοῦ διαιτητοῦ
 γεγραμμένην ἐν γραμματεῖῳ προσαρτήσαντες, παραδιδόασι τοῖς
 τέτταρσι τοῖς τὴν φυλὴν τοῦ φεύγοντος δικάζουσιν· οἱ δὲ παρα- 3
 15 λαβόντες εἰσάγουσιν εἰς τὸ δικαστήριον, [τὰ μὲν ἐ]ντὸς χιλίων εἰς
 ἓνα καὶ διακοσίους, τὰ δ' ὑπὲρ χιλίας εἰς ἓνα καὶ τετρακοσίους.
 οὐκ ἔξεσ[τι δ' οὐ]τε νόμοις οὔτε προκλήσεσι οὔτε μαρτυρίαις ἀλλ'
 ἢ ταῖς παρὰ τοῦ διαιτητοῦ χρῆσθ[αι ταῖς εἰς] τοὺς ἐχίνους ἐμβε-
 βλημέναις. διαιτηταὶ δ' εἰσὶν οἱς ἂν ἐξηκοστὸν ἔτος ᾗ. τοῦτο δὲ 4

12 [γνώ]σιν τοῦ B; [κρί]σιν τοῦ K, H-L; [κρίσ]ιν <τὴν> τοῦ K-W; in egypto fere nihil dispici potest; γνώσιν defendit Dem. 40 § 42 κατὰ γνώσιν διαιτητοῦ, 21 § 92 διαιτητοῦ γνώσιν, 33 § 22 γνώσιν—διαιτης, 36 § 17 τῆς γνώσεως. 13 TOICΔ? τοῖς δ K³, B: τοῖς ἐπὶ? K¹; πάλιν K-W, -ν εὐθύς H-L. 14 T(HC)ΦΥΛ(HC) K¹: τὴν φυλὴν Wyse, K-W, H-L, K³, B, coll. c. 48 § 5, c. 58 § 2.

§ 3 Pollux viii 48 infra laudatus.

§ 4 ἐξηκοστὸν ἔτος. Cf. Bekk. An. 235, 3, infra laudatum, § 5 τῆς ἡλικίας κτλ.

κατασημηνάμενοι, cf. 39 § 17, σεσημασμένων τῶν ἐχίνων, 47 § 16, ἐσημάνθησαν οἱ ἐχίνοι (and *id.* προκλήσεως ἐμβεβλημένης σοι καὶ μαρτυρίας), and 54 § 27, τῷ μὴ σημανθῆναι 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 τηρήσας 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 §§ 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. 1, Suid. 1); Schol. Arist. *Vesp.* 1436 where οἱ διαιτηταὶ are named, (=Phot. 3, ἐχίνοι—ἐπεδίδουν, and Suid. s. v. ἐχίνοι); 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 col. 31 l. 11 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 δικάζουσι] 48 § 5; 58 § 2. Probably those of the Forty who belonged to the same

tribe as the defendant.

§ 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. Geschworenengerichte*, 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 Apollodorus 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. ἐξηκοστὸν 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 ἐφήβοι in each year was the ἐπώνυμος of the διαιτηταὶ who had held office in the previous year.

δῆλον [ε]κ τῶν ἀρχόντων καὶ τῶν ἐπωνύμων. εἰσὶ γὰρ ἐπωνύμοι 20
δέκα μὲν οἱ τῶν φυλῶν, δύο δὲ καὶ τετταράκοντα οἱ τῶν ἡλικιῶν
οἱ δ' ἔφηβοι ἐγγραφόμενοι πρότερον μὲν εἰς λελευκωμένα γραμμα-
τεῖα ἐνεγράφοντο, καὶ ἐπεγράφοντο αὐτοῖς ὃ τ' ἀρχων ἐφ' οὗ
ἐνεγράφησαν καὶ ὁ ἐπώνυμος ὁ τῷ προτέρῳ [ἔτει] δεδαιτηκῶς, νῦν
δ' εἰς στήλην χαλκῆν ἀναγράφονται, καὶ ἴστανται ἢ στήλη πρὸ τοῦ 25
5 βουλευ[τ]ηρίου παρὰ τοὺς ἐπωνύμους. τὸν δὲ τελευταῖον τῶν

22 <οἱ> ἐγγραφόμενοι quondam Blass (H-L); οἱ etiam Harp. omisit. ΕΝΓΡΑΦ.
24 ὁ ἐπώνυμος: ἐπώνυμος Harp. ΠΡΟΤΕΡΩΙ (item Harp.): πρότερον K-W,
Poland, B. ΔΕΔΑΙΤΗΚΩΣ (edd.): δεδεικτικῶς (Harp. codices plerique), δεδητη-
κῶς Aldum secutus Dind., δεδικηκῶς Rose; ἐπίδημηκῶς (Aldum secutus Dind.; δεδεικτικῶς G,
-ās BD, δὲ δεικτικῶς AC; τῷ προτέρῳ ἐπίδημηκῶς Phot. et Suid.: δεδικηκῶς Rose,
A. P. p. 456)· νῦν δὲ εἰς τὴν βουλὴν ἀναγράφονται." Cf. Frag. 429², 469³.

20—25. *Harp. στρατεία ἐν τοῖς ἐπωνύμοις:...τίς ἦν ἢ ἐν τοῖς ἐπωνύμοις στρατεία
δεδήλωκεν Ἄρ. ἐν Ἄθ. πολ. λέγων "εἰσὶ γὰρ ἐπωνύμοι—ἐνεγράφησαν (codd., item Phot.
Suid., correxit Bekk.) καὶ ἐπώνυμος ὁ (καὶ ὁ ἐπώνυμος ὁ Aldum secutus Dind.; ὁ
ἐπώνυμος καὶ ὁ Rose) τῷ προτέρῳ ἔτει δεδητηκῶς (Aldum secutus Dind.; δεδεικτικῶς G,
-ās BD, δὲ δεικτικῶς AC; τῷ προτέρῳ ἐπίδημηκῶς Phot. et Suid.: δεδικηκῶς Rose,
A. P. p. 456)· νῦν δὲ εἰς τὴν βουλὴν ἀναγράφονται." Cf. Frag. 429², 469³.

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
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 (Schö-
mann, *Ant.* p. 423; Gilbert, i 300). 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 in-
cluded 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 epon-
ymous 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 *δαιτηγαί* which oc-
cupied 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 arbi-
trator.

The lists were unfortunately drawn up
on perishable material, at first on wood
and afterwards on bronze, and no ex-
ample 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 *δαιτηγαί*,
all on marble; but these are for another
purpose. Thus for B.C. 325/4 we have
no less than 103 names with the super-
scription: *δαιτηγαί οἱ ἐπὶ Ἀντικλ[έους
ἀρχοντος] ἀνέθεσαν στεφανωθέντες ὑπὸ τοῦ
δήμου* (CIA ii 943); also (for an un-
known 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 expres-
sion for the eponymus of the citizens who
served as *δαιτηγαί* 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 *δεδιή-
τηκα*, 21 § 85 *κατεδεδιητήκει* (Dind.) *οἱ
καταδεδ-* (Bekk.); Thuc. vii 77 *δεδιήθημαι*,
Dem. 21 §§ 85, 96 *ἀπο-*, 55 § 61 *κατα-*;
plpf. *ἔδεδιήτηστο*, Thuc. i 132 *ἐξ-* (Veitch)...
βουλευτηρίου κτλ.] Paus. i 5, 1, τοῦ B...
πλησίον Θόλος ἐστὶ καλουμένη...ἀνωτέρω

ἐπωνύμων λαβόντες οἱ [τεττ]αράκοντα διανέμουσιν αὐτοῖς τὰς
 διαίτας, καὶ ἐπικληροῦσιν ἅς ἕκαστος διαιτήσει· καὶ ἀναγκαῖον ἅς
 ἂν ἕκαστος λάχῃ διαίτας ἐκδιαιτᾶν. ὁ γὰρ νόμος, ἂν τις μὴ
 30 γένηται διαιτητῆς τῆς ἡλικίας αὐτῷ καθηκούσης, ἄτιμον εἶναι
 κελεύει, πλὴν ἐὰν τύχῃ ἀρχὴν ἀρχ[ω]ν τ[ιν]ὰ ἐν ἐκείνῳ τῷ ἐνιαυτῷ
 ἢ ἀποδημῶν. οὗτοι δ' ἀτελεῖς εἰσὶ μόνου. ἔστιν δὲ καὶ εἰσαγ- 6
 γέλλειν εἰς τοὺς διαιτητάς, ἐὰν τις ἀδικηθῇ ὑπὸ τοῦ διαιτητοῦ, κἄν
 τινος καταγνώσιν, ἀτιμοῦσθαι κελεύουσιν οἱ νόμοι· ἔφεσις δ' ἐστὶ
 35 καὶ τούτοις. χρῶνται δὲ τοῖς ἐπωνύμοις καὶ πρὸς τὰς στρατείας, 7
 καὶ ὅταν ἡλικίαν ἐκπέμπωσι, προγράφουσιν ἀπὸ τίνος ἀρχοντος
 καὶ ἐπωνύμου μ[έ]χρι τίνων δεῖ στρατεῦσθαι.

29 διαίτας (hiatu admissio) secl. K-W. ἐὰν H-L. 31 τῶ ἀ ἐν K-W, K³, B;
 ἄλλῃ κ¹, τις ἐν Burnet (H-L). 33 ΔΙΑΙΤΗΤΑΣ (K-W, K³, B): δικαστᾶς Harp. (κ¹,
 et H-L qui alioquin εἰς τοὺς ἄλλους διαιτητάς exspectarent). 36 Δ < : ἀπὸ Harp.
 (κ, K-W, H-L). 37 ΤΙΝΩΝ : τινος Harp.

§ 5 ἐπικληροῦσιν—ἄτιμον εἶναι. Pollux viii 126 infra exscriptus.

§ 6 Harp. εἰσαγγελία infra exscriptus.

δὲ ἀνδριάντες ἐστήκασιν ἡρώων, ἀφ' ὧν
 Ἄθηναίους ὕστερον τὰ δνόματα ἔσχον αἱ
 φυλαί.

§ 5. ἐπικληροῦσιν] Pollux viii 126,
 ἐπεκληροῦντο αὐτοῖς αἱ διαίται, καὶ ἀτιμία
 (cf. ἄτιμον) ἀφώριστο τῷ μὴ διαιτήσαντι
 τὴν ἐπικληρωθεῖσαν διαίταν. In Dem.
Arhob. iii 58 a public (as contrasted
 with a private) arbitrator is described
 as κληρωτός. Cf. Meier and Schöm. p.
 1012 Lips.

ἐκδιαιτᾶν] not found in this sense else-
 where. Cf. ἐκδικάζειν in [Xen.] *Rep.*
Ath. iii 2, δίκας καὶ γραφὰς καὶ εὐθύνας
 ἐκδικάζειν, and Lys. 17 § 5.

τῆς ἡλικίας—καθηκούσης] The age
 has hitherto been inferred from Bekker,
Anecd. 235 (= Schol. Plat. *Leg.* 920 D),
 πάντες Ἄθηναῖοι οἱ ἐξηκοστὸν ἔτος ἦν (§ 4),
 and from the less precise statements in
 Pollux viii 126, ἐκ τῶν ὑπὲρ ἐξήκοντα ἔτη
 γεγονότων, and Hesych. οἱ περὶ ἐξήκοντα
 ἔτη γεγονότες. The age of 50 is wrongly
 given in Bekker *Anecd.* 186 and Suidas,
 s. v. διαιτηταί.

ἄτιμον] the severer form of ἀτιμία is
 probably meant.

ἀτελεῖς] 'exempt' from serving as δια-
 ιτηταί.

§ 6. εἰσαγγέλλειν εἰς τοὺς διαιτητάς]
 Harpocr. s. v. εἰσαγγελία· εἰ γὰρ τις ὑπὸ
 διαιτητοῦ ἀδικηθῆι, ἐξῆν τοῦτον εἰσαγγέ-
 λειν πρὸς (eis K-W) τοὺς δικαστᾶς (διαιτητάς
 is Bergk's correction), καὶ ἀλοὺς ἡτιμοῦτο
 (cf. Bekk. *Anecd.* 235, 24 = Schol. Plat.

Leg. 920 D, and *Lex. Dem. Patm.* p. 13).

We have an example of this procedure in
 Dem. c. *Mid.* 86, φυλάξας τὴν τελευταίαν
 ἡμέραν τῶν διαιτητῶν—, κατηγορῶν ἔρημον
 οὐδενὸς παρόντος, ἐκβάλλει καὶ ἀτιμοὶ τὸν
 διαιτητὴν, first explained in this sense by
 Bergk, *Zeitsch. f. Alt.* 1849, 273, supported
 by Fränkel, *Alt. Geschworenenr.* p. 73 f.,
 as 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 διαιτητάς into δικαστᾶς: Bergk really
 altered δικαστᾶς into διαιτητάς, and the
 text confirms his alteration. The δια-
 ιτηταί 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 πρυτανεῶν
 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). 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.

§ 7. προγράφουσιν—στρατεῦσθαι]
 Lys. 14 § 6, σκέψασθε δὲ τίνες εἰσὶν οὓς δεῖ
 παρῆναι. οὐχ ὅτινες ἀν τὴν ἡλικίαν ταύτην

54. κληροῦσι δὲ καὶ τὰςδε 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 ἀρ[ξαν]τας λόγον ἀπευεργκεῖν. οὗτοι γὰρ εἰσι μόνου <οἷ> τοῖς ὑπευθύνουσι λογιζόμενοι, καὶ τὰς 5

LIV 5 <oi> ins. J B Mayor, K-W, H-L, K³, hiatus admissio.

TESTIMONIA. LIV § 1 Schol. in Aeschin. 3 § 25 infra exscriptum.

§ 2 Bekk. An. 276, 17 λογισταί: ἀρχοντές εἰσι κληρωτοί, δέκα τὸν ἀριθμὸν, ἐφ' ὧν πάντες οἱ ἀρχάντες ἀρχὴν ἠντιοῦν λόγον ἀπέφερον τῶν διωκημένων (fere eadem Etym. M. 569, 32). *Id.* p. 310, 6: οἱ λογισταὶ τὰς εὐθύναις ἀπάσας εἰσήγον (cf. Phot. ἡγεμονία δικαστηρίου). Phot. εὐθύναι: κυρίως ἀς εἰσαγόουσι οἱ λογισταὶ πρὸς τοὺς δόξαντας μὴ ὀρθῶς ἀρεταί τῆς πόλεως ἢ πρεσβεύσαι κακῶς· καὶ τὰ δικαστήρια μὲν οἱ λογισταὶ κληροῦσι, κατηγορεῖ δὲ ὁ βουλούμενος· καὶ τοῖς δικασταῖς ἐφέται τιμᾶσθαι τοῖς ἀλοῦσιν (eadem Bekk. An. 245, 6 et Lex. Dem. Patm. p. 142). *Lex. rhet. Cantab. λογισταί, infra exscriptum.

ἔχωσι; Dem. Ol. 3 § 4, ἐψηφίσασθε... καὶ τοὺς μέχρι πέντε καὶ τετταράκοντα ἐτῶν αὐτοὺς ἐμβάλλειν. Aeschin. F. L. 133, ψηφισαμένων ἡμῶν... τοὺς μέχρι τριάκοντα ἐτη γεγονότας ἐξέταναι, *ib.* 168, πρώτην δ' ἐξελεθῶν στρατεῖαν ἐν τοῖς μέρεσι καλοῦμαι μένην... καὶ τὰς ἄλλας τὰς ἐκ διαδοχῆς ἐξόδους τὰς ἐν τοῖς ἐπώνυμοις καὶ τοῖς μέρεσιν ἐξῆλθον (Gilbert, i 302, and *Beitrag*, 51 ff.). Cf. Lycurg. *Leocr.* 39, αἱ δ' ἐπιπιδες τῆς σωτηρίας τῷ δήμῳ ἐν τοῖς ὑπὲρ πενήκοντα ἐτη γεγονόσι καθειστήκεσαν. For προγράψουσι, cf. Arist. *An.* 450, (τοὺς ὄπλιτας) σκοπεῖν ὅ τι ἂν προγράψωμεν ἐν τοῖς πινακίοις.

LIV § 1. ὁδοποιοῦς] mentioned in Aeschin. 3 § 25 (with Schol. οἱ ἐπιμελούμενοι τῆς καθαρότητος τῶν ὁδῶν τῆς πόλεως), and by a Comic poet quoted in Plut. *Fraec. Reip. Ger.* 15 § 9, Μητιλοχος μὲν <γὰρ> στρατηγεί, M. δὲ τὰς ὁδοὺς, M. δ' ἄρτους ἐπαπτή, M. δὲ τάλφια, Μητιλόχῳ δὲ πάντα κείται, Μητιλοχος 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 τῆν ληψομένην λογισμὸν καὶ προσεϋθύνουσαν (ἀρχὴν), καλοῦσι δὲ τοῦτους οἱ μὲν εὐθύνουσι οἱ δὲ λογιστὰς οἱ δ' ἐξεταστὰς οἱ δὲ συνηγόρους. It had already been proved by Boeckh (II viii, p. 239³) that the λογισταὶ καὶ 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 εὐθύναις διδόναι, § 22, λόγον ἀποφέρειν πρὸς τοὺς λ., Schol. on §§ 9, 15). CIA ii 444, 446, (ἀν ἀγωνοθέτης) ἀπενήνοχεν λό-

γους εἰς τὸ μητρώον καὶ πρὸς τοὺς λογιστὰς καὶ τὰς εὐθύναις 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 214.

συνηγόρους] mentioned in *Pol.* 1322 b 11, quoted above. The present passage is loosely paraphrased in *Lex. Rhet. Cant.* p. 672, 20: 'Α. ἐν τῇ Ἀθ. πολ. οὕτως λέγει λογισταὶ δὲ αἰροῦνται [αὐτὴ κληροῦνται?] δέκα, παρ' οἷς διαλογίζονται πᾶσαι αἱ ἀρχαὶ τὰ τε λήματα καὶ τὰς γεγενημένας δαπάναις· καὶ ἄλλοι δέκα συνηγοροὶ οἵτινες συνανακρίνουσι τοῦτοις· καὶ οἱ τὰς εὐθύναις διδόντες παρὰ τοῦτοις ἀνακρίνονται πρῶτον, εἴτα ἐφλέταναι εἰς τὸ δικαστήριον, εἰς ἕνα καὶ φ' (Rose, *Frag.* 447³). 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 λογισταὶ who received the accounts of outgoing officials; who examined them conjointly with the συνηγοροὶ; and brought the accounts before a law-court of 501 δικασταὶ 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, ὁμνῦναι δὲ τὸν ὄρκον καὶ τὸν λογιστῶν λογιεῖσθαι ἃ ἐν μοι δοκῆ ἀνηλωκέναι, καὶ τοὺς συνηγόρους συνηγορήσειν τῷ δήμῳ τὰ δίκαια καὶ ψηφιεῖσθαι ἃ ἐν μοι δοκῆ δικάετατα εἶναι.

εὐθύνας εἰς τὸ δικαστήριον εἰσάγοντες. κὰν μὲν τινα κλέπτουτ' ἐξελέγξωσι, κλοπὴν οἱ δικασταὶ καταγινώσκουσι καὶ τὸ γνωσθὲν ἀποτίνεται δεκαπλοῦν· ἐὰν δὲ τινα δῶρα λαβόντα ἐπιδείξωσιν, καὶ καταγνώσιν οἱ δικασταί, δῶρων τιμῶσιν, ἀποτίνεται δὲ καὶ τοῦτο
 10 δεκαπλοῦν· ἂν δ' ἀδικεῖν καταγνώσιν, ἀδικίου τιμῶσιν, ἀποτίνεται δὲ τοῦθ' ἀπλοῦν, ἐὰν [πρὸ τῆς] ἐνάτης πρυτανείας ἐκτείσῃ τις, εἰ δὲ μὴ, διπλοῦται· τὸ <δὲ> δεκαπλοῦν οὐ διπλοῦται.

κληροῦσι δὲ καὶ γραμματέα τὸν κατὰ πρυτανείαν καλούμενον, 3

7 -ΓΙΝΩΙΚΟΚΥΣΙ: -γνω K-W; -γιγνω H-L, K³; -γιγνφ B, cf. 53, 7. ΓΝΩΩΘΕΝ (K, H-L): <κατα>γνωσθὲν K-W, B. 8 ΕΠΙΔΕΙΞ: ἀποδείξ. K-W. 10 ἐὰν H-L. 11 ΕΚΤΙΧΙΗ: ἐκτείσῃ K-W, H-L, K³, B: cf. Meisterhans, p. 144², u. 1252. 12 <δὲ> ins. κ (edd.).

10 ἀδικίου Harp. infra exscriptus.

§§ 3—5 Pollux viii 98: γραμματεὺς ὁ κατὰ πρυτανείαν κληρωθεὶς ὑπὸ τῆς βουλῆς ἐπὶ τῷ τὰ γράμματα φυλάττειν καὶ τὰ ψηφίσματα, καὶ ἕτερος ἐπὶ τοὺς νόμους ὑπὸ τῆς βουλῆς χειροτονούμενος. ὁ δ' ὑπὸ τοῦ δήμου αἰρεθεὶς γραμματεὺς ἀναγνώσκει τῷ τε δήμῳ καὶ τῇ βουλῇ. ἀντιγραφεὺς κτλ. (reliqua p. 195 ὁ exscripta).

§§ 3, 4 *Harp. γραμματεὺς... ὁ γραμματεὺς πῶς τε καθίστατο καὶ τί ἔπραττεν, 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, p. 195 ὁ exscriptus. § 5 Suidas (e lexico Photiano) γραμματεὺς (1): οὗτος πράξεις μὲν οὐδεμῶς ἦν κύριος, ὑπαγεγνώσκει δὲ τῇ βουλῇ καὶ τῷ δήμῳ τὰ πραττόμενα. Bekk. An. 226 γραμματεὺς: καὶ τὸν γραμματέα ὁ δήμος χειροτονεῖ, “ἀναγνώσκουσαν αὐτῷ καὶ τῇ βουλῇ· καὶ οὗτος οὐδενός” τὸ σύνολον ἄλλου “ἐστὶ κύριος” ἢ “τοῦ ἀναγνώσαν”... (Frag. 399², 439³). Bekk. An. 185, 14. Suidas s.v. (2) κληρωτοὶ δὲ ἦσαν τὸν ἀριθμὸν τρεῖς, γράφοντες τὰ δημόσια. οὐδενός δὲ ἦσαν οἱ γραμματεῖς οὗτοι κύριοι, ἀλλ' ἢ τοῦ γράφειν καὶ ἀναγνώσαναι.

τὰς εὐθύνας—εἰσάγοντες] Dem. de Cor. 117, ὅτε με εἰσήγον οἱ λογισταί, and F. L. 211.

κλοπὴν] δημοσίῳν χρημάτων. Dem. c. Timocr. 112, εἰ μὲν τις ἀγορανόμος ἢ ἀστυνόμος ἢ δικαστὴς κατὰ δήμου γενόμενος κλοπῆς ἐν ταῖς εὐθύναις ἐάλωκεν,—τούτῳ μὲν τὴν δεκαπλασίαν εἶναι, and 127, συνέρου γενόμενου κλοπὴν αὐτοῦ τὸ δικαστήριον κατέργω 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 διατίθεισι is followed in the next sentence by τίθησι. Cf. Dem. Timocr. 9, where τῆς βουλῆς κατεγνώσκουσι 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).

ἐπιδείξωσιν] Pol. 1259 a 16, ἐπιδείξεισιν ὅτι. Aeschin. 3 § 228, τῆς γὰρ αἰτίας αἰσχρὸν τὸν αἰτιώμενον ἐστὶ τὸ ἔργον μὴ ἔχειν ἐπιδείξει.

ἀδικίου] here of ‘maladministration.’ Plut. Per. 32, εἶτε κλοπῆς καὶ δῶρων ἐν' ἀδικίῳ βούλοισι τις ὀνομάζειν τὴν δίωξιν. The term is not found in the Orators, but is mentioned in Harpocr. s. v. ἐστὶ δὲ ὄνομα δίκης. ἀποτίνεται δὲ τοῦτο ἀπλοῦν, ἐὰν πρὸ τῆς θ' πρυτανείας ἀποδοθῇ· εἰ δὲ μὴ, διπλοῦν καταβάλλεται. 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 γρ. κατὰ πρυτανείαν. The regular form before the year of Euclides was ὁ γρ. τῆς βουλῆς. As an exception we find in B.C.

ὅς τῶν γραμμάτων ἐστὶ κύριος, καὶ τὰ [ψη]φίσματα τὰ γιγνόμενα φυλάττει, καὶ τὰλλα πάντα ἀντιγράφεται, καὶ παρακάθεται τῇ 15

14 ΓΡΑΜΜΑΤΕΩΝ: γραμμάτων ex Harp. et Polluce Burnet, Bywater, Blass, Naber, K-W, H-L, K³. <τ> post γραμμάτων addidit B ex Harp. ΓΙΝ (K-W): γεν. Harp.

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 γράμμασι). 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 254; 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 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. Hölle; and Hartel's *Studien*, published in the same year; also an article by von Wilamowitz (in *Hermes*, xiv 148—153), who, like Stointin, in *Fahrh. 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 archives' (in the Μητρώων). In Dem. F. L. p. 381 these are described as under

the (special) charge of a public slave: ἐν τοῖς κοινοῖς τοῖς ἡμετέροις γράμμασιν ἐν τῷ Μητρώῳ ταῦτ' ἐστίν, ἐφ' οἷς ὁ δημόσιος τέτακται. This γραμματεὺς is mentioned by Aeschin. 3 § 15, λόγον καὶ εὐθύνας ἐγγράφοισι πρὸς τὸν γραμματέα καὶ τοὺς λογιστάς, and by Chamaeleon, ap. Athen. 407 C, (Alcibiades) ἦκεν εἰς τὸ Μητρώον, σπου τῶν δικῶν ἦσαν αἱ γραφαὶ καὶ βρέξας τὸν δάκτυλον ἐκ τοῦ στόματος διηλείψε τὴν δικὴν τοῦ Ἠγήμονος ἀγανακτοῦντες δὲ ὁ τε γραμματεὺς καὶ ὁ ἄρχων τὰς ἡσυχίας ἦγον δι' Ἀλκιβιάδην.

τὰλλα 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 (ἀντιγράφεται 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 (ἀντιγραφεῖ).

Pollux, viii 98, after describing the γρ. ὁ κατὰ πρυτανείαν and the γρ. ἐπὶ τοὺς νόμους in terms borrowed in part from the text, continues as follows: ἀντιγραφεὺς πρότερον μὲν αἰρετὸς αἰθῆσι δὲ κληρωτὸς ἦν καὶ πάντα ἀντεγράφετο παρακathήμενος 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 πύλει χρήματα, ὥστε ἀντιγράφουσαι ταῦτα (Dem. c. *Androt.* p. 615 and Aeschin. c. *Ctes.* 25). διττοὶ δὲ ἦσαν ἀντιγραφεῖς, ὁ μὲν τῆς διοικήσεως, ὡς φησι Φιλόχορος, ὁ δὲ τῆς βουλῆς, ὡς Ἀριστοτέλης ἐν Ἄθ. πολ. Cf. Bekker's *Anecd.* p. 185, ὁ δὲ καταγράφουμος τὰ ἐν τῇ βουλῇ γενόμενα. 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.

βουλῆ. πρότερον μὲν οὖν οὗτος ἦν χειροτονητός, καὶ τοὺς ἐνδοξο-
τάτους καὶ πιστοτάτους ἔχ[ειρ]οτόνουν· καὶ γὰρ ἐν ταῖς στήλαις
πρὸς ταῖς συμμαχίαις καὶ προξενί[αι]ς καὶ πολιτείαις οὗτος
ἀναγράφεται· ἡν δὲ γέγονε κληρωτός. κληροῦσι δὲ καὶ ἐπὶ τοὺς 4
20 νόμους ἕτερον, ὃς παρακάθεται τῇ βουλῇ, καὶ ἀντιγράφεται καὶ
οὗτος πάντας. χειροτονεῖ δὲ καὶ ὁ δῆμος γραμματέα τὸν 5

17 κ(ΔΙ)ΔΠΙCΤ: corr. K.
e Polluce (edd.).

19—20 ΕΠΙ ΤΟΥΤΟΙC Ν[Ο]ΜΟΝ ΕΤΕΡΟΝ: corr. K

§§ 4, 5. Cf. Testim. p. 194.

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 *πρωταετία* 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.

τοὺς ἐνδοξοτάτους κτλ.] For the period between 450 B.C. and 403 B.C., about 28 names are known (Hille in *Leipz. Stud.* i 240); but only one is at all familiar, Ἀγύρριος Κ[αλλίου], CIA ii 1b (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).

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), *Καλλίβιος Κηφισοφώντος 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 173). As exx. we have (in B.C. 431/0) CIA i 45, Προκλῆς Ἀτάρβου Εὐωνυμεὺς ἐγραμμάτευ.—ἀναγραφάτω πρόξενον καὶ εὐεργέτην Ἀθηναίων (Ἀστίαν τὸν Ἀλεὼν) ἐστήλη λιθίνῃ ὃ γραμματεὺς ὁ τῆς βουλῆς καὶ καταθέτω ἐν πόλει. *ib.* ii 5 (Echembrotos of Cleone)—Πιστόθεος ἐγραμμάτευ, and ii 3 (Amyntor, Eurypylus, &c)

—Δεξιθεος ἔγρ.—ἐπειδὴ καθῆρέθη ἡ στήλη ἐπὶ τῶν τριάκοντα ἐν ᾗ ἦν αὐτοῖς ἡ προξενία, ἀναγράφαι τὴν στήλην τὸν γρ. τῆς βουλῆς. ii 21 (Eurytion) Δισχόλος ἔγρ., ii 69 (Philiscus, B.C. 355) ἐνάτης πρωταετίας ᾗ Πάνδιος Σωκλέους ἐξ Ὀλοῦ ἔγρ.—ἀναγράφαι τὸδε τὸ ψήφισμα τὸν γρ. τῆς βουλῆς. ii 119 (Apelles of Byzantium, B.C. 339)—ἀναγράφαι αὐτοῦ τὴν προξενίαν τὸν γρ. τὸν κατὰ πρωταετίαν. ii 124 (an officer of Philip in B.C. 337)—ἀναγράφαι δὲ τὴν προξενίαν κτλ. Cf. Monceaux, *Les Proxénies Grecques*, p. 83.

πολιτείαις] 'grants of citizenship. The oldest inscr. on this subject is that in *Ép. Arch.* 1883, pp. 37, 38: Ἰππαρχὸν &c Ἀθηναῖος ἔναι ἀνδραγαθίας ἕνεκα τῆς ἐς Ἀθηναίους καὶ φυλὴν καὶ δῆμον καὶ φρατρῖαν ἐλεσθαι ἦν περ ἂν βόλωνται καὶ ἀναγράψαι αὐτὸς ἐστήλην λιθίνην τὸν γραμματέα τῆς βουλῆς. CIA ii 243—εἶναι Ὀξύθεμον (friend of Demetrius Poliorcetes)—Ἀθηναῖον—ἀναγράψαι δὲ τὸδε τὸ ψήφισμα τὸν γραμματέα τὸν κατὰ πρωταετίαν. 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, ὃ καὶ αἱ λοιπαὶ πολιτεῖαι ἀναγεγραμμέναι εἰσίν, and *ib.* 315, ἀναγράψαι ὅπου καὶ αἱ λοιπαὶ πολιτεῖαι ἀναγεγραμμέναι εἰσίν. See Schömann, *Ant.* p. 355; Gilbert, i 175; *Dict. Ant.* i 443; Hartel, *Studien*, p. 271—3; Reinach, *Épigraphie Grecque*, p. 371.

ἀναγράφεται] Thus, in a decree in honour of Thrasylbulos of Calydon, the first two lines are inscribed in large characters, CIA i 59: [ἐπὶ Γλαυκί]ππου δ[ι]ρχων[τ]ος. [Δάβων ἐκ] Κηδῶν ἐγραμμάτευ. Then follows the decree in smaller characters and the name of the γραμματεὺς is repeated in the second line, Δάβων ἐγραμμάτευ. CIA ii 51 (decree of citizenship &c B.C. 369) l. 3—Ἀζηριεὺς ἐγραμμάτευ. CIA ii 54 (do. B.C. 363)—Παλλήνης ἔγρ.—τὸ δὲ ψήφισμα τὸδε ἀναγράφαι τὸν γραμματέα 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. *Lept.* 94 (of a new law), τῷ γραμματέῳ παραδόνται, τοῦτον δ' ἐν ταῖς ἐκκλησίαις ἀναγεγνώσκειν. When the letter of Nicias was delivered in Athens (Thuc. vii 10) ὁ γραμ-

ἀναγνωσόμενον αὐτῷ καὶ τῇ βουλῇ, καὶ οὗτος οὐδενός ἐστι κύριος ἀλλὰ τοῦ ἀναγνώναι.

6 κληροὶ δὲ καὶ ἱεροποιοὺς δέκα, τοὺς ἐπὶ τὰ ἐκθύματα καλου-
 μένους, [οἰ] τά τε [μαν]τευτὰ ἱερὰ θύουσιν, κἄν τι καλλιερῆσαι 25
 7 δέη, καλλιερῶσι μετὰ τῶν μάντε[ων]. κληροὶ δὲ καὶ ἐτέρους
 δέκα, τοὺς κατ' ἐνιαυτὸν καλουμένους, οἱ θυσίας τέ τινας θύουσι,
 [καὶ τ]ὰς πεντετηρίδας ἀπάσας διοικοῦσιν πλὴν Παναθηναίων.

23 ἄλλα : ἀλλ' ἢ Blass, Richards, Gennadios (e Suida κ-w, H-L); ἀλλὰ defendit K, sed ἀλλ' ἢ fortasse praestat. 28 διοικοῦσι H-L.

§§ 6, 7 *Etyim. M. ἱεροποιοί : κληρωτοὶ ἄρχοντές εἰσι δέκα τὸν ἀριθμὸν, οἱ τὰ τε μαντεύματα ἱεροθετοῦσι (ἱεροθύτου cod. V; ἱεροθυτοῦσι cod. D, Bekk. An. 265, et Photius : οἱ τὰ μεμαντευμένα ἱερὰ θύουσιν Lex. Dem. Patm.), “κἄν τι καλλιερῆσαι δέη καλλιερῶσι μετὰ τῶν μάντεων,” καὶ θυσίας τὰς νομιζομένας ἐπιτελοῦσι “καὶ τὰς πεντατηρίδας ἀπάσας διοικοῦσι πλὴν Παναθηναίων.” ταῦτα δὲ Ἄρ. ἱστορεῖ ἐν τῇ Ἄθ. πολ. Pollux viii 107 ἱεροποιοί, p. 198 a exscriptus.

ματεὺς [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 : ὑπηρέτην τὸν εἰσθότα ἐν τῷ μάντει, ἡμῶν τὰ γράμματα ἀναγιγνώσκων. We should have expected to find him named in CIA ii 61, 26, ἀκούσασαν δὲ τὴν βουλὴν ἀνταναγιγνώσκομένων τῶν ἀναγεγραμμένων κτλ.]. In CIA ii 114, 10 (B.C. 343/2) we read of a decree in honour of Phanodemus : ἀναγνώναι τὸδε τὸ ψήφισμα τῶν γραμματέα τῷ δήμῳ. In [Plut.] ii 841 F, we learn that the orator Lycurgus required the γρ. τῆς πόλεως to see that the authorised text alone of Aeschylus, Sophocles and Euripides was adopted in the public performances of their plays, [Plut.] ii 841 F, τὸν τῆς πόλεως γραμματέα παραναγιγνώσκων τοῖς ὑποκρονομένοις.

ἀλλὰ]=ἀλλ' ἢ in *Eith. N.* x 5, 1176 a 22, vii 13, 1152 b 30, *Rhet.* ii 23, 1402 a 27 (Index Ar.).

§ 6. ἱεροποιοῦς] ‘Commissioners of sacrifices.’ *Pol.* 1322 b 18, ἄλλο δ' εἶδος ἐπιμελείας ἢ περὶ τοὺς θεοὺς. οἷον ἱερεῖς τε καὶ ἐπιμεληταὶ τῶν περὶ τὰ ἱερὰ τοῦ σφύζεσθαι τε τὰ ὑπάρχοντα καὶ ἀνορθοῦσθαι τὰ πίπτοντα τῶν οικοδομημάτων καὶ τῶν ἄλλων ὅσα τέτακται πρὸς τοὺς θεοὺς—(b 24) οἷον ἱεροποιοῦς κτλ. The text is quoted in *Etyim. Magn.*, without any distinction between the two boards. The article adds a reference to *Dem.* p. 47, 13, οἱ λαγοποιοὶ τὰς πομπὰς ὑμῶν πομπέουσι μετὰ τῶν ἱεροποιοῶν. The ἱεροποιοὶ are mentioned under the Four Hundred in 30 § 2. Cf. [Dem.] 58 § 29, τὴν μὲν ἀρχὴν ἣν ἐκεῖνος ἄρχων ἐτελείησεν, ἱεροποιοὺς ὧν, παρὰ τοὺς νόμους ἦρχεν οὗτος, οὔτε λαχὼν οὔτ' ἐπιλαχὼν. CIA

ii 741 (B.C. 334/3), ἐκ τοῦ δερματικοῦ—ἐκ τῆς θυσίας τῇ Ἀγαθῇ Τύχῃ παρὰ ἱεροποιοῶν—ἐξ Ἀσκληπείων παρὰ ἱεροποιοῶν—ἐγ Βεν-διδέων, παρὰ ἱεροποιοῶν. (B.C. 333/2), [ἐκ Πανα]θηναίων παρὰ ἱεροποιοῶν. B.C. 332/1 ἐκ Παναθηναίων παρὰ ἱεροποιοῶν, ἐξ Ἐλευσινίων παρὰ ἱεροποιοῶν. Certain kinds of ἱεροποιοί, 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 ἀρεθέντες ὑπὸ τῆς βουλῆς (out of the 10 tribes). Gilbert i p. 249; Müller's *Handbuch*, v 3, 34.

ἐκθύματα] The word is hitherto only known in the sense of ‘pustule’ (*Hipp. Epid.* 3, 1086 L and S). ἐκθύω, however, means in act. to sacrifice, in *Soph. El.* 572, and *Eur. Cycl.* 371; and, in middle, to expiate. In the text ἐκθύματα (if genuine) means ‘expiations.’ The corresponding phrase in an inscr. of B.C. 320/8, in Ἐφ. Ἀρχ. 1883, 110—126, B 82, is εἰς τὰ ἐπιθύσιμα.

μαντεῦτὰ] ‘appointed by oracle.’ *Xen. Anab.* vi 1, 22, ἐθύετο τῷ Διὶ, ὅσπερ αὐτῷ μαντεῦτος ἦν. Sacrifices are enjoined in the μαντεῖαι quoted by *Dem. c. Mid.* 52—54.

καλλιερῆσαι] [*Xen.*] *Vect.* vi 3, τοῦτοις (τοῖς θεοῖς) καλλιερῆσαντας ἄρχεσθαι τοῦ ἔργου.

§ 7. τοὺς κατ' ἐνιαυτὸν] possibly corresponding to the ἐπιμελητὰς of 30 § 2.

πεντετηρίδας] These festivals are also enumerated in *Pollux* viii 107 (as cor-

εἰσι δὲ] πεντητηρίδες μία [μὲν ἢ εἰ]ς Δῆλον (ἔστι δὲ καὶ ἐπ[τε]-
30 τηρὶς ἐνταῦθα), δευτέρα δὲ Βραυρώνια, τρίτη [δὲ Ἡράκλει]α,

29 εἰσι δὲ] κ, κ-ω, ε̄ (sc. πέντε) [δ' εἰσι] H-L (B). πεντητηρίδες <δ' > κ-ω.

rected by Rose), ἱεροποιοί· δέκα ὄντες οὔτοι ἔθνον θυσίας τὰς <νομιζομένας καὶ (τὰς added by Kenyon) > πεντητηρίδας <διοκοῦσι>, τὴν εἰς Δῆλον, τὴν ἐν Βραυρώνι, τὴν τῶν Ἡρακλείων (Ἡρακλειδῶν codd.; corr. Jungermann), τὴν Ἐλευσίτι.

πλὴν Παναθηναίων] At this festival the procession was marshalled by the δήμαρχοι: Suidas, s. v. οὔτοι δὲ διεκόσμου τὴν ἑορτὴν τῶν Παναθηναίων, and Schol. Arist. *Nub.* 37, οὔτοι δὲ τὴν πομπὴν τῶν Παναθηναίων ἐκόσμου. In CIA ii 741 ἱεροποιοί are twice mentioned in connexion with a Panathenaic festival: a 34, [ἐκ Πανα]θηναίων παρὰ [ἱεροποιῶν], and c 8, [ἐκ Πα]ναθηναίων 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 Panathenaea 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): ἀθλοθέταις παρεδόθη ἔς Παναθήνια τα μέγ' αὐτά (such and such a sum), ἱεροποιοῖς κατ' ἐνιαυτόν, Δύλλω Ἐρχεῖ καὶ συνάρχουσιν ἐς τὴν ἑκατόμβην (5114 dr.). Boeckh, II p. 8 Fränkel, supposes that, in the Panathenaea, it was the ἀθλοθέται who undertook the duties connected with the games, which were undertaken by the ἱεροποιοί in the other festivals, while the ἱεροποιοί were only concerned with making arrangements for the hecatomb.

εἰς Δῆλον] The ancient πανήγυρις at Delos was revived by the Athenians in the spring of B.C. 425, Thuc. iii 104, 2, τὴν πεντητηρίδα τότε πρῶτον μετὰ τὴν κάθαρσιν ἐποίησαν οἱ Ἀθηναῖοι, τὰ Δῆλια. Besides the πεντητηρίς mentioned in the text there was an annual θεωρία (Plat. *Phaedo* 58 B, *Crito* 43 C). Hermann, *Gottesdienst. Alt.* § 65, 31—34.

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 Ἰέρδς, corresponding to the Attic Anthesterion = Feb.-March (Robert in *Hermes* xxi 161, approved by A. Mommsen in *Bursian's Jahresh.* 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 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 Πεντητηρίς (*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' ἑκάστου δῆμον. 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 through-

τετάρτη δὲ Ἐλευ[σίνι]α, [πέμπτη] δὲ Παναθήναια καὶ τούτων οὐδεμία ἐν τῷ αὐτῷ ἐγγί[γνεται]. * [ἄλλα] δὲ πρόκειται [*κατὰ τὰ 32 ψη]φίσ[ματα τὰ*] ἐπὶ Κηφισοφώντος ἄρχοντος.

31 Ἐλευ[σίνι]α, [ε] δὲ Wyse (κ³, qui ε̄ pro πέμπτη scribi potuisse ostendit, coll. c. 47 § 4 ubi [θ] pro ἐνάτης recte datum; 'dispicuntur vestigia litterae ε, et super eam ductus transversus qui numerum indicat' (B). Ἐλευσίνια. τὰ δὲ κ-ω. 32 ΟΥΔΕΜΙΑ

ΕΝ ?

legit κ; ΟΥΔΕΤΡΙΑ Η-Λ; equidem puto primitus fuisse οὐδέτερα. ΕΝΤΩΙΑΥΤΩΙΓΙ-ΝΕΤΑΙ: ἐν τῷ αὐτῷ ἐγγί[γνεται] κ¹; ἐν τῷ αὐτῷ ἔτει γίνεταί J B Mayor; ἐν τῷ αὐτῷ ἐνιαυτῷ γίγνεται Blass (H-L). [τ] δὲ Παναθήναια [[καί] τούτων οὐδεμίᾳ ἐν τῷ αὐτῷ ἐν[ιαυτῷ] γίνε[ται] κ-ω; καὶ τούτων οὐδεμία ἐν τῷ αὐτῷ ἐν[ιαυτῷ] γίγνεται] B. 32 δὲ πρόκειται αἰς ἐπὶ Κηφισοφώντος ἄρχοντος κ, qui ante αἰς ant φ,

out Attica; and it is more probable that the festival under the control of the *Ιεροποιοί* was the distinctive Brauronian festival of *Artemis*. Hemsterhuys, Corsini and others refer the Brauronian *πεντητηρίς* (cf. Pollux viii 107) to the Dionysia. K. O. Müller points out that the existence of a *Ιερεία τῆς Ἀρτέμιδος τῆς Βραυρωνίας* (Dinarch. *Artis*. 12) does not prevent the festival being under the management of the *Ιεροποιοί*, 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 ἐψηφίσθη. . . . καὶ τὰ Ἡράκλεια ἐν ἄσπει θύειν. Hαρροστ. *s. v.* πολλῶν ὄντων τῶν κατὰ τὴν Ἀττικὴν Ἡρακλείων νῦν ἂν ὁ Δημοσθένης μνημονεύει ἥτοι τῶν ἐν Κνωσάργει, ταῦτα γὰρ μάλιστα διὰ τιμῆς εἶχον Ἀθηναῖοι. The festival referred to by Dem. was probably held about midsummer, apparently in the month Hecatombœon, at the same time as the Panathenaea: Steph. Byz. *s. v.* Ἐχελίδαί—τοῦ τετρακάμου Ἡρακλείου, ἐν ᾧ τοὺς γυμνικοὺς ἀγῶνας ἐτίθεισαν τοῖς Παναθηναίοις (Böhnecke, *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, σύμψαν κεφάλαιον ἱερέσι καὶ ἱερείαις εἰς τὴν τριετηρίδα τῶν Ἐλευσινίων καὶ εἰς τὴν πεντητηρίδα, cf. *ib.* 1887, p. 3, v. 25, τῆς πάνη[γύρε]ως τῶν Ἐλευσινίων τῶν μεγάλων. It has been conjectured that the *τριετηρίς* and *πεντητηρίς* fell in the

second and fourth year respectively of the Olympiad. If the inscr. in CIA ii 741 (Ditt. 374) is correctly restored, the *Ιεροποιοί*, presumably οἱ κατ' ἐνιαυτῶν, were concerned with the annual celebration of the Ἐλευσίνια, cf. c 66 [ἐξ Ἐλε]υσινίων παρὰ ἱεροποιῶν—], B.C. 432/1, the first year of an Olympiad, and d 74 ἐξ Ἐλευσινίων παρὰ ἱεροποιῶν—], 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 Ἐλεμυτρικῆ καὶ τῆ Κόρυθ] τῆ Δαειρ[α] παρὰ ἐπιμελητῶν. (Wyse, in *Class. Rev.* v 335 b.)

The inscr. in Ἐφ. Ἀρχ. 1883, mentioning the *πεντητηρίς* τῶν Ἐλευσινίων, refers to B.C. 329/8, the very year in which Cephisophon was archon. Payments are there made to the *Ιεροποιοί οἱ κατ' ἐνιαυτῶν*, β 8 and 38 (κατὰ ψήφισμα δῆμου [τ]ὸ [εἰς θ]υσ[ίας]), and to the *Ιεροποιοί ἐγ βουλή* β 67, 72, 76, 82 (εἰς τὰ ἐπιθύσια), γ 4 (Wyse, *ib.*).

Παναθήναια) the great Panathenaea; c. 60.

ἐν τῷ αὐτῷ probably 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 in itself a less likely 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 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 Hecatombœon; the *Eleusinia* possibly in the fourth year of an Olympiad, and probably in the same month as the annual *Eleusinia*, *z. c.*

κληροῦσι δὲ καὶ εἰς Σαλαμίνα ἄρχοντα, καὶ εἰς Πει[ραι]έα 8
35 δῆμ[αρχ]ου, οἱ τὰ τε Διονύσια ποιοῦσι ἑκατέρωθι καὶ χορηγοῦς

aut fortasse ρ, scriptum fuisse arbitratus, conicit [τοῦτο] δὲ πρόκειται [γραφ]αῖς [ταῖς] ἐπὶ κτλ. δὲ πρόκειται [ἐν γρα]φαῖς (Φαι Β) [ταῖς] ἐπὶ κτλ. κ-ω. [ὑβμος] δὲ πρόκειται [περὶ τούτων τεθεῖς] ἐπὶ κτλ. Η-Λ, invita papyro. equidem tentavi [ἄθλα] δὲ πρόκειται [πᾶσαις [καθάπερ] ἐπὶ κτλ.; vel [ἐν ταῖς γρα]φαῖς [ταῖς] ἐπὶ κτλ., coll. Plut. ii 1134 A, ἡ τῶν Παναθηναίων γραφή περὶ μουσικοῦ ἀγῶνος; vel [κ(ατὰ) τὰς σ(υ)γγρα]φὰς [τάς] ἐπὶ κτλ. (coll. Dittenb. *Sylloge*, p. 24); vel potius [ἄθλα] δὲ πρόκειται [κ(ατὰ) τὰ ψη]φισ[ματα τὰ] ἐπὶ κτλ.; sed Cephisophon Olympiadis in anno quarto archon erat, nec video cur in anno proximo post Panathenaea, potius quam ante ludos illos, nova praemia decreta fuerint; eo meliore igitur iure ἐμπτη δὲ Παναθηναία delenda putat B. 34 Πει...εΔ, Πειραιέα κ, κ-ω, Β: Πειραιά Η-Λ. 35 ποιοῦσι etiam Η-Λ.

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-ω, 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 Heraclaea to the first year, leaving the Brauronia (and possibly the Eleusinia) in the fourth year.

1. 32. ἄθλα δὲ πρόκειται] The suggestion ἄθλα is confirmed (in point of sense) by the context, and (in point of expression) by *Pol.* 1330 a 33, τοῖς δούλοις ἄθλον προκεῖσθαι τὴν ἑλευθερίαν, *Hdt.* ix 101, ἄθλα πρόκειται, viii 93, ἄθλον ἔκειτο, *ib.* 26, τὸ ἄθλόν σφι κείμενον, *Plat. Rep.* 638 c, προκείμενα ἄθλα, *Xen. Cyr.* ii 3, 2, ἄθλα πρόκειται, i 6, 18 ἄθλα προτιθεῖς. Cf. inscr. found at Sestos, in Dittenberger, 246, 78 (before 120 B.C.), τιθεῖς ἄθλα πάντων τῶν ἀθλημάτων τοῖς τε νέοις καὶ τοῖς ἐφήβοις. It is a welcome confirmation of this suggestion to find that ἄθλα has been independently proposed by Mr Newman, *Class. Rev.* v 117 b.

The inscr. already quoted from 'Εφ. Ἄρχ. 1883, pp. 110—126, describes the payments made to the *λερποιστοὶ οἱ κατ' ἐνιαυτόν*, β 8 and 38 κατὰ ψήφισμα δῆμου [τ]ὸ [ἐ]ς [θ]υσ[ίας], and γ 7 καὶ τοῦτο (more than 1000 dr.) *λερποιστοῖς κατεβάλομεν κατὰ ψήφισμα δῆμου ὁ 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, *ἐς τὴν ἵπποδρομίαν τὴν προστε-*

θεῖσαν κατὰ ψήφισμα ἄθλα μέδιμοι FΔΔ. The suggestion in the text assumes that, under the active administration of Lycurgus (cf. Dürrbach, *Lycurgus*, pp. 99—102), prizes for the other festivals as well were the subject of decrees in the same year, but there is no evidence on this point. It may also be admitted that the 4th year of an Olympiad is not a very likely year for a decree to be passed affecting the Panathenaeic and Delian festivals, which would not be held till three years later, in the 3rd year of an Olympiad.

ἐπὶ Κηφισοφώντος] B.C. 329/8, the latest date mentioned in this treatise.

§ 8. εἰς Σαλαμίνα ἄρχοντα] CIA ii 594 (127 B.C.?), v. 1, ἐ[πι] 'Ἐπικλέους ἄρχοντος ἐν ἄστει, ἐν Σαλαμῖνι δὲ 'Ανδρονίκο[υ], v. 31, Διονυσίων τῶν ἐν Σαλαμῖνι τραγωδοῖς. *ib.* ii 469 (somewhat before 69 B.C.), v. 75 and 80, ἐπὶ Πυθέου ἄρχοντος ἐν Σαλαμῖνι, ἐν ἄστει δὲ Ἰππάρχου, v. 82, Διονυσίων τῶν ἐν Σαλαμῖνι τραγωδῶν 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. de Schoeffer, *De Deli Insulae Rebus*, p. 201: 'Archon Salaminis insulae fueritne ab Atheniensibus constitutus an a clearchis electus, prorsus ignoramus; nomen archontis minime obstat quominus illud verisimilius 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 a regular Attic deme, but as a community dependent on Athens. Hence (like Athens) it had an archon at its head (Hermann, *Staatsalt.* § 117, 4).

εἰς Πειραιέα δήμαρχον] In CIA ii 573 b we have a decree, of the second half of the fourth century, placing the *θεσμοφύριον* in the Peiraeus under the protection of the *δήμαρχος*. In ii 573 the *δήμαρχος* is mentioned in connexion with a theatre in the Peiraeus. In an inscr.

καθιστᾶσιν ἐν Σαλα[μῖνι] δὲ καὶ τὸ [δύ]ομα τοῦ ἀρχοντος 36 ἀναγράφεται.

55. αὐται μὲν οὖν αἱ ἀρχαὶ κληρωταὶ τε καὶ κύριαι τῶν [εἰρη]μέων [πραγμάτων] εἰσίν. οἱ δὲ καλούμενοι ἐννέα ἀρχοντες, τὸ μὲν ἐξ ἀρχῆς ὄν τρόπον καθίσταντο [εἴρη]ται [νῦν] δὲ κληρούσι θεσμοθέτας μὲν ἐξ καὶ γραμματέα τούτοις, ἔτι δ' ἀρχοντα καὶ βασι[λέα] καὶ πολέμαρχον, κατὰ μέρος ἐξ ἐκάστης 5 2 <τῆς> φυλῆς. δοκιμάζονται δ' οὗτοι πρῶτον μὲν ἐν τῇ [βουλῇ] τοῖς πεντακσίοις, πλὴν τοῦ γραμματέως, οὗτος δ' ἐν δικαστηρίῳ

LV 1 'an κληροῦνται καὶ κύριαι? K-W. 3 [εἴρη]ται [ἦδη νῦν] K, K-W, H-L: [εἴρη]ται [νῦν] B, cum versus proximi in spatio eodem non plus quam tres exstant litterae. 4 κληρούσι H-L. 5 ἐκάστης <τῆς> B. 7, 10 <τῷ> δικαστηρίῳ hic et in c. 45, 7 K-W; idem in c. 46, 13 et c. 55, 10 articulum omissum non inserunt.

TESTIMONIA. LV §§ 1, 2, 4 Heraclidis epitoma; Rose Frag. 611, 8: εἰσὶ δὲ καὶ ἐννέα ἀρχοντες. θεσμοθέται σ' (Coraes; θεσμοθέται καὶ νεὶ θεσμοθετικοὶ καὶ codd.) οἱ δοκιμασθέντες ὁμῶναι δικαίως ἀρξεν καὶ δῶρα μὴ λήψεσθαι ἢ ἀνδριάντα χρυσοῦν ἀναθήσειν.

§§ 2, 3 Pollux viii 85, 86, p. 202 ὁ exscriptus. *Lex. rhet. Cantab. θεσμοθετῶν ἀνάκρισις: κατὰ Ἀριστοτέλην οἱ θεσμοθέται ἐκ τῶν θ' ἀρχόντων, αὐτοὶ ἐξ ὄντες. οἱ δὲ λαχόντες ὑπὸ τῆς βουλῆς τῶν πεντακσίων καὶ τοῦ δικαστηρίου "δοκιμάζονται" "πλὴν τοῦ γραμματέως" ἐρωτῶμενοι τίνες αὐτῶν πατέρες, ὁμοίως καὶ δῆμων τίνων εἰσὶ, καὶ "ἐλθόντες" αὐτοῖς "Ἀπόλλων πατρός καὶ Ζεὺς ἔρκιος," καὶ εἰ τοῦς "γονέας" εὖ ποιούσι, καὶ εἰ "τὰ τέλη" τελοῦσι, καὶ εἰ τὰς ὑπὲρ τῆς πατρίδος στρατείας ἐστρατεύσαντο (Frag. 375², 414²).

ascribed to the beginning of the 3rd cent., *ib.* 589, one Callimedon has a place of precedence assigned him ἐν τῷ θεάτρῳ ὅταν ποῦσιν Πειραιεῖς τὰ Διονύσια—καὶ εἰσαγέτω αὐτὸν ὁ δῆμαρχος εἰς τὸ θέατρον. Lastly, in ii 1059, a lease granted by the Πειραιεῖς is superscribed ἐπὶ Ἀρχίππου ἀρχοντος (B.C. 321/0), Φρυνίωνος δημαρχοῦντος]. Cf. Wachsmuth, *Stadt Athen*, ii 5. While, in the other demes, the δῆμαρχος was elected by the members of the deme, in the important deme of the Peiraeus he was appointed by lot. Otherwise he would have become too powerful a personage.

Διονύσια] τὰ κατ' ἀγρούς, 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, and Wyse in *Class. Rev.* v 276 b.

LV—LVI § 1. *On the nine Archons.* Hermann, *Staatsalt.* § 138; Schömann, *Ant.* p. 410—414; Gilbert, i 239—243; *Dict. Ant.* s. v.

LV § 1. ἐξ ἀρχῆς] c. 3 §§ 2—4; 8 § 1; 22 § 5; 26 § 2.

κληρούσιν. κτλ.] The process is described in c. 8 § 1, ταῖς φυλαῖς τὸ δέκα

κληροῦν ἐκάστην, εἴτ' ἐκ τούτων κναιμεῖν. **θεσμοθέτας—ἐξ ἐκάστης τῆς φυλῆς**] It has hitherto been uncertain whether, in the annual appointment of archons, the holders of the office were taken from different tribes. Those who (like Schömann, p. 410) accepted this view, supposed that one of the ten tribes was unrepresented. We now learn that the tenth tribe supplied the γραμματεῦς to the θεσμοθέται.

γραμματέα] The existence of a γρ. to the *thesmothetae* has hitherto been unknown. Pollux, viii 92, after stating that the three first archons select two πάρεδροι each, adds: προσαίρουνται δὲ καὶ γραμματέα, δὲ ἐννόμῳ δικαστηρίῳ κρίνεται, but says nothing of any such secretary to the other six archons.

§ 2. **δοκιμάζονται**] *Harpoer. s. v.* δοκιμασθεῖς.—*Δημόκριτος* δ' ἐν τῷ περὶ δικαίσεως "γ' δοκιμασθῆναι κατὰ τὸν νόμον," φησὶ, "γίνονται, μὴ μὲν ἦν οἱ θ' ἀρχοντες δοκιμάζονται κτλ." Bekk. *Anecd.* 235, 11. Dem. *Lept.* 90 describes the six *thesmothetae* as undergoing a double δοκιμασία, ἐν τε τῇ βουλῇ καὶ παρ' ὑμῶν ἐν τῷ δικαστηρίῳ (cf. Lys. 15 § 2). Dem. 57 §§ 66, 70 refers to the δοκιμασία of all the nine archons. Gilbert, i 208; Schömann, p. 406.

μόνον, ὥσπερ οἱ ἄλλοι ἄρχον[τες] (π[άντες γὰρ καὶ] οἱ κληρωτοὶ καὶ οἱ χειροτονητοὶ δοκιμασθέντες ἄρχουσιν), οἱ δ' ἐννέα [ἄρχ]οντες
 10 [ἐν] τῇ βουλῇ καὶ πάλιν ἐν δικαστηρίῳ. καὶ πρότερον μὲν οὐκ ἦρχεν ὄντ[ιν] ἀποδοκιμάσειεν ἢ βουλή, νῦν δ' ἔφεσις ἐστὶν εἰς τὸ δικαστήριον, καὶ τοῦτο κύριόν ἐστι τῆς δοκι[μα]σίας. εἴ[πε]ρωτῶ-
 3 σιν δ', ὅταν δοκιμάζωσιν, πρῶτον μὲν τίς || σοι πατήρ καὶ πόθεν [Col
 τῶν δῆμων, καὶ τίς πατὴρ πατήρ, καὶ τίς μήτηρ, καὶ τίς μητρὸς
 15 πατήρ καὶ πόθεν τῶν δῆμων;] μετὰ δὲ ταῦτα, εἰ ἐστὶν αὐτῷ Ἀπόλλων πατρῶος καὶ Ζεὺς ἔρκειος, καὶ ποῦ [τ]αῦτα τὰ ἱερά ἐστὶν, εἴτα ἡρία εἰ ἐστὶν καὶ ποῦ ταῦτα, ἔπειτα γονέας εἰ εὐ ποιεῖ, [καὶ] τὰ τέλη τελεῖ, καὶ τὰς στρατείας εἰ ἐστράτευται. ταῦτα δ'

9 ἐννέ' K-W, B. 12 ἐπερωτῶσι H-L.
 K-W e Lex. Cantabr. coll. Dinarch. ii 18.

16 ἐρκειος edd.

18 <ει> τελεῖ

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, ἐπ' ἐπιτήθειοι εἰσιν ἄρχειν εἶτε καὶ μή. 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, n. 3).

The passages bearing on the δοκιμασία of the ἀρχαὶ χειροτονηταὶ are Dem. 40 § 34, χειροτονησάντων ἡμῶν ἐμὲ ταξίαρχον ἦκεν αὐτὸς ἐπὶ τὸ δικαστήριον δοκιμασθησόμενος, and Aesch. Ctes. 15, χειροτονητὰς ἀρχάς, ἄρχειν δοκιμασθέντας ἐν τῷ δικαστηρίῳ. In the latter passage it is added that the κληρωταὶ ἀρχαὶ are οὐκ ἀδοκίμαστοι, but nothing is stated about the law-courts. Cf. v. 45 § 3.

§ 3. πρῶτον μὲν κτλ.] Dinarchus, *Aristotog.* 17, ἀνακρίνοντες τοὺς ὑπὲρ τῶν κοινῶν τι μέλλοντας διοικεῖν, τίς ἐστὶ τὸν ἴδιον τρόπον, εἰ γονέας εὐ ποιεῖ, εἰ τὰς στρατείας ὑπὲρ τῆς πόλεως ἐστράτευται, εἰ ἱερά (ἡρία Baiter and Sauppe, coll. § 18 πατὴρ μήμημα) πατρῶα ἐστὶν, εἰ τὰ τέλη τελεῖ. Xen. *Mem.* ii 2, 13, ἐὰν δὲ τις γονέας μὴ θεραπεύῃ, τοῦτ' ἔδικην τε ἐπιτίθῃσι καὶ ἀποδοκιμάζουσα οὐκ ἐὰν ἄρχειν 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 βουλευτής), ἐν ταῖς δοκιμασίαις δίκαιον εἶναι παντὸς τοῦ βίου λόγον διδόναι. Pollux, viii 85, 86,

gives a summary of the text, ἐκαλείτο δὲ τις θεσμοθετῶν ἀνάκρισις (Dem. *Eubul.* 66), εἰ Ἀθηναῖοι εἰσιν ἑκατέρωθεν ἐκ τριγωνίας 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 εὐ ποιοῦσι, 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 has been supposed to be the older form (Gilbert i 210, n. 1).

πατὴρ πατήρ...μητρὸς πατήρ] Pollux viii 85, Ἀθηναῖοι—ἐκ τριγωνίας, not necessarily part of an earlier formula.

Ἀπόλλων πατρῶος—Ζεὺς ἔρκειος] The gods of the Athenian's home. Dem. 57 § 54, παιδίον ὄντα μ' εὐθέως ἦγον εἰς τοὺς φράτερας, εἰς Ἀπόλλωνος πατρῶος ἦγον, and § 67 quoted below. Cf. Harp. s. v. τὸν δὲ Ἀπόλλωνα κοινῶς πατῶν τιμῶν Ἀθηναῖοι ἀπὸ Ἴωvos· τοῦτον γὰρ οἰκίσαντος τὴν Ἀττικὴν, ὡς Ἀριστοτέλης φησὶ, τοὺς Ἀθ. Ἴωवास κληθῆναι καὶ Ἀπόλλωνα πατῶν αὐτοῖς ὀνομασθῆναι, and s. v. ἔρκειος Ζεὺς· Δελφάρχος ἐν τῷ κατὰ Μοσχίωνος "εἰ φράτορες αὐτῷ καὶ βωμοὶ Διὸς ἔρκειον καὶ Ἀπόλλωνος πατῶν εἰσιν." ἔρκ. Ζεὺς, ᾧ βωμὸς ἐντὸς ἔρκου ἐν τῇ αὐτῇ ἰδρυται.—ὅτι δὲ τοῦτοις μετῆν τῆς πολιτείας οἱς ἐῖν Ζεὺς ἔρκειος, δεδήλωκε καὶ Ἰππερίδης κτλ.

ἡρία] Dem. 57 § 66, ὥσπερ γὰρ τοὺς θεσμοθέτας ἀνακρίνετε, ἐγὼ τὸν αὐτὸν τρόπον ἑμαυτὸν ἡμῖν ἀνακρινῶ. (67)—οἰκεῖοί τινας εἶναι μαρτυροῦσιν αὐτῷ; πάννυγε· πρῶτον μὲν γε τέτταρες ἀνεμῖοι,—εἰτ' Ἀπόλλωνος πατρῶος καὶ Διὸς ἔρκειον γεννητά, εἰθ' οἱς ἡρία ταῦτα (cf. Dinarchus, quoted above).

ἀνερωτήσας, 'κ[ά]λει,' φησίν, 'τούτων τοὺς μάρτυρας.' ἐπειδὴν δὲ
 παράσχηται τοὺς μάρτυρας ἐπερωτᾷ, 'τούτου βούλεται τις 20
 4 κατηγορεῖν;' κἄν μὲν ἦ τις κατήγορος, δούς κατηγορίαν καὶ ἀπολο-
 γίαν, οὕτω δίδωσιν ἐν μὲν τῇ βουλῇ τὴν ἐπιχειροτομίαν, ἐν δὲ τῷ
 δικαστηρίῳ τὴν ψῆφον· ἐὰν δὲ μηδεὶς βούληται κατηγορεῖν, εὐθύς
 δίδωσι τὴν ψῆφον· καὶ πρότερον μὲν εἰς ἐνέβαλλε τὴν [ψ]ῆφον,
 ὡν δ' ἀνάγκη πάντας ἐστὶ διαψηφίζεσθαι περὶ αὐτῶν, ἵνα, ἂν τις 25
 πονηρὸς ὦν ἀπαλλάξῃ τοὺς κατηγοροὺς, ἐπὶ τοῖς δικασταῖς
 5 γένηται τοῦτον ἀποδοκιμάσαι. δοκιμασθέν<τες> δὲ τοῦτον τὸν
 τρόπον, βαδίζουσιν πρὸς τὸν λίθον ἐφ' ο[ὗ] τὰ τόμι' ἐστίν, ἐφ' οὗ
 καὶ οἱ διαιτητὰι ὁμόσαντες ἀποφαίνονται τὰς διαίτας, καὶ οἱ
 μάρτυρες ἐξόμνυνται τὰς μαρτυρίας. ἀναβάντες δ' ἐπὶ τοῦτον 30
 ὁμνύουσιν δικαίως ἄρξειν καὶ κατὰ τοὺς νόμους, καὶ δῶρα μὴ
 λήψεσθαι τῆς ἀρχῆς ἕνεκα, κἄν τι λάβωσι, ἀνδριάντα ἀναθήσειν
 χρυσοῦν. ἐντεῦθεν δ' ὁμόσαντες εἰς ἀκρόπολιν βαδίζουσιν καὶ
 πάλιν ἐκεῖ ταυτὰ ὁμνύουσι, καὶ μετὰ ταυτ' εἰς τὴν ἀρχὴν
 εἰσέρχονται.

56. λαμβάνουσι δὲ καὶ παρέδρους ὃ τε ἄρχων καὶ ὁ βασι-

20 ΒΟΥΛΕΥΕΤΑΙ: corr. K. 25 ὦν ἐὰν H-L. 27 ΔΟΚΙΜΑΣΘΕΝ (K): δοκι-
 μασθέν<τες> Rutherford, Richards, Blass, K-W, H-L. 28 ὕφ' ᾧ τὰ ταμειᾶ
 (ΤΑΜΙ?) ἐστὶν K¹; ἐφ' οὗ τὰ τόμι' ἐστίν van Leeuwen (H-L, K³); ἐφ' ᾧ κτλ. B; ὕφ' ('εφ
 an γφ incertum; utrumque libri Pollucis') φ τὰ τόμι' ἐστίν K-W. mihi quidem littera
 γ cum φ connexa potius quam ε scripta videbatur (sed ε posse legi censent K et
 K-W); sequitur ο potius quam litterae ω initium. 31 ὁμνύουσι H-L. 32 λά-
 βωσι H-L. 33 βαδίζουσι H-L.

LVI 1 καὶ ὁ βασιλεὺς om. Harp.

§ 5, 28 *Harp. λίθος (cf. Testim. ad c. 7, 5).

TESTIMONIA. LVI § 1 Pollux viii 92: παρέδρου δ' ὀνομάζονται οὓς αἰροῦνται
 ἄρχων καὶ βασιλεὺς καὶ πολέμαρχος, δύο ἕκαστος οὓς βούλεται. δοκιμασθῆναι δ' αὐτοὺς
 ἐχρῆν ἐν τοῖς πεντακοσίοις, εἰτ' ἐν δικαστηρίῳ. προσαιροῦνται δὲ καὶ γραμματεῖα, ὅς
 ἐνόμω δικαστηρίῳ κρίνεται. *Harp. παρέδρος: 'Ἀρ. δ' ἐν τῇ Ἀθ. πολ. φησὶ "λαμ-
 βάνουσι 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—παρέδρουσιν" (cf. Suid. s. v.). Frag. 389², 428³.

§ 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,
 supra c. 27 ad fin.

§ 5. πρὸς τὸν λίθον] Dem. 54 § 26,
 πρὸς τὸν λίθον (Harpocr.; βωμῶν MSS)
 ἄγοντες καὶ ἐξορκίζοντες. Plut. Sol. 25,
 ἄμνυν ὄρκον ἕκαστος τῶν θεσμοθετῶν ἐν
 ἀγορᾷ πρὸς τῷ λίθῳ.

ἐφ' οὗ τὰ τόμι' ἐστίν] Dem. 23 c.
 Aristocr. 68 (the prosecutor in a case of
 homicide before the Areopagus) δμνύουσιν...

στὰς ἐπὶ τῶν τομίων κάπρον καὶ κριοῦ καὶ
 ταύρου. Arist. Lys. 186, καὶ μοι δότω τὰ
 τόμια τις. The archon's oath was taken
 (Pollux viii 86) πρὸς τῇ βασιλείῳ στοᾷ, ἐπὶ
 τοῦ λίθου ὕφ' ᾧ τὰ ταμειᾶ (ita codex
 Schotti; ἐφ' ᾧ τε ceteri: ἐφ' οὗ τὰ τόμια
 ὁδός corr. Bergk, Ep. crit. ad Schiller.,
 p. 131).

ἀνδριάντα ἀναθήσειν] 7 § 1. Gilbert,
 i 211, n. 3.

LVI § 1. παρέδρους] In [Dem.] 59
 § 72, and in CIA ii 597, the παρέδρος
 to the archon βασιλεὺς is mentioned.
 Gilbert, i 218, n. 4.

λεὺς καὶ ὁ πολέμαρχος δύο ἕκαστος, οὓς ἂν βούληται, καὶ οὗτοι δοκιμάζονται ἐν τῷ δικαστηρίῳ πρὶν παρεδρεύειν, καὶ εὐθύνας διδάσιν ἐπὶν παρεδρεύωσιν.

- 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 καθίσ- 3
τησι τρεῖς, ἐξ ἀπάντων Ἀθηναίων τοὺς πλουσιωτάτους· πρότερον
δὲ καὶ κωμφοδοῖς καθίστη πέντε, νῦν δὲ τούτους αἱ φυλαὶ φέρουσιν.
10 ἔπειτα παραλαβὼν τοὺς χορηγούς τοὺς ἐνηνεγμένους ὑπὸ τῶν
φυλῶν εἰς Διονύσια ἀνδράσιν καὶ παισὶν καὶ κωμφοδο[ῖ]ς, καὶ εἰς
Θαργήλια ἀνδράσιν καὶ παισὶν (εἰσὶ δ' οἱ μὲν εἰς Διονύσια κατὰ

2 ἕκαστος: ἑκάτερος Harp. (κ¹). ἄν: εΔΝ. 4 ΕΠΑΝ: ἐπειδὴν H-L.
9 ΤΟΥΤΟΙΣ Κ ΕΤ Η-L, 'i.e. τοῖς κωμφοδοῖς χορηγούς φέρουσιν': τούτους Wyse coll. Dem.
39 § 7 (Κ-W, Β). 11—12 ἀνδράσι—παισι—ἀνδράσι H-L.

§ 3 Lex. rhet. Cantab. ἐπώνυμος ἄρχων ... ἔχει δὲ ἐπιμέλειαν χορηγῶς καταστήσαι
"εἰς Διονύσια" καὶ "Θαργήλια," ἐπιμελεῖται δὲ καὶ τῶν "εἰς Δῆλον" καὶ τῶν ἀλλαχόσε
πεμπομένων Ἀθήνηθεν χορῶν...

ἕκαστος] ἑκάτερος is found in the citation 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 corrupted into ἑκάτερος. We now see that this was actually the case (Lipsius, *Leipz. Verhandl.* p. 53, n. 3, was accidentally led to state the contrary by the reading in Mr Kenyon's first edition, ἑκάτερος).

§§ 2—7. *The Archon.*

§ 3. χορηγούς] Dem. *Lept.* Introd. p. iv—vii; Haigh's *Attic Theatre*, p. 71—75; Albert Müller's *Bühnenalterthümer*, p. 193.

τραγωδοῖς] Lys. 24 § 9, κατασταθεῖς χορηγῶς τραγωδοῖς, 19 § 29, τραγωδοῖς δις χορηγήσαι. Cf. Kühner, § 426, 2.

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*, p. 19.

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. 30—31).

τούτους—φέρουσιν] Dem. p. 996, 22, οὐκοῦν... ἄσσοισι με, ἂν χορηγὸν ἢ γυμνασιάρχον 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, *Leipz. 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. 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.* pp. 14, 15.

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 ἀνδρικῶς χορῶς, Ant. *de Chor.* §§ 11—13, of a χορὸς παίδων, CIA ii 553, εἰ τις ἄλλος νενίκηκεν ἀπ' Εὐκλείδου ἄρχοντος πασὶν ἢ ἀνδράσιν Διονύσια ἢ Θαργήλια κτλ. Dem. *Mid.* § 10 (lex), Θαργήλιων τῇ πομπῇ καὶ τῷ ἀγῶνι. Cf. A. Mommsen, *Heortol.*, 414—424.

φυλάς, εἰς Θαργήλια [δὲ] δυοῖν φυλαῖν εἰς· παρέχει δ' ἐν μ[έρει] ἑκατέρα τῶν φυλῶν), τούτοις τὰς ἀντιδόσεις ποιεῖ καὶ τὰς σκήψεις εἰς[άγει, ἐά]ν τις ἢ λελητουργη[κέν]υ[αι] φῆ π[ρό]τερον ταύτην 15 τὴν λητουργ[ίαν, ἢ ἀ]τελής εἶναι λελη[τουργηκῶς ἐ]τέραν λητουργίαν καὶ τῶν χρόνων αὐτῷ [τῆς ἀτελ]είας μὴ ἐξελη[λυ]θ[ό]των, ἢ τὰ τετταράκοντα] ἔτη μὴ γεγονέναι· δεῖ γὰρ τὸν τοῖς παι[σὶν χορη]γούντα ὑπὲρ τετταρά[κου]τα ἔτη γεγονέναι. καθίστησι δὲ καὶ εἰς Δῆλον χορηγούς, καὶ ἀρχ[ιθ]έω[ρον τ]ῷ τριακοντορίῳ τῷ τοὺς 20

13 δὲ, quod in lacuna absorptum censet K, in codicis imagine videre sibi visi sunt H-L, B: idem a librario omissum putant K-W.

ΔΥΕΙΝ K¹, B: δυοῖν K-W, K², B (coll. Meisterhans, p. 162², ubi in titulis *δυεῖν* cum plurali tantum coniungi dicitur). 14 τούτοις, τὰς ἀντιδόσεις ποιεῖ K¹; τούτοις τὰς κτλ. K-W (K², B); τοῦτον, τὰς κτλ. Richards (H-L).

15 λε.....η π[ρός] ἔτερον K¹; λελητουργηκέναι φῆ πρότερον scripsi (K², B); ΛΕΛΟΥΤΗΡΓ pr.? (Blass); λελητουργη[κέναι] λέ[γη] H

π[ρό]τερον K-W. 16 ΛΕΙΤΟΥΡΓΙΑΝ (vel ΛΟΥΤΗΡΓΙΑΝ pr.). ἢ ἀ]τελής εἶναι· λελητρου[γηκέναι γὰρ] K-W; ἢ ἀ]τελής εἶναι λελη[τουργηκῶς] K² (B). 17 τῶν χρόνων αὐτῷ [τῆς ἀτελ]είας μὴ ἐξελη[λυ]θ[ό]των, ἢ τὰ μ[ε] ἔτη K²; eadem (omisso μ quod olim protuli) B; ἐξεληλυθότων non accipiunt K-W. Locum totum 15—19 ita constituunt H-L: εἴαν τις ἢ λέγη πένης εἶναι ἢ πρὸς ἔτερον ταύτην τὴν λητουργίαν μᾶλλον ἀνήκειν ἢ λητουργεῖν ἢ ἔτερον λητουργίαν ἢ τῶν χρόνων αὐτῷ ἕνεκα...είας μὴ ἐξεῖναι, διὰ τὸ τὰ νόμιμα ἔτη μὴ γεγονέναι. Melius K-W: εἴαν τις ἢ λελητουργηκέναι λέγη πρότερον ταύτην τὴν λητουργίαν, ἢ ἀτελής εἶναι· λελητουργηκέναι γὰρ ἔτερον λητουργίαν καὶ τὸν χρόνον αὐτῷ τῆς ἀτελείας μὴ ἐξελεῖν, ἢ τὰ νόμιμα (incertum) ἔτη μὴ γεγονέναι. 18 παισὶ H-L. 20 ἀρχιθεώρους Torr coll. CIG 158 a 33 (H-L, K²); ἀρχιθεώρων Lipsius, Fränkel, K-W, B. Cf. Boeckh, ii 84³, n. 391.

19 *Ἦαρ. ὅτι νόμος ἐστὶν ὑπὲρ τεσσαράκοντα τῆ γεγόμενον χορηγεῖν παισὶν Διοχίνης τε ἐν τῷ κατὰ Τιμαρχου φησὶ καὶ Ἄρ. ἐν τῇ Ἀθ. πολ. (Frag. 431², 471³).

δυοῖν φυλαῖν εἰς] Ant. de Chor. 11, χορηγὸς κατεστάνη εἰς Θαργήλια καὶ Ἰλαχων Κεκροπίδα φυλὴν πρὸς τῇ ἔμμαντοῦ. Schol. Dem. Lept. 27, ἐν τοῖς Θαργηλίοις δυοῖν φυλαῖν εἰς μόνος καθίστατο χορηγός.

ἀντιδόσεις] Lys. 24 § 10, εἰ—κατασταθεῖς χορηγός—προκαλεσαίμην αὐτὸν εἰς ἀντιδοσῶν. Dem. Lept. §§ 40, 130, and Or. 42 adν. Phaeippum. [Xen.] de Rep. Ath. iii 4, χορηγοῖς διαδικάσαι 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 deal with ἀντιδόσεις in the case of the trierarchy and property-tax, just as the archon did in that of the χορηγία), ὅπως δ' ἂν καὶ αἱ σκήψεις εἰσαχθῶσι. Meier and Schöm. p. 743 n.

λελητουργηκῶς ἔτεραν λητουργίαν] Dem. 50 § 9, τούτων ἐγὼ οὐδεμίαν πρόφασιν ποιούμενος ὅτι τριηραρχῶ, καὶ οὐκ ἂν δυναίμην δύο λητουργίας λητουργεῖν, οὐδὲ οἱ νόμοι ἐδῶν.

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. 7.

ὑπὲρ τεσσαράκοντα ἔτη] Aeschin. c. Timarch. § 11, καλεῖται τὸν χορηγὸν τὴν οὐσίαν τὴν αὐτοῦ ἀναλίσκειν ὑπὲρ τετταράκοντα ἔτη γεγονότα τοῦτο πράττει, ἢ ἤδη ἐν τῇ σωφρονεστάτῃ αὐτοῦ ἡλικίᾳ ἂν, οὕτως ἐντυγχάνη τοῖς ὑμετέροις παισίν.

εἰς Δῆλον χορηγούς] lex. Cantab. 670; Ἀθῆν. viii p. 480, no. 3 (Gilbert i 240); Thuc. iii 104, §§ 3, 6; Xen. Mem. iii 3, 12, χορὸς... ὁ εἰς Δῆλον πεμπόμενος, Lucian de Saltat. 16, ἐν Δῆλῳ δὲ γε οὐδὲν αἰ θυσία ἂνευ ὀρχήσεως, ἀλλὰ σὺν ταύτῃ καὶ μετὰ μουσικῆς ἐγγίγνοντο· παῖδων χοροὶ συνελθόντες ὑπ' αὐλῶν καὶ κούρα, οἱ μὲν ἐχόμενοι, ὑπωρχοῦντο δὲ οἱ ἀριστοὶ προκριθέντες ἐξ αὐτῶν. On the Delian πεντητηρίς, cf. 54 § 7.

ἀρχιθεώρων] Plut. Nic. 3 § 5. τῷ τριακοντορίῳ κτλ.] Xen. Mem. iv 8, 2, ἕως ἂν ἢ θεωρία ἐκ Δήλου ἐπανέλθῃ, Plat. Phaed. p. 58 A; Plut. Thes. 23, τὸ πλοῖον, ἐν ᾧ μετὰ τῶν ἡθῶν ἐπιλεῖται καὶ πάλιν

21 ἡθέους ἄγοντι. πομπῶν δ' ἐπιμελεῖ[ται τῆς τε] τῷ Ἀσκληπιῷ 4
 γυγνομένης, ὅταν οἰκουρῶσι μί[σ]ται, καὶ τῆς Διονυσίων τῶν
 [μεγά]λων μετὰ τῶν ἐπιμελητῶν, οὓς πρότερον μὲν ὁ δῆμος

ἡθέους κ.

22 ΓΙΝ (K-W).

 μ. K-W, -ν μ. H-L.

§§ 4—7 Pollux viii 89: ὁ δὲ ἄρχων διατίθησι μὲν Διονύσια καὶ Θαργῆλια “μετὰ τῶν ἐπιμελητῶν,” δίκαι δὲ πρὸς αὐτὸν λαγχάνονται “κακώσεως,” “παρῶλας,” “εἰς δατητῶν (δαιτητῶν codd.) ἀρεσιν,” ἐπιτροπῆς ὄρφανῶν, ἐπιτρόπων καταστάσεως, “κλήρων καὶ ἐπικλήρων ἐπιδικασίαι. ἐπιμελεῖται δὲ καὶ” “τῶν γυναικῶν” αἱ ἂν φῶσιν ἐπ’ ἀνδρὸς τελευτῆ κύεω, καὶ τοὺς οἴκους ἐκμισθοῖ τῶν ὄρφανῶν. § 6 Lex. rhet. Cantab. ἐπώνυμοι ἄρχων: ...λαγχάνονται δὲ πρὸς αὐτὸν (Dobree: cod. παρ’ αὐτῶν) καὶ γραφαί· καὶ δίκαι εἰς τὸ δικαστήριον εἰσάγει. Bekk. An. 310: πρὸς τὸν ἄρχοντα κακώσεως ἐλαγχάνοντο γραφαὶ καὶ τῶν γονέων, εἰ τοὺτους τις αἰτίαν ἔχει κακοῦν, καὶ τῶν ὄρφανῶν (ib. 269). ἔτι δὲ παρανοίας καὶ ἀργίας, (κλήρων add. K-W) ἐπιδικασίαι καὶ ἐπικλήρων γυναικῶν. Phot. ἡγεμονία δικαστηρίου: τοῖς ἀρχουσιν οὐ πάσας πᾶσιν ἐφέτω δίκαι εἰσάγειν· ἀλλὰ τῷ μὲν ἄρχοντι τὰς τῶν ὄρφανῶν καὶ τὰς τῆς παρανοίας καὶ τὰς τῶν ἐπικλήρων ἐπιδικασίας. Harp. ἡγ. δίκ.: ...πρὸς μὲν τὸν ἄρχοντα αἱ τῶν ὄρφανῶν καὶ τῶν ἐπικλήρων (ἐλαγχάνοντο δίκαι). Frag. 381², 420³.

ἐσώθη, τὴν τριακόντορον. Cf. Boeckh, *Seeurkunden*, 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, τριακοντορίων κώπας.

ἡθέους] trisyllabic in Attic, Eur. *Phoen.* 945, οὐ γὰρ ἐστὶν ἡθεός, and Eupolis *Incert.* 332 Kock, εἰ μὴ κόρη δεῦσειε τὸ σταῖς ἡθεός. The Homeric form ἡθεός is retained by editors in Plat. *Leg.* 840 D, 877 E.

§ 4. τῷ Ἀσκληπιῷ κτλ.] Philostr. *Vit. Apoll.* iv 18, τὰ δὲ Ἐπιδαύρια μετὰ πρόρρησιν τε καὶ ἱερεῖα δεῦρο μιν Ἀθηναίους πάτριον ἐπὶ θυσίᾳ δευτέρᾳ, τοῦτ’ ἐν ὄμῳσαν Ἀσκληπιῷ ἕνεκα, ὅτι δὴ ἐμύθησαν αὐτὸν ἡκοντα Ἐπιδαυρόθεν ὄψε μυστηρίων. The 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).

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 *erhēdi*, and the *canephoroi* (Schol. Arist. *Ach.* 242). Daremberg and Saglio, iii 242.

τῶν ἐπιμελητῶν] sc. τῆς πομπῆς. In

Dem. c. *Mid.* 15, they are described as elected by open voting, (Μειδίας) κελεύων αὐτὸν εἰς Διονύσια χειροτονεῖν ἐπιμελητῆν. 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 αἰεὶ τοῦ καθήκοντος χρόνου γίγνεσθαι ἂν τε δευρο λάχουσιν ἂν τε ἰδίωται οἱ τοῦτων ἑκατέρων ἐπιμελούμενοι. The first Philippic falls in the first half of B.C. 351. The speech against Midias is assigned by Dionys. Hal. *Epist. Ammon.* i 4, 4 (A. Schaefer, *Dem.* ii 103) to B.C. 349/8; the Dionysia at which Midias insulted Dem. fell two years before, early in April 351 or 350; and Midias must have been elected ἐπιμελητῆς either for 352/1 or 351/0. As the appointment of the ἐπιμεληταὶ by lot had come into force in the first half of 351, Midias must have been elected ἐπιμελητῆς for 352/1, and the change was probably made between the Dionysia, early in April, and the end of the civil year, about June.

After the time when the text was written, the appointment by lot was apparently given up. In B.C. 281/0 (*Ἀθήν.* vii 480, no. 3) 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 δέκα ὄντας, [καὶ τὰ] εἰς τὴν πομπὴν ἀναλώματα παρ' αὐτῶν ἦν[εργκ]ον, νῦν δ' ἓνα τῆς φυλ[ῆς ἐκά]στης κληροῖ, καὶ 25
5 δίδωσιν εἰς τὴν κατασκευὴν ἑκατὸν μνᾶς. ἐπιμελ[εῖται] δὲ καὶ τῆς εἰς Θαραγγίλια καὶ τῆς τῷ Διῷ τῷ Σωτήρι. διοικεῖ δὲ καὶ τὸν ἀγῶνα τῷ[ν Διον]υσίων οὗτος καὶ <τὸν> τῶν Θαραγγέλιων. ἑορτῶν 6 μὲν οὖν ἐπιμελεῖται τούτων. γραφαὶ δ[ὲ καὶ δ]ίκαι λαγχάνονται πρὸς αὐτόν, ὡς ἀνακρίνας εἰς τ[ὸ δι]καστήριον εἰσά[γει, γο]νέων 30 κακώσεως (αὐταὶ δὲ εἰσιν ἀζήμιοι τῷ βουλομένῳ δ[ιὼκ]ειν), ὀρφανῶν κ[ακώ]σεως (αὐταὶ δ' εἰσὶ κατὰ τῶν ἐπιτρόπων), ἐπι-

25 ΗΝ[ΕΡΓΚ]ΟΝ? (K, H-L), ΔΗΗΛΙΚΚΟΝ? (K-W), [ἀ]νῆλ[ισκ]ον B. 28 τῷ[ν Διον] H, K-W, B: τὸ[ν τῶν Διον] H-L sed spatium non sufficit. <τὸν> τῶν Θ. K-W. 30 εἰτ' [εἰς] K; εἰτ' [εἰς <τὸν>] H-L; εἰς τ[ὸ] K-W (B): scriptura incerta. γο[νέων] Wyse, Blass, K-W, H-L, K³.

ἑκατὸν μνᾶς] Probably the sum granted to the whole body.

§ 5. τῆς εἰς Θαραγγίλια] *sc.* πομπῆς. On the second day there was a procession, as well as a cyclic chorus.

τῆς τῷ Διῷ 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 Sōtēr* on the last day of the year (*Lys.* 26 § 6), which was also superintended by the archon. Shortly before B.C. 268 the sacrifice of the *εἰσθήρια* for the *βουλή* and *δῆμος* was offered not by the archon, but by the priest of *Zeus Sōtēr* (*CIA* ii 325—6).

§ 6. γραφαὶ κτλ.] The archon *eponymus* 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 ἐπιμελεῖσθαι*, 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.* *Olympt.* 31, ὁ ἀρχων ἀνέκρινε πᾶσιν ἡμῶν τοῖς ἀμφοβητοῦσιν. Meier and Schöm. pp. 43, 823 Lips.; *Dict. Ant. s. v. Anakrasis*.

γονέων κακώσεως κτλ.] In Bekker's *Anecd.* p. 269, *s. v.* κακώσεως, the three kinds of *κἀκωσις* 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 ὄκου ὀρφανικοῦ κακώσεως. On the various forms of *κἀκωσις* cf. Meier and Schöm. p. 353—360 Lips.

κἀκωσις 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, *ἔάν τις γονέας μὴ θεραπεύῃ, τοῦτ' ἐκίχη τε ἐπιτίθησι καὶ ἀποδοκιμάζουσα οὐκ ἐᾷ ἀρχεῖν τοῦτον... ἔάν τις τῶν γονέων τελευτησάντων τοὺς τάφους μὴ κοσμήῃ, καὶ τοῦτο ἐξετάζει ἡ πόλις ἐν ταῖς τῶν ἀρχόντων δοκιμασίαις.* *Dem.* *Timocr.* 107, (the laws) οἱ καὶ ζῶντας ἀναγκάζουσι τοὺς παῖδας τοὺς γονέας τρέφειν, καὶ ἐπειδὰν ἀποθάνωσιν, ὅπως τῶν νομιζομένων τύχωσιν. *Diog. Laert.* i 55 (lex Solonis), *ἔάν τις μὴ τρέφῃ τοὺς γονέας, ἄτιμος ἔστω.* *Isaevs* 8 § 32, (the law of *κἀκωσις*) κελεύει τρέφειν τοὺς γονέας. *Hyperides, pro Eux.* c. 21, φαῖλόδ' ἐστὶ πρὸς τοὺς ἑαυτοῦ γονέας' ὁ ἀρχων ἐπὶ τούτου κἀθηται.

ἀζήμιοι] *Dem.* 37 *Pant.* 46 (in a case of *ἐπικλήρου κακωσις*), τῷ ἐπεξιόντι μετ' οὐδεμιᾶς ζημίας ἡ βόθηεα.

ὀρφανῶν κακώσεως] committed by those who wronged orphans. *Dem. Macart.* § 75, ὁ ἀρχων ἐπιμελεῖσθω τῶν ὀρφανῶν καὶ τῶν ἐπικλήρων. *Schol.* ad *Dem. Timocr.* ὁ ἀρχων ἐπεμελεῖτο...τῶν ὀρφανῶν.

κλήρου κακώσε[ως] (αὐται δὲ εἰσι κατὰ [τῶν] ἐπιτρόπων καὶ τῶν συνοικούντων), οἴκου ὀρφανικοῦ κακώσεως (εἰσὶ δὲ καὶ [αὐται κατὰ 35 τῶν] ἐπιτρό[π]ων), παρανοίας, ἐάν τις αἰτιᾶται τινα παρανοοῦντα τὰ [ὑπάρχοντα ἅ]πολλύν[αι], εἰς δατητῶν αἵρεσιν, ἐάν τις μὴ 'θέλη [κ]οινὰ [τὰ ὄντα νέμεσθαι], εἰς ἐπιτροπῆς κατάστασιν, εἰς ἐπιτροπῆς διαδικασίαν, εἰς [ἐμφανῶν κατάστασ]ιν, †ἐπίτροπον

36 τὰ [ἐαυτοῦ κτήματα] κ, decem tantum litterarum spatium relictum confessus; τὰ [πατρῶα] Wyse (H-L), τ[ὸν οἶκον] κ-w, sed plures litterae flagitantur et τὰ fortasse legi potest; fortasse recte igitur τὰ [ὑπάρχοντα] β. ΔΙΑΙΤΗΤΩΝ : δατητῶν κ (κ-w, H-L, β) ex Harp. et lex. Cantabr. 38—39 εἰ [πλειόνες τῆς αὐτῆς

36 *Lex. rhet. Cantab. εἰς δατητῶν <αἵρεσιν> :...ἐπὶ τῶν διανεμόντων τὰ κοινὰ τισιν, ὡς Ἄρ. ἐν τῇ Ἀθ. πολ. "δικαί λαγχάνονται πρὸς" τὸν ἄρχοντα ἄλλαι τε (Dobree; ἀλλ' εἰ τις cod.) καὶ "εἰς δατητῶν αἵρεσιν," ὅταν "μὴ θέλη κοινὰ τὰ ὄντα νέμεσθαι." *Etym. M. δατητῆς: παρ' Ἀττικοῖς ὁ διανεμητής. Ἀριστοτέλης. *Harp. δατεῖσθαι...τὸ δὲ εἰς δατητῶν αἵρεσιν εἶδος τι δικῆς ἐστίν. ὅποτε γὰρ κοινωνοῦντι τινες ἀλλήλοις καὶ οἱ μὲν βούλονται διανεμέσθαι τὰ κοινὰ, οἱ δὲ μὴ, ἐδικάζοντο οἱ βουλομένοι τοῖς μὴ βουλομένοις προσκαλούμενοι εἰς δατητῶν αἵρεσιν. Λυσίας ἐν τῷ πρὸς Ἀλεξίδημον εἰ γνήσιος, καὶ Ἄρ. ἐν τῇ Ἀθ. πολ. (Frag. 383², 422³). Addit Suidas, s.v. δατεῖσθαι: δατητὰ 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. s.v. infra exscriptum (Frag. 382², 421³).

ἐπικλήρου κακώσεως] committed by the guardians of poor 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 εἰσῆγγελλες πρὸς τὸν ἄρχοντα κακοῦσθαι τὴν ἐπικληρον...ἄλλως τε καὶ μόνων τούτων τῶν δικῶν ἀκινδύνων τοῖς δίκων οὐσῶν καὶ ἐξὸν τῷ βουλομένῳ βοηθεῖν ταῖς ἐπικλήροις; and *ib.* 47 (cf. Meier and Schöm. p. 333 Lips.).

κατὰ τῶν ἐπιτρόπων κτλ.] These are the ordinary cases, but the statement is not exhaustive. Dem. 37 *Pant.* 45, ἤτις ἄσαστο ἐκεῖνον—ἐπὶ τὰς ἐπικλήρους εἰσελθεῖν καὶ τὴν μητέρα τὴν αὐτοῦ.

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 οἰκῶν οἰκίαν in a different sense.

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. Plat. *Leg.* 928 D; Arist. *Nub.* 844 ff.; Xen. *Mem.* i 2, 49; Aeschin. c. *Ctes.* 251. Meier and Schöm. p. 566 Lips.

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 δατητὰι 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. *Theonim.* 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.' Meier and Schöm. p. 471 ff. Lips.; and Lipsius, *Leipzig Verhandl.* p. 50.

εἰς ἐμφανῶν κατάστασιν] This clause

7 αὐτὸν ἐγγράψαι†, κλήρων καὶ ἐπικλήρων ἐπι[δικασίαι. ἐπιμε-
 λείτ[αι] δὲ καὶ τῶν [ὄρφ]ανῶν καὶ τῶν ἐπικλήρων, καὶ τῶν 40
 γυναικῶν ὄσαι. ἂν τελευ[τήσαντος] τοῦ ἀνδρ[ός] σκή[πτω]νται
 κυεῖν· καὶ κύριός ἐστι τοῖς ἀδικοῦσιν ἐπιβάλλ[ειν], ἢ εἰσάγειν
 εἰς] τὸ δικαστήριον. μισθοὶ δὲ καὶ τοὺς οἴκους τῶν ὄρφανῶν
 καὶ τῶν ἐπι[κλήρων], ἕως ἂν τις τετταρ[α]καίδε[κέ]τις γένηται,

θελωσ[ιν] ἐπίτροπον αὐτὸν ἐγγράψαι K²; ἐὰν πλείους ἄμα ἐθελωσ[ιν] ἐπίτροπον <τὸν>
 αὐτὸν ἐγγράψαι H-L: [ἐάν τις ἀμφισβητῆ] δεῖν Lipsius (Poland). εἰς [ἐμφάνον κατά-
 στασ]ιν ex Harp., ἐπίτροπον αὐτὸν ἐγγράψαι K-W, K³, verba tria ultima non in-
 telligi posse confessi (B); ei fere certum, etiam εἰς vix ambiguum. 39 ΕΝΓΡΑΨΑΙ.

42 ἢ εἰσάγειν Lipsius, K-W, K³, B: ζημίαν ἢ ἄγειν K¹ (H-L) sed spatium vix sufficit.

44 post ἐπικλήρων lacunam indicant K-W.

καίδ...ΤΕΙC; δ[α]τήτης K; δ...της
 K-W; ἐὰν μὴ αὐτὸς ὁ ἐπίτροπος διοικητῆς γένηται aut simile aliquid expectabat Her-
 werden. [εἰς ἂν τις τετταρ]ακαίδε[κέ]τις γένηται optime B.

is suggested by Harpocr. s. v., ὁ δὲ Ἄρ. ἐν τῇ Ἀθ. πολ. πρὸς τὸν ἀρχοντὰ φησι λαγχάνεσθαι ταύτην τὴν δίκην, τὸν δὲ ἀνακρίναντα εἰσάγειν εἰς τὸ δικαστήριον. It is placed here by Kaibel and Wilamowitz, by Mr Kenyon (ed. 3), and by Blass. But there is something to be said in favour of placing it (with Lipsius) before εἰς ἐπίτροπὴς κατάστασιν, and filling up the lacuna with words that agree with the sequel, ἐπίτροπον αὐτὸν ἐγγράψαι.

Isaeus, 6 § 31, ἀπῆγει τὸν Πυθόδωρον τὸ γραμματεῖον καὶ προσεκαλέσατο εἰς ἐμφανῶν κατάστασιν. καταστήσαντος δὲ ἐκείνου πρὸς τὸν ἀρχοντα κτλ. 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 καταστήσαι. 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).

κλήρων καὶ ἐπικλήρων ἐπιδικασίαι] Dem. 43 Macart. 16. When a person claimed an inheritance or heirress adjudged to another, the former summoned the latter before the archon, who brought the case into court. Meier and Schöm. pp. 603—617 Lips.

§ 7. τῶν ὄρφανῶν κτλ.] The archon is ἐπικλήρων καὶ ὄρφανῶν κύριος (Lysias, 26 Evand. 12). Cf. Dem. 43 § 75 (lex), ὁ

ἀρχων ἐπιμελεῖσθω τῶν ὄρφανῶν καὶ τῶν ἐπικλήρων καὶ τῶν οἴκων τῶν ἐξερημουμένων καὶ τῶν γυναικῶν, ὅσαι μένουσιν ἐν τοῖς οἴκοις τῶν ἀνδρῶν τῶν τεθνηκότων φάσκουσαι κυεῖν. τούτων ἐπιμελεῖσθω καὶ μὴ ἐάτω ὑβρίζειν μηδὲνα περὶ τούτους. ἐὰν δὲ τις ὑβρίξῃ ἢ ποιῆ τὴ παράνομον, κύριος ἐστω ἐπιβάλλειν κατὰ τὸ τέλος. [Dem.] 35 § 48; Aesch. 1 § 158.

μισθοί] Isaeus 3 § 36, μισθοῦν ἐκέλευον τὸν ἀρχοντα τοὺς οἴκους ὡς ὄρφανῶν ὄντων, ὅπως... τὰ ἀποτιμήματα κατασταθῆι καὶ ὄροι τεθεῖεν, 2 § 9, μετασχῶν τοῦ οἴκου τῆς μισθώσεως τῶν παιδῶν 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 (ἀποτιμήμα) for the property leased to them. The archon sent certain persons (ἀποτιμηταί) to value the security and determine whether it was a fair equivalent for the property leased (Harpocr. s. v. ἀποτιμηταί· οἱ μισθούμενοι τοῖς τῶν ὄρφανῶν οἴκους παρὰ τοῦ ἀρχοντος ἐνέχυρα τῆς μισθώσεως παρέχοντο· ἔδει δὲ τὸν ἀρχοντα ἐπιπέμπειν τινας ἀποτιμησομένους τὰ ἐνέχυρα. 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 ἀποτιμήμα παιδὶ ὄρφανῷ Διογέτονος Προβα[λίσου]. Meier and Schöm. p. 362—3 Lips.; Schulthess, Vormundschaft, pp. 139—173.

τετταρακαίδεκέτις] If this restoration is correct (and none better has been pro-

45 καὶ τὰ ἀποτιμήματα λαμβάν[ει καὶ τοὺς ἐπιτρόπους], ἔαν μ[ὴ ἀπο]δῶσι τοῖς παισὶν τὸν σῖτον, οὗτος εἰσπράττει.

57. καὶ ὁ [μὲν ἄρχων ἐπιμελεῖ]ται τούτ[ων, ὁ δὲ] βασιλεὺς πρῶτον μὲν μυστηρίων ἐπιμελεῖ[ται μετὰ τῶν ἐπιμελητῶν οὓς] ὁ δὴμ[ος χ]ειροτονεῖ, δύο μὲν ἐξ Ἀθηναίων ἀπάντων, ἓνα δ' <ἐξ> [Εὐμολπιδῶν, ἓνα] δ' ἐ<κ> Κηρ[ύκω]ν. ἔπειτα Διονυσίων τῶν ἐπὶ

45 καὶ τοὺς ἐπιτρόπους E H Brooks (κ-ω, Η-Λ, Β); καὶ οἱ ἐπιτροποὶ (hiatu admissio) quondam conieci. εΑΝ (κ, κ-ω, Β): οἱ ἄν (ex οἱ ἔαν) van Leeuwen (Η-Λ). 46 [ἀπο]δῶσι et Wysio et mihi olim placuit (κ²): [δι]δῶσι κ-ω, Β, ἀποδιῶσι Η-Λ.

LVII 1 ὁ μὲν ἄρχων Blass et Herwerden (κ-ω, Η-Λ, κ²): οὗτος μὲν οὖν κ¹. 3 χειροτονεῖ Harp. (κ¹). 4 Εὐμολπιδῶν κ ex Harp.: ἐξ Εὐμολπιδῶν—ἐκ Κηρῶν Gertz (κ-ω, Η-Λ, Β).

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; χειροτονεῖ codd.) ἓνα δ' ἐξ Εὐμολπιδῶν, ἓνα δ' ἐκ Κηρῶν. Suid. et Etym. M. τέσσαρες δὲ ἦσαν, δύο μὲν ἐξ... εἰς δὲ ἐκ... καὶ εἰς ἐκ (Frag. 386², 425³). Pollux viii 90: ὁ δὲ βασιλεὺς μυστηρίων πρόσταθε “μετὰ τῶν ἐπιμελητῶν” καὶ Ἀθηναίων καὶ ἀγόνων τῶν ἐπὶ λαμπάδι (cf. Lex. Dem. Patm. p. 11) καὶ (add. Schol. Pl. *Euthyphr.* p. 325) τὰ περὶ τὰς πατρῶν θυσίας διοικεῖ (cf. Heraclidis epitom., Rose Frag. 611, 8, ὁ δὲ βασιλεὺς τὰ κατὰ τὰς θυσίας διοικεῖ. Schol. in Plat. *Phaedr.* 235 D, ὁ δὲ βασιλεὺς μυστηρίων προνοεῖται καὶ τὰς θυσίας τὰς πατρῶν διοικεῖ). Bekk. *An.* p. 219, 14: ... ὁ δὲ βασιλεὺς “μυστηρίων ἐπιμελεῖται μετὰ τῶν ἐπιμελητῶν οὓς ὁ δῆμος” χειροτονήσει. Phot. ἡγεμονία δικαστηρίου, ad fin. ὁ βασιλεὺς καὶ τῶν μυστηρίων ἅμα τοῖς ἐπιμεληταῖς πρόσταται. Cf. Frag. 385², 422².

posed), we here have the age at which the ἐπίκληρος ceased to be under the care of the archon. 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 (τριακοντοῦσι).

ἀποτιμήματα] here of lands offered as 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 ἀγροῦ ἀποτίμημα τῷ παιδί τῷ Εὐμηλίδου καθεστήκει. Cf. Schulthess, *l.c.* p. 157, and see note on μισθοί, above.

σῖτον] Pollux viii 33, σῖτος δὲ ἐστὶν αἱ ὀφειλόμενα τροφαί. Cf. Harp. in *Testim.*, and 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 241; Meier and Schöm. p. 61 Lips.

μυστηρίων] [Lys.] 6 c. *Andoc.* 4, ἄν... λάχη βασιλεὺς, ἄλλο τι ἢ ὑπὲρ ἡμῶν καὶ

θυσίας θύσει καὶ εὐχὰς εὔξεται κατὰ τὰ πάτρια, τὰ μὲν ἐν τῷ ἐνθάδε Ἐλευσινίῳ, τὰ δὲ ἐν τῷ Ἐλευσίνι ἱερῷ, καὶ τῆς εὐρῆς ἐπιμελήσεται μυστηρίους;

ἐπιμελητῶν] sc. τῶν μυστηρίων. Dem. 21 § 171, χειροτονήσατε τοῦτον (Midias) μυστηρίων ἐπιμελητῆν. We have decrees in honour of these ἐπιμεληταί in CIA ii 315 (= Ditt. 386, 26; v.c. 283/2 or 282/1), and 376 (before end of 3rd cent. v.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), v.c. 334/3, [7] Διονυσίων τῶν [ἐπὶ Ἀ]θηναίῳ παρὰ μυστηρίων ἐπιμελητῶν.

Κηρῶν] CIA ii 597 (a decree of the Κήρυκες, about the age of Alexander): ἐπειδὴ Εὐθύδημος ὁ πατέρας τοῦ βασιλεὺς καλῶς καὶ φιλοτίμως μετὰ τοῦ βασιλεὺς καὶ τοῦ γένους τοῦ Κηρῶν ἐπεμελήθη τῶν περὶ τὰ μυστήρια κτλ.

τῶν ἐπὶ Ἀθῆναι] held in the district called Ἀίμναι, 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*, *Vesprae* and *Ranae*.

Ληναίω· ταῦτα δ' ἐστὶ [πομπή καὶ μουσικῆς ἀγών. τήν] μὲν οὖν 5
 [Pol. 29.] πομπὴν κοινῇ πέμψουσιν ὃ τε βασιλεὺς καὶ οἱ ἐπιμεληταί· τὸν
 δὲ ἀγῶνα διατίθησιν ὁ βασιλεὺς. τίθησι δὲ καὶ τοὺς τῶν λαμ-
 πᾶδων ἀγῶνας ἅπαντας· ὡς δ' ἔπος εἰπεῖν [[καί]] τὰς πατρίους
 2 θυσίας διοικεῖ οὗτος πάσας· γραφαὶ δὲ λαγχάνονται πρὸς αὐτὸν
 ἀσεβείας, κἄν τις ἱερωσύνης ἀμφισβητῇ πρὸς τινα· [διαδι]κάζει 10
 δὲ καὶ τοῖς γένεσι καὶ τοῖς ἱερεῦσι τὰς ἀμφισβητήσεις τὰς ὑπὲρ
 [τῶν γε]ρῶν ἀπάσας οὗτος. λαγχάνονται δὲ καὶ αἱ τοῦ φόνου
 δίκαι πάσαι πρὸς τοῦτον, καὶ ὁ προαγορεύων εἶργεσθαι τῶν

5 ΛΗΝΑΙΩΝ. [πομπή καὶ ἀγών. τήν] H-L, K³, B: [πομπή καὶ μουσικῆς ἀγών. τήν] K-W. Supplementum illud parum multas, hoc parum paucas, litteras habere arbitratur K, sed (nisi fallor) fere viginti litteris spatium aptum est, ut ΠΟΜΠΗΚΟΜΟΥΣΙΚΗΣΔΡΩΝΤ litteras undeviginti continere possit. 7 ΤΙΘΗΣΙ (K, B): <δια>τίθησι Richards, Gertz, K-W, H-L. 8 καὶ del. K-W, H-L. 9 'quidni οὗτος διοικεῖ?' B. 10 ἱερωσ ἱερωσύνης K-W, Meisterhans, p. 36². ΠΡΟΣΤΙΝΑ (K-W, H-L, K³, B); διαδικάζει addendum putat B: προστιμῶ Bekk. Anec. (K¹). 12 γε]ρῶν K e Bekk. An. 219 (K-W, H-L, B): ἱερῶν (quod etiam in ectypro videt B, coll. Bekk. An. 310), Richards.

§ 2 Pollux viii 90: δίκαι δὲ πρὸς αὐτὸν λαγχάνονται ἀσεβείας, ἱερωσύνης ἀμφισβητήσεως. καὶ τοῖς γένεσι καὶ τοῖς ἱερεῦσι (e schol. Pl. Bekk.: ἱεροῖς libri) πᾶσιν αὐτοῖς δικάζει. Bekk. An. p. 219, 16: "γραφαὶ δὲ λαγχάνονται πρὸς αὐτὸν ἀσεβείας. καὶ ἂν τις ἱερωσύνης" ἀμφισβητήσῃ προστιμῶ. "διαδικάζει δὲ καὶ τοῖς γένεσι καὶ τοῖς ἱερεῦσι τὰς ἀμφισβητήσεις τὰς ὑπὲρ τῶν γερῶν. λαγχάνονται δὲ—πρὸς τοῦτον." Phot. ἡγεμονία δικαστηρίου...τῶ μέντοι γε βασιλεὶ τὰς τε φονικὰς καὶ τὰς τῆς ἀσεβείας καὶ ἂν τις ἱερωσύνης ἡμφισβητῇ, πρότερον δὲ καὶ τὰς περὶ τῶν γερῶν (ἱερῶν codd., corr. 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 ἀπάσας, ἐπεὶ καὶ προαγορεύει τὸν ἀνρόφονον εἶργεσθαι τῶν νόμων (leg. νομίμων), καὶ περὶ τῶν ἱερῶν (leg. γερῶν) καὶ τοῖς γένεσι δικάζει.

πομπή κτλ.] 'law of Euegoros' in Dem. c. Mid. 10, ἡ ἐπὶ Ληναίω πομπή καὶ οἱ τραγῳδοὶ καὶ οἱ κωμῳδοὶ. Cf. Plat. Protag. 327 E, and Schol. Arist. Eg. 547. The mistake in the MS (Ληναίων for Ληναίω) possibly arose out of such phrases as ἐνίκα δὲ ἐπὶ Ληναίων (Schol. Aesch. 2 § 15). διατίθησι...τίθησι] See note on 54 § 2, καταγιγνώσκουσι...τὸ γνωσθέν.

λαμπάδων ἀγῶνας] At the Panathenaea (Mommson, Heortol. p. 169 f.) and Thesea (ib. 282), and the festivals of Hephaestus (ib. 311 f.), Prometheus and Pan. Plut. Sol. 1 ad fin. 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 λαμπαδηδρόμοι (about 350 B.C.). Law-suits concerning the γυμνασιάρχου came before the archon basileus (Dem. 35 § 48).

ὡς ἔπος εἰπεῖν] here modifying πάσας. Cf. 49 § 5; and 2 § 3, ὡς εἰπεῖν, with οὐδενός.

πατρίους θυσίας] Pol. 1285 b 16, αἱ πάτριαι θυσίαι κατελείφθησαν τοῖς βασιλεῦσι μόνον, Plat. Πολιτίους, 290 E, τῶ λαχόντι βασιλεῖ φασὶ τῆδε (at Athens) τὰ σεμνότατα καὶ μάλιστα πάτρια τῶν ἀρχαίων θυσίων ἀποδεδδοῦσθαι. Athen. 234 F, κἄν τοῖς τοῦ βασιλέως δὲ νόμοις γέγραπται· θύειν τῶ Ἀπόλλωνι τοὺς Ἀχαρνέων παρσιτοῦς.

§ 2. γραφαὶ κτλ.] Meier and Schöm. p. 61—64 Lips.

ἀσεβείας] Hypereides, pro Eux. c. 21, ἀσεβεί τις περὶ τὰ ἱερά; γραφαὶ ἀσεβείας εἰσὶ πρὸς τὸν βασιλέα. Meier and Schöm. pp. 62, 367 Lips.

ἱερωσύνης] a hereditary priesthood. Cf. c. 42, 36, κἄν τι κατὰ τὸ γένος ἱερωσύνη γένηται.

τῶν γερῶν] Bekk. Anec. 219, 16 (τῶν ἱερῶν, ib. 310, 6, and Photius), quoted in Testim.). Cf. Aeschin. c. Ctes. 18, τοὺς ἱερεῖς τοὺς τὰ γέγρα μόνον λαμβάνοντας.

εἶργεσθαι τῶν νομίμων] inf. § 4, εἶργεσαι τῶν ἱερῶν. Soph. O. T. 236 ff.; Dem.

νομίμων οὗτός ἐστιν. εἰσὶ δὲ φόν[ου] δίκαι καὶ τραύματος, ἂν μὲν 3
 15 ἐκ προνοίας ἀποκτείνῃ ἢ τρώ[σ]ῃ, ἐν Ἀρείῳ πάγῳ, καὶ φαρμάκων,
 ἐὰν ἀποκτείνῃ δούς, καὶ πυρκαϊᾶς· [ταυ]τα γὰρ ἢ βουλή· μόνα
 δικάζει· τῶν δ' ἀκουσίων καὶ βουλευσεως, κὰν οἰκέτην ἀποκτείνῃ

14 ἐὰν H-L. 15 ἢ τρώ[σ]ῃ K-W, quod fortasse legi posse recte (ut videtur)
 censeat K: ΕΝΓΡ? ἔγγραφέται] K; <τις>, γράφεται H-L. ΦΑΡΜΑΚΟΝ (K, H-L,
 B): φαρμάκων K-W Pollucem secuti. 16 πυρκαῖας B. μόνῃ van Leeuwen (H-L).

§ 3 Pollux viii 90: καὶ τὰς τοῦ φόνου δίκας εἰς Ἄρειον πάγον εἰσάγει. ib. 117 Ἄρειος
 πάγος: ἐδίκαζε δὲ φόνου καὶ τραύματος ἐκ προνοίας, καὶ πυρκαϊᾶς, καὶ φαρμάκων, ἐάν τις
 ἀποκτείνῃ δούς. Bekk. An. 311, 9 περὶ Ἄρειου πάγου: αὕτη κρίνει τὰς φονικὰς δίκας
 καὶ φαρμάκων καὶ πυρκαϊᾶς.

17—18 *Harp. ἐπὶ Παλλαδίῳ...δικαστήριον οὕτω καλοῦμενον, ὡς καὶ Ἄρ. ἐν Ἄθ. πολ.,
 ἐν ᾧ δικάζουσιν ἀκουσίου φόνου οἱ ἐφέται. Hesych. δικαστήριον ἐνθα ἐδίκαζον οἱ ἐφέται
 τοῖς ἀκουσίων φόνων δικάζομενοις. Eust. in Od. p. 1419, 53: ἐδίκαζον δὲ κατὰ Πανσῶν
 ἐκεῖ ἀκουσίου φόνου οἱ ἐφέται. Bekk. An. 311, 8: δικάζουσι δ' ἐν τούτῳ οἱ ἐφέται
 (Frag. 417², 457²). Schol. in Aeschin. 2 § 87: ἐπὶ τούτῳ ἐκρίνοντο οἱ ἀκούσιοι φόνοι.
 οἱ δὲ ἐν τούτῳ τῷ δικαστηρίῳ δικάζοντες ἐκαλοῦντο ἐφέται, ἐδίκαζον δὲ ἀκουσίου φόνου καὶ
 βουλευσεως καὶ οἰκέτην ἢ μέτοικον ἢ ξένον ἀποκτείναντι. Cf. Poll. viii 118.

17 *Harp. βουλευσεως, infra exscriptus (Frag. 418², 458³).

Lept. 158, (Δράκων) γράφων χέριμβος ἐρ-
 γεσθαι τὸν ἀνδροφόνου, σπονδῶν κρατήρων
 ἱερῶν ἀγορᾶς, Ant. de Chor. 34, 40, Herod.
 10. Pollux viii 66, εἰργονται ἱερῶν καὶ ἀγο-
 ρᾶς οἱ ἐν κατηγορίᾳ φόνου, ἄκρ κρίσεως·
 καὶ τοῦτο προαγόρευσις ἐκαλεῖτο. Dem.
 Macart. 1069, προειπεῖν. The text shows
 that we are not justified in restricting the
 πρόρρησις to the next of kin, to the exclu-
 sion of the archon basileus (as urged
 by Philippi, Aesch. p. 70).

§ 3. φόνου δίκαι] Pol. 1300 ὁ 24, φονικῶ
 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
 ἀμφισβητεῖται δὲ περὶ τοῦ δικαίου, τέταρτον
 δὲ ὅσα τοῖς φεύγουσιν ἐπὶ καθόδῳ ἐπιφέ-
 ρεται φόνου, οἷον Ἀθήνησι λέγεται καὶ τὸ ἐν
 Φρεατοῦ δικαστήριον. Meier and Schöm.
 p. 376—387 Lips.

τραύματος] Dem. p. 1018, 9, τραυμάτος
 με εἰς Ἄρειον πάγον προσεκαλέσαστο, 54
 § 18, τραύματος γραφαί. Aeschin. F. L.
 93, Ctes. 51 and 212, τραύματος ἐκ
 προνοίας γραφᾶς γραφόμενος. 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 (ἀκτεία, 52 § 2).

ἐκ προνοίας κτλ.] Dem. 23 c. Aristocr.
 24, γέγραπται γὰρ ἐν μὲν τῷ νόμῳ τὴν βου-
 λὴν δικάζειν φόνου καὶ τραύματος ἐκ προ-
 νοίας καὶ πυρκαϊᾶς καὶ φαρμάκων, ἐάν τις
 ἀποκτείνῃ δούς. Lucian, Anacharsis 19,
 φαρμάκων] Philippi, Aesch. 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 be-
 fore the Areopagus: 'etenim qui per
 alium curasset ut venenum daretur, eum
 oportuit βουλευσεως accusari' (Forch-
 hammer, de Aesch., p. 30). Similarly
 Antiphon, Or. 1, κατηγορία φαρμάκων,
 is really a case of βούλευσις, which would
 be tried by οἱ ἐπὶ Παλλαδίῳ.

ἐκ προνοίας applies to φαρμάκων as well
 as to φόνου κ.τ.λ.: Magn. Mor. i 16 (17),
 φασὶ ποτέ τινα γυναικὰ φίλτρον τινὶ δούνα
 πιεῖν, εἰτα τὸν ἄνθρωπον ἀποθανεῖν ὑπὸ
 τοῦ φίλτρον, τὴν δ' ἄνθρωπον ἐν Ἀρείῳ
 πάγῳ ἀποφύγειν· οὐ παρούσαν δι' οὐθὲν
 ἄλλο ἀπέλευσαν ἢ διότι οὐκ ἐκ προνοίας.

πυρκαϊᾶς] Meier and Schöm. p. 387
 Lips.

ἀκουσίους κτλ.] Schol. Aeschin. F. L.
 § 87, ἐδίκαζον δ' ἀκουσίου φόνου καὶ βου-
 λυσεως καὶ οἰκέτην ἢ μέτοικον ἢ ξένον ἀπο-
 κτείνειν (MSS; ἀποκτείναντι Sauppe; κεί τις
 οἰκέτην—ἀποκτείνειε Wyse).

βουλευσεως] 'conspiracy (against life).'
 Harpocr. (and Suidas) s. v.—δταν ἐξ ἐπι-
 βουλῆς τίς τινι κατασκευάσῃ θάνατον, ἔσταν
 τε ἀποθάνῃ ὁ ἐπιβουλευθεὶς ἐάν τε μὴ.—
 μάρτυς Ἰσάιος ἐν τῷ πρὸς Εὐκλείδῃ, ἐπὶ
 Παλλαδίῳ λέγων εἶναι τὰς δίκας, Δείναρχος
 δὲ ἐν τῷ κατὰ Πιστοῦ ἐν Ἀρείῳ πάγῳ.
 Ἄριστοτέλης δ' ἐν τῇ Ἄθ. πολ. τῷ Ἰσαίῳ
 συμφωνεῖ. Hesych. τὸ ἐπιβεβουλεύκεναι
 θάνατον οὕτως Ἀθήνησιν ἐλέγετο. And.
 de Myst. 94, Ant. de Chor. 16. Meier

τις ἢ μέτοικον ἢ ξένον, [οἱ ἐπὶ Π]α[λλ]αδίω· ἐὰν δ' ἀποκτεῖναι μὲν τις ὁμολογῆ, φῆ δὲ κατὰ τοὺς νόμους, ο[ἷ]ον μοιχὸν λαβῶν ἢ ἐν πολέμῳ ἀγνοήσας ἢ ἐν ἄθλῳ ἀγωνιζόμενος, τού[τῳ] ἐπὶ 20 Δελφινίῳ δικάζουσιν· ἐὰν δὲ φεύγων φυγῆν ὦν αἰδεσίς ἐστιν, αἰ[τίαν ἔχῃ] ἀποκτεῖναι ἢ τρώσαι τινα, τούτῳ δ' ἐν Φρεάτου δικάζουσιν· ὁ δὲ [ἀπολογ]εῖται προσορμισάμενος ἐν πλοίῳ.

18 ΟΙΕΠΙΠΑΛΛΑΔΙΩΙ? Κ versus prioris parte ultima litteris evanidis scripta. τούτ[ῳ μὲν ἐπὶ] Π. κ-ω, sed neque spatium sufficere neque litteras τούτ cerni posse censet K. [οἱ ἐφέται ἐπὶ Π.] Brooks, H-L, sed ne his quidem verbis satis spatii relictum. 20 τού[τῳ ἐν τῷ] ἐπὶ κ¹; τού[τῳ] ἐπὶ Brooks, H-L, κ², β; τού[τῳ] δ' [ἐπὶ] Lipsius (κ-ω), sed neque Δ cerni posse neque spatium litterae aptum superesse putat κ. 21 ΔΙΔ(supra scr. ρ)ΕΙC. 22 αἰτίαν ἔχῃ ἀποκτεῖναι κ-ω (κ², β, coll. Dem. 23 § 77): αἰτίαν προσλάβῃ κτεῖναι κ¹ (H-L). ΦΡΕΑΤΟΥ κ-ω, β coll. Dem. 23 §§ 77, 78, ubi φρεατοῦ pr. S; nomen ἀπό τινος Φρεάτου ἦρωος, καθά φησι Θεόφραστος, deducit Harp.; Φρεατοῦ Harp., Ar. Pol. 1300 b 29 codex Ambrosianus, Helladius in Phot. Bibl. 535 a 28, Suidas; ἐς Φρεάτου et ἐν Φρεάτ.. Hesychius: Φρεαττοῦ Pollux, Bekk. Anec. 311, 20 (κ, H-L).

18—21 *Harp. ἐπὶ Δελφινίῳ...δικάζονται δὲ ἐνταῦθα οἱ ὁμολογούντες μὲν ἀπεκτανέαι δικαίως δὲ πεποιηκέναι τοῦτο λέγοντες, ὡς Δημ. ἐν τῷ κατ' Ἀριστοκράτους δηλοῦ καὶ Ἀρ. ἐν τῷ Ἀθ. πολ. Pollux viii 119:...οὐς ὡμολόγη μὲν ἀποκτεῖναι, δικαίως δ' ἔφη τοῦτο δεδρακέναι. Eustath. in Il. p. 1221, 30: δικαστήριον Ἀθήνησιν ἐπὶ τῶν ὁμολογούντων φασὶ δεδρακέναι μὲν φόνον, κατὰ νόμους δέ. Bekk. An. 311, 13. Suid. ex Phot. ἐπὶ Δ., Hesych. (Frag. 419^a, 459^a).

22 ἐν Φρεάτου. Cf. Poll. viii 120 infra exscriptum.

and Schöm. p. 384—6 Lips.; Philippi, *Aereopag.* p. 29—50; Dict. Ant. s. v.

ἐπὶ Παλλαδίῳ] Dem. 23 § 71, δικαστήριον τῶν ἀκουσίων φόνων... τὸ ἐπὶ Παλλαδίῳ... ἐνταῦθ' ὑποκείται πρῶτον μὲν διωμοσία, δεύτερον δὲ λόγος, τρίτον δὲ γνώσις τοῦ δικαστηρίου... τὸν ἄλλον' ἐπὶ ἀκουσίῳ φόνῳ ἐν τισιν εἰρημένοις χρόνοις ἀπελθεῖν τακτὴν ὁδὸν καὶ φεύγειν ἕως ἂν αἰδέσθαι τινα τῶν ἐν γένει τοῦ πεπονηθότος. Paus. i 28, 8. Philippi, *Aereopag.* 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 πόλει ἀποκτείνῃ τινά, ἂν ἐν πολέμῳ ἀγνοήσας, ἢ ἐπὶ δάμαρτι ἢ ἐπὶ μητρὶ ἢ θυγατρὶ, ἢ ἐπὶ παλλακῇ ἢ ἐπ' ἐλευθέρους παισιν ἔχῃ. Cf. Lys. i § 31. Philippi, p. 55.

ἐπὶ Δελφινίῳ] Dem. 23 § 74, ἂν τις ὁμολογῆ μὲν κτεῖναι ἐνόμως δὲ φῆ δεδρακέναι. Paus. i 28, 10, Pollux viii 119, ἰδρῶσθαι ὑπὸ Αἰγέως λέγεται Ἀπόλλωνι Δελφινίῳ.

ἐὰν δὲ φεύγων—τινα] Dem. 23 § 77, δικαστήριον τὸ ἐν Φρεαττοῦ. ἐνταῦθα... κελεύει δικαστὴρ ὁ νόμος, ἐὰν τις ἐπ' ἀκουσίῳ φόνῳ πεφευγώς, μήπω τῶν ἐκβαλ-

λόντων αὐτὸν ἡδεσμένων, αἰτίαν ἔχῃ ἐτέρου φόνου ἑκουσίου. Meier and Schöm. p. 379 f.

ἐν Φρεάτου] l.c. § 78, ἐπὶ θαλάττῃ (near the harbour of Zea). Paus. i 28, 11, ἔστι δὲ τοῦ Πειραιῶς πρὸς θαλάττῃ Φρεαττός. Philippi, *Aereop.* 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. Ulrichs 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, heven 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 Τζιρλονέρι (*Keisen*, ii 173). Milchhöfer, with perhaps more probability, prefers assigning it to the southern extremity of the tongue of land *east* of Zea (Baumeister's *Denkmäler*, p. 1200 a).

ἐν πλοίῳ] Dem. 23 § 78, ὁ μὲν ἐν πλοίῳ προσπλεύσας λέγει, τῆς γῆς οὐχ ἀπτόμενος, οἱ δ' ἀκρόνται καὶ δικάζουσιν ἐν τῇ γῇ. Paus. i 28, 11, οἱ πεφευγότες... πρὸς ἀκρομένους ἐκ τῆς γῆς ἀπὸ νεῶς ἀπολογούντα. Harpocr. s. v. ἐν Φρεαττοῦ (φρεάτου libri). Pollux viii 120, τὸν ἐν

24 δικάζουσι δ' οἱ λαχόντες τα[ῦτα ἐφέται], πλὴν τῶν ἐν Ἀρείῳ 4

24 τα[ῦτα ἐφέται] ex Harp. κ, κ-w: τα[ῦτα δικασται] Paton (H-L, B); τα[ῦτα πάντα] Lipsius.

24 Harp. ἐφέται infra exscriptus.

αἰτία προσπλεύσαντα τῆς γῆς οὐ προσαπτόμενον ἀπὸ τῆς νεῶς ἐχρῆν ἀπολογεῖσθαι, μὴτ' ἀποβάθραν μὴτ' ἀγκυραν εἰς τὴν γῆν βαλλόμενον. Helladius in Photius, *Bibl.* 535 a 28, ... ἐν Φρεατοῦ.—(ὁ κρινόμενος) ἐπὶ νηὸς ἐξῶθεν τοῦ Πειραιῶς ἀπολογούμενος ἀγκυραν καθίει. Bekker, *Anecd.* 311, 17, ἐν Ζεῶν τόπος ἐστὶ παραλίος. ἐνταῦθα κρινεται ὁ ἐπὶ ἀκουσίῳ μὲν φόνῳ φεύγων, αἰτίαν δὲ ἔχων ἐφ' ἐκουσίῳ φόνῳ.—ἐν Φρεατοῦ: οἱ ἐπ' ἀκουσίῳ φόνῳ φεύγοντες, ἐπ' ἄλλῳ δὲ τινι κρινόμενοι· οἱ ἐπὶ πλοίῳ ἐστῶτες ἀπολογούνται.

ἐφέται] Harpocr. s. v. οἱ δικάζοντες τὰς ἐφ' αἵματι κρίσεις ἐπὶ Παλλαδῶν καὶ ἐπὶ Πρυτανείῳ καὶ ἐπὶ Δελφινίῳ καὶ ἐν Φρεατοῦ (φρεάτοις *libri*; Φρεατοῦ *Ἐπίτομῆ*) 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 from noble families, ἀριστινῶν ἀιρεθέντες (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. 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 ἔκ προνομίας κτ[ε]ίνῃ τις τινα, φεύγειν. δικάζειν δὲ τοὺς βασιλέας αἰτιῶν φόνου ἢ [ἐάν τις αἰτιάται τὸν βουλεύσαντα, τοὺς δὲ ἐφέτας διαγνώσκειν] (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:—ἐπιτίμιμος εἶναι πλὴν ὅσοι ἐξ Ἀρείου πάγου

ἢ ὅσοι ἐκ τῶν ἐφετῶν ἢ ἐκ τοῦ πρυτανείου καταδικασθέντες ὑπὸ τῶν βασιλέων ἐπὶ φόνῳ ἢ σφαγαίῳ ἢ ἐπὶ τυραννίδι ἐφευγον.

Here ἐπὶ φόνῳ refers to cases under the cognisance of the Areopagus, σφαγαίῳ 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 ἀδεια all the names ὅποσα ἐν στήλαις γέγραπται τῶν μὴ ἐνθάδε μεινάντων ἢ ἐξ Ἀρείου πάγου ἢ τῶν ἐφετῶν ἢ ἐκ πρυτανείου δικασθεῖσιν ὑπὸ τῶν βασιλέων ἐπὶ φόνῳ τὶς ἐστὶ φυγῆ ἢ σφαγαίῳ ἢ τυραννίδι. (So Droysen and Lipsius. The mss, followed by Blass, have: ἢ ἐκ πρυτανείου ἢ Δελφινίου ἐδικάσθη ἢ ὑπὸ τῶν βασιλέων, ἢ ἐπὶ φόνῳ τὶς ἐστὶ φυγῆ, ἢ θάνατος κατεγνωσθή, ἢ σφαγεύδῳ ἢ τυραννίῳ. But ἢ Δελφινίου 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, διαγνώσκειν,—a term not necessarily implying that they acted as judges, but not inconsistent with it.

In Isocr. c. *Callim.* §§ 52, 54, a trial for homicide, held ἐπὶ Παλλαδῶν, is stated to have come before a tribunal of 700 dicasts: (μάχης γενομένης) ἐκ τοῦ τραύματος φάσκοντες ἀποθανεῖν τὴν ἀνθρωπον 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 360 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 δικασται (Schömann, Scheibe, Froberger, Blass, Philippi), or before ἐφέται (Forchhammer and others) in the court of

πάγω γιγνομένων· εἰσάγει δ' ὁ βασιλεὺς καὶ δικάζουσι[ν * ἐν 25
ἡλι]αί[α]* καὶ ὑπαίθριοι. καὶ ὁ βασιλεὺς ὅταν δικάζη περιαι-

25 [N]... ΔΙ[Ο]Ι Κ²: δικάζουσι σκοταῖοι olim conieci (H-L), coll. Luciani locis infra exscriptis. Ceterum σκοταῖοι cum litterarum evanidarum vestigiis non congruere nunc confiteor, et hac certe in clausula Areopagitarum iudicium excludi videtur. τριταῖοι Lipsius; cf. Schol. Aeschin. 1 § 188, τρεῖς που τοῦ μηνὸς ἡμέρας τὰς φονικὰς

§ 4, 26 Pollux viii 118 (*Ἀρείου πάγου): ὑπαίθριοι δ' ἐδίκαζον.

26—27 Pollux viii 90: καὶ τὸν στέφανον ἀποθέμενος σὺν αὐτοῖς δικάζει.

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 κατεγελάσθη τὸ τῶν ἐφετῶν δικαστήριον.

δικάζουσι κτλ.] To restore the missing word is a difficult task. According to Lucian, one of the courts of homicide, that of the Areopagus, held its sittings during the night:—*Hermotimus* 64, 'Ἀρεοπαγῖται ἐν νυκτὶ καὶ σκότῳ δικάζουσι, and *de Domo*, 18, ἐλ τις... ἐν νυκτὶ ὡσπερ ἡ ἐξ Ἀρείου πάγου βουλὴ ποιοῦτο τὴν ἀκρόασιν. This suggests the emendation σκοταῖοι, proposed by me in the *Academy*, Feb. 6, 1891, and accepted in the Dutch edition; but this proposal assumes either that the writer now reverts to the description of the procedure before the Areopagus, or that, if (as is more probable) he refers to all the courts of homicide, this particular detail in the trials before the Areopagus was also adopted in the three courts which have just been mentioned.

Again, if we refer to the account in Pollux viii 117, we find that the court of the Areopagus sat for three consecutive days before the last day in each month, τριῶν ἡμερῶν ἐδίκαζον ἐφεξῆς, τετάρτη φθίνοντος, τρίτη, δευτέρα (cf. Schol. Aeschin. 1 § 188). Then (after a sentence stating that the court of the Areopagus was composed of those who had been archons) he continues: ὑπαίθριοι δ' ἐδίκαζον. This suggests τριταῖοι, which has independently occurred to Lipsius and Mr T. Nicklin: the sense would then be 'they give sentence on the third day'; but δικάζειν naturally means 'to try a cause' and not 'to pass a sentence,' ψηφίζεσθαι.

Both the above suggestions are open to the objection that they do not suit the faint traces still visible in the MS. These traces point to some word beginning with

αλ or ελ followed by something resembling *ιη* preceding the termination. Such a word is ἀλεινοὶ (from ἀλέα). Hdt. ii 25, ἀλεινῆς τῆς χώρας εὐούσης, opp. to ψυχρῶν Xen. *Cyr.* x 6; epithet of ἐσθῆς in *Pol.* ii 8, 1, ἐσθῆτος εὐτελοῦς μὲν ἀλεινῆς δὲ οὐκ ἐν τῷ χειμῶνι μόνον ἀλλὰ καὶ περὶ τοὺς θερινούς χρόνους. Cf. Hesych. ἀλέαζω (ἀλιζω Kuster): ἀβροίζω. ἀλεάζω· δικάζόμενος, and ἡλιαία either from ἀλεάζεσθαι (ἀβροίζεσθαι) or from ὑπαίθριον εἶναι τὸν τόπον καὶ ἡλιουσθαι. This assumes that an epithet usually meaning 'lying open to the sun, warm, hot,' can here be applied to a tribunal holding its meetings in the sunlight, as well as in the open air. If so, the three courts are *contrasted* in this respect with the court of the Areopagus. But such an application of the epithet is quite unprecedented.

As a better alternative one might suggest ἐν ἡλιαία, [ΕΗΗΛΙ]ΔΙ[Δ]Ι, which is found without the article in Arist. *Eg.* 897 ἐν ἡλιαία, Posidippus ap. Athen. 591 c εἰς ἡλιαίαν ἦλθε, and Diog. Laert. i 66. If this is right, the collocation of ὑπαίθριοι supports the view of those who connect ἡλιαία with ἥλιος: Et. Mag. s. v. 1: εἰς τὸ ὑπαίθριον προσκαθημένων τῶν δικαστῶν ἡ παρὰ τὸ ὑπαίθριον· καὶ προῦποτίθεται ἥλιον εἶναι παρὰ τὸ ἡλιουσθαι τοὺς ἐκεῖ ἀβροίζόμενος, and at end of art. 2: ἡλιαίαζεσθαι καὶ ἡλιασις ἐστὶ τὸ ἐν ἡλιαία δικάζειν (Welcker, *Gr. Götterlehre*, i 403, and Wilamowitz, *Aus Kydathen*, p. 90). The term ἡλιαία is indeed suggestive of a large body of δικασταί, and it is so explained by the grammarians. Harp. s.v. mentions 1500 or 1000; and Pollux, 500 (at least). Cf. Paus. i 28, 8, τὸ δὲ μέγιστον καὶ ἐς 8 πλείστον συναίαν Ἠλιαίαν ἐκάλουν, where it is *contrasted* with the courts for the trial of homicide. But we know of trials ἐπὶ Παλλαδίῳ coming before 500 to 700 dicasts (p. 214 b); and such a tribunal may well be called 'a heliastic court.'

ὑπαίθριοι] Antiphon, *de cae de Herodis*, 11, ἅπαντα τὰ δικαστήρια ἐν ὑπαίθρῳ δικάζει τὰς δίκας τοῦ φόνου.

ρεῖται τὸν στέφανον. ὁ δὲ τὴν αἰτίαν ἔχων τὸν μὲν ἄλλον χρόνον εἴργεται τῶν ἱερῶν, καὶ οὐδ' εἰς τὴν ἀγορὰν δ[ίκαιον ἐ]μβάλλειν αὐτῷ· τότε δ' εἰς τὸ ἱερόν εἰσελθὼν ἀπολογεῖται. ὅταν δὲ μὴ
 30 εἰδῆ τὸν ποιήσαντα, τῷ δράσαντι λαγχάνει. δικάζει δ' ὁ βασιλεὺς καὶ οἱ φυλοβασιλεῖς καὶ τὰς τῶν ἀψύχων καὶ τῶν ἄλλων ζῶων.

δικας ἐδίκασον. Sed exspectares potius τριῶν ἡμερῶν (Poll. viii 117) vel τριῶν ἡμέραις, aut τετάρτῃ μηνί (Ant. *De Chor.* 42) vel denique ἐν μηνί τετάρτῃ (ΕΝΜΗΝΙΔ΄). Litteram secundam z vel ζ fuisse suspicantur κ-w, sed in papyro litterae neutrius appareret vestigium. ἈΛΙΗ vel ἘΛΙΗ aegre discerni posse putat G F Warner; post δικάζουσι[ν] litterarum vestigia evanida hanc fere speciem habere testatur Kenyon:—εΛΙΗ. ΔΙ. Ι. prima praesertim littera obscure scripta. Legendum fortasse ἐν ἡλιαία sc. [ΕΝ ΗΛΙΑ]ΔΙ[Δ]. 28 εἴργεται Η-Λ. οὐδ' εἰς τὴν ἀγορὰν Wyse, Blass, van Leeuwen, Hartman, coll. Dem. 23 § 80 et 24 §§ 103, 165 (κ-w, Η-Λ): οὐδεὶς τὴν αἰτίαν κ¹. δ[ίκαιον] van Leeuwen (κ³), vel potius ξέσταιν (Wyse): δ[ύναται] κ¹; δ[έδοται] Gertz (κ-w, Η-Λ, Β). ἐμβάλλειν (κ, Η-Λ, Β): ἐμβάλλειν κ-w. 29 ΜΗ (κ, κ-w, Β): μηδεὶς Η-Λ, sed spatii non satis est. 30 εἰδῆ Wyse (κ-w, Η-Λ, κ³, Β). Post λαγχάνει 'intercidit fere ὁ προσήκων ἐπὶ πρυτανείῳ' κ-w. 31 ΖΩΩΝ. Desiderantur οὗτοι δικάζουσι καὶ τὰ καταγνωσθέντα ὑπερορίζουσι, coll. Poll. viii 120, κ-w.

29—31 Pollux viii 120 infra exscriptus.

τὸν στέφανον] characteristic of the office of archon. Aeschin. i § 19, ἂν τις Ἀθηναίων ἐταιρήσῃ, μὴ ἐξέστω αὐτῷ τῶν ἐννεὰ ἀρχόντων γενέσθαι, ὅτι οἰμια στεφανηφόρος ἢ ἀρχή, and Schol. *ad loc.*, οἱ γὰρ ἐννεὰ ἀρχοντες στέφανον ἐφόρουν μυρρίνης, with Hesych. s. v. μυρρίνων, and Pollux viii 86, μυρρίνη δ' ἐστεφάνωντο. Hence in Photius, s. v. ἡγεμονία δικαστηρίου *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). Hermann, *Sitzsitz.* § 124, 12.

εἴργεται] § 2.

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 ὢν τὰς χεῖρας εἰς τὴν ἀγορὰν ἐμβάλλεις. Lycurg. *Leocr.* 5, εἰς τὴν ἀγορὰν ἐμβάλλοντα καὶ τῶν κοινῶν ἱερῶν μετέχοντα. Dem. 24 c. *Timoocr.* 103, ἐὰν ἀλοὺς τῆς κακώσεως τῶν γονέων εἰς τὴν ἀγορὰν ἐμβάλλῃ, and 165, εἰς τὴν ἀγορὰν φοβοῖτ' ἐμβάλλειν, also *ib.* 6o and *Androt.* 77.

ὅταν δὲ μὴ εἰδῆ κτλ.] [Dem.] 47 c. *Eueg.* 69, συμβουλευόμεν σοι... δρομαστὶ μὲν μηδενὶ προαγορεύειν, τοῖς δεδρακόσι δὲ καὶ κτείνασιν. Plat. *Leg.* 874 A, ἐὰν δὲ τεθνεὺς μὲν αὐτὸς φανῆ καὶ μὴ ἀμελῶς ζητοῦσιν ἀνέυρετος γίγνηται, τὰς μὲν προρήσεις τὰς αὐτὰς γίγνεσθαι καθάπερ τοῖς ἄλλοις, προαγορεύειν δὲ τὸν φόνον τῷ δράσαντι καὶ ἐπιδικασάμενον ἐν ἀγορᾷ κηρύξει 'τῷ κτείναντι τὸν καὶ τὸν καὶ ἀφληκτὶ φόνον μὴ ἐπιβαίνειν ἱερῶν' (Wyse). Pollux,

viii 120, τὸ ἐπὶ Πρυτανείῳ δικάζει περὶ τῶν ἀποκτεινάντων κἂν ὦσιν ἀφανεῖς.

ὁ βασιλεὺς καὶ οἱ φυλοβασιλεῖς] Pollux, viii 90, says (of the βασιλεὺς), δικάζει τὰς τῶν ἀψύχων δικας. In § 120 he says (of the φυλοβασιλεῖς), προειστήκεσαν δὲ τούτου τοῦ δικαστηρίου φυλοβασιλεῖς, οὗς δεῖ τὸ ἐμπεσὼν ἀψύχων ὑπερορίζαι. These statements have hitherto been regarded as inconsistent with one another, and it has been supposed by Philippi, *Aesch.* p. 18, that the duty of the φυλοβασιλεῖς was simply to cast the condemned object beyond the bounds of Attica. The text shews 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. *Arístocr.* 76, ἐὰν λίθος ἢ ξύλον ἢ σίδηρος ἢ τι τοιοῦτον ἐμπεσὼν πατάξῃ, καὶ τὸν μὲν βαλόντα ἀγοσῆ τις, αὐτὸ δὲ εἰδῆ καὶ ἔχη τὸ τὸν φόνον εἰργασμένον, τοῦτος ἐνταῦθα λαγχάνεται. εἰ τοῖνυν τῶν ἀψύχων κτλ. Pollux, viii 120, τὸ ἐπὶ Πρυτανείῳ δικάζει... περὶ τῶν ἀψύχων τῶν ἐμπεσόντων καὶ ἀποκτεινάντων. In the ceremony of the βουφόνια, the priest who slew the ox fled after flinging away the axe, οἱ δὲ ἄτε τὸν ἀνδρα δεδράσε τὸ ἔργον οὐκ εἰδότες ἐς δίκην ὑτάγουσι τὸν πέλεκυν (Paus. i 24, 4, cf. 28, 11 and vi 11, 6).

καὶ τῶν ἄλλων ζῶων] Plat. *Gorg.* 473 C, ὑπὸ τῶν πολιτῶν καὶ τῶν ἄλλων ξένων (Kühner § 405 b n. 1).

The fact that animals could be tried has been hitherto unknown. But the

58. ὁ δὲ πολέμαρχος θύει μὲν θυσίας τήν τε τῇ Ἀρτέμιδι τῇ ἀγροτέρᾳ καὶ τῷ Ἐνναλίῳ, διατίθησι δ' ἀγῶνα τὸν ἐπιτάφιον [καὶ] τοῖς τετελευτηκόσιν ἐν τῷ πολέμῳ, καὶ Ἀρμοδίῳ καὶ Ἀριστο-
2 γείτονι ἐναγίσματα ποιεῖ. δίκαι δὲ λαγχάνονται πρὸς αὐτὸν ἴδιαι μὲν, αἷ τε τοῖς μετοίκους καὶ τοῖς ἰσοτελέσι καὶ τοῖς προξένοις 5
γυγνόμεναι· καὶ δεῖ τοῦτον λαβόντα καὶ διανείμαντα δέκα μέρη, τὸ

LVIII 1 ΘΥΓΙΜΕΝ? (κ³; κ-W, B): ΠΟΙΟΙΤΑΙ? κ¹ (H-L). τήν τε τῇ: τῇ τε κ-W. ΕΝΥΩ

2 ΕΝΥΩΛΙΩΙΕΝΥΑΛΙΩΙ? Ἐνναλίῳ κ (κ-W, B): Ἐνναλίῳ τὴν ἐνιαυσίαν H-L. 3 ΚΑΙ
secl. κ (H-L, B); retinent κ-W, commatis signo post ἐπιτάφιον, non post πολέμῳ
posito. τῷ: τῷ Rutherford 'vix recte.' 5 Μ(ΕΝ) κ, H-L, B: μόνον κ-W.
6 ΓΙΝΟΜΕΝΑΙ (adscr. ΟΙC).

TESTIMONIA. LVIII § 1 Heraclidis epitom. (Rose, Frag. 611, 8): καὶ τὰ πολέμια.

Pollux viii 91: "ὁ δὲ πολέμαρχος θύει μὲν" Ἀρτέμιδι "ἀγροτέρᾳ καὶ τῷ Ἐνναλίῳ, διατίθησι" δὲ τὸν ἐπιτάφιον ἀγῶνα τῶν ἐν πολέμῳ ἀποθανόντων, καὶ τοῖς περὶ Ἀρμοδίου ἐναγίζει. (§ 2) δίκαι δὲ πρὸς αὐτὸν λαγχάνονται μετοίκων, ἰσοτελέων, προξένων. καὶ διανεμει τὸ λαχὸν ἐκάστη φυλῇ τι (τὸ? Bekk.: sine dubio leg. τῇ φυλῇ) μέρος, τὸ μὲν διαιτηταῖς παραδιδούς, (§ 3) εἰσάγων δὲ δίκας ἀποστασίου, ἀπροστασίου, κλήρων

case is provided for in Plato's *Laws*, 873 E, ἐὰν δ' ἄρα ὑποζύγιον ἢ ζῷον ἄλλο τι φουεῖσθαι τινά... ἐπέξτευσαν μὲν οἱ προσήκοντες τοῦ φόνου τῷ κτείναντι, διαδικαζόντων δὲ τῶν ἀγρονόμων ὁσιν ἂν καὶ ὀπίσθους προστάξῃ ὁ προσήκων, τὸ δὲ ὄφλον ἔξω τῶν ὄρων τῆς χώρας ἀποκτείναντες διαρῆσαι. Then follows the case of things without life: ἐὰν δὲ ἀψυχὸν τι κτλ.

LVIII. *The Polemarch.*

§ 1. πολέμαρχος] Hermann, *Staatsalt.* § 138, 8—10; Gilbert, i 242.

θύει—Ἐνναλίῳ 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. *Eg.* 660 (Hermann, *Gottesdienst. Alt.* § 56, 3 and 5; Mommsen, *Heortol.* p. 213).

ἀγῶνα τὸν ἐπιτάφιον] Plat. *Menex.* 249 B, ἀγῶνας γυμνικὸς καὶ ἵππικὸς—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 θαπτομένοις ὁ πολέμαρχος. Cf. Suidas, s. v. Θεμιστοκλέους παῖδες. See Mommsen, *Heortologie*, p. 281, and Daremberg and Saglio, s. v. *Ἐπιταφία*, iii 727, where this commemorative festival is connected with the Θησεία and assigned to the 7th of Pyeneption (end of October), cf. CIA ii 471, 22, ἐποιήσαντο δὲ καὶ τοῖς ἐπιταφίοις

δρόμον ἐν ὄπλοις—καὶ ἀπεδείξαντο ἐν τοῖς ὄπλοις τοῖς τε Θησείοις καὶ ἐπιταφίοις. In this part of his duties the Polemarch was assisted by the στρατηγός; Gilbert, *Beiträge*, p. 61.

ἐναγίσματα] ὡς ἥρωϊ. 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, προσεκαλεσάμεν αὐτὸν πρὸς τὸν πολέμαρχον νομίζων μέτοικον εἶναι.

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 προσεδρία.

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 πρόξενοις. In 131, we also have the grant of ἀτέλεια καὶ γῆς καὶ οἰκίας ἐγκτησις. Meier and Schömann, p. 70 Lips.

λαβόντα] τὰς δίκας. διανείμαντα—μέρη] 21 § 4.

λαχὸν ἐκάστη τῇ φυλῇ μέρος προσθεῖναι, τοὺς δὲ τὴν φυλὴν δικάζοντας το[ῖς] δαιτηταῖς ἀποδοῦναι. αὐτὸς δ' εἰσάγει δίκας τὰς τε 3
 [[τοῦ]] ἀ[ποστασίου] καὶ ἀπροστασί[ου] καὶ κλήρων καὶ ἐπικλήρων
 10 τοῖς μετοίκους, καὶ τὰλλ' ὅσα τοῖς πολίταις ὁ ἄρχων, ταῦτα τοῖς
 μετοίκους ὁ πολέμαρχος.

59. οἱ δὲ θεσμοθέται πρῶτον μὲν τοῦ προγράψαι τὰ δικαστήριά εἰσι κύριοι, τίσιν ἡμέραις δεῖ δικάζειν, [ἐπ]ε[ιτα] τοῦ δούνα

7 μέρος secl. κ-w.

9 τοῦ secl. κ-w; habet Harp.

μετοίκων (Frag. 387², 426³). Bekk. An. 290, 28: "καὶ τῷ Ἐυναλίῳ διατίθησι" τὸν "ἀγῶνα τὸν ἐπιτάφιον."

§ 3 *Harp. πολέμαρχος... Ἄρ. δ' ἐν τῇ Ἄθ. πολ. διεξελλθὼν ὅσα διοικεῖ ὁ πολέμαρχος, πρὸς ταῦτα, φησὶν, αὐτὸς τε "εἰσάγει δίκας τὰς τε τοῦ ἀποστασίου καὶ ἀπροστασίου καὶ κλήρων—ταῦτα τοῖς μετοίκους ὁ πολέμαρχος." *Harp. ἀποστασίου... Ἄρ. δ' ἐν Ἄθ. πολ. περὶ τοῦ πολέμαρχου γράφει ταυτί· "οὗτος δὲ εἰσάγει δίκας τὰς τε τοῦ ἀποστασίου καὶ κλήρων καὶ ἐπικλήρων." Bekk. An. 310, 9: ὁ πολέμαρχος (εἰσάγει δίκας) ἀποστασίου "καὶ κλήρων καὶ ἐπικλήρων τοῖς μετοίκους· καὶ τὰλλα ὅσα τοῖς" ἀστοῖς ὁ ἄρχων, οὗτος τοῖς μετοίκους παρέχεται (Frag. 388², 427³). Phot. ἡγεμονία δικαστηρίου... τῷ πολέμαρχῳ δὲ ὅσα ἀποστασίου γραφὴν ἔφερον* ἔτι μὴν καὶ ὅσα ὁ ἄρχων ἐν τοῖς ἀστοῖς, ὁ πολέμαρχος τοῖς μετοίκους δίδητα.

TESTIMONIA. LIX Pollux viii 87: § 1 ἰδίᾳ 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 γραφάς, καὶ εἰ τις μὴ ἐπιτήδειον νόμον γράψῃεν, "καὶ στρατηγούς εὐθύνας" (cf. Schol. Aeschin. i § 1, p. 253 Schultz, ἡ δὲ εὐθύνα—οἶον πρεσβείαν, στρατηγίαν κτλ.).

*Harp. θεσμοθέται... ὁ δὲ Ἄρ. ἐν τῇ (ᾱ addit codex Angelicanus) Ἄθ. πολ. διέρχεται ὅσα οὐδοι πράττουσιν. Phot. θεσμ... τὰς εἰσαγγελίας εἰσγγέλλων εἰς τὸν δῆμον καὶ τὰς χειροτονίας καὶ τὰς προβολὰς ἀπάσας καὶ γραφὰς παρανόμων... Schol. in Plat. *Phaedr.* 235 D εἶχον δὲ ἐξουσίαν τοῦ υπογράψαι τὰ δικαστήρια, καὶ τὰς εἰσαγγελίας εἰσηῶν καὶ τὰς χειροτονίας καὶ προβολὰς καὶ γραφὰς παρανόμων καὶ ἄλλων τινῶν. Cf. Schol. in Aeschin. i § 16 in p. 219 a exscriptum.

τοὺς τὴν φυλὴν δικάζοντας] i.e. the four δικασταὶ assigned to each tribe, who introduce private actions concerning members of that tribe. As resident aliens are not members of any tribe, the lawsuits in which they are concerned are distributed by lot among the ten groups of four δικασταὶ each. This shews that μέτακοι were in no way enrolled in any particular deme, as once suggested by Wilamowitz, *Hermes*, xxii 211. Cf. 53 § 1.

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.*, p. 55).

§ 3. ἀποστασίου καὶ ἀπροστασίου] The former designation was applied to the case in which a μέτακος deserted (or acted without the sanction of) the προστάτης under whom he had been enrolled; the latter, to that in which he had no προστάτης. Dem. 35 *Lacr.* 48, ἀλλ' ὁ

πολέμαρχος εἰσάξει. ἀποστασίου γε καὶ ἀπροστασίου.

On the *δικὴ ἀποστασίου*, see Meier and Schöm. p. 619—623 Lips.; on the *γραφὴ ἀπροστασίου*, *ib.* p. 388—391.

κλήρων καὶ ἐπικλήρων τοῖς μετοίκους] [Dem.] 46 § 22, ἐπιδικασίαι εἶναι τῶν ἐπικλήρων ἀπάσων καὶ ἔξνων καὶ ἀστών καὶ περὶ μὲν τῶν πολιτῶν τὸν ἀρχοντα 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.; Gilbert, i 243; and Dict. Ant. s. v. *Archon.*

τίσιν ἡμέραις δεῖ δικάζειν] e.g. Dem. c. *Mid.* 47 (of a *γραφὴ ὕβρεως*), οἱ δὲ θεσμοθέται εἰσαγόντων εἰς τὴν ἡλιαίαν τριάκοντα ἡμερῶν κτλ. (Meier and Schöm., p. 906 Lips.).

ταῖς ἀρχαῖς* καθ' ὅ τι γὰρ ἂν οὗτοι δώσιν, κατὰ τοῦτο χρῶνται. 2 ἔτι δὲ τὰς εἰσαγγελίας εἰσαγγέλλουσιν εἰς τὸν δῆμον, καὶ τὰς καταχειροτονίας καὶ τὰς προβολὰς ἀπάσα[ς] εἰσάγουσιν οὐ[τοι], καὶ 5 γραφὰς παρανόμων, καὶ νόμον μὴ ἐπιτήδειον θείναι, καὶ προεδρικήν

§ 4 εἰσαγγέλλουσιν εἰς τὸν δῆμον secl. K-W; retinent K, H-L, B; εἰσαγγέλλουσιν defendant Pollux et Photius: εἰσάγουσιν Schol. ad Plat. *Phaedr.* 235 et ad Aesch. i 16 (Gomperz). 6 <τοῦ> νόμον J B Mayor (H-L).

§ 2. εἰσαγγέλλας] The statement of Pollux, viii 87, that it was the *θεσμοθέται* who laid εἰσαγγέλλαι 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 ποιῶσι κοινῇ, ἰδίᾳ δὲ, πότε δὲ δικάζω τὰ δικαστήρια καὶ τὰς εἰσαγγελίας εἰσάγειν εἰς τὸν δῆμον, καὶ τὰς χειροτονίας καὶ τὰς προβολὰς εἰσάγουσι καὶ τὰς τῶν παρανόμων γραφὰς καὶ ἕτερα.

καταχειροτονίας] they bring forward 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 ὁ δῆμος ἐποίησατο*, 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 δικάσθηριον, καταχειροτονήσαντες προδεδωκέναι τὰς ναῦς καὶ λειοπέναι 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.* 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 *συνκοφάνται* (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, Hypérides, *pro Euxenippro*, c. 21, 27, *παρανόμα τις ἐν τῇ πόλει γράφει; θεσμοθετῶν συνέδριον ἔστι*. Dem. *Leip.* 98, 99.

νόμον μὴ ἐπιτήδειον θείναι] 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 δὲ τις λόσας τῶα τῶν νόμων τῶν κειμένων ἕτερον ἀντιθῆ μὴ ἐπιτήδειον τῷ δήμῳ τῷ Ἀθηναίων ἢ ἐναντίον τῶν κειμένων τῶα, 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, *ὕπνωσσία δὲ ἔστιν, ὅταν τις ἢ ψήφισμα ἢ νόμον γραφέντα γράφῃται ὡς ἀνεπιτήδειον*, and 44 (*ἢ γραφὴ παρανόμων*) *διήλεγχεν ὅτι ἔστι παράνομον ἢ ἀδικον 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 284, n. 1; Meier and Schöm. p. 431 Lips.; Dict. Ant. ii 340 a.

Lipsius, who formerly supported Madvig, now holds 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 *exegetic*) makes the following clause an additional item in the enumeration.

καὶ ἐπιστατικὴν καὶ στρατηγούς εὐθύνας. εἰσὶ δὲ καὶ γραφαὶ 3
8 πρὸς αὐτοὺς ὧν παράστασις τίθεται, ξενίας καὶ δωροξενίας, ἃν τις
δῶρα δούς ἀποφύγη τὴν ξενίαν, καὶ συκοφαντίας καὶ δώρων καὶ

8 'ξενίας μὲν, ἔάν τις κατηγορηθῆαι ξένος εἶναι, δωροξενίας δὲ lex. Cant.—ἄν τις—ξενίαν glossa?' K-W. 9 τὴν ξενίας Meier, *Att. Proc.* p. 73, H-L.

§ 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 ταυτὶ "εἰσὶ δὲ καὶ γραφαὶ—ἀποφύγη τὴν" συκοφαντίαν ('ex sequentibus errore arreptum pro ξενίαν' Rose). *Lex. rhet. Cantab. ξενίας γραφὴ 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 ἔάν τις κατηγορηθῆαι ξένος εἶναι, δωροξενίας δὲ "ἔάν τις δῶρα δούς ἀποφύγη τὴν ξενίαν." Pollux viii 44: δωροξενίας δὲ εἰ τις ξενίας κρινόμενος δῶρα δούς ἀποφύγοι (Hesych. δωροξενία· τὸ ἐπὶ ξενίαν καλούμενον ἀποφυγῆν 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 βουλεύσεως. Phot. ἡγεμ. δικαστ.: ... οἱ θεσμ. συκοφαντίας καὶ δώρων καὶ ὕβρεως καὶ μοιχείας καὶ βουλεύσεως (cf. Frag. 379², 418³). Pollux viii 87: γίνονται δὲ γραφαὶ πρὸς αὐτοὺς ξενίας, δωροξενίας, δώρων, συκοφαντίας, ψευδοκλητίας, ψευδεγγραφῆς, βουλεύσεως, ἀγραφίου, μοιχείας. Cf. etiam Bekk. *An.* 238, 24 δωροξενία; 240, 33 δωροξενίας δικη.

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 θῆναι.

προεδρικῆν] the later form of the γραφὴ πρυτανικῆ which is mentioned together with the γρ. ἐπιστατικῆ by Harpocr. s. v. ῥητορικῆ γραφῆ.—ἡ κατὰ ῥήτορος γράψαντος τι ἢ εἰπόντος ἢ πράξαντος παράνομον, ὥσπερ λέγεται καὶ πρυτανικῆ ἢ κατὰ πρυτάνεως, καὶ ἐπιστατικῆ ἢ κατ' ἐπιστάτου. Cf. v. 44.

στρατηγούς 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.; Gilbert, *Beiträge*, pp. 26—28; Schöll, *de Synegoris*, pp. 12, 14; Wilamowitz, *Aus Kydathen*, p. 62; 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. 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, Lips.; Dict. Ant. s. v.

The *Lex. Rhet. Cant.* adds the needless explanation: ἔάν τις κατηγορηθῆαι 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 Lips.).

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 Lips.; on the γρ. δώρων, p. 444.

ψευδεγγραφῆς καὶ ψευδοκλητείας καὶ βουλευσεως καὶ ἀγραφίου 10,
 4 καὶ μοιχείας. εἰσάγουσιν δὲ καὶ τὰς δοκιμασ[ί]ας ταῖς ἀρχαῖς
 ἀπάσαις, καὶ τοὺς ἀπεψηφισμένους ὑπὸ τῶν δημοτῶν, καὶ τὰς
 5 καταγνώσεις [τ]ὰς ἐκ τῆς βουλῆς. εἰσάγουσι δὲ καὶ δίκας ἰδίας,
 ἐμπορικὰς καὶ μεταλλικὰς καὶ δούλων, ἂν τις τὸν ἐλεύθερον κακῶς
 λέγῃ. καὶ ἐπικληροῦσι ταῖς ἀρχαῖς οὗτοι τὰ δικαστήρια τὰ ἴδια 15
 6 καὶ τὰ δημόσια. καὶ τὰ σύμβολα τὰ πρὸς τὰς πόλεις οὗτοι κυροῦσι,

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. 14 ἐάν H-L. 15—16 καὶ ἐπικληροῦσι—δημόσια secl. κ-w; defendit Pollux viii 87. 16 ΟΥΓΟΙΤΑ (κ-w, κ³, β); πάντα κ¹, πάντα τὰ H-L. 16 ΚΥΡΟΥΣΙ (κ, κ-w, β); idem habet Pollux: <κατα>κυροῦσι Wyse (H-L).

§§ 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.

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 Lips.; Dict. Ant. s. v.

ψευδοκλητείας] a prosecution for falsely appearing as witness to a summons. Meier and Schöm. p. 414 Lips., and Dict. Ant. s. v.

βουλευσεως] a prosecution instituted by one who was wrongfully inscribed as a state debtor against one who had so inscribed him. The distinction between this kind of γρ. βουλευσεως 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 (βουλευσεως).' Meier and Schöm. p. 415 Lips.; 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. v.

Theocrin. 67), Meier and Schöm. p. 447—9 Lips.; and Dict. Ant. s. v.

μοιχείας] Meier and Schöm. p. 402—9 Lips.; Dict. Ant. i 29 b.

§ 4. δοκιμασίας] 55 §§ 2—4. Gilbert, i 210.

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. Lips.

καταγνώσεις] 45 § 1, τὰς καταγνώσεις εἰσάγει τὸν 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. 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 κακῆγορίας being brought by a freeman 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) ἐπιμελεῖται δὲ καὶ τῆς κληρώσεως τῶν δικαστηρίων. Meier and Sch., p. 160 Lips.

§ 6. τὰ σύμβολα τὰ πρὸς τὰς πόλεις]

καὶ τὰς δίκας τὰς ἀπὸ τῶν συμβόλων εἰσάγουσι, καὶ τὰ ψευδομαρ-
 τήρια <τὰ> ἔ[ξ] Ἀρείου πάγου. τοὺς δὲ δικαστὰς κληροῦσι γ
 πάντες οἱ ἐννέα ἄρχοντες, δέκατος δ' ὁ γραμματεὺς ὁ τῶν θεσμοθε-
 20 τῶν, τοὺς τῆς αὐτοῦ φυλῆς ἕκαστος.

60. τὰ μὲν οὖν περὶ τοὺς ἐννέα ἄρχοντας τοῦτου ἔχει τὸν
 τρόπον. κληροῦσι δὲ καὶ ἀθλοθέτας δέκα [ἄ]νδρας, ἓνα τῆς
 φυλῆς ἐκάστης. οὗτοι δὲ δοκιμασθέντες ἄρχουσι τέτταρ[α ἔ]τη,

17 τὰ ψ. τας mutatum in ταψ.

τας τῶν ψ. τῶν κ-ω.

Schol. Arist. *Vesp.* 775.

18 <τὰ> Bernardakis, κ-ω, η-λ, β coll. Poll.

18—20 τοὺς δὲ—ἕκαστος secl. κ-ω, cf. 63 § 1; defendit

Schol. Arist. *Vesp.* 775. 19 ΠΑΝΤΑΣ κ-ω: πάντες corr. κ, η-λ, β.

17 *Bekk. *An.* 436 ἀπὸ συμβόλων δικάζει infra exscriptum (Frag. 380², 419³); cf. Harp. infra laudatum.

18—20 Schol. Ar. *Vesp.* 775: θεσμοθεταὶ καὶ δέκατος ὁ γραμματεὺς κληροῦσι τοὺς δικαστὰς τοὺς τῆς αὐτῆς φυλῆς ἕκαστος.

TESTIMONIA. LX § 1 Pollux viii 93: ἀθλοθέται δέκα μὲν εἰσιν, εἰς κατὰ φυλὴν, δοκιμασθέντες δὲ ἄρχουσι ἔτη τέτταρα ἐπὶ τῷ διαθεῖναι τὰ Παναθήναια, τὸν τε μουσικὸν <add. ἀγῶνα> “καὶ τὸν γυμνικὸν” “καὶ τὴν ἱπποδρομίαν.” *ib.* 87 (οἱ ἐννέα ἄρχοντες... ἔχουσι ἐξουσίαν) κληροῦν δικαστὰς καὶ ἀθλοθέτας, ἓνα κατὰ φυλὴν ἐκάστην.

‘international contracts.’ Such agreements were finally ratified by a heliastic court. In [Dem.] 7 § 9, Philip claims that they shall be ratified only ἐπειδὴν ἐν τῷ δικαστηρίῳ τῷ παρ’ ἡμῶν κυρωθῆ ὡς περὶ νόμος κελεύει. Cf. [Andoc.] in *Alciad.* 18. They secured to the citizens of the contracting states the reciprocal right of suing and being sued; *Pol.* 1275 u 8, (among those who are not citizens are) οἱ τῶν δικαίων μετέχοντες οὕτως ὡς τε καὶ δικὴν ὑπέχων. καὶ δικάζεσθαι τοῦτο γὰρ ὑπάρχει καὶ τοῖς ἀπὸ συμβόλων κοινωνοῦσι. The decision was given in the court of the defendant’s city, and in accordance with laws agreed upon in the σύμβολα.

τὰς δίκας τὰς ἀπὸ τῶν συμβόλων] These were mainly commercial suits; but while, in the ordinary δίκαι ἐμπορικαί, the suit was tried in the state where the contract 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 jurisdiction 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 Ἀθηναῖς εἰς τὴν ἡλιαίαν τῶν θεσμοθετῶν.

In Bekker’s *Anecd.* i 436 we read: Ἀθηναῖοι ἀπὸ συμβόλων ἐδικάζον τοῖς ὑπηκόοις 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 δὲ, ὅτε οἱ σύμμαχοι ἐδικάζοντο. Harpocr. σύμβολα: τὰς συνθήκας ἃς ἂν αἱ πόλεις ἀλλήλαις θέμεναι τᾶντων τοῖς πολίταις ὡς τε δίδουσι καὶ λαμβάνειν τὰ δίκαια, and similarly Phot. and Etym. M. On this subject cf. Meier and Schöm. pp. 994—1006 Lips.; Goodwin in *American Journal of Philology*, i 1880, p. 1—16; Dict. Ant. ii 734—6.

τὰ ψευδομαρτήρια] this form has hitherto been found only in Plat. *Theaet.* 148 B, ἔνοχος τοῖς ψευδομαρτυρίοις. In the case of δίκαι ψευδομαρτυριῶν in general, the management of the suit was in the hands of the same authorities as 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. Meier and Sch., p. 160 Lips.

ὁ γραμματεὺς] 55 § 1; 63 § 1.

LX. *The Athlothetaeai.*

§ 1. 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 Παναθήναια, in B.C. 415, 9 talents; *ib.* 188 (Ditt. no. 44), 5 (in the Louvre), ἀθλοθέταις ἐς Παναθήναια τὰ μεγάλα, in B.C. 410, 5 talents, 1000 drachmae.

καὶ διοικουσι τήν τε πομπήν τῶν Παναθηναίων καὶ τὸν ἀγῶνα τῆς μουσικῆς καὶ τὸν γυμνικὸν ἀγῶνα καὶ τήν ἵπποδρομίαν, καὶ τὸν 5 πέπλον ποιοῦνται, καὶ τοὺς ἀμφορεῖς ποιοῦνται μετὰ τῆς βουλῆς, 2 καὶ τὸ ἔλαιον τοῖς ἀθληταῖς ἀποδιδόασι. συλλέγεται δὲ τὸ ἔλαιον

ΛΞ 6 ἀμφορεῖς ποιοῦνται (κ): ἀμφορεῖς Gennadios, (κ-w, H-L); ποιοῦνται retinet B, commatis signo post prius ποιοῦνται addito, et coll. c. 49 § 3. 7 ἔλε-
γεται τοῦ ἔλαιου: συλλέγεται δὲ τὸ ἔλαιον Gennadios, Richards, Gertz, H-L,
κ-w¹, κ³, B; τὸ δ' ἔλαιον συλλέγεται R D Hicks (κ-w²).

§ 2 *Schol. Soph. O. C. 701: ὁ δὲ Ἄρ. καὶ τοῖς νικήσασιν τὰ Παναθήνια ἔλαιον τοῦ ἐκ τῶν μοριῶν γυνομένου δίδοσθαι φησιν. Cf. Phot. s.v. μορία (Frag. 345³, 383³). Schol. Arist. *Nub.* 1005.

πομπήν τῶν Παναθηναίων] Thuc. vi 56—58. Michaelis, *Parthenon*, p. 327.

τὸν ἀγῶνα τῆς μουσικῆς] Plut. *Per.* 13, φιλοτιμούμενος δ' ὁ Περικλῆς τότε πρῶτον ἐψηφίσαστο μουσικῆς ἀγῶνα τοῖς Παναθηναίοις ἀγεσθαι καὶ διέταξεν αὐτὸς ἀθλοθέτης αἰρεθεῖς, καθότι χρὴ τοὺς ἀγωνιζομένους αὐτεῖν ἢ ἄδειν ἢ καθαρίζειν. Phrynus 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 μεμελοποιημένα οἱ αὐλωδοὶ ᾄδον· τοῦτο δὲ δηλοῖ ἡ τῶν Παναθηναίων γραφή ἢ περὶ τοῦ μουσικοῦ ἀγῶνος. The prize for the ἄνδρες κιθαριστά 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 Ἐφημ. Ἄρχ. 1862, 219 (copied *ib.* p. 318).

γυμνικὸν ἀγῶνα] mentioned in documents quoted in Dem. 18 § 116 and Hippocrates 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 πένταθλον and παγκράτιον (Michaelis, *l. c.* p. 323).

ἵπποδρομίαν] The horse-races were held at Echelidae (τόπος Ἀθήνησι σταδίου ὀκτώ, ἐν ᾧ αἱ ἵπποδρομιαί, Etym. M.). The race is mentioned in Xen. *Symp.* i 2. Cf. Athen. p. 168, νικήσαντος ἵππου Παναθήνια (cf. Michaelis, pp. 324—5).

πέπλον] 49 § 3. Schol. Arist. *Av.* 826, τῇ Ἀθηνᾶ πολιάδι ὄσση πέπλον ἐγίνετο παμποίκιλος, ὃν ἀνέφερον ἐν τῇ πομπῇ τῶν Παναθηναίων. Among the mythological subjects represented on it was the battle of Athens 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 description of the prizes is well known: *Nem.* λ 62—66, ἀδείαλ γε μὲν ἀμβολάδαν ἐν τελεταῖς δις Ἀθναίων μιν ὀμφαί κώμασαν· γαῖα δὲ καυθεῖσα πυρὶ καρπὸς ἐλαίας ἔμολεν Ἥρας τὸν εὐάνορα λαὸν ἐν ἀγγέων ἔρκεσιν παμποίκιλος (with Schol.). Cf. Simonides in Anth. Pal. xiii 19, 3, καὶ Παναθηναίοις στεφάνους λάβε πέντ' ἐπ' ἀέθλους ἐξῆς (*i. e.* in the Pentathlon) ἀμφιφορεῖς <τ> ἔλαιον.

Many of the Panathenaic vases have been found in Italy, Sicily, Greece, and at Cyrene. They have the figure of Athens 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 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 313 B.C. 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 Gk. Archaeology*, p. 104.—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. ἔλαιον—μοριῶν κτλ.] Arist. *Nub.* 1005, ἀλλ' εἰς Ἀκαδημειαν κατιῶν ὑπὸ ταῖς μοριαῖς ἀποθρέξει, and Schol. *περὶ αὐτὸν δ'*

[ἀ]πὸ τῶν μοριῶν· εἰσπράττει δὲ τοὺς τὰ χωρία κεκτημένους ἐν οἷς αἱ μορίαί εἰσὶν ὁ ἄρχων, τρεῖς ἡμικοτύλια ἀπὸ τοῦ στελέχους 10 ἐκάστου. πρότερον δ' ἐπώλει τὸν καρπὸν ἢ πόλιν· καὶ εἴ τις ἐξορύξειεν ἐλαίαν μορίαν ἢ κατάξειεν, ἔκρινεν ἢ ἐξ Ἀρείου πάγου βουλή, καὶ εἴ του καταγνοίη, θανάτῳ τοῦτου ἐξημίουν. ἐξ οὗ δὲ τὸ 15 ἔλαιον ὁ τὸ χωρίον κεκτημένος ἀποτίνει, ὁ μὲν νόμος ἐστίν, ἢ δὲ [Col. 3 κρίσις καταλέλυται. τὸ δ' ἔλ[αιον] ἐκ τοῦ κτήματος, οὐκ ἀπὸ τῶν 15 στελεχῶν, ἐστὶ τῇ πόλει. συλλέξας οὖν ὁ ἄρχων τὸ ἐφ' ἑαυ[ταῦ] 3 γιγνώμενον, τοῖς ταμίαις παρ[αδίδ]ωσιν εἰς ἀκρόπολιν, καὶ οὐκ ἐστὶν ἀναβῆναι πρότερον εἰς [Ἀρε]ιον πάγον πρὶν ἂν ἅπαν παραδῶ τοῖς ταμίαις. οἱ δὲ ταμίαι τὸν μὲν ἄλλον χρόνον τηροῦσιν ἐν ἀκρο-

9 ΤΡΙ ΗΜΙΚΟΤΥΛΙΑ (B); τρία ἡμ- κ, Η-Λ; τριημικοτύλιον Κ-Ω. 11 ἐλαίαν del. Rutherford, ἐλάαν (deleto μορίαν) Η-Λ. ἐλαίαν (κ, Κ-Ω); ἐλάαν Β; ἐλαία habet Soph. O. C. 701; ἐλάα Aristophanes, cf. Eustathium p. 84, 9 τὴν ἐλαίαν ἐλάαν ἀπτικῶς; formam utramque defendunt tituli (Meisterhans, p. 24²). 12 ΤΟΥ (Η-Λ, Κ², Β), omiserat κ¹; [μὲν?] Κ-Ω. 14 <τὸ> ἐκ τοῦ Η-Λ. ΔΠΟ (correctum in εκ) ΤΟΥ ΚΤΗΜΑΤΟΣ (Κ-Ω, Β); ΚΛΗΜΑΤΟΣ legerat κ (Η-Λ). 16 ΓΙΓΝ (edd.).

ῆσαν αἱ ὄντως ἱερὰ ἐλαίαι τῆς θεοῦ, αἱ καλοῦνται μορίαί· ἐξ ὧν τὸ ἔλαιον τῶν Παναθηναίων. Lucian, *Anach.* 9; Schol. Plat. *Partm.* 127 A; Suidas s. v. μορίαί (Michaelis, *Parthenon*, p. 322).

εἰσπράττει—κεκτημένους κτλ.] Schol. Arist. *Nub.* 1005, ὑπὸ ταῖς μορίαῖς: διὰ τὸ πάντα ἀνθρώπων κεκτημένον ἐλαίας ἀναγκάσθαι μέρος τι παρέχειν εἰς τὰ Παναθηναία κτλ.

τρεῖς ἡμικοτύλια] $\frac{3}{2}$ pint; the κοτύλη being about $\frac{1}{2}$ pint.

πρότερον δ' ἐπώλει τὸν καρπὸν ἢ πόλιν] Lysias 7 *de Olea Sacra* § 2, τοὺς ἐωνημένους τοὺς καρποὺς τῶν μοριῶν. The speech is not earlier than B.C. 395 (Blass, *Att. Ber.* i² p. 591): thus πρότερον here refers to a time not earlier than the archonship of Encleides.

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.

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,

exactd 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 στελέχος is the ordinary term applied to the tree as a whole.

στελεχῶν] Dem. 43 *Macart.* 69, ταῦτας (τὰς ἐλάας) ἐξώρυττων καὶ ἐξεπρέμνιζον, πλεῖν ἢ χιλία στελέχη, ὅθεν ἔλαιον πολὺ ἐγίνετο. Hdt. viii 55, βλαστὸν ἐκ τοῦ στελέχεος.

§ 3. ἐφ' ἑαυτοῦ] 'in his own year of office.'

ταμίαις] 4 § 2; 7 § 3; 8 § 1; and esp. 30 § 2 and 47 § 1.

οὐκ ἐστὶν 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 Athens) 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 ἐντέα ἄρχοντες ταῖς καθηκούσαις ἡμέραις.

πόλει, τοῖς δὲ Παναθηναίοις ἀπομετροῦσι τοῖς ἀθλοθέταις, οἱ δ' ἀθλοθέται τοῖς νικῶσι τῶν ἀγωνιστῶν. ἔστι γὰρ ἄθλα τοῖς μὲν 20 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 τῆς > φυλῆς ἓνα,

21 ΑΡΓΥΡΙΑΚ' ΧΡΥΣΑ (Κ¹): ἀργύρια καὶ χρυσία (H-L, K³, B); ἀργύριον καὶ χρυσᾶ (K-W), ἀργυρᾶ καὶ χρυσᾶ (Rutherford). 23 'interciderunt magistratus creati in quadriennium, cf. cap. 18' K-W; idem coniecerat Weil; c. 43 § 1 et c. 61 § 1 (χειροτ. δὲ καὶ) confert B, qui addit tamen nihil amplius Polluci notum fuisse.

LXI 2 Δ(Ε)Κ(ΔΙ) Κ¹; δέκα, Richards, Gertz, K-W, H-L, B, K³. ἐκάστης add. K (K-W, H-L); ἐκάστης τῆς B.

TESTIMONIA. LXI Pollux viii 87 (οἱ ἐννέα ἄρχοντες... ἔχουσιν ἐξουσίαν), (§ 1) στρατηγούς χειροτονεῖν ἐξ ἀπάντων, (§ 2) καὶ καθ' ἐκάστην πρυτανείαν ἐπερωτῶν εἰ δοκεῖ καλῶς ἄρχειν ἕκαστος (τῶν δ' ἀποχειροτονηθέντα κρίνουσιν), (§ 4) καὶ ἱπάρχους δύο, (§ 5) καὶ φυλάρχους δέκα, (§ 3) καὶ ταξίάρχους δέκα.

2 *Harp. στρατηγοί... οἱ καθ' ἕκαστον ἐνιαυτὸν χειροτονοῦμενοι στρατηγοὶ δέκα ἦσαν, ὡς μαθεῖν ἔστιν ἐκ τε τῶν Ἐπερίδου κατ' Αὐτοκλέους καὶ ἐκ τῆς Ἀθ. πολ. Ἀριστοτέλους (Frag. 390², 430³).

τὴν μουσικὴν νικῶσιν ἀργύρια καὶ χρυσία] The prizes recorded in inscriptions are crowns and sums of money varying from 100 to 500 dr. (Dittenberger, no. 395: Michaelis, *Parthenon*, p. 322). ἀργύρια, in pl. of 'sums of money,' Arist. *Av.* 600.

εὐανδρίαν] This contest is mentioned in *Andoc.* 4 § 42, *νεμικῶς εὐανδρία*, Xen. *Mem.* iii 3, 12, Athen. 565 F; also in Harpocr. s. v. and Bekker's *Anac.* 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), εὐανδρῆλαι 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 ἀρχάς] 43 § 1 *ad fin.*

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, 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, Lugebil, Müller-Strübing and others (see Gilbert, i 220, 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,

νῦν δ' ἐξ ἀπάντων· καὶ τούτους διατάττουσι τῇ χειροτονίᾳ, ἓνα μὲν ἐπὶ τοὺς ὀπλίτας, ὃς ἡγείται τῶν ὀ[πλι]τῶν, ἄν ἐξίωσι, ἓνα δ' ἐπὶ τὴν χώραν, ὃς φυλάττει, κἄν πόλεμος ἐν τῇ χώρᾳ γίγνηται, πολεμεῖ οὗτος· δύο δ' ἐπὶ τὸν Πειραιέα, τὸν μὲν εἰς τὴν Μουνιχίαν, τὸν δ'

4 Ο...Τ(ΩΝ) ὀπλιτῶν H-L (K², B): Δ(?)...Τ(ΩΝ) π[ολι]τῶν K-W; δ[ημο]τῶν K¹, ἐὰν H-L. 5 ΓΙΝ (K-W). ΠΟΛΕΜΕΙ: ἡγείται K-W. 6 ΠΕΙΡΑΙΕΑ (K, K-W, B): Πειραιᾶ H-L. ΜΟΥΝΥΧ.

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 (Hanvette-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 date of this change was supposed to fall between 334 and 325. In 334 B.C. (CIA ii 804 A 63) the στρατηγοὶ are still acting as a body in reference to the συμμορίαι, whereas in 325/4 we hear of a στρατηγὸς ἐπὶ τὰς συμμορίας. Cf. Hanvette-Besnault, *Les Stratèges Ath.*, pp. 159 ff. (Gilbert, i 220, and Busolt in Müller's *Handbuch*, iv i 162). The latest date actually mentioned in this treatise is B.C. 329; but it does not follow that the change in question took place earlier than that date, as the treatise may have been written in any year between B.C. 329 and 325.

ἐπὶ τοὺς ὀπλίτας] In Lys. 32 § 5 we have what at first sight appears to be a mention of this officer: χρὸνω δὲ ὑστερον καταλεγείσθαι Διδότος μετὰ Θρασύλλου τοῦ ἐπὶ τῶν ὀπλιτῶν (B.C. 410); and we know that Thrasyllus was elected a στρατηγὸς 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 καταλεγείσθαι τριηράρχων in Isaeus, *de Apoll. her.* 5.

The decrees in the *De Corona* mention ὁ ἐπὶ τῶν ὀπλων στρατηγὸς (§ 38), τὸν ἐπὶ τῶν ὀπλων (115) and ὁ ἐπὶ τῶν ὀπλιτῶν

(116), but these are forgeries of a later date (Hanvette-Besnault, p. 160 f).

In CIA ii 302 (c. 294/3 B.C.) Philippides is described as [χειροτονη]θεὶς στρατηγὸς [ἐ]πὶ τοῖς ὀπλίτας ὑπὸ τοῦ δήμου]. In ii 331 the career of Phaedrus is described: in 296/5 he was twice elected στρατηγὸς ἐπὶ τὴν παρασκευὴν, 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 στρατηγὸς and was afterwards χειροτονηθεὶς ἐπὶ τὰ ὄπλα πρῶτος ὑπὸ τοῦ δήμου στρατηγὸς. After the end of the fourth century this στρατηγὸς was the foremost member of the board. Ultimately in the theatre of Dionysius 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).

ἐπὶ τὴν χώραν] Plut. *Phocion*, 32, Δερκόλλου τοῦ ἐπὶ τῆς χώρας στρατηγοῦ (B.C. 317). CIA ii 331 (quoted above), and 1195 (towards the end of 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 of φυλακαὶ and φρουροί. In B.C. 445 this φυλακὴ 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 στρατηγοὶ, 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

εἰς τὴν Ἀκτὴν, οἱ τῆς φ[υ]λακῆς ἐπιμελοῦνται καὶ τῶν ἐν Πειραιεὶ ἕνα δ' ἐπὶ τὰς συμ[μο]ρίας, ὃς τοὺς τε τριηράρχους καταλέγει καὶ τὰς ἀντιδόσεις αὐτοῖς ποιεῖ, καὶ τὰς διαδικασίας αὐτοῖς εἰσάγει· 2 τοὺς δ' ἄλλους πρὸς τὰ παρόντα πράγματα ἐκπέμπουσιν. ἐπιχει- 10

7 φ.ΛΗC: Φ[υ]λῆς (vel φυλακῆς) K¹, φυλακῆς K-W et B deleto καὶ (φυλῆς et φυλακῆς) Thucydides in codicibus saepe confusa esse monet Wardale, *Class. Rev.* v 273]. χηλῆς Torr (H-L, K²). [[καί] K-W (B), fortasse recte. 9 alterum αὐτοῖς secl. K-W². 10 πράγματα supra scriptum delent H-L.

8—9 Phot. ἡγεμ. δικ.: τῷ στρατηγῷ περὶ τριηραρχίας καὶ ἀντιδόσεων.

mentioned in the same context as the overseer of the νεώρια. Between B.C. 318 and 229 the Peiraeus and Salamis were under an officer called the *στρατηγὸς ἐπὶ τοῦ Πειραιεύς* καὶ τῶν ἄλλων τῶν τατομένων μετὰ τοῦ Πειραιεύς (*Bull. Corr. Hellén.* vi 526). About 100 B.C. we read of *τρῆε στρατηγὸ ἐπὶ τὸν Πειραιῶν* (CIA ii 1207), and the archon of B.C. 97/6 is described as Ἀργεῖος Ἀργεῖου Τρικο[ρύ-σιος] *στρατηγῆσας ἐπὶ τὸν Πειραιῶν*, *ib.* 1206.

εἰς τὴν Μουνιχίαν) In B.C. 325/4 we find Philocles mentioned by Dinarchus, § 1, as *στρατηγὸς ὑφ' ἑμῶν ἐπὶ τὴν Μουνιχίαν καὶ τὰ νεώρια κεχειροτονημένος*. On Munichia, cf. 19 § 2; 42 § 3.

εἰς τὴν Ἀκτὴν) possibly identical with the officer called the *στρατηγὸς ἐπὶ τὴν χώραν τὴν παραλίαν* 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) sc. τῆς χώρας τῆς παραλίας, the rest of the φηλακῆ being assigned to the *στρ. ἐπὶ τὴν χώραν*.

ἐπὶ τὰς συμμορίας) B.C. 325/4, CIA ii 809 a 205—210, ὅπως δ' ἂν αἱ σκήψεις εἰσαχθῶσι, τοὺς θεσμοθέτας παρα[πλη]ρῶσαι δικαστήρια εἰς ἕνα καὶ διακοσίους τῷ στρατηγῷ τῷ ἐπὶ τὰς συμμορίας ἡρημένῳ. The σκήψεις 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, p. 143). For the relations of the board of *στρατηγὸ* to the *συμμορία* 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 καθιστάσιν*.

ἀντιδόσεις—ποιεῖ) [Dem.] 42 § 5, (on the 2nd of Metageitnion, August) *ἐπόλουν οἱ στρατηγοὶ τοὺς τριακοσίους τὰς ἀντιδόσεις*. Suid. s.v. ἡγεμονία δικαστηρίου.

διαδικασίας) e.g. [Xen.] *de Rep. Ath.* 3, 4, *διαδικάζειν, εἰ τις τὴν ναὺν μὴ ἐπισκευάζει*. CIA ii 795 f 39, *τριήρεις αὐ ἐπὶ Διοτίμου ἀρχοντος* (B.C. 354/3) *διεδικάσθησαν καὶ ἔδοξαν κατὰ χειμῶνα διαφθάρηναι, ἰβ.* 1. 60, *ἀριθμὸς τριήρων 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 *ἀποστολεῖς* 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. *de Cor.* §§ 38, 115 an officer called *ὁ ἐπὶ τῆς διοικήσεως* is mentioned (in the former decree immediately after *ὁ ἐπὶ τῶν ὅπλων στρατηγός*, in the latter after *τὸν ἐπὶ τῶν ὅπλων*). 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. 396 and 272) was *χειροτονηθεὶς στρατηγὸς ὑπὸ τοῦ δήμου ἐπὶ τὸ ναυτικόν*. In the same inscr. Phaedrus is described as *στρατηγὸς ἐπὶ τὴν παρασκευὴν* and *ἐπὶ τοὺς ξένους*. The *στρ. 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. *ἐπιχειροτονία* 43 § 4, at the *κυρία*

ροτομία δ' α[ύ]των ἐστὶ κατὰ τὴν πρυτανείαν ἐκάστην, εἰ δοκοῦσιν
καλῶς ἄρχειν· κἄν τινα ἀποχειροτον[ή]σωσιν, κρίνουσιν ἐν τῷ
δικαστηρίῳ, κἄν μὲν ἀλφ, τιμῶσιν ὃ τι χρὴ παθεῖν ἢ ἀποτ[είσ]αι,
ἂν δ' ἀποφύγη, [π]άλλ[ιν] ἄρχει. κύριοι δὲ εἰσιν, ὅταν ἡγῶνται, καὶ
15 δῆσαί τιν' ἀτακτοῦντα καὶ <ἐκ>[κ]ηρῦξαι καὶ ἐπιβολὴν ἐπι-
βάλλειν· οὐκ εἰώθασι δὲ ἐπιβάλλειν.

χειροτονοῦσι δὲ καὶ ταξ[ι]άρχους δέκα, ἕνα τῆς φυλῆς ἐκάστης· 3
οὗτος δ' ἡγείται τῶν φυλετῶν, καὶ λοχαγούς καθίσ[τ]ησιν.

χειροτονοῦσι δὲ καὶ ἱππάρχους δύο ἐξ ἀπάντων· οὗτοι δ' 4

11 δοκοῦσι H-L. 13 ΑΛΛ(supra scr. ω)ωι. 14 ἐάν H-L. πάλιν ? K-W
(K³, B); τὰ [Λοιπὰ] K¹; [ἐτι] H-L. κύριοι δ' H-L. 15 ΤΙΝ: ΤΙΝ' K, B: τὸν K-W,
H-L. ΚΗΡΥΞΑΙ (K): <ἐκ> κηρῦξαι Blass, Lipsius (K-W, H-L). 16 δ' H-L.

§ 3 Bekk. An. 306, 12 ταξίαρχοι—: ἄρχοντες ἡγούμενοι τῶν πολιτῶν κατὰ φυλὴν, χειροτονητοί, δέκα τὸν ἀριθμὸν, οἷς ὑπετέτακτο τὸ πλῆθος κατὰ φυλὴν.

§ 4 Pollux viii 94 ἱππάρχοι δὲ δύο ἐξ ἀπάντων Ἀθηναίων αἰρεθέντες ἐπιμελοῦνται τῶν πολέμων. *Harp. ἱππάρχος...λέγεται δὲ παρ' Ἀθηναίους ἱππάρχος καὶ ὁ τῶν ἱππέων ἄρχων· δύο δ' ἦσαν οὗτοι, ὡς Δημ. ἐν δ' Φιλιππικῶν φησὶ καὶ Ἄρ. ἐν Ἀθ. πολ. Phot. ἱππάρχοι: δύο ἦσαν, οἱ τῶν ἱππέων ἡγούοντο, “διελόμενοι τὰς φυλάς” ἕκαστος ἀνὰ πέντε· ἐπιμελλοῦνται δὲ εἰσι τῶν ἱππέων <οἱ φύλαρχοι additum ex Poll. viii 94> καθάπερ οἱ ταξίαρχοι δέκα ὄντες εἰς ἐφ' ἐκάστης φυλῆς τῶν ὀπλιτῶν (Frag. 391², 431³).

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.* p. 49).

τιμῶσιν] It was a *dίκη τιμητὸς* (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). In Dem. 50 § 51 even a trierarch fears he may be put into bonds by a στρατηγός: φοβούμενος μὴ δεθεῖν. Cf. Xen. *Mem.* iii 5, 19, τοὺς ὀπλίτας καὶ τοὺς ἱππέας—ἀπειθεστάτους εἶναι πάντων.

ἐκκηρῦξαι] 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 πανστρατιῶ τῶν πολιτῶν ἐξελθόντων, δόξας ἀκοσμοτάτος εἶναι καὶ πονηρότατος, μόνος Ἀθηναίων ὑπὸ τῶν στρατηγῶν ἐξεκέρυχθη. 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 πόλιν, ἐπιβάλλειν δὲ τῷ φυλάρχῳ, ὅτι ἐξελαύνων Ἀλκιβιάδην ἐκ τῆς φυλῆς ἄκρον ἐποίησε τὴν τούτων τάξιν, κελεύσει δὲ τὸν ταξίαρχον ἐξαλειφειν αὐτὸν ἐκ τοῦ τῶν ὀπλιτῶν καταλόγου.

§ 3. ταξίάρχους] commanders of the 10 τάξεις of hoplites corresponding to the 10 φυλαί. They were instituted after 490 B.C. Dem. 4 § 26, οὐκ ἐχειροτονεῖται δ' ἐξ ἑμῶν ἀπάντων δέκα ταξίάρχους καὶ στρατηγούς καὶ φυλάρχους καὶ ἱππάρχους δύο; each of the taxiarchs commanded the hoplites of a single tribe, Dem. 39 § 17, ταξίάρχων 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 ταξίαρχὸν καὶ τῆς ἐαυτοῦ φυλῆς ἔχων, CIA ii 444, 446 (Gilbert, i 225).

λοχαγούς] Isocr. 15 § 117, Isaeus 9 § 14. The text shews that they were appointed by the ταξίαρχοι, and not, as has been supposed (Gilbert i 225), by the στρατηγοί.

§ 4. ἱππάρχους] Their importance is implied by Lys. 26 § 20, ἀντὶ τούτων αὐτοὺς ὁ δῆμος ταῖς μεγίσταις τιμαῖς τετιμηκεν, ἱππάρχειν καὶ στρατηγεῖν καὶ πρεσβεῖν ὑπὲρ αὐτῶν αἰρούμενοι. δύο] Dem. 4 § 26 *infra*, CIA ii 445, 15.

ἡγούνται τῶν ἰππέων, διελόμενοι] τὰς φυλὰς πέντε ἑκάτερος· 20
 κύριοι δὲ τῶν αὐτῶν εἰσὶν, ὥνπερ οἱ στρατηγοὶ κατὰ τῶν ὅπλι[τῶν.
 ἐπιχειρο]τονία δὲ γίγνεται <καὶ> τούτων.

5 χειροτονοῦσι δὲ καὶ φυλάρχους <δέκα>, ἓνα τῆς φυλῆς, τὸν
 ἡγ[ησό]μενο[ν] <τῶν ἰππέων>, ὥσπερ οἱ ταξίαρχοι τῶν ὅπλιτων.

6 χειροτονοῦσι δὲ καὶ εἰς Λῆμνον ἵππαρχον, ὃς ἐπιμ[ε]λ[εῖται] 25
 τῶν ἰππέων τῶν ἐν Λήμνῳ.

7 χειροτονοῦσι δὲ καὶ ταμίαν τῆς Παράλου καὶ ἄλλον τῆς
 [τοῦ Ἄ]μμωνος.

21 ὦνπερεῖσιν: εἰσὶν ὥνπερ van Leeuwen (H-L, K-W, K³, B); ὥνπερ Gertz.
 22 ΓΙΝ (K-W). ΤΟΥΤΩΝ Κ: <καὶ> τούτων Gertz, Lips., K-W, H-L, B. 23 post
 φυλάρχους add. δέκα Richards, K-W, H-L, B; post δὲ καὶ excidisse antea putabam.
 24 τῶν ἰππέων Pollucem secutus add. Κ (K-W, H-L, B).

§ 5 Pollux viii 94 οἱ δὲ φύλαρχοι δέκα, εἰς ἀπὸ φυλῆς ἑκάστης, τῶν ἰππέων
 προϊστάνται, καθάπερ οἱ ταξίαρχοι τῶν ὅπλιτων. *Harp. φύλαρχος:...ὁ κατὰ φυλὴν
 ἑκάστην τοῦ ἱππικοῦ ἄρχων, ὑποτεταγμένος δὲ τῷ ἱππάρχῳ, ὡς Ἄρ. ἐν τῇ Ἄθ. πολ. φησί
 (Frag. 392^a, 432^b).

§ 7 *Harp. ταμίαι:...εἰσὶ δὲ τινες καὶ τῶν (ιερώων) τριήρων ταμίαι, ὡς ὁ αὐτὸς
 φιλόσοφος (sc. Ar.) φησὶν (cf. Suid. ταμίαι art. 2). Phot. s.v. εἰσὶ δὲ καὶ ἄλλοι ταμίαι,
 ἄρχοντες χειροτονητοὶ ἐπὶ τὰς ἱεράς καὶ δημοσίας τριήρεις, ὁ μὲν ἐπὶ τὴν Πάραλον, ὁ δὲ
 ἐπὶ τὴν τοῦ Ἄμμωνος. Pollux viii 116 ταμίαι ἑκάλουν τοὺς ταῖς ἱεραῖς τριήρεσι λειτουρ-
 γούντας, ἄλλους ἢ τριηράρχους (cf. Frag. 402^a, 442^b).

*Lex. rhet. Cantab. Πάραλος καὶ Σαλαμῖνία: ταύτας τὰς τριήρεις εἶχον διὰ παντὸς
 πρὸς τὰς ἐπιχειρούσας ὑπηρεσίας, ἐφ' αἷς καὶ ταμίαι τινὲς ἐχειροτονοῦντο... Ἀριστοτέλης δὲ
 Ἄμμωνιάδα καὶ Πάραλον οἶδε. Schol. in Dem. p. 636, 16 Dind.... καὶ Ἄμμωνιάς ἐπειδὴ
 τῷ Ἄμμωνι δι' αὐτῆς τὰς θυσίας ἔπεμπον. Cf. Phot. s.v. Πάραλοι et Πάραλος, Harp.
 s.v. Ἄμμωνίς, Lex. Dem. Patm. p. 150 (Frag. 403^a, 443^b).

τὰς φυλὰς πέντε ἑκάτερος] Xen.
Hierarch. 3 § 11, ὅταν οἱ ἵππαρχοὶ ἡγῶνται
 τὰς πέντε φυλαῖς.

κύριοι] The disciplinary powers of the
 ἵππαρχοι are illustrated by Hesych. s.v.
 ἱππάρχου πίναξ: ἐπεὶ οἱ ἵππαρχοὶ ἐν πίναξί
 τὰ δνόματα τῶν ἀτακούντων γράφοντες
 παρεσημειοῦντο.

§ 5. φυλάρχους] In CIA ii 444, 445 the
 φύλαρχοι 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 Lycophron*, c. 14, ὑμεῖς
 γὰρ με, ὧ ἄνδρες δικασταί, πρῶτον μὲν
 φύλαρχον ἔχειροτονήσατε, ἔπειτα εἰς Λῆμ-
 νον ἵππαρχον, καὶ ἦρξα μὲν αὐτόθι δὴ
 ἔτη τῶν πάποθ' ἱππαρχικῶτων μόνος, προσ-
 κατέμεινα δὲ αὐτόθι τὸν τρίτον ἑνιαυτὸν οὐ
 βουλόμενος πολίτας ἄνδρας ἐπὶ κεφαλῆν

εἰσπράττει τὸν μισθὸν τοῖς ἱππεῦσιν ἀπόρους
 διακειμένους. στεφάνοις δὲ τρισὶν ἑσπε-
 φανώθην ὑπὸ τοῦ δήμου τοῦ ἐν Ἐφαισίᾳ
 καὶ ἑτέροις ὑπὸ τῶν ἐν Μυρίνῃ. Dem. 4
 § 27, εἰς μὲν Λῆμνον τὸν παρ' ὑμῶν ἱππαρχον
 δεῖ πλεῖν. CIA ii 14 (B.C. 387/6), [ἱππαρ-
 χ]οῦντος ἐν Λήμνῳ. CIA ii 593 (a decree
 passed by the κληροῦχοι at Myrina after
 the third Macedonian war), ἐπὶ δὲ Λῆμνον
 στρατηγούντος Φιλαρχίδου Παιανιέως ἱππα-
 ρχοῦντος τὸ δεύτερον Τελεσιδήμου τοῦ
 Ἄμμωνίου Ἐκαλήθεν. Cf. Gilbert, i 424—5;
 Hauvette-Besnault, pp. 169, 170.

§ 7. ταμίαν τῆς Παράλου] In Dem.
Miá. § 173, Midias is described as saying:
 ἱππάρχηκα, τῆς παράλου ταμίαις γέγονα.
 Demosthenes adds: τῆς μὲν παράλου τα-
 μεύσας Κυζικηνῶν ἤρπασε πλεῖν ἢ πέντε
 τάλαντα. § 174, Midias allowed the Paralus
 to be outstripped in speed by one of the
 ordinary triremes, οὕτως εὐ τὴν ἱερὰν
 τριήρη παρεσκευάκει. The ταμίαις 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 ταμίαις provided for
 the sacred trireme at the cost of the state
 all that, in the case of ordinary vessels,

62. αἱ δὲ κληρωταὶ ἀ[ρχ]αὶ πρότερον μὲν ἦσαν αἱ μὲν μετ' ἐννέα ἀρχόντων ἐ[κ] τῆς φυλῆς ὅλης κληρούμεναι, αἱ δ' ἐν Θησείῳ

LXII 1 ΜΕΤ (κ, κ-ω, β): μετὰ τῶν (μ'τ) Gennadios, H-L.

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 Salamina are mentioned in Arist. *Av.* 1207 and Thuc. iii 33, 2: the Salamina 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 παράλοι. Mr Marindin, 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.

1. 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 στρατηγοί in B.C. 333 (CIA ii 741, 32); Boeckh ii 118—121 Fränkel. 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 (Ἀμμώνια?) has ἑορτὴ 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. 331. 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, *loc.*) that the name of the sacred trireme Salamina was changed in consequence of the revolt of Salamis in B.C. 318 (Paus. i 35, 2; Polyæn. iv 11, 1; Diod. 18, 69; CIG i p. 418), but the text shews that the Ἄμμωνίς superseded it at an earlier date.

The name Salamina was in itself not uncommon. Thus, in B.C. 357/6 there were two ships bearing the name Salamina (one belonging to the second class, CIA ii 793 b 33; the other, one of the νῆες ἐξαιρέτοι, *ib.* c 32); a trireme named Salamina foundered 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. I p. 306—7, and note 448 Fränkel.

LXII. *Salaries.*

§ 1. αἱ μὲν μετ' ἐννέα ἀρχόντων] It is 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 ἡλιαστών in Dem. c. *Timocr.* 150, τῶν ἐννέα ἀρχόντων καὶ τοῦ ἱερομνήμονος καὶ ὄσαι (ἀρχαί) μετὰ τῶν ἐννέα ἀρχόντων κναμεύονται ταύτη τῇ (τῇ αὐτῇ?) ἡμέρᾳ, καὶ κήρυκος καὶ πρεσβείας καὶ συνέδρων.

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 στρατηγοὶ and ἵππαρχοι, are contrasted with those ἀς 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.

κληρούμεναι διηρῶντο εἰς τοὺς δῆμ[ο]υς· ἐπειδὴ δ' ἐπώλουν οἱ δῆμοι, καὶ ταύτας ἐκ τῆς φυλῆς ὅλης κληροῦσι πλὴν βουλευτῶν καὶ φρουρῶν· τούτους δ' εἰς τοὺς δ[ημότ]ας ἀποδιδῶσι.

2 μισθοφοροῦσι δὲ πρῶτον [μὲν ὁ δῆμος] ταῖς μὲν ἄλλαις ἐκκλησίαις δραχμῆν, τῇ δὲ κυρία ἐννέα <ὀβολούς>· ἔπειτα τὰ δικ[αστήρια] τρεῖς ὀβολούς· εἴθ' ἡ βουλὴ πέντε ὀβολούς. τοῖς δὲ πρυτανεύουσιν εἰς σίτησιν [ὀβολός π]ροστίθεται [[δέκα προστίθενται]]. ἔπειτ' εἰς σίτησιν λαμβάνουσιν ἐνν[έα ἄρχων]τες τέττα[ρας] ὀβολούς ἕκαστος, 10

3 <αἱ> διηρῶντο Gertz, H-L.

7 ἐννέα <ὀβολούς> K-W, H-L.

9 ὀβολός

Blass (et κ³), deletis quae sequuntur δέκα προστίθενται; scilicet scriptum erat 1 ΠΡΟΣΤΙΘΕΤΑΙ, ubi 1 significat εἰς ὀβολός, sed male intellectum pro δέκα erat acceptum; inde exortum additamentum δέκα προστίθενται. εἰς ὀβολός Rutherford, H-L; satis spatii relictum si 10ΒΟΛΟC scriptum erat.

10 <ο> ἐννέα Gennadios, H-L; ἐννέα

K, K-W, B, coll. v. 2.

διηρῶντο 'used to be distributed over' the demes.

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 βουλευτής by bribery and intrigue, Aesch. *in Ctes.* 62, οὐτε λαχῶν οὐτε ἐπιλαχῶν ἀλλ' ἐκ παρασκευῆς πριάμενος, 73, βουλευτής 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 ἑνεκα.

φρουρῶν] possibly the 500 φρουροὶ

νεωρίων, mentioned with the 500 βουλευταὶ in 24 § 3.

§ 2. **δραχμῆν**] 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.

τρεῖς 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 325—6.)

πέντε ὀβολούς] one obol more is the amount named in *Hesych. s. v. βουλῆς λαχεῖν* τὸ λαχεῖν βουλευτὴν καὶ δραχμῆν τῆς ἡμέρας λαβεῖν. *Hesychius* has probably confounded the five obols paid to the ordinary βουλευτής with the six paid to the πρυτάνεις. *Thuc.* viii 69 mentions the μισθὸς without naming the amount.

ἀρχόντες κτλ.] This shews that the archons, amongst others, actually received something of the nature of a stipend. It was supposed by Schömann (*Ant.* p. 402) that the 'executive functionaries' (ἀρχόντες) as well as the 'commissioners' (ἐπιμεληταί), as contrasted with the 'subordinates' (ὑπηρεταί), 'served without pay.' *Boeckh*, II xvi p. 304 *Fränkel*, more cautiously describes this as the 'original' distinction between an ἀρχὴ 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 αἰμισθους ἀρχεῖν ἀπάσας ἕως ἂν ὁ πόλεμος ᾖ, πλὴν τῶν ἐννέα ἀρχόντων καὶ τῶν πρυ-

καὶ παρατρέφουσι κήρυκα καὶ αὐλητήν· ἔπειτ' ἄρχων [εἰς Σαλα]-
μίνα δραχ[μὴν] τῆς ἡμέρας. ἀθλοθέται δ' ἐν πρυτανείῳ δειπνοῦσι
τὸν ἐκ[ατομβ]αιῶνα μῆνα, ὄ[τ]αν ἦ τὰ Παναθηναῖα, ἀρξάμενοι ἀπὸ
τῆς τετράδος ἰσταμένου. ἀμ[φι]κτύουες εἰς Δῆλον δραχμὴν τῆς
15 ἡμέρας ἐκάστης ἐκ Δήλου <λαμβάνουσι>. λαμβάνουσι δὲ καὶ
ἄσται ἀποστέλλονται ἀρχαὶ εἰς Σάμον ἢ Σκύρον ἢ Λήμνον ἢ Ἴμβρον
εἰς σίτησιν ἀργύριον.

ἄρχειν δὲ τὰς μὲν κατὰ πόλεμον ἀρχὰς ἔ[ξεσ]τι πλεονάκις, τῶν 3
δ' ἄλλων οὐδεμίαν, πλὴν βουλευσαὶ δίς.

12 <τῷ> πρυτανείῳ H-L. 13 ο[τ]αν (K-W, K³, B): φ ἄν K², H-L. 15 <λαμ-
βάνουσι> add. κ (K-W, H-L): nihil addit B.

τανέων οἱ ἂν ὦσιν, 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 δήμος is not eager for
offices like those of στρατηγός or ἵππαρχος,
—ὅποσαι δ' εἰσὶν ἀρχαὶ μισθοφορίας ἕνεκα
καὶ ὠφελείας εἰς τὸν ὄκον, ταύτας ζητεῖ ὁ
δήμος ἀρχειν.

κήρυκα καὶ αὐλητήν] Both the κήρυξ τῷ
ἀρχοντι and the αὐλητής are mentioned in
CIA iii 1005 and 1007 (Gilbert i 157 n. 4).

ἀρχων εἰς Σαλαμίνα] 54 § 8.

ἀθλοθέται] 60. ἐκατομβαιῶνα] 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 1rth. In the
text the greater Panathenaea alone appear
to be meant.

ἀμφικτύουες εἰς Δῆλον] the Athenian
Commissioners of the funds of the Delian
temple, called ἀμφικτύουες because in
theory they were the deputies of the
Ἴώνων τε καὶ περικτυίων νησιωτῶν (Thuc.
iii 104). The 'Sandwich marble,' now
in the library of Trinity College, Cam-
bridge, records their accounts from B.C.
377 to 374, beginning τὰδε ἐπραξαν ἀμ-
φικτύουες 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 set-
tled in Samos after its conquest by Timo-
theus in B.C. 365. κληροῦχοι were also

sent in 361 and again in 352 (Aeschin. i
§ 53; A. Schaefer, *Dem.* i² 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 Per-
diccas, Diod. xviii 18 (F. Caer in *Berl.*
Phil. Woch. 9 April, 1892, p. 458).

Σκύρον .. Λήμνον .. Ἴμβρον] The γραμ-
ματεὺς τοῦ δήμου for each of these islands
is mentioned in inscriptions published in
Bull. Cor. Hell. 1879 p. 63, CIA ii 592:
and Conze's *Reise*, p. 88, respectively;
also, in Scyros, a ταμίης τοῦ δήμου (*Bull.*
Cor. Hell. l. c.). Cf. Gilbert, i 424.

§ 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 character-
istic of a democracy) τὸ μὴ δις τὸν αὐτὸν
ἀρχειν μηδεμίαν ἢ ὀλίγας ἢ ὀλίγας ἔξω
τῶν κατὰ πόλεμον. Dem. *Prooem.* p.
1461, 9, δεινότεατο γὰρ ἐστ' ἀφελέσθαι μὲν
δσ' ἡμῖν ὑπάρχει, καὶ νόμους περὶ τούτων
θεῖναι, ἂν τις ἀστυνομήσῃ δις ἢ τὰ τοιαῦτα,
στρατηγεῖν δ' αἰετὸς αὐτοῦς εἶναι, c. *Timocr.*
149 (ὄρκος ἡλιαστικῶς), οὐδὲ δις τὴν αὐτὴν
ἀρχὴν τὸν αὐτὸν ἄνδρα καταστήσω. *Pol.*
1299 a 10, μὴ τὸν αὐτὸν δις ἄλλ' ἀπαξ
μόνον. 1275 a 25, δις τὸν αὐτὸν οὐκ ἔξεστω
ἀρχειν ἐνιας (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 1,000 (Headlam, *On the*

63. τὰ δὲ δικαστήρια [κ]λη[ροῦσιν] οἱ ἐννέα ἄρ[χο]ντες κατὰ φυλάς, ὁ δὲ γραμματεὺς τῶν θεσμο[θετῶν τῆς] δεκάτης φυλῆς. 2 εἰσοδοὶ δὲ εἰσὼ εἰς τὰ δικασ[τή]ρια δέκα, μία τῇ φυλῇ ἐκάστη, καὶ κλη[ρωτήρια] εἴκοσι, δ[ύο τῆ] φυλῇ ἐκάστη, καὶ κιβώτια ἑκατόν,

^{ἑωτρίδες}

LXIII 1 τὰδ(ε)τα corr. κ.

πληροῦσιν Dareste.

2 <τούς> τῆς H-I,

coll. c. 59 ult.

3 δικαστήρια: an κληρωτήρια?

TESTIMONIA. LXIII Schol. ad Arist. *Vesp.* 775 (v. Testim. c. 59 ult.). Schol. ad Arist. *Plut.* 277, p. 340 u 21 Dübner: (§ 4) ἔρχεται ἕκαστος εἰς τὸ <δικαστήριον> πινάκιον ἔχων "ἐπιγεγραμμένον τὸ ὄνομα" αὐτοῦ καὶ "πατῆρθεν καὶ τοῦ δήμου" "καὶ γράμματα ἔν" τι "μέχρι τοῦ κ," διὰ τὸ πάλαι δέκα φυλάς εἶναι 'Ἀθήνησι, διήρητο γὰρ "κατὰ φυλάς." (§ 1) εἶτα οἱ θεσμοθέται κατὰ φυλὴν ἕκαστος καὶ δέκατος ὁ γραμματεὺς ἐκλήρουσιν τὰ γράμματα μέχρι τοῦ κ καὶ τὰ λαχόντα ἴσα τὸν ἀριθμὸν τοῖς μέλλουσι κληροῦσθαι δικαστηρίοις, (§ 5) ὑπηρετῆς φέρων ἐπίθει καθ' ἕκαστον δικαστήριον ἔν' εἶτα πάλιν ἀπεκλήρουσιν οἱ τὰ εἰληχότα γράμματα ἔχοντες τινες δικαστοὶ καὶ τινες οὐ. *ib.* 972 'Ἀθηναῖοι γὰρ ἀπὸ τῶν φυλῶν ἐποίησαν τοὺς δικαστὰς κατὰ γράμμα, ὅταν ἡ πρώτη τὸ α ἔσχε σημεῖον, καὶ ἡ δευτέρα τὸ β, καὶ αἱ ἄλλαι ὁμοίως ἕως τοῦ κ.

Lot, p. 50 n). Each of these might be a member of the 500 twice in his life, but not oftener. 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 Ἡφαιστίωνος of the deme Φιλαῖδαι, (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 βουλῇ 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 καὶ 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 Iudicium apud Athenienses*, Opusc. Acad. i 200—229; Schömann, *Ant.* p. 475 E. T.; *Att. Process*, pp. 146—162 Lips.; Fränkel, *Att. Geschworenengerichte*, 1877, pp. 92 ff.; Gilbert, i 374—7; Busolt in Müller's *Handbuch*, iv i 180; and Caillemier in Daremberg and Saglio's *Dict.* iii 191.

§ 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 original assignment of dicasts to a heliastic division by means of the lot (c. 59 § 7), and κληροῦν δικαστήρια, which refers to the allotment of the several law-courts to the dicasts so

appointed (*ib.* § 5). [Dem.] 47 § 17, κληροῦμένων τῶν δικαστηρίων, and 37 § 39, τῶν δικαστηρίων ἐπιτεκκληρωμένων. 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. Hitherto it has generally been supposed that the daily allotment was not 'by tribes,' but by heliastic divisions or 'sections' (Schömann, *Ant.* p. 475).

§ 2. εἰσοδοὶ 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.

It seems premature, however, to mention the entrances to the law-courts at this stage of the description; it may therefore be suggested that δικαστήρια has been written by mistake for κληρωτήρια. The εἰσοδος in l. 7 is clearly the entrance into the pair of κληρωτήρια assigned to each tribe.

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.'

(1) is the preferable sense in Arist. *Ecc.* 682, BA. τὰ δὲ κληρωτήρια ποὶ τρέψεις; IP. ἐς τὴν ἀγορὰν καταθήσω κᾶτα στήσασα παρ' Ἀρμοδίω κληρώσω

5 δέκα τῆ φυλῆ ἐκάστη, καὶ ἕτερα κιβώτια [α δέκα, εἰς ἃ εἰ]μβάλλεται τῶν λαχόντων δικα[σ]τῶν τὰ π[ινά]κια, καὶ ὑδρῖαι δύο· καὶ βακτηρίαι παρατίθενται κατὰ τὴν εἰσοδον] ἐκάστην ὅσοιπερ οἱ δικα[σ]ταί, καὶ βάλανοι εἰς τὴν ὑδρίαν ἐμβάλλονται ἴσαι ταῖς βακτηρίαις, [γ]έγραπται δὲ ἐν ταῖς βαλάνοις τῶν στοιχείων ἀπὸ τοῦ
10 ἐνδεκάτου, τοῦ λ [[τριακοστοῦ]], ὅσαπερ ἂν μέλλῃ [τ]ὰ δικαστήρια πληρωθῆσθεσθαι. δικάζειν δ' ἕξεστιν τοῖς ὑπὲρ τριάκοντα ἔτη γε- 3

5 εἰς ἃ B: οἷς K etc.

6 ΒΑΚΤΗΡΙΑ corr. K.

7 ΟΥΧΟΙΠΕΡ corr. K.

8 ταῖς βακτηρίας: ἀν τοῖς δικαστηρίοις?

9 Τ(ΩΝ) ΣΤΟΙΧΕΙΩ(Ν) Blass (K²): [ΤΔ]

ΣΤΟΙΧΕΙΑ (K¹, K-W, H-L). τοῦ ἐνδεκάτου delet Rutherford (H-L).

10 τριακοστοῦ

del. K (K-W, H-L, B).

ΕΔΝ.

ἀπαντας (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, κληρωτῆριον· εἰ γὰρ καὶ ἐπὶ τοῦ τόπου ἔοικεν εἰρήσθαι τοῦνομα ἐν τῷ Γῆρα 'Αριστοφάνους, ἀλλὰ καὶ ἐπὶ τοῦ ἀγγείου ἂν ἐναρμόσειεν. The sense is uncertain in Eubulus ap. Athen. 640 B, κλητῆρες .. μάρτυρες .. δίκαι .. κληρωτῆρια .. κλεψύδραι, νόμοι, γραφαί, and in CIA ii 441, [ἀνα]γράφαι δὲ τότε [τὸ ψήφισμα - -] κληρωτῆριον λιθ [- -]ιον.

(2) is supported by Plut. ii 793 D, πρεσβύτη—ἐπίτονος καὶ ταλαίπωρος ἡ πρὸς πάν μὲν ἀεὶ κληρωτῆριον ἀπαντῶσα φιλαρχία, παντὶ δὲ ἐφεδρεῖουσα δικαστηρίου καιρῷ καὶ συνεδρίου πολυπραγμοσύνη, Pollux ix 44, κληρωτῆρια ἐνθα κληροῦνται οἱ δικασταί, and Bekk. *Anecd.* p. 47, κληρωτῆρια: ἐνθα κληροῦνται οἱ δικασταί. It certainly has this meaning in col. 31 l. 18, ὁ ἄρχων τὴν φυλὴν κα[λεῖ] εἰς τὸ κληρωτῆριον, and it therefore seems best to understand it in the same sense in the present passage. It is not obvious why each tribe requires two κληρωτῆρια, 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 the tickets are now placed in the second set of 10 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 col. 31.

πινάκια] see note on § 4.

βακτηρίαι] 'bâtons' serving the dicasts as badges of office. The βακτηρία was marked with the same letter and colour as 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 τρώβολον. See *infra* col. 32 l. 3—15, and cf. Dem. *de Cor.* 210, (δεῖ) παραλαμβάνειν γ' ἅμα τῆ βακτηρία καὶ τῷ συμβόλῳ τὸ τῆς πόλεως νομίξειν ἕκαστον ἡμῶν, ὅταν τὰ δημόσια εἰσῆτε κρωίνοντες. Bekk. *Anecd.* p. 185, βακτηρία καὶ σύμβολον: ῥάβδον κατεῖχον οἱ δικάζοντες, καὶ σύμβολον ἐλάμβανον ἀντιδιδόντες διὰ τὸ κομισασθαι τὸ τρώβολον. Pollux, viii 16, σκευὴ δὲ δικαστικά, 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; Isae. 6 § 37; CIA ii 395 (of the θεσμοθέται) ὅταν πρώτων πληρωσῶν δικαστήριον εἰς ἓνα καὶ πεντακοσίου δικαστάς. Cf. Meier and Sch. p. 156, note 18 Lips.

γονόσιν, ὅσοι αὐτῶν [μ]ῆ ὀφείλουσιν τῷ δημοσίῳ ἢ ἄτιμοι εἰσιν· ἂν δέ τις δικάζῃ οἷς μὴ ἔξεστιν, ἐνδείκνυται καὶ [εἰς] τὸ δικαστήριον εἰσάγετ[αι], ἂν δ' ἄλῳ, προστιμ[ῶσιν αὐτῷ] οἱ δικασταί, ὅτι ἂν δοκῆ ἄξιός εἶναι παθε[ῖν] ἢ ἀποτεῖσαι. ἂν δὲ ἀργυρίου τιμηθῆ, δεῖ αὐτὸν δεδέ[σθαι], ἕως ἂν ἐκτείσῃ τό τε πρότερον ὄφλημ[α ἐ]φ' ᾧ ἐνεδείχθη, καὶ ὅτι ἂν αὐτῷ προστιμήσῃ τ[ὸ δικ]αστήριον. ἔχει δ' ἕκαστος δικαστῆς πινάκιον πύξινον, ἐπιγεγραμμένον

13 οἰς : φ Richards (H-L). ΚΑΙ—ΕΙΣΑΓΕΤΑΙ K-W, K³, B: κατὰ τὸ δικαστήριον εἰσαγγελία K¹ (εἰσαγγελία Fraenkel, H-L). 15, 16 ΑΠΟΤΙΣΑΙ—ΕΚΤΙΣΗ. 18 ἕκαστος <ὁ> B.

§ 4 Hesych. χαλκοῦν πινάκιον: Ἀθηναῖοι εἶχον ἕκαστος πινάκιον πύξινον ἐπιγεγραμμένον τὸ ὄνομα τὸ (τοῦ cod.) αὐτοῦ καὶ τοῦ δήμου πατρῶθεν. Schol. Arist. *Plut.* 277. Photius πινάκιον· σύμβολον δικαστικόν, χαλκοῦν ἢ πύξινον.

§ 3. τριάκοντα ἔτη] Pollux viii 122, ἐδίκαζον οἱ ὑπὲρ τριάκοντα ἔτη ἐκ τῶν ἐπιτίμων καὶ μὴ ὀφειλόντων τῷ δημοσίῳ. Cf. Dem. c. *Timo*c. 123 and Law *id.* 50.

The text lends no support to the opinion that the number of dicasts was limited to 6,000 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 Panathenaic stadium, δημοσία πάντες ὤμνον Ἀθηναῖοι τὸν ὄρκον τὸν ἐκκλησιαστικόν (Harp. s. v. Ἀρδηττός). Fränkel, *Att. Geschworenenger.*, esp. pp. 14—20. The number 6,000, 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 ἐνδείξεις 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 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), Ε(8), Ζ(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. 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 in Rheinland*, 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.; and Cailleur in Daremberg and Saglio, iii 189 f. The πινάκιον reproduced (as fig. 1) at the head of the frontispiece bears the name of Διονύσιος Διονυσίου ἐκ Κο[λ]ωνίας; in the upper left-hand corner is the letter of the division, Α; below this, an owl between Α and Θ, being part of ΑΘΗ, for Ἀθηναίων; towards the right are two owls between Α and Α, 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. Boeotium de nomine*) § 12, τί δέ, ἂν ἄρα... ἄτερος ἡμῶν πείσας τὸν ἕτερον, ἂν λαχῇ, 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' ἀρχὴν ἠγνινοῦν ἢ πόλις κληροῖ, ὅλον βουλῆς ἢ θεσμοθέτου ἢ τῶν ἄλλων τῷ δήλῳ ὁ λαχὼν ἐσται; πλὴν εἰ σημεῖον, ὡς περ ἄλλῃ τινί, τῷ χαλκίῳ προσέσται. The πινάκιον is sometimes called the γράμμα Arist. *Plut.* 277, ἐν τῇ σοφῷ νυλ λαχὼν τὸ

τὸ ὄνομα τὸ ἑαυτοῦ πατρόθεν καὶ τοῦ δήμου, καὶ γράμ[μα] ἐν τῶν
 20 στοιχείων μέχρι τοῦ κ' νενέμνται γὰρ κατὰ φυλὰς δέκα μέρη οἱ
 δικασταί, παραπλη[σί]ως ἴσοι ἐν ἑκάστῳ τῷ γράμ[μα]τι. ἐπειδὴν 5
 δὲ ὁ θεσμοθέτης ἐπικληρώσῃ τὰ γρ[άμ]ματα, ἃ δεῖ προσπαρατίθε-
 σθαι τοῖς δικαστηρίοις, ἐπέθηκε φέρων ὁ ὑπηρέτης ἐφ' ἕκαστ[ου]
 τὸ δικ[αστήριον τὸ γράμμα τὸ λαχόν.

19 ΕΛΥΤΟΥ: τ' αὐτοῦ H-L. 22 ΠΡΟΣΠ(ΑΡΑ)ΤΙΘΕΘΘΑΙ Blass (κ³): —ΓΙΝΕΘΘΑΙ
 κ¹ (K-W, H-L). 23 ἕκαστον τὸ B.

γράμμα σου δικάζω, σὺ δ' οὐ βαδίζεις, ὁ δὲ
 Χάρων τὸ σύμβολον δίδωσιν. *Ib.* 1166,
 γράμμα is synonymous with the section of
 dicasts indicated by a particular letter:
 οὐκ ἐτὸς ἅπαντες οἱ δικάζοντες θαμὰ σπεύ-
 δουσιν ἐν πολλοῖς γεγράφθαι γράμμασιν
 (Meier and Schöm. p. 150, note 9 Lips.).
 ἐπιγεγραμμένον—δήμου] Cf. Plat. *Leg.*
 753 c (in the scheme for the election of
 magistrates), εἰς πινάκιον γράψαντα τοῦ-
 νομα πατρόςθεν καὶ φυλῆς καὶ δήμου ὅπως
 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 di-
 casts from all the tribes. The extant
 πινάκια prove that members of different
 tribes belonged to the same section (Benn-
 dorf, *Götting. gel. Anz.* 1870, p. 276—).
 ἑκάστῳ τῷ γράμματι] A, B, Γ, &c
 to K.

§ 5. θεσμοθέτης] Pollux viii 88, (οἱ
 θεσμοθέται) ταῖς ἀρχαῖς ἐπικληροῦσι τὰ δι-
 καστήρια τὰ ἴδια καὶ τὰ δημόσια. CIA ii
 567 ὁ (inscr. in honour of a θεσμοθέτης),
 ἐπιμελεῖται—τῆς κληρώσεως τῶν δικαστη-
 ρίων, *ib.* 809, 206 (B.C. 325/4), τοὺς θεσμο-
 θέτας παραπληρώσαι δικαστήρια εἰς ἓνα
 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. *Eccl.* 683—,
 κληρώσω πάντας, ἕως ἂν εἰδῶς ὁ λαχόν
 ἀπὴν χαίρων ἐν ὁποίῳ γράμματι δειπνεῖ.
 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. In line 688 we
 have another sense of γράμμα: δτω δὲ τὸ
 γράμμα μὴ ἔελκυσθῆ κτλ. Here (as in
Plut. 277) γράμμα is synonymous with
 the πινάκιον, which has the letter of the
 heliastic division stamped upon it.

Even the original allotment of the citi-
 zens to the several heliastic divisions was
 under the superintendence of the θεσμοθέ-
 ται (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 sur-
 vived in two bronze counters having on the
 one side four owls arranged diagonally
 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 front-
 ispiece.

FRAGMENTA

ex papyri paginis ultimis.

[Col. 31.] τ]ὰ δὲ [κιβώτια *ταῖς φυλ]αῖς [κατατίθενται*
 'πρόσθεν [*τῶν ἀρχόντων* κ]αθ' ἐκάστην τῆ[ν φυ-
 λήν. ἐπ[ι]γέ[γραπται δ'] ἐπ' αὐτῶν τὰ στο[ι-
 χεῖα μέχρι τ[οῦ κ. ἐπ]ειδὰν δ' ἐμβάλωσιν [τω-
 ν δικαστ[ῶ]ν τ[ὰ πινάκ]ια εἰς τὸ κιβώτι[ον],
 ἐφ' οὗ ἂν ᾗ ἐπι[γεγρα]μμένον τὸ γράμ[μα
 τὸ αὐτὸ ὄπ[ε]ρ ἐ[πὶ τῷ π]ινακίῳ ἐστίν, ἀ[πὸ
 τῶν στοιχείω[ν δια]σείσαντος τοῦ ὑ[πη]-
 ρέτου ἔλκει ὁ [θεσμο]θέτης ἐξ ἐκάστου
 τοῦ κιβωτίου [πινά]κιον ἔν. οὗτος δὲ

5

10

Fragmentorum in lacunis supplendis post editorem primum multum praestiterunt H-L et Haussoullier (*Revue de Philologie*, xv, 2); etiam plura contulerunt K-W et B, quem in rebus dubiis plerumque secutus sum; ipse nonnulla olim tentavi, quaedam nunc primum protuli.

Pag. 31, 1 (= pag. 32 K-W; sed non satis causae apparet, cur paginam unam pluresve interciderisse censeamus). Paginae huius partem sinistram et dextram, ectypii in editione prima ordine inverso separatim expressam, coniunxit K. τ]ὰ δὲ [κιβώτια K-W. in medio fere versu ΛΛΘC H-L; ΔΝΔ K-W, B; ΔΙC? [ταῖς φυλ]αῖς [κατατίθενται] πρόσθεν [τῶν ἀρχόντων] scripsi, coll. Plat. *Rep.* 618 A (animarum de sortitione) τὰ τῶν βίων παραδείγματα εἰς τὸ πρόσθεν σφῶν θείναι ἐπὶ τῆν γῆν, et pag. 31, 35. 2 πρόσθεν (sic) Hauss., K³, B, litteris *θεν* obscure scriptis. 3 ἐπιγεγραπται K-W, Hauss., K³; ἐπιγεγραμμένας K¹, -να H-L. 4 τοῦ κ supplēvi coll. 63, 20;

ΔΕΜ

idem suppleverunt ceteri.

δικαστ[ῶ]ν H-L, K³, οὐ δικαστ[αί] B.

supplēvi cum K-W (?), H-L, K³, B.

ΒΛΔΒΩCIN. [τῶν][[τε] δικαστ[ῶ]ν K-W, [τῶ]ν

6 ἐπι[γεγρα]μμένον Hauss. (edd.). 7 ἀ[πὸ]

8 διασείσαντος K-W (Hauss., H-L, B).

col. 31, 1—7. τὰ δὲ κιβώτια These are the 100 boxes 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 those 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 box.

2. τῶν ἀρχόντων] the ten officials mentioned in c. 63, *init.*

7. ἀπὸ τῶν στοιχείων, ex ordine litte-

rarum (Blass).

8. διασείσαντος] Cf. the Homeric κλήρους πάλλειν, *Il.* 7, 171—189; 15, 191; 23, 353—4, 861; 24, 400; *Od.* 10, 206.

9. ἔλκει] Ἐφ. Ἄρχ. 1888, p. 114, v. 35, ὁ βασιλεὺς ἐλκέτω τὸν κ[αττίτε]ρο]ν ἐκάτε]ρο]ν ἐμὲ μέρει. Cf. Eustath. p. 675, 53, (Ἐρμοῦ κλήρος) ἦν ὁ ῥηθεὶς κλήρος φύλλον ἑλαίας δ κατὰ τιμὴν τοῦ θεοῦ εἰώθεσαν ἐμβάλλειν καὶ πρώτον ἀνέλκειν, also Photius .v. Ἐρμοῦ κλήρος (Wyse, *Class. Rev.* v 335 a).

καλεί[τ]αι ἐμπ[ήκτης], καὶ ἐμπήγνυσι
 τὰ πινάκια [τὰ ἐκ τοῦ] κιβωτίου εἰς τὴν
 κανονίδα, [ἐφ' ἧς τὸ α]ὐτὸ γράμμα ἔπεστιν
 ὅπερ ἐπὶ τοῦ [κιβωτίου. κληροῦται δ'] οὗτος, ἵνα μὴ αἰεὶ
 15 ὁ αὐτὸς ἐμπ[ηγνύων] κακουργῆ. εἰσὶ δὲ
 κανονίδες [δέκα ἐ]ν ἐκάστῳ τῶν κλη-
 ρωτηρίων. [ἐπειδὴν δ'] ἐμβάλη τοὺς κύβους ὁ ἄρχων, τὴν
 φυλὴν κα[λεῖ εἰς τὸ κ]ληρωτήριον. εἰσὶ
 δὲ κύβοι [ξύλινοι, μέ]λανες καὶ λευκοί
 20 ὅσους δ' ἂν δέ[η λαχεῖν] δικαστάς, τοσοῦ-
 τοι ἐμβάλλον[ται λευ]κοί, <οἶον> κατὰ πέντε
 πινάκια εἰς, οἱ δ[ὲ μέλ]ανες τὸν αὐτὸν τρό-
 πον. ἐπειδὴν δ' ἐ[ξαιρῆ] τοὺς κύβους, καλεῖ

11 EN....C et ENPIHΓNYCΙ: ἐμπήκτης K-W, B; ἐμπ. H-L, K³. 13 ἐφ' ἧς scripsi cum H-L, Hauss. (K², B); ἐφ' ἧ K-W. 14 κιβωτίου scripsi cum Hauss., K-W, H-L, K³. κληροῦται δ' propter sententiam addiderunt K-W, vocis ante lacunam superscriptae vestigia agnovit K. 15 ἐμπ[ηγνύων] ὦν] K¹, ἐμπ[ήκτης ὦν] Bywater, (Hauss., H-L, K³); ἐμπ[ηγνύων] K-W, B. 17 ἔταν δὲ H-L. 17, 21, 29 ενB (K-W, B). 19 χα[λκοί] K³ litterarum vestigia valde obscura secutus, [ξύλινοι] K-W (B), color talorum albus et ater cum ligno magis quam metallo congruit; [πολλοί] H-L, [λίθοι] Hauss. 20 λαχεῖν H-L (B), ἐκάστοτε K (Hauss.), εἶναι K-W. 21 <οἶον> κατὰ πέντε B. 23 ἐξαιρῆ B; ἐξέλη Hauss., K-W, K³; an ἐξέλη? Wyse, coll. Arist. *Eccl.* 688 ὅτω δὲ τὸ γράμμα μὴ ἔλκευθῆ καθ' ὃ δειπνήσει: ἐμβάλη H-L.

TESTIMONIA. Pag. 31, 11 Hesych. ἐμπήκτης· ὁ τὰ δικαστικά γραμματίδια (γράμματα διὰ cod., corr. Musurus) παρὰ τοῦ θεσμοθέτου (θεσμοφόρου cod., corr. K-W) λαμβάνων ὑπηρέτης καὶ πῆσσω εἰς τὴν κανονίδα (κανονίδα cod., corr. Iunius). 'errata grammaticus: nam decem sunt e tribulibus ἐμπήκται' K-W. Bekk. *An.* 258 ἐμπήκτης ὁ θεσμοθέτης.

22 'hinc nati errores in scholio Iunt. ad Ar. *Plut.* 277 p. 339 b 47 (Dübner)' K-W:—(44) ἔθος οὖν ἀπὸ (45) πασῶν τῶν φυλῶν δικαστάς καθίξω· εἶτα ἀπὸ (46) μιᾶς ἐκάστης ἐλάμβανον ἄνδρας πέντε τοὺς ἐπισημοτέρους· (47) καὶ πάλιν ἐκ τῶν πέντε ἕνα τὸν κλήρω λαχόντα ἐποιοῦν δικάζω.

11. ἐμπήκτης] This designation is here applied, not to the θεσμοθέτης (as supposed by Hesych. and Bekk. *An.*), nor to the ὑπηρέτης. There is a separate ἐμπήκτης taken by lot from each heliastic division.

13. 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. In each κληρωτήριον, or balloting chamber, there were ten of these frames, one for each of the heliastic divisions.

14. κληροῦται.] not mid. but pass., 'is

chosen 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.

19. κύβοι] wooden dice (or lots) of two colours, black and white, but differing from ordinary dice by not being marked with any pips. One out of every five lots was white, the rest black. The number of white lots is equal to the number of dicasts required. The archon draws the lots in succession; if the first lot is white, the bearer of the name on the first πινάκιον is considered to have drawn the lot to serve as dicast, and so on; the names of these dicasts are then called out.

τοὺς εἰληχότας ὁ [ἄρχων]. ὑπάρχει δὲ καὶ ὁ ἐμ-
 πήκτης εἰς [ᾠ]ν [αὐτῶ]ν. ὁ δὲ κληθεὶς καὶ
 εἰλη[χ]ῶς ἐλ[κ]ει [βάλανο]ν ἐκ τῆς ὑδρίας,
 καὶ *[π]ρο[δει]ξας αὐτῇ[ν *ἀνέχ]ων τὸ γράμμα, δ[εῖ-
 κνυσιν προ[οσελθῶν] τῷ ἄρχοντι τῷ εἴ[φ]εσ-
 τηκότι. ὁ δὲ [ἄρχων ἐπειδὰ]ν ἴδῃ, ἐμβάλλει τὸ
 πινάκιον α[ὐτοῦ εἰς τὸ κ]ιβώτιον, ὅπου
 ἂν ᾗ ἐπιγεγραμ[μένον] τὸ αὐτὸ στοιχεί-
 ον ὅπερ ἐν τῇ βαλ[άνω, ἴ]ν' εἰς οἶον ἂν λάχῃ
 εἰσὶν καὶ μὴ εἰς ο[ἶον] ἂν βούληται, μηδ' εἴ[ν-
 ῆ συνάγειν [εἰς] δικαστήριον οὓς ἂν
 βούληταί τις. π[αράκει]ται δὲ τῷ ἄρχοντι κι-
 βώτια, ὅσ' ἂν ἀεὶ [μ]έλλῃ τὰ δικαστήρι[α
 πληρωθῆσθαι, [ἔχ]οντα στοιχεῖον ἔ-
 καστον, ὅπερ ἂ[ν ᾗ] τοῦ δικαστηρίου ἐκάσ-
 του] εἰχ — — — — —
 ὕ]πηρέτη εἰ — — — — — ΝΩ

25

30

35

[Col. 32.]

24 ἄρχων K-W, K³, B; ὑπηρέτης K¹, H-L, Hauss., adversante spatio. 25 εἰς
 [ᾠ]ν [αὐτῶ]ν B; εἰς αὐτῶν vel εἰς αὐτῶν ἀκλήρωτος desideraverat Paton; εἰς τὸν [τόπο]ν K.
 26 [εἰλη]χ[ῶς] B; non χ sed Δε legebat K; παρεστῶς fortasse scribendum; omnia in-
 certa putant K-W. ἔλκει dubitanter agnoscit K. 27 καὶ .ρο.ξας K³, καιτρο . ΖΔC
 K-W; fortasse προδείξας scribendum.ων edd.; ἀνέχων supplevi. 28 πρῶτ[ον
 μὲν] K, H-L; πρῶτ[ον] (προτείνας?) K-W; προ[οσελθῶν] B. 29 τοῦτο ἐπειδὴν Hauss.,
 H-L. ΕΝΒ (K-W, B). 30 ὅποθεν H-L. 31 restituerunt Hauss., K-W,
 K³, B. ΑΥΤΟΥΣΤΟΙΧΕΙΟΝ: αὐτὸ στοιχεῖον Richards et Herwerden (edd.). 32 ὕ
 Hauss. (K-W, K³). 33 ΕΙΣΕΙΗ. [οἶο]ν ἂν K-W (K³, B). ΒΑΛΗΤΑΙ (suprascr.
 ΟΥΛΗΤΑΙ). post μηδὲ aliquid scriptum fuisse videtur; μηδὲ [ἐν]ῆ K, μηδ' εἴ[ν]ῆ malui;
 μηδὲ ἐξ[ῆ] Hauss. μηδὲ[ῆ] B. 34 ΣΥΝΑΓΑΓΕΙΝ (supra scr. ΓΑΓ); συναγαγεῖν K¹, B;
 συνάγειν K-W, K³. εἰς H-L, B; εἰς τὸ Hauss., K-W, K³. 36 ἀεὶ Herwerden,
 Hauss., (edd.); ὅσαπερ exspectabant K-W. 37 ΝΤΑΣΤΟΙΧΕΙΟΝΕ.

Pag. 32. Etiam haec pagina in partes duas sinistram et dextram discerpta; in medio
 litterae complures exciderunt. 1 εἰχ . . πλ . γ (supra scr. ε) K-W. 2 ὦc . . ΝΩ
 K-W.

26. βάλανον κτλ.] The dicasts having
 now been determined, it has still to be
 settled in which court each is to sit; each
 of them, when called, draws out of the
 urn a ballot marked with a letter deno-
 ting 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 which the dicast has drawn.
 The number of these boxes is as many
 as the number of 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 makes it im-
 possible for him to choose his own court
 or to arrange to sit in the same court
 with certain others who are drawn as
 dicasts.

36. ὅσ' ἂν—πληρωθῆσθαι.] See note
 on c. 63, 11. These passages shew that
 (as in Ar.) the future, as well as the
 present, is found after μέλλειν in the Ἄθ.
 πολ.

. ως ὁ δὲ ὑπηρέτης δίδωσιν αὐτῷ βακτηρίαν
 ὁμόχρων τῷ [δ]ικαστηρίῳ ἐφ' οὗ τὸ αὐτὸ γράμμα
 5 ὅπερ ἐν τῇ βαλάνῳ, ἵνα ἀναγκασθῆται αὐτῷ
 εἰσελθεῖν εἰς [τὸ] εἶνα [τοῦ δικαστηρίου]. ἐὰν γὰρ
 εἰς ἕτερον εἰσῆ, ἐξελέγχεται ὑπὸ τοῦ χρώμα-
 τ[ο]ς τῆς βακτηρίας. [τοῖς γὰρ δικαστηρίοις χρώ-
 10 κ]ίσκω τῆς εἰσ[όδ]ου. [ὁ δὲ λαβὼν τὴν βακτηρί-
 αν] βαδίζει εἰς [τὸ] δικαστήριον τὸ ὁμόχρων
 μὲν τῇ βακτηρίᾳ, ἔχον δὲ τὸ αὐτὸ γράμμα
 [ὅπερ] ἐν τῇ βαλάνῳ. ἐπ[ειδὸν δ' εἰσέλθῃ], παραλαμ-
 βάνει σύμβολον δη[μοσί]α παρὰ τοῦ εἰλη-

3 OC K, K-W (?), H-L. 3—7 restituerunt K-W, coll. Bekk. *An.* 220. 4 [τῷ
 ἔχοντι] τὸ αὐτὸ γρ[ά]μμα K-W; [ἐφ' οὗ τὸ αὐτὸ γρ[ά]μμα B suadente spatio. 5 ἦ:
 ην K. 6 αὐτοῦ K-W, ἑαυτοῦ B. 8 "rectissime Hemsterhusius pro
 χρώμα rescribi vult γράμμα, id quod vel adiunctum verbum postulat. Quis enim,
 inquit, Graece sciens dicat ἐπιγράφεω χρώμα?" Schömann, *Opusc. Acad.* i 208.
 9 M]Δ[Τ]Δ: (χρώματα K); χρώμα K-W (B) e schol. *Ar.* ἐκάστῳ propter spatium K-W
 (B): ἐφ' ἐκάστῳ K e schol. *Ar.*; propter hiatus scripsi πᾶσιν. 14 CYNΒΟΛΟΝ
 K-W, B.

Pag. 32, 3—15 Bekk. *An.* 220 βακτηρία: ὁμόχρωμοι τοῖς δικαστήριοις ἐδίδοντο βακτη-
 ρία, ἵνα ὁ λαβὼν οὐδὲν χρώματος βακτηρίαν εἰς τὸ ὁμόχρωμον εἰσέλθῃ δικαστήριον καὶ μὴ
 εἰς ἕτερον πλανᾶται διὰ τὸ πολλὰ εἶναι τὰ δικαστήρια.

Suidas ('e lexico Photiano') βακτηρία καὶ σύμβολον. οἱ λαχόντες δικάζεν ἐλάμβανον
 παρὰ τῶν δημοσίων ὑπηρετῶν σύμβολον καὶ βακτηρίαν καὶ οὕτως ἐδίκασον. τὴν χροῶν δὲ
 ὁμοίαν εἶχε τῇ βακτηρίᾳ τὸ δικαστήριον. τὸ μέντοι σύμβολον μετὰ τὴν κρίσιν ἀποδιδόντες
 ἐκομίζοντο τριώβολον ὅπερ καὶ δικαστικὸν γέγονεν. Cf. Bekk. *An.* 185, 4: ῥάβδον
 κατεῖχον οἱ δικάζοντες, καὶ σύμβολον ἐλάμβανον ἀντιδιδόντες διὰ τὸ κομίσασθαι τὸ τριώ-
 βολον. *Lex. Dem. Patm.* p. 144. *Schol. Arist. Vesp.* 1110 ἐδίδοντο δὲ καὶ βακτηρία
 τοῖς δικασταῖς ὁμόχροι τοῖς δικαστηρίοις, ὅπου ἕκαστος εἰσελθόντας δικάζεν εἶδει, ἵνα τὸν
 διαμαρτάνοντα ἀπελέγξῃ τὸ χρώμα. *Pollux viii* 16.

Pag. 32, 8—15 *Schol. *Arist. Plut.* 278 (om. cod. Ravennas et cod. Venetus) περὶ
 τοῦ παραδιδόμενου τοῖς εἰσιούσιν εἰς τὸ δικαστήριον συμβόλου 'Αρ. ἐν τῇ 'Αθ. πολ. οὕτω

col. 32, 3. ὁ δὲ ὑπηρέτης] The attend-
 ant gives the dicast a small staff of the
 same colour as that assigned to the court
 in which he is to sit. The colour on the
 staff is thus substituted for the letter on
 the ballot, as it is obviously easier for the
 doorkeeper to see that each dicast, as he
 files in, has a staff of the right colour
 than one marked with the right letter.

βακτηρίαν] *Dem. de Cor.* § 210 quoted
 on c. 63 § 2.

4. ὁμόχρων] Each of the courts is
 marked outside with the colour corre-
 sponding to that on the several staves.
 We read in Paus. i 28 of two courts that
 derived their name from their colour:
 τὸν (τὸ Schöm.) μὲν οὖν καλούμενον Παρα-
 βύστιον καὶ Τρίγωνον, τὸ μὲν ἐν ἀφανεί

πόλει οὖν, —τὸ δὲ ἀπὸ τοῦ σχήματος ἔχει
 τὸ ὄνομα. Βατραχιῶν δὲ καὶ Φοινι-
 κιοῦν ἀπὸ χρωμάτων. Cf. Schömann,
Opusc. Acad. i 226.

9. σφήκισκω] 'the lintel,' *supercilium*
januae, Steph. *Thesaurus*, vii 1606 Paris.
 Cf. *Cl. A.* iv 3, 225 c, p. 168, σφήκισκοι ἀπὸ
 τῆς στοᾶς καθηρημένοι (at Eleusis).

14. σύμβολον] *Dem. de Cor.* quoted
 on c. 63 § 2 βακτηρία, and *Arist. Plut.* 279
 quoted *ib.* § 4 πινάκιον. Cf. *Etym. Mag.*
 s. v. δ ἐλάμβανον οἱ δικασταὶ εἰς τὸ δι-
 καστήριον εἰσιόντες· εἶτα τοῦτο δόντες, τὸ
 δικαστικὸν ἐκομίζοντο.

It has been proposed to identify with
 these σύμβολα certain leaden counters
 stamped on the one side with a design
 resembling that used for the reverse of a

χ[ό]τος ταύτην τὴν ἀ[ρχήν, *κα]τὰ [τ]ὴν τά[ξι]ν ἀπο-
 δοῦ]s* τὴν βακτηρίαν τῆς [*τὸν
 α]ὐ[τὸν] τρόπον τῆς τοιαύτῃ . . . φ —
 λα]γ[χ]άνουσ[ι] δι οἰκελευπεργκρ —
 τὰ] πινάκια. οἱ δὲ ὑπέρηται ρί δημοσία [*ὑπὲρ
 τῆ]ς φυλῆς ἐκάστης π[αραδι]δόασιν τὰ κ[ι-
 βώ]τια, ἐν ἐπὶ τὸ δικα[στηρ]ιον ἕκαστον, ἐ[ν
 οἷ]ς ἐστὶν τὰ . . . α . . [τῆ]ς φυλῆς τὰ ὄντ[α
 ἐν] ἐκάστῳ τ[ῶν δι]κα[στηρί]ων. παραδιδόα[σι
 δὲ] τοῖς εἰληχ[ό]σι ἀποδι[δόναι] τοῖς δι[κασ-

15

20

15 versus in fine ἔπειτα [τ]ὴν τε — B; . . τα . ην τα... K³; scripsi [κα]τὰ [τ]ὴν τά[ξι]ν ἀποδοῦ]s coll. 37, 1—4. 16 post lacunam ΡΑ . . . ΤΗΣ Κ³; ΡΑΤΑΥΤΗΣ Κ-W.

τὸν supplevi. 17 versus in initio τὸν] αὐ[τὸν] τρόπον . . ἴπε Κ-W. 18 ΤΟΔΙ

K³. Post lacunam οἰκ . . περ . κ . κ ; οἰκελευπεργκρ . K-W. 19 πινάκια agn. K-W (K³). οἱ δὲ ὑπέρηται B (K³). ΟΙΛΗΜΟCΙΑ (deleto Δ et suprascr. ω?) ΔΙ . . B; δημοσίαις Κ-W. Versus in fine ὑπὲρ scripsi, quod manus tertia per compendium ὕ indicat, cf. p. 21, 24, p. 23, 22. 20 π[αραδι]δόασιν B; ἀ[ποδι]δόασιν Κ-W, K³; scriptura incerta. 20—21 τὰ κιβώτια B (K³); τα[ῖς]... Κ¹, Κ-W. 21 ἐν ἐπὶ τὸ Κ-W (K³, B). 21—22 ὁ[π]όσ[α] ἐστὶν Κ-W. 22 Ἀν τὰ [πιν]ά[κ]ια? τὰ ὄντ[α] Κ-W (K³, B). 23 restituerunt Κ-W (K³, B). 24 π[αρα]δι[δόναι] Κ-W (K³); ἀποδιδόναι B.

γράφει “ τοῖς γὰρ—ἀρχήν ” (8—15). Frag. 490^o, 460^o. Cf. Schol. Innt. ad v. 277, p. 340 α 40 τοῖς λαχοῦσι δικάσαι εἰσελθοῦσιν ἐκάστῳ σύμβολον δίδονται δημόσιον παρὰ τῆς ἐπὶ ταύτῃ εἰληχίας ἀρχῆς, ἵν’ οἱ ἐξιόντες καὶ τοῦτο προσφέροντες λαμβάνουσι τὸν δικαστικὸν μισθόν, ὃ 4 ἐδίδου δὲ ὁ κήρυξ αὐτοῖς ῥάβδον, ἥτις ἦν σύμβολον τοῦ δικάζειν, ἵνα ἕκαστος καθ’ ἑσπέραν ἀποδιδούς τῷ πρυτάνει τὴν ῥάβδον τριώβολον λαμβάνῃ μισθόν τῆς δικάσεως.

τριώβολον, and on the other with one of the first ten letters of the alphabet (Bendorff, *Zeitsch. f. d. Oesterr. Gymn.*, 1875 p. 60r). 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, but the heliastic divisions. If the courts had ten entrances each, these would correspond to the heliastic divisions, and all who left the court by the proper exit would receive counters marked with the letters corresponding to their own division. They would take these to the place where they had had their court allotted to them, and there receive payment in the chamber in which the allotment took place (col. 37 *ult.*).—In c. 63, 3, if the text is correct, the courts are actually described as having ten entrances, each of them, however, corresponding to one of the tribes, and not to one of the heliastic divisions.

15. τὴν ἀρχήν] The official's title is not given. According to an inscr. of B.C. 341/0 (*Mittheil. d. arch. Inst.* vii 103), the διάδοσις τῶν συμβόλων in the ἐκκλησία

was entrusted to the συλλογῆς τοῦ δήμου (Rose, Frag. ed. p. 299 n). Schömann, *Opusc. Acad.* i 206, suggests either the κωλακρέται or the officials presiding over the trial, 'inclining to the latter; but it seems more probable that the σύμβολα were distributed by a person of less importance than the presiding officials, perhaps by a 'public slave' (*Att. Proc.* p. 162 Lips.). In the time of Aristophanes it was the κωλακρέται who paid the dicasts their fee of three obols: Schol. *Av.* 1541; *Vesp.* 695; *Bekk. An.* 275, 22; *lex. rhet. Cant.* 672, 15. But there is no proof of the existence of the κωλακρέται after 403 B.C.

16. βακτηρίαν] This line must have stated something about the dicast's delivering up his βακτηρία in exchange for the σύμβολον.

19—24. 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 proper officials at the ten entrances of the court, to be re-

- 25 ταῖς ἐκάστω — α — — — [τ]ῷ ἀριθμῷ τ[ῶ]ν
 παρὰ τῷ α . . . τούτου γν . . . ς ἀποδί-
 δωσι τὸν [μισ]θόν. γ[ί]γνεται δὲ πάντα [ταῦτα
 κατὰ δικαστήρια τρ εντω — —
 δικαστήριον [ῆ] δ[ε]κασ[τή]ρια καὶ — — ων
 30 ἔ[π]ειτ' ἐπὶ τὰ — — — — — κ
 καὶ ἕτεροι κύ[βο]ι ἐν οἷς] τῶν ἀρχ[ῶ]ν τι
 τωε — — — — — το . . τῶν [θεσμο-
 θετῶν — — — — — ογς τοὺς κύ[βους
 βάλλουσιν ὁ πεντ πο — — [δικασ-
 35 τήριον. ὁ δὲ τῶν ἀρχ[όντ]ων — —
 . . . δα . . . τη α ἀρχῶν ε —
 — — — κηρυ — . — — —
 (α) ἀρχων τ — — — — — ρ . . (β)
 δευτερο . καὶ . — — — — — να . .
 δεμία ἡμέρα — — — — — αλ . .
 λ]ιαδα . εμεκα — — — — — οδε .
 5 μ]ῆ ὥσει . . . ν — — — — — σιν.
 ὅταν ἡ ἀρχή α . α — — — — — κλη[ρω-
 τηρίῳ ἐκάστω — — — — — κιβ[ω-
 τίου πινάκιον — — — — — εις [έ-
 κάστης τῆς φυλῆς — — — — — ια . .
 10 ἕτερον κενόν — — — — — του . .
 τοὺς πρώτους δ — — — — — ετο[ύ]-
 δωρ τέτταρας — — — — — ους . .

25 εκαστωι vel εκαστων.

26 παρὰ τῷ α . . . τούτου κ³; παρὰ

τῶν . . . τρ . τρ ουν . . ν (suprascr. C) K-W; versum intactum reliquit B. 27 τὸν

μισθόν K-W (κ³, B). post πάντα τ K-W, π κ¹. 28 versus in fine N dis-

pexit K; 29 versus in fine κ (κ). 30 κειν εἰτ' ἐπὶ τὰ κ; εἰσιπεπιτα K-W;

ἔ[π]ειτ' ἐπὶ τὰ B. ται (και K-W) καί κ. 31 τῶν ἀρχῶν τι? K-W;

τῶν ἀρχῶν τ κ. 32 τῷ ε ξ ετα το . . τῶν [θεσμο]θετῶν κ; 36 δαν . .

τηα ν ἀρχῶν κ; θηδ ων ἀρχῶνε K-W.

Pag. 33. Fragmenta α et β una collocarunt K-W; in nonnullis certe versibus (6, 7, 18) litterae extremae cum subsequentibus congruunt. 3 εμα κ³.

5 init. ως κ³. 6 τασπαρалаδμ K-W; ται ἡ ἀρχή κ. 12 δωρ τέτταρας

K-W (κ³); [ῆ]δωρ τέτταρας B.

turned by them to the dicasts to whom they belong.

26, 27. ἀποδίδωσι τὸν μισθόν] At this point we have mention of the official paying the τριώβολον.

27, 28. γίγνεται—δικαστήρια] Dem. 23 § 63, ταῦτα πάντα ἐπὶ πέντε δικαστηρίοις γίγνεται προστεταγμένα τοῖς νόμοις (Blass).

31. ἕτεροι κύβοι] The purpose of this fresh set of 'dice' or 'lots,' as distinguished from those of col. 31, 19, is not clear. Possibly they were used to distribute the superintendence of the courts among the thesmothetae (or some other officials).

μηδεὶς παραφυ	— — — — —	τον χ.	
ἕδωρ μήτε τον	— — — — —	τω . .	
. . ΗΤΑ ΠΟΡΙΣΑ . .	— — — — —	αμη . .	15
. λαχοντ		τουτ . .	
ἀπολαμβάνου[σι		ακαθρ . .	
τὸν μισθὸν		οὐ̄ ἐκ[ασ-	
ται αἱ φυλαὶ [ἐ]λα[χον	— — — — —	[ἐπει-	
δὰν δικάσωσι	— — — — —	— — — — —	20
ΔΙΑ ΔΤΟΝ ΝΟ	— — — — —		
τοῦ τε συνη	— — — — —		
ταῦτα δ' ἐπι	— — — — —		
ἔταν μὲν τα	— — — — —		
τῷ ἀριθμῷ	— — — — —	δ — —	25
. . τοῦ νόμο[υ	— — — — —	σι — —	
εἰς αὐτὸ τὸ π[ράγμα	— — — — —	. νοτι — [βα-	
σιλεὺς	— — — — —	εμ[ι]α —	
CI . εἰσι δ	— — — — —		
κρους τι	— — — — —		30
. . ΤΑΣ	— — — — —		

(sequuntur versus fere sex prorsus evanidi)

(a) (desunt versus decem)

. . . Η — — — — —
 . . ΚΥΡ — — — — —
 — — — — —
 — — — — —
 — — — — — (b) — — — — —
 . ΟΝΤΙ | ΚΑΙΟΠ — — — — —

15

15 . . ητα . . αρεσ κ, ... ΗΤΑ ΠΑΡ . ΣΑ (vel ΤΔ) κ-ω.

21 δια τα τον κ³;

ΔΙΑ . Λ . ΔΙΟΠ Κ-Ω (litteram tertiam et quartam inductam putat Β, qui διὰ τὸν νόμον conicit). 22 τοῦτο σω κ; τοῦ τε συνηγούρου ? κ-ω. 23 ΤΑΥΤΑΥΠΟΤΟΥ Κ-Ω;

ταῦτα ὑπὸ κ³.Pag. 34. Fragmentum a paginae 33 fragmento b adhaeret. Frustulum b ex incerta conjectura adiunxit Β. 15—23 (B)=p. 78, col. 34 b 18—25, et p. 79 b 1—9 (κ-ω): illud non descripsit κ; hoc dedit in p. 199, col. 34, frag. 2 (κ³).

col. 33 a 17—19. Cf. col. 37 ult.

27. εἰς αὐτὸ τὸ πρᾶγμα.] Dem. 57 *Eu-bul.* 7, εἰς αὐτὸ τὸ πρᾶγμα πάντα λέγειν, and 60, ἐρῶ δ' εἰς αὐτὸ τὸ πρᾶγμα. As the archon βασιλεὺς is apparently mentioned in the next line, the present passage refers to the procedure before the Areopagus, in which irrelevant matter was excluded: *Rhet.* i 1, 5, κωλύουσιν ἔξω τοῦ πρᾶγματος λέγειν, καθάπερ καὶ ἐν Ἀρείῳπάγῳ, Lycurg. *Leocr.* 12, 13, μὴ ἐπιτρέ-πειν τοῖς ἔξω τοῦ πρᾶγματος λέγουσιν (with Rehdantz, p. 126 and Meier and Schöm. p. 933 Lips.). On the other hand, the mention of ἕδωρ in ll. 12, 14 suggests that the text may refer to the procedure in a γραφὴ παρανόμων, Aeschin. 3, 197, τὸ δὲ δεύτερον ἕδωρ τῷ τὴν γραφὴν φεύ-γοντι καὶ τοῖς εἰς αὐτὸ τὸ πρᾶγμα λέγουσιν.

(b)

	(a)	τῶ δικ αστηρ[ίω — — —	
		διαστά μπες — — — — —	
		ε]ίσι . . ΜΗΠ — — — — —	
		ἀπλ[ῶ] ἐνοχ . . — — — —	
20		. . καλ οὔσι τρ — — — — (c) [ἀναγ-	
		κάζωφ ι τοὺς — — — — λ-	
		ὅταν [τ ὀ]ν δικ[αστήν — Ν . Ν	
		— — . ΝΘΚ — — — — Υ . . . ΟΝ	
		— — — — — — — — — —	ιδίου
25		— — — — — — — — — —	ἀγ]ώνων
		— — — — — — — — — —	ΕΝ
		— — — — — — — — — —	δὲ τὰ δημό-
		σια] — — — — — — — — — —	. ΚΔΙΚ —
		— — — — — — — — — —	-άχους [δ]έ
30		— — — — — — — — — —	COΔΕΙ . ΤΕΑ
		— — — — — — — — — —	HCYΠ . ΟΠΕΡ
		— — — — — — — — — —	ἐπτάχους δὲ
		— — — — — — — — — —	ων καὶ δίχους
		— — — — — — — — — —	καὶ δίχο[υ]ς ἐξάχο[υ]
35		— — — — — — — — — —	ερων λόγ[ο]ς οὐφως
		— — — — — — — — — —	ως ἐπιλαμβάνει

(a) τὸν αὐλίσκον, ἐπειδὴν δέη μεταξὺ τῶν λ[όγων] (b)
ἢ μαρ[τυρίας] ἢ νόμους ὑπὸ τοῦ γραμμ[ατέως]

a 18 ΩCIC K-W.

20 ΔΕΚΑΛ K-W.

21 ΑΖΗΜ K-W.

δ 18 ΜΗΤΕ K-W.

Fragmentum c cohaeret cum p. 35 frag. d. 34, c 20—36 (B)=35, 1—16 (K-W)=34 frag. 4 (K³).

c 23 ΥC..ΩΝ K-W, το]ὺς..δας K³, versus in fine superscripto ΔΑC (K, K-W) vel ΔC (B). 24 ἰδίου K, ἰδιώ[τ]ης K-W. 25 ΩΝΤΩΝ K-W, ωντ[ω]ν K. 26 Λ...ΟΙ K³. 29 'superscriptum ε, legendum igitur χόες' K-W.

30 ὁ δ' εἰς τοῦ K-W; ΤΟΥ Π., ΤΕΑ superscr., inducta illa, B. 31 εἰς υ...περ K³; ἦς ὑπερ ? B. 34 ἐξάχους K, K-W. 35 ἕστ]ερον λόγος οὐ ὡς ? K-W.

36 an ΩCIEΠI ? B.

Pag. 35, 1—37 (B)=36 a + b, p. 80, + fragmentum incertum p. 79 a (K-W)=34 (3) + nil + 34 (1) (K). a 1 ΕΝΔ K-W; να K. 1—4 supplevit B. b 1 Ν]ΟΜΟΝ K³ (ap. B). a 2 μαρ[τυρία]ι vel μάρ[τυρες] K-W.

col. 34, 32—34. The terms ἐπτάχους, δίχους, ἐξάχους refer to different intervals of time as measured by the κλεψύδρα. The word δίχους is quoted from Posidonius by Athenaeus, Παναθηναϊκά μέγιστα τὰ μὲν δίχουα τὰ δὲ μείζονα (p. 495 A), and ἐξάχους is found in Plutarch (Sol. 23).

36. ἐπιλαμβάνει τὸν αὐλίσκον] The αὐλίσκος is the short neck of the κλεψύ-

δρα. The attendant could stop the flow of the water by placing his hand on the top of this. Ar. Frodl. 16, 8, p. 914 b 12, μὴ εἰσιέναι τὸ ὕδωρ ἐπιληφθέντος τοῦ αὐλοῦ, and b 14 and 27, ἐπιλαβὼν τὸν αὐλόν, p. 866 b 13, (τὸ πνεῦμα) κωλύει ἐξιέναι, ὥσπερ τὸ ὕδωρ τὸ ἐκ τῶν κλεψυδρῶν, δταν πλήρεις οὐσας ἐπιλάβῃ τις.

ἀναγι<γ>ν[ώσκεισθαι . ἐπειδὴν δὲ ἡ πρὸς] διαμε-
 μετρη[μένην τὴν ἡμέραν ὁ ἀγών, τότε] ε δὲ οὐ[κ] ἐ-
 πιλαμβ[άνεται] — — — — — ν ὕδωρ
 τῷ τε κα[τηγορ]- — — — — —
 διαμετ[ρ] — — — — — [Ποσι-
 δεῶνος — — — — — [μα-
 κρῶν τῷ]ν — — — — —
 . τακτο — — — — — αγρα . .
 (c) δ[ί]κ[αι] — — — — — ε]ισ[λ]ν δ[ύ] [ἐ-
 καστοι λ — — — — — κατήγ]ορος

5

10

6 τῷ τε κατηγόρω? κ-W. 8 ε suprascr. Ποσιδεῶνος κ-W. In CIA Ποσιδεῶν (syllaba secunda brevi) quattuordecim in locis scriptum (Meisterhans, p. 42²). 9 χρωτ κ, κ-W.

Pag. 35 a 3 *Hap. διαμετρημένη ἡμέρα: μέτρον τί ἐστὶν ὕδατος πρὸς μεμετρημένον ἡμέρας διαστήμα ρέον. ἐμετρεῖτο δὲ τῷ Ποσιδεῶνι (melius Ποσιδεῶνι) μηνί· πρὸς δὴ 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 δεδηλώκασιν, ὥσπερ καὶ Ἀσχλίνης ἐν τῷ κατὰ Κηφισοφάντος (§ 126). 'Αρ. δ' ἐν τῇ 'Αθ. πολ. διδάσκει περὶ τούτων... (Frag. 423², 463³).

Schol. ad Aeschin. 2 § 126 "πρὸς ἔνδεκα γὰρ ἀμφορέας ἐν διαμετρημένη τῇ ἡμέρᾳ κρῖνομαι": φασὶν ὅτι τὰς ἡμέρας τοῦ Ποσιδεῶνος μηνὸς ἐπιλεξάμενοι (ἐκλεξ. κ-W) οἱ 'Αθηναῖοι ὡς συμμέτρον καὶ δυναμένον κατέχειν ἔνδεκα ἀμφορέας, πρὸς αὐτὰς καὶ ταῖς ἄλλαις ἡμέραις (τὰς ἄλλας ἡμέρας cod., corr. Sauppe) ἐσκεύαζον τὴν κλεψύδραν, μέγανον πρᾶγματος δηλονότι ἀγωνιζόμενον (γυμναζόμενον cod., corr. κ-W). ἀπενέμοντο δὲ οἱ ἔνδεκα ἀμφορέας κατὰ τὸ τρίτον τοῖς ἀντιδίκουσι καὶ τοῖς δικασταῖς. Aliud schol. τοῖς περὶ τῶν μεγίστων ἀγωνιζομένοις διηρεῖτο ἡ ἡμέρα καὶ ἐδίδοτο αὐτοῖς ἡμισυ μὲν τῷ κατηγόρῳ, ἡμισυ δὲ τῷ ἀπολογουμένῳ, καὶ διεμετρεῖτο τὸ ὕδωρ ὅσον ἐπαρκεῖ εἰς τὰς ὥρας τοῦ ἡμίσιου μέρους τῆς ἡμέρας. τούτο δὲ ἀπὸ μιᾶς ὥρας. Hesych. διαμετρημένη ἡμέραν' ἐπὶ τῶν μεγάλων δικῶν τὴν ἡμέραν ἐμέριζον εἰς διαστήματα.

col. 35, 3, 4. διαμετρημένην] Dem. F. L. p. 378, πρὸς διαμετρημένην τὴν ἡμέραν, Aeschin. 2, 126, πρὸς ἔνδεκα γὰρ ἀμφορέας ἐν διαμετρημένη τῇ ἡμέρᾳ κρῖνομαι.

6. τῷ τε κατηγορ-] Aeschin. 3, 197 (in a γραφή παρανόμων the day was divided into three parts), ἐγγχεῖται γὰρ τὸ μὲν πρῶτον ὕδωρ τῷ κατηγόρῳ καὶ τοῖς νόμοις καὶ τῇ δημοκρατίᾳ, τὸ δὲ δεύτερον ὕδωρ τῷ τὴν γραφὴν φεύγοντι καὶ τοῖς εἰς αὐτὸ τὸ πρᾶγμα λέγουσιν (col. 33 a 27)... τὸ τρίτον ὕδωρ ἐγγχεῖται τῇ τιμῇ.

7, 8. Ποσιδεῶνος] The use of the κλεψύδρα in courts of justice is mentioned in Arist. Ach. 692, Vesp. 93, 857, and in the Orators, Dem. de Cor. 139, ἐν τῷ ἐμῷ ὕδατι, c. Leoch. 45, ἐὰν ἐγγχωρῇ τὸ ὕδωρ. Steph. i § 8, c. Comon. 36 ἐπίλαβε τὸ ὕδωρ, and (at the end of a speech) pro Phorm. ἐξέρα τὸ ὕδωρ. The structure of the κλεψύδρα is described in Ar. Probl. 16, 8.

It was observed that the length of a

short day in one of the winter months was equivalent to the time in which eleven ἀμφορεῖς successively could be emptied of their water. The standard adopted was a day in the month of Posideon (Dec.—Jan.). 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; Plin. Quaest. Nat. c. 7). I learn from Mr J. 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. According 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.

- (c) σπεύδοι — — — — — ρος ἔξω- (δ)
 θεῖν τοὺς — — — — — τ]ὸ ὕδωρ
 15 λαμβαν — — — — — επει . . εφε
 ρος τοῖς δ — — — — — ἀ]γῶ[σ]ιν
 ἐν δὲ τοῖς — — — — —
 τ]ῷ διαψη[φι — — — — — Δ . . Δ
 ἐ]πὶ τοῖς — — — — — τοῖς πρόσ-
 20 ε]στι δεσμ[ὸς — — — — — δ]ήμευσις
 χ]ρημάτων — — — — — ὅ]τι χρῆ πα[θε]ῖν
 (d) ἡ | ἀποτεῖ[σαι — — — — — δικ]αστηρίων
 ἐστι — — — — — ν τινι ὅταν
 δεδε — — — — — εἰ]σαγαγεῖν
 25 συν — — — — — ἸΑΝΗΝΗ —
 τολ — — — — —
 τρια — — [ψήφοι δέ εἰσι χαλκαῖ], αὐλίσ-
 κον [ἔχουσαι ἐν τῷ μέσῳ, αἱ μὲν ἡ]μίσειαι τε-
 τρυ[πημένοι, αἱ δὲ ἡμίσειαι πλήρεις· οἱ] δὲ λα-

c 14 γ supra v. δ 18 Δ et Δ supra v. 20 ecci pr. 22 'H est in d, ΔΠΟΤΙ in c' v. 23 'post ἐστι sequebatur numeri nota, bipartita ut vid.' v. 23 δ ΝΗΝΟΤΑΝ K-W. 25 ὁ ΦΑΝΗΝΑΙ K-W, ἐτην μὲν K. δ 27—35 ex Harp. restituit K. 28 ΜΙCΙΑΙ.

28 *Harp. τετυπημένη: Αλοχίνης κατὰ Τιμάρχου (I § 79, τῶν ψήφων ἡ τετυπημένη, ὅτω δοκεῖ πεπορευθῆναι Τιμάρχου, ἡ δὲ πλήρης, ὅτω μή). 'Αρ. ἐν 'Αθ. πολ. γράφει ταυτὶ "ψήφοι—λαμβάνωσιν." Codices meliores, ABCD, post πλήρεις in v. 29 inserunt μήτε ταύτη (ταῦτα A) ὑπομείνας: quae depravata esse ex μήτε πάντη τετυπημένης (vel potius ex μήτε τετυπημένης) in v. 34 indicat Dind. In v. 34 post πλήρεις habent A et B μήτε ταύτη (C ταύτας), in A etiam lacuna significata: in archetypo igitur erant μήτε ταύτηλαμβάνωσιν, unde in deterioribus codd. exorta μήτε πάντη τετυπημένης (K-W) πάντη om. ETD et Photius; ταύτη apud Suidam in codd.

Phot. τετυπημένη τῶν ψήφων οὐσῶν χαλκῶν καὶ αὐλίσκων ἔχουσῶν αἱ μὲν ἦσαν τετυπημένοι, αἱ δὲ πλήρεις [ἀτύπητοι] ὄσαι ἠφέσαν τοὺς κρωμένους. Bekk. An. 307 tet. ψήφος: τῶν ψήφων οὐσῶν χαλκῶν καὶ αὐλίσκων ἔχουσῶν αἱ μὲν ἦσαν ὄσαι τετυπημένοι, ὄσαι κατεψηφίζοντο, αἱ δὲ πλήρεις [ἀτύπητοι] ὄσαι ἠφέσαν τοὺς κρωμένους... (Frag. 424², 464³). Pollux viii 123 ψήφους δ' εἶχον χαλκᾶς δύο, τετυπημένην καὶ ἀτύπητον. Bachmann Anec. ii 333, 15—25 et 373, 1—10.

27. ψήφοι — τετυπημένοι—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 ἡ τετυπημένη, ὅτω δοκεῖ κτλ., was the vote of condemnation; that which was not, the vote of acquittal, ἡ δὲ πλήρης, ὅτω μή (with Schol.). Cf. Plut. Lyc. 12, τῆς τετυπημένης (ψήφου).

These ψήφοι 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 ψήφος τετυπημένη, the latter a ψ. πλήρης. On one side of the disc are the words ψήφος 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.

(d) χόντες [ἐπὶ τὰς ψήφους, ἐπειδὴν εἰρημέ]νοι (b) 30
 ὄσιν [οἱ λόγοι, παραδιδόασιν ἐκάστῳ τ]ῶν
 δικαστ[ῶν δύο ψήφους, τετρυπημένη]ν καὶ
 πλήρη, [φάνεράς ὄραν τοῖς ἀντιδίκους, ἵ]να μῆ-
 τε πλή[ρεις μῆτε τετρυπημένας] ἀ[μφο]τέρας
 λαμβ[άνωσιν — — — — — [λ]άχω[σιν 35
 ΑΠΟΛΑ Μ. Ι. CΟΜ. . .
 ΨΗΦΙΖ ΔΚΘ . . .
 Col. 36.] του γ ἀποδιδ[ῶ· ἐὰν γ]ὰρ γ λαμβ[β]άνη, [γ] ψηφι-
 ζοντα]ι πάντες· ο[ὐ γὰρ] ἔστι λα[μβάν]ει[ν] σ[ύ]μβολον
 οὐδεν]ί, ἐὰν μῆ ψηφίζηται. εἰσὶ [δ·] ἀμφορεῖς
 δύο κε]μενοι ἐν τῷ δικαστηρίῳ, ὃ μὲν χ[α]λκοῦς,
 ὃ δὲ ξύ]λινος, διαιρετοὶ [δ]πως [μ]ή [τινε]ς ὑπο[β]άλλων- 5
 ται ψήφ]ους, εἰς οὓς ψηφίζονται οἱ δικαστα[ί], ὁ μὲν
 χαλκοῦ]ς κύριος, ὁ δὲ ξύλινος ἄκυρ[ος]. ἔχ[ει δ· ὁ] χαλ-
 κοῦς ἐ]πίθημα διερρ[ινη]μένον, ὥστ' αὐ[τ]ήν
 μόνη]ν χωρεῖν τὴν ψήφου, ἵνα μ]ή δύο [ὁ] αὐτὸς
 ἐμβά]λλῃ. ἐπειδὴν δὲ διαψηφί[ζεσθαι] μέλ[λ]ωσιν 10
 οἱ δικαστ]α[ί], ὁ κῆρυξ ἀγορ[εῦ]ει πρῶτον, ἂν ἐ[π]ισκή-

36 ὁ ἀ]ν [λ]άχωσ[ιν K-W.

36 ὁ Μ. ΠΟΛΙ... K-W.

Pag. 36, 1 του γ ἀποδιδ[ῶσιν... γ]ὰρ γ λαμβ[β]άνει, ἵνα] ψηφιζ[ωντα]ι πάντες K-W. του γ ἀποδιδούς [γ]ὰρ γ λαμβάνει . . . ψηφι πάντες K³. 2 λα[μβάν]ειν K-W, λα[μβάν]ειν K³, λα[β]ειν B. versus in fine ἸΒΟΡΟΝ vel -ΒΟΙΟΝ K apud B. σ[ύ]μβολον B. 5 ὅπως μῆ [προ]υπο[β]άλλονται K-W; ὅπως μῆ . . . ὑπ. K³. 6 ψήφ]οι, eis K-W; . . . eis K³; ψήφ]ους, eis B. 7—9 e schol. Arist. rest. K. 10 ἵνα μῆ δύο ὁ αὐτὸς ἐμβάλλῃ van Leeuwen;—ἐβάλλῃ K-W, K³. 11 οἱ articulo spatium non superesse putat K. ΔΝ: [τ]ῷ H-L. CKE: correxit K-W.

Pag. 36, 3—9 Schol. Arist. *Eq.* 1150... ὕστερον δὲ ἀμφορεῖς δύο ἴσταντο ἐν τοῖς δικαστηρίοις, ὃ μὲν χαλκοῦς ὃ δὲ ξύλινος, καὶ ὃ μὲν κύριος ἦν, ὃ δ' ἄκυρος. ἔχει δὲ "ὁ μὲν χαλκοῦς," ὡς φησὶν Ἀρ. διερρινημένον ἐπίθημα εἰς τὸ αὐτὴν μόνην τὴν ψήφου καθιεσθαι. Pollux viii 123 καὶ κάδον (εἶχον) ᾧ κημὸς ἐπέκειτο δι' οὗ καθιέτο ἡ ψήφος· αὐθις δὲ δύο ἀμφορεῖς ὃ μὲν χαλκοῦς ὃ δὲ ξύλινος, ὃ μὲν κύριος ὃ δὲ ἄκυρος. τῷ δὲ χαλκῷ ἐπὶ ἐπίθημα μῆ ψήφου χῶραν ἔχον (Frag. 426², 466³).

col. 36, 1. γ λαμβάνη] γ seems to refer to the βακτηρία and the two ψήφοι received by each dicast during the trial; not to the three obols paid him when it is over. 'γ et τρεῖς et τρις esse potest' (Blass).

3. ἀμφορεῖς] also called κάδοι or καδίσκοι; Pollux viii 17, καθίσκος... τὸ ἀγγεῖον ᾧ τὰς ψήφους ἐγκαθίσταν. Harp. καθίσκος: Ἰσθαίος ἐν τῷ περὶ τοῦ Ἀγνίου κλήρου (*Or.* 11 § 21 bis), ἀγγεῖον τι εἰς ὃ ἐψηφοφόρον οἱ δικασταί... Bekk. *Anec.* 275 καθίσκοι: ὑδρία χαλκᾶ, eis ἅς καθιέντο αἱ ψήφοι τῶν δικαζομένων. Schol. Arist. *Vesp.* 321 &c (Meier and Schöm. p. 938

—942 Lips.). Lys. 13 § 37. Cf. the ὑδρίαί of Xen. *Heil.* i 7, 9, and CIA iv 1, 116 A, p. 24.

8. ἐπίθημα] also called κημὸς Arist. *Vesp.* 754 (Pollux viii 16 δι' οὗ καθιέσαν αἱ ψήφοι ἐπικειμένον τῷ καθίσκῳ), *ib.* 123 κάδον, ᾧ κημὸς ἐπέκειτο, δι' οὗ καθιέτο ἡ ψήφος. Cf. Meier and Schöm. p. 938, n. 492—3.

11. ὁ κῆρυξ] Arist. *Vesp.* 752, κείθι γενοίμαν, ἢ ὁ κῆρυξ φησί, τίς ἀψήφιστος; ἀνιστάσθω.

ἐπισκήπτωνται] Plat. *Leg.* 937 B, ἐπισκήπτεσθαι δὲ τῶν ἀντιδίκων ἐκάτερον ὄλη

πτων]ται οἱ ἀντίδικοι ταῖς μαρτυρίας· [δε]ῖ γὰρ
 πρότερον] ἐπισκῆψασθαι [αὐ]τα[ί]ς πρὶν [π]άντα[ς] διαψη-
 φίσασθαι. ἔπειτα πάλιν [ἀνακη]ρύττε[ι] “ ἡ τε-
 15 τρυπη]μένη τοῦ πρ[ό]τερον [λέγοντ]ος, ἡ [δὲ] πλή-
 ρης τοῦ ὕστερον λέγο[ν]τος.” [ὁ δὲ δι]καστ[ῆ]ς λα-
 βῶν] . . . ἐ[κ] τοῦ λυχνείου τὰς ψήφους, π[έ]ζ[ει] τὸ
 μέσον] τῆς ψήφου, καὶ οὐ δεικνύων [τ]οῖς ἀ-
 γωνιζο]μένοις οὔτε τὸ τετρυπημέ[ν]ον
 20 οὔτε τὸ πλήρες, ἐμβάλλει τὴν μὲν κυ[ρί]α[ν] εἰς
 τὸν χαλ]κοῦν ἀμφορ[έ]α, τὴν δὲ ἄκρο[ν] εἰς
 τὸν ξύλ]ινον. π[λ]α. ω οἱ δὲ
 τεταγ]μένοι, λαβ[ό]ντες [δύ] ὑ]πηρέτ[ας],
 τὸν ἀ]μφορέα τὸν κύριον [ἐπαφ]ιάσιν [ἐπ’] ἄβα-
 25 κα τρυ]πήματα ἔχοντα [ὄσ]αιπερ] εἰσὶ[ν] αἱ [ψ]ῆ-
 φοι] . . . ἀγ[τα]! . . . ηχ . ρ τοῦ ἀ[ρ]ιθμῆ-
 σαι . . .] καὶ τὰ [διάκ]ενα [αὐτ]ῶν [καὶ] τὰ πλήρη δηλ[οῖ]
 τοῖς ἀν]τιδ[ί]κοις. οἱ δ[ὲ] ἐπ[ὶ] τὰ[ς] ψήφους [εἰ]λη-
 χότες] δια[ρ]ιθμοῦσιν αὐτὰς [ἐπ]ὶ τοῦ ἄβακος,

12 ΤΑΣ ΜΑΡΤΥΡΙΑΣ CORR. K-W (K³, B). 13 ΔΤΑΙC scriptum fuisse videtur, B. αὐτοῖς] ἐπισκ. [αὐ]τα[ί]ς πρὶν π[άν]τα[ς] K-W; —[αὐ]τα[ί]ς πρὶν [π]άντα[ς] K³: —[αὐ]τα[ί]ς ἢ ἄπαντας B. 14 ὁ κήρυξ κηρύττει K, K-W, adversante spatío. 16 in fine ταστ.στα K³; Δ. ΔΤΑC. CTA (ατος μετὰ ?) K-W. 17 ἐ[κ] τοῦ B; πρόσθ]εν τοῦ K³. ψήφους [ἐ]π[ὶ] ἔ[κ]αστον K, ψήφους . . . ἔκαστον K-W. cum N supra TO scriptum sit, τὸ [μέσον] conicit B. 18 ΚΑΙΟΥΔΙΚ.ΥΩΝ B (K³); καὶ ὁ δεικνύων K¹ (K-W). . . CA K¹, ὡς Δ K-W, [τ]οῖς ἀ- B (K³). 19 ΠΕΝΟΙCΑΥΤΗΣ τὸ τε τ[ετρυ]πημένον K-W. 20 καὶ τὸ] π[λ]. K-W. βάλλει K-W; EN suprascr. detexit B (K³). 22 supra ΠΛΑ scriptum esse ΠΑΛ testatur K (ap. K-W). ΗΛΔ . T et versus in fine ω οἱ δὲ B (. α K). 23 λαβ[έ]ν τὰς . . . ὑπ[ε]ρέτα K, K-W. 24 ασι K; ἐστή]ασι K-W; [ἐπαφ]ιάσι B. ΔΥΤΑ Δ. ΕΥΔ . ΙΘΜΟΙ K-W. ἄβα[κα] B; ἀνὰ K, K-W. 26 φοι τὰ] αὐτὰ . . . α ναπευ δ[ρ]ιθμοῖ K³. 27 εἰ]τα [καὶ] τὰ πλήρη δηλ[οῖ] τοῖς ἀν]τιδ[ί]κ[οι]ς K³; ἀν]τιδ[ί]κ[οι] iam K-W. 28—29 ους [εἰ]λη[χ]ότας] δια K; ΦΟΥC . ΛΗΙ—ΔΙΔ K-W. 29 ΟΥΔ . ΔΚΑC K-W; . . του α . ακας K³, [ἐπ]ὶ τοῦ ἄβακος B (quod nunc probat K).

τῆ μαρτυρία καὶ μέρει, ἐὰν τὰ ψευδῆ φῆ
 τινὰ μεμαρτυρηκέναι, πρὶν τὴν δίκην διακε-
 κρίσθαι (Meier and Schöm. p. 488 Lips).

15. τοῦ πρότερον λέγοντος, the plain-
 tiff: τοῦ ὕστερον, the defendant. Cf. l.
 32—33. Similarly in the trials of the
 generals after Arginusae, 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.

17. λυχνεῖον] a 'lamp-stand,' probably
 with two branches, each of them sup-
 porting a flat 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 applica-
 tion 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*.

18. οὐ δεικνύων] Cf. Dem. *F. L.* 239,
 κρύβδην ψηφίζεσθαι, Meier and Schöm.
 p. 937 Lips.

24. ἄβακα] a reckoning-board,' Pol-
 lux x 105—6, here used to count the
 votes. Cf. Arist. *Vesp.* 332, ἡ δῆτα λίθον
 με ποίησον ἐφ' οὐτὰς χειρίνας ἀριθμοῦσιν.

χωρίς] μὲν τὰς πλήρεις, χω[ρὶς] δὲ τὰς τε- 30
 τρυπημένας. καὶ ἀναγορεύ[ει] ὁ κῆρ[υξ] τὸν
 ἀριθμὸν τῶν ψήφων, τοῦ μὲν [δ]ιώ-
 κον]τος τὰς τετρυπημένας, τοῦ δὲ φ[εύγου]-
 τος τὰς πλήρεις· ὅποτέρω δ' ἂν πλείω[ν γ]ένη-
 ται, οὗ]τος νικᾷ. ἂν δὲ [ῥσαι], ὁ [φεύγων]. ἔ[πρε]ιτα πά- 35
 [Col. 37.] λιν τιμῶσι, ἂν δέη τιμῆσαι, τὸν αὐτὸν
 τρόπον ψηφίζόμενοι, τὸ μὲν σύμβολον
 ἀποδιδόντες, βακτηρίαν δὲ πάλιν παραλαμ-
 βάνοντες. ἡ δὲ τίμησις ἐστὶν πρὸς ἡμίχουν
 ὕδατος ἑκατέρω. ἐπειδὴν δὲ αὐτοῖς ἡ δε- 5
 δικασμένα τὰ ἐκ τῶν νόμων, ἀπολαμ-
 βάνουσιν τὸν μισθὸν ἐν τῷ μέρει οὐ
 ἔλαχον ἕκαστοι.

30 versus in fine εΙΧΩ... ΔΕΞΑΜΕ K-W. 34 ἂν πλείω [γ]ένηται K; [ἂν πλείων γ]ένηται (sic) B; πλείους γένωνται e lex. Cant. K-W, H-L.

Pag. 37, l. 4 ΤΕΙΜ. 5 ΕΚΑΤΕΡΩΝ PR. 6—8 claudit librum coronis ingens ante hos versus infraque porrecta; unde apparet hoc in loco opus ad finem fuisse perductum.

32—35 *lex. rhet. Cantab. ῥσαι αἱ ψῆφοι αὐτῶν· ἐγένοντο δὲ ῥσαι ψῆφοι, ὡς Ἀρ. ἐν τῇ Ἀθ. πολ.· καὶ ἦσαν “τοῦ μὲν διώκοντος” αἱ τετρυπημέναι, “τοῦ δὲ φεύγοντος” αἱ πλήρεις, “ὅποτέρω δ' ἂν πλείους γένωνται,” οὗτος ἐνίκα, ὅτε δὲ “ῥσαι, ὁ φεύγων” ἀπέφυγεν (Frag. 425², 465²). Harp. κᾶν ῥσαι, Hesych. ῥσαι ψῆφοι et κᾶν ῥσαι, Append. prov. iii 30, 42, Schol. ad Arist. *Ran.* 685.

35. ῥσαι] *Probl.* 39, 13, διὰ τί ποτε, ὅταν τῷ φεύγοντι καὶ τῷ διώκοντι φαίνωνται αἱ ψῆφοι ῥσαι, 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.).

col. 37, l. 2. τιμῶσι—τὸν αὐτὸν τρόπον ψηφίζόμενοι] [Dem.] *Aristog.* 1, 83, θανάτου πᾶσιν ἐτιμᾶτο... καὶ ταῦτα πρὶν τὴν πρώτην ψῆφον 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 ψῆφου, and 25—28 ἐν τῇ τιμῆσει (Shil-

letto on *F. L.*, l. c.). Cf. Ar. *Probl.* 953 a 4, τίμησις τί χρηὴ παθεῖν ἢ ἀποτίσαι.

2. σύμβολον, col. 32, 14.

3. βακτηρίαν, *ib.* 3. 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.

4. ἡμίχουν] The χοῦς was equivalent to 5·76 pints.

7. ἐν τῷ μέρει κτλ.] *i.e.* in the κληρωτήριον, col. 31, 18. Cf. also col. 33 a 17—19.

HERACLIDIS EPITOMA.

1. Ἀθηναῖοι τὸ μὲν ἐξ ἀρχῆς ἐχρῶντο βασιλείᾳ· συνοικήσαντος δὲ Ἴωνος αὐτοῖς, τότε πρῶτον Ἴωνες ἐκλήθησαν (cf. frag. 1). Πανδίων δὲ βασιλεύσας μετὰ Ἐρεχθέα διένειμε τὴν ἀρχὴν τοῖς υἱοῖς. 2. καὶ διετέλουν οὗτοι στασιάζοντες. Θησεὺς δὲ ἐκήρυξε καὶ συνεβίβασε τούτους ἐπ' Ἰση καὶ ὁμοίᾳ (cf. frag. 2). οὗτος ἔλθων εἰς Σκύρον ἐτελεύτησεν ὡσθεις 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

10 δοκεῖν τρυφᾶν καὶ μαλακοὺς γεγονέναι. Ἴππομένης δὲ εἰς τῶν Κοδριδῶν βουλόμενος ἀπώσασθαι τὴν διαβολήν, λαβὼν ἐπὶ τῇ θυγατρὶ Δειμώνῃ μοιχόν, ἐκεῖνον μὲν ἀνεῖλεν ὑποζεύξας [μετὰ τῆς θυγατρὸς] τῷ ἄρματι, τὴν δὲ ἵππῳ συνέκλεισεν ἕως ἀπώλετο.

4. τοὺς μετὰ Κύλωνος διὰ τὴν τυραννίδα ἐπὶ τὸν βωμὸν τῆς 15 θεοῦ πεφευγότας οἱ περὶ Μεγακλέα ἀπέκτειναν. καὶ τοὺς δρᾶσαντας ὡς ἐναγεῖς ἤλαυνον (Ἀθ. πολ. c. 1).

5. Σόλων νομοθετῶν Ἀθηναίους καὶ χρεῶν ἀποκοπὰς ἐποίησε, τὴν σεισάχθειαν καλουμένην (6 § 1). ὡς δ' ἐνώχλουν αὐτῷ τινες περὶ τῶν νόμων, ἀπεδήμησεν εἰς Αἴγυπτον (11 § 1). 20 6. Πεισίστρατος τριάκοντα καὶ τρία ἔτη τυραννήσας γηράσας ἀπέθανε (17 § 1). Ἴππαρχος ὁ υἱὸς Πεισιστράτου παιδιώδης ἦν καὶ ἐρωτικὸς καὶ φιλόμουσος, Θεσσαλὸς δὲ νεώτερος καὶ θρασύς (18 §§ 1, 2). τοῦτον τυραννοῦντα μὴ δυνηθέντες ἀνελεῖν Ἴππαρχον ἀπέκτειναν τὸν ἀδελφὸν αὐτοῦ (18 § 3). Ἴππίας δὲ 25 πικρότατα ἐτυράννει (19 § 1).

7. καὶ τὸν περὶ ὄστρακισμοῦ νόμον εἰσηγήσατο, ὃς ἐτέθη διὰ τοὺς τυραννίδοντας. καὶ ἄλλοι τε ὡστρακίσθησαν καὶ Ξάνθιππος καὶ Ἀριστείδης (22 §§ 1, 3, 5, 6).

8. Ἐφιάλτης (25) τοὺς ἰδίους ἀγροὺς ὀπωρίζειν παρείχε τοῖς 30 βουλομένοις, ἐξ ὧν πολλοὺς ἐδείπνιζε (27 § 3).

Ediderunt Schneidewin (Heraclidis politiarum quae extant, 1847), Carolus Mueller (FHG ii 208, 1848), Valentinus Rose (Ar. Frag. 611, ed. 1886, p. 370); item Ἀθ. πολ. in appendice K-W et B. 2 αὐτοῦς K-W, coll. Ἀθ. πολ. 41 § 2. 3 Cf. Strab. 392, schol. Arist. Lys. 58, 59. 4 c. 41 § 2. 5 μοῖρα sive τιμῆ in codd. additum delevit Schneidewin. 8 μετὰ K-W (B) coll. frag. 4: περὶ codd. 9, 10 Cf. c. 2 § 2. 10 Cf. schol. Aeschin. i § 182. 12, 13 μετὰ τ. θ. del. Koeler. 13 ἕως ἀπώλετο B; ἕως ἀπόληται codd.; ὅπως ἀπόληται K-W. 18 δὲ διώχλουν codd.; δ' ἐνώχλουν K-W (B) coll. c. 11 § 1.

9. Κλέων παραλαβὼν διέφθειρε τὸ πολίτευμα (28 § 3), καὶ ἔτι μᾶλλον οἱ μετ' αὐτὸν (28 §§ 4, 5; 35 § 3), οἳ πάντα ἀνομίας ἐπέπλησαν, καὶ ἀνεῖλον οὐκ ἐλάσσους χιλίων φ' (35 § 4). τούτων δὲ καταλυθέντων Θρασύβουλος καὶ Ῥίνων προειστήκεσαν, ὃς ἦν ἀνὴρ καλὸς καὶ ἀγαθός (37 § 1; 38 § 4).

35

10. Θεμιστοκλῆς καὶ Ἀριστείδης (23 § 2). καὶ ἡ ἐξ Ἀρείου πάγου βουλή πολλὰ ἐδύνατο (23 § 1).

11. καὶ τῶν ὁδῶν ἐπιμελοῦνται, ὅπως μὴ τινες κατοικοδομῶσιν αὐτὰς ἢ δρυφάκτους ὑπερτείνωσιν (50 § 2). ὁμοίως δὲ καθιστᾶσι καὶ τοὺς ἔνδεκα τοὺς ἐπιμελησομένους τῶν ἐν τῷ 40 δεσμοτηρίῳ (52 § 1). εἰσὶ δὲ καὶ ἑννέα ἄρχοντες, θεσμοθῆται 5', οἳ 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 τὰ πολέμια (58 § 1 ?).

FRAGMENTA

ex prima libri parte

I (Rose, Frag. 381^a)

τὸν Ἀπόλλωνα κοινῶς πατρῶν τιμῶσιν Ἀθηναῖοι ἀπὸ Ἴωνος· τοῦτου γὰρ οἰκίσαντος τὴν Ἀττικὴν, ὡς Ἀριστοτέλης φησὶ, τοὺς Ἀθηναίους Ἴωνας κληθῆναι καὶ Ἀπόλλωνα πατρῶν αὐτοῖς ὀνομασθῆναι. Harp. Ἀπ. πατρ.

πατρῶν τιμῶσιν Ἀπόλλωνα Ἀθηναῖοι, ἐπεὶ Ἴων ὁ πολέ- 5 μαρχος Ἀθηναίων ἐξ Ἀπόλλωνος καὶ Κρεούσης τῆς Ξούθου <γυναικὸς> ἐγένετο. schol. Aristoph. Av. 1527; cf. Bekk. An. 291 = schol. Plat. Euthydem. p. 369 Bk. Heracl. epit. 1.

2 (384^a)

ἔτι δὲ μᾶλλον αὐξήσαι τὴν πόλιν βουλόμενος (Theseus) ἐκάλει πάντας ἐπὶ τοῖς ἴσοις, καὶ τὸ 'δεῦρ' ἔτε, πάντες λεῶ' 10 κήρυγμα Θησέως γενέσθαι φασὶ πανδημίαν τινὰ καθιστάντος. οὐ μὴν ἄτακτον οὐδὲ μεμιγμένην περιεῖδεν ὑπὸ πλήθους ἐπιχυ-

32 οἳ πάντας (πάντα B) ἀνομίας ἐπέπλησαν codd.; om. K-W. 38 ἀνοικ. codd.; em. K-W (B). 40 ἔνδεκα [[τοῖς]] K-W; ἔνδεκα <κληρω> τοῖς, B. 41 θεσμοθῆται 5', οἳ Coraes (K-W, B); θεσμοθῆται καὶ οἱ, θεσμοθετικοὶ καὶ οἱ et similia, codd. 7 γυναικὸς add. Rose (B).

θέντος ἀκρίτου γενομένην τὴν δημοκρατίαν, ἀλλὰ πρῶτος ἀποκρί-
 νας χωρὶς εὐπατρίδας καὶ γεωμόρους καὶ δημιουργούς, εὐπατρίδαις
 15 δὲ γινώσκειν τὰ θεῖα καὶ παρέχειν ἄρχοντας ἀποδοὺς καὶ νόμων
 διδασκάλους εἶναι καὶ ὁσίων καὶ ἱερῶν ἐξηγητάς, τοῖς ἄλλοις
 πολίταις ὥσπερ εἰς ἴσον κατέστησε, δόξη μὲν εὐπατριδῶν, χρεῖα
 δὲ γεωμόρων, πλήθει δὲ δημιουργῶν ὑπερέχειν δοκούντων. ὅτι
 20 δὲ πρῶτος ἀπέκλινε πρὸς τὸν ὄχλον, ὡς Ἀριστοτέλης φησί,
 καὶ ἀφῆκε τὸ μοναρχεῖν, ἔοικε μαρτυρεῖν καὶ Ὅμηρος ἐν νεῶν
 καταλόγῳ (547), μόνους Ἀθηναίους δῆμον προσαγορεύσας. Plu-
 tarch. *Thes.* 25. Cf. Heracl. *epit.* 2; Ἀθ. πολ. 41, 10.

3 (385^β)

γεννῆται. πάλαι τὸ τῶν Ἀθηναίων πλήθος, πρὶν ἢ Κλεισθένη
 διοικήσασθαι τὰ περὶ τὰς φυλάς, διήρητο εἰς γεωργούς καὶ δη-
 25 μουργούς. καὶ φυλαὶ τούτων ἦσαν δ', τῶν δὲ φυλῶν ἐκάστη
 μοίρας εἶχε γ', ἃς φατρίας καὶ τριττύας ἐκάλουν. τούτων δὲ
 ἐκάστη συνειστήκει ἐκ τριάκοντα γενῶν, καὶ γένος ἕκαστον ἄνδρας
 εἶχε τριάκοντα τοὺς εἰς τὰ γένη τεταγμένους, οὔτινες γεννῆται
 ἐκαλοῦντο, <ἐξ> ὧν αἱ ἱερώσυναι <αἱ> ἐκάστοις προσήκουσαι
 30 ἐκληροῦντο, οἷον Εὐμόλπιδαι καὶ Κήρυκες καὶ Ἐτεοβουτάδαι, ὡς
 ἱστορεῖ ἐν τῇ Ἀθ. πολ. Ἀρ. λέγων οὕτως· φυλάς δὲ αὐτῶν
 συννευεμῆσθαι δ' ἀπομιμησαμένων τὰς ἐν τοῖς ἐνιαυτοῖς
 ὥρας, ἐκάστην δὲ διηρηῆσθαι εἰς τρία μέρη τῶν φυλῶν,
 ὅπως γένηται τὰ πάντα δώδεκα μέρη, καθάπερ οἱ μῆνες
 35 εἰς τὸν ἐνιαυτόν, καλεῖσθαι δὲ αὐτὰ τριττύς καὶ φατρίας.
 εἰς δὲ τὴν φατρίαν τριάκοντα γένη διακεκοσμηῆσθαι, 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^α: Ἀριστο-
 40 τέλης φησὶ τοῦ ὄλου πλήθους διηρημένου Ἀθήνησιν εἰς τε τοὺς
 γεωργούς καὶ τοὺς δημιουργούς, φυλάς αὐτῶν εἶναι τέσσαρας, τῶν
 δὲ φυλῶν ἐκάστης μοίρας εἶναι τρεῖς, ἃς τριττύας τε καλοῦσι
 καὶ φαρτρίας, ἐκάστης δὲ τούτων τριάκοντα εἶναι γένη, τὸ δὲ
 45 γένος ἐκ τριάκοντα ἕκαστον ἀνδρῶν συνεστάναι. τούτους δὲ
 τοὺς εἰς τὰ γένη τεταγμένους γεννήτας καλοῦσι.—Harp. τριττύς:

15 <τὸ> γινώσκειν K-W.
 τοὺς πολίτας K-W.

24 διήρητο ex ceteris testibus em. K-W et B: διηρείτο cod.
 εἰς <εὐπατρίδας καὶ> γεωργ. e frag. 2, 14, K-W, sed εὐπατρίδας et in schol. Plat. et
 in Moeride omissis esse monet B, cum de plebe tantum sermo sit.

29 <ἐξ> et
 <αἱ> ex Harp. K-W, B.

<τοὺς> ἄρχοντας K-W.

17 πολίταις:

32 ἀπὸ τῶν μισθωσαμένων cod., ex Suida correctus.

τριτὺς ἐστὶ τὸ τρίτον μέρος τῆς φυλῆς· αὕτη γὰρ διήρηται εἰς τρία μέρη, τριτὺς καὶ ἔθνη καὶ φατρίας, ὡς φησὶν Ἄρ. ἐν τῇ Ἄθ. πολ. Cf. Pollux viii 111; Moeris, Suid., Harp., s. v. γεννήται.

4 (frag. Rosio ignotum)

Ἄριστοτέλης ἱστορεῖ, ὅτι ἔλθων Ἰησεὺς εἰς Σκύρον ἐπὶ κατα- 50 σκοπὴν εἰκότως διὰ τὴν Αἰγέως συγγένειαν ἐτελεύτησεν ὡςθεὶς κατὰ πετρῶν, φοβηθέντος τοῦ Λυκομήδους τοῦ βασιλεύοντος <μη σφετερίσῃται 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 55 Αἰγέα Σκυρίου εἶναι λέγουσιν. Plutarch. *Thes.* 35, *Cim.* 8; schol. Lycophr. 1326. Frag. attulerunt K-W, B.

dubia

5 (cf. 394^a)

λυκόποδας ἐκάλου, ὡς μὲν Ἄριστοτέλης, τοὺς τῶν τυράννων δορυφόρους κτλ. (Schol. Arist. *Lys.* 665); cf. Phot. *λυκόποδας*. Quae scholiis in eisdem (*Lys.* 665—6) de Leipsydrio com- 60 memorantur, ex Aristotele (c. 19 § 3) revera hausta sunt; qua. ex causa fortasse etiam *λυκόποδες* Aristoteli per errorem adscriptum.

6 (447^a)

Lex. rhet. Cantab., s. v. *λογισταί*, ad c. 54 § 2 laudatum.

7 (456^b)

τὸ δὲ παρακαταβαλλόμενον ἐπὶ τῶν ἐφέσεων, ὅπερ οἱ νῦν 65 παραβόλιον καλοῦσι, παράβολον Ἄριστοτέλης λέγει (Pollux viii 62). Res prope finem libri fortasse commemorata erat; sed παράβολον nusquam alibi inventum et iure suspectum; παραβόλιον condemnat Phrynichus.

8 (389^a)

Photius, s. v. *πελάται* 2, οἱ μισθῷ δουλεύοντες, ἐπεὶ τὸ πέλας 70 ἐγγύς, οἶον ἐγγιστα διὰ πηνίαν προσιόντες· Ἄριστοτέλης (cf.

Testimonia ad c. 2, 5). Quamquam *πελάται* in libro scriptum est, Ἀριστοτέλης tamen κ-W ex Ἀριστοφάνης corruptum putant, cuius inter glossas politicas haec inventa sit (61. Fresen., Miller, 75 *Mél. de litt. Gr.* 433).

aliena

9 (382⁹)

picturam Aegypti (invenerunt) et in Graecia Euchir Daedalo cognatus, ut Aristoteli placet (Plin. *N. H.* vii 205).

10 (386⁹)

Erimenides qui postea Buzyges dictus est secundum Aristotelem (schol. Lemov. ad Vergil. *Georg.* i 19).

11 (392⁹)

80 ἡ δὲ δὴ διασπορὰ κατακαυθέντος αὐτοῦ (Σόλωνος) τῆς τέφρας περὶ τὴν Σαλαμινίον (*al.* -ίαν) νῆσον ἔστι μὲν—μυθώδης, ἀναγέγραπται δ' ὑπὸ τ' ἄλλων ἀνδρῶν ἀξιολόγων καὶ Ἀριστοτέλους τοῦ φιλοσόφου (Plut. *Sol.* 32).

12 (399⁹)

πέπυσμαι...κύνες γενέσθαι φιλοδεσπότας Ξανθίππου τοῦ
85 Ἀρίφρονος· μετοικιζομένων γὰρ τῶν Ἀθηναίων εἰς τὰς ναῦς, ἠνίκα τοῦ χρόνου ὁ Πέρσης τὸν μέγαν πόλεμον ἐπὶ τὴν Ἑλλάδα ἐξῆψε, καὶ ἔλεγον οἱ χρησμοὶ λῶον εἶναι τοῖς Ἀθηναίοις τὴν μὲν πατρίδα ἀπολιπεῖν ἐπιβῆναι δὲ τῶν τριήρων, οὐδὲ οἱ κύνες τοῦ προειρημένου ἀπελείφθησαν, ἀλλὰ συμμετρκίσαντο τῷ Ξανθίππῳ καὶ διανηξάμενοι εἰς τὴν Σαλαμίνα ἀπέβησαν. λέγεται δὲ ἄρα ταῦτα Ἀριστοτέλης καὶ Φιλόχορος (Aelian. *Nat. Hist.* xii 35, ex Alexandro Myndio, ut putant κ-W). ἐν οἷς ἱστορεῖται, κύων Ξανθίππου τοῦ Περικλέους πατὴρ οὐκ ἀνασχόμενος τὴν ἀπ' αὐτοῦ μόνωσιν ἐναλέσθαι τῇ θαλάττῃ καὶ τῇ τριήρει
95 παρανηχόμενος ἐμπεσεῖν εἰς τὴν Σαλαμίνα καὶ λιποθυμήσας ἀποθανεῖν εὐθύς· οὗ καὶ τὸ δεικνύμενον ἄχρι νῦν καὶ καλούμενον Κυνὸς σῆμα τάφου εἶναι λέγουσιν (Plut. *Themist.* 10, capite in eodem et Aristotele, c. 23 § 1, et Cleidemo nominato). Fortasse in zoico quodam libro Aristotelem haec narrasse putant κ-W,

'sicut in *Hist. An.* Z 24 mulum ab Atheniensibus immunitate 100
donatum commemorat, quem Plutarchus in eodem capite Ca-
tonis (*Cat. mai.* c. 5) cum cane Xanthippi componit'. Rectius
fortasse narrationem Philochoro tribuit J. H. Wright (cf. *Introd.*
§ 3 init.).

13 (401^s)

Ἄριστοτέλης δὲ παρὰ Πυθοκλείδῃ μουσικὴν διαπονηθῆναι 105
τὸν ἄνδρα φησὶν (de Pericle Plut. *Per.* 4).

14 (415^s)

πάππου ἢ τήθης πατήρ πρόπαππος...τάχα δ' ἂν τοῦτου τρι-
τοπάτορα Ἄριστοτέλης καλοῖ (Pollux iii 17, ex Aristophane
Byzantio, ut putant K-W).

15 (frag. 436 Heitz, a Rosio consulto praetermissum)

πέζας μόσχους, ἀντὶ τοῦ ἑταίρας· ἐλέγοντο γὰρ τινες οὕτως 110
ὡς Ἄριστοτέλης ἐν τῇ Πολιτείᾳ τὰς χωρὶς ὀργάνων. Κάνθαρος
Συμμαχία 'αὐλητρίδα πεζήν' καὶ Εὐπολις Κόλαξι. Photius,
a Rosio (*Arist. Pseud.* p. 446) laudatus, coll. Hesych. s. v.,
Etym. Magn. πεζαί, Schol. Eur. *Alc.* 447, Theopomp. ap. Athen.
xii 532. Aristotelis nomen fortasse ex alio eiusmodi fonte de- 115
fluxit, qui e capite 50 § 2 (τὰς τε αὐλητρίδας καὶ τὰς ψαλτρίας
καὶ τὰς κιθαριστρίας) erat derivatus.

FRAGMENTORUM IN PAPYRO LONDINENSI
INVENTORUM INDEX.

Fragmentorum numeri e Rosii editione Teubneriana (1886) repetiti, editionis
Berolinensis (1870) numeris in parentesi 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	p. 32, 8-15
(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	p. 35, 1-8
(370) 408	34 § 1	(396) 436	43 §§ 4, 5	(424) 464	p. 35, 27-35
(371) 409	27 § 5	(397) 437	44 § 1	(425) 465	p. 36, 32-35
(372) 410	33 § 1	(398) 438	44 § 2	(426) 466	p. 36, 3-10
(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.

Chapters 1—63 are quoted by chapter and line; columns 31 to 37, by column (col.) and line.

** The double asterisk denotes words not found elsewhere; * the single asterisk, words not found in the *Index Aristotelicus*, or only in the corresponding fragments of the Ἀθ. πολ.

* ἄβαξ col. 36, 24, 29
 ἀγαθός· ἀγαθοῦ πολίτου 28, 38; ἄνδρας
 καλοῦς κάγαθούς 28, 31; πολλῶν ἀγα-
 θῶν 5, 16 (Solon); *v.* ἀριστος, βελτίων,
 βέλτιστος
 ἄγαλμα τῆς Ἀθηνᾶς 47, 5
 ἀγανακτῶν ἐπὶ τοῖς γιγνομένοις 36, 1
 ἀγαπῶντας (?) τὸ αὐτόματον 8, 28
 Ἀγγελήθην 34, 3
 * ἀγηλατῶ· ἡγηλάτει 20, 8
 ἀγητοί 12, 6 (Solon)
 ἀγνοοῦσι 14, 10; ἀγνοῶν 16, 13; ἀγνοήσας
 57, 20
 Ἄγων 28, 19
 ἀγορά· ἐν ἀγορᾷ 51, 10; 52, 14; εἰς τὴν
 ἀγοράν 38, 4; 57, 28; ταῖς ἀγοραῖς
 (τῶν φυλετῶν) 48, 16
 ἀγοράζει 42, 27
 ἀγορανόμοι 51, 1
 ἀγορεύει col. 36, 11
 ἄγος 1, 2; 20, 7
 * ἀγραφίον 59, 10
 ἄγραιοι 13, 9
 ἀγρός· *pl.* 2, 6; 16, 16; 24, 3
 * ἀγροτέρα 58, 2
 Ἄγύρριος 41, 33 f
 Ἀγχιμαλος 19, 26
 ἄγω (1) ἀγαγῶν—οὗ διέτριβεν 25, 16;
 ἀγαγούσης ὡς τὸν δῆμιον 45, 2. (2) νῆες
 φρουρῶς (?) ἀγοῦσαι 24, 19; τῷ τρια-
 κοντορῷ τῷ τοῦς ἡθέους ἀγοντι 56, 21.
 (3) of weight 10, 5, 8; 51, 13. (4)
 ἀγούσιν τὸν ἐνιαυτὸν 43, 10; τὴν πολι-
 τείαν—ἀγειν εἰς αὐτοῦς 27, 6; εἰρήνην
 ἀγειν 34, 9; ἐπὶ πέρας ἡγάγε τὴν εἰρήνην
 38, 24
 ἀγώγμιοι 2, 7 (in different sense in *Meteor.*
 359 a 8 τὸ τῶν ἀγωγίμων βάρος)

ἀγών· (1) μουσικῆς 57, 5; 60, 4; ἀγῶνα
 γυμνικόν 60, 5, 22; διοικεῖ 56, 28; δια-
 τίθησιν 57, 7; 58, 2; λαμπάδων ἀγῶνας
 τίθησι 57, 7. (2) * ἀγῶνας ἐπιφέρων*
 25; 7
 ἀγωνιζόμενος, ἐν ἀθλῷ 57, 20; τοῖς ἀγωνι-
 ζομένοις col. 36, 18
 ἀγωνιστής 60, 20
 ἀδελφή 18, 11
 ἀδελφός 18, 36; 19, 2
 ἀδίκημα 48, 21
 * ἀδικίου τιμῶσιν 54, 10
 ἀδικῶ· ἀδικεῖν δόξῃ 46, 9; δοκῆ 48, 12;
 καταγνῶ 45, 8; καταγνώσιν 54, 10;
 ἀδικούντα περὶ τὸν μερισμὸν 48, 11; τοῖς
 ἀδικούσιν 56, 42; παρ' οὐν ἀδικεῖται νόμον
 4, 23; τῷ ἀδικουμένῳ 4, 21; τῶν ἀδικου-
 μένων 9, 4; ἀδικηθῆν ὑπὸ τοῦ διαιτητοῦ
 53, 33
 ἀδικῶς 12, 9 (Solon)
 ἀδίκμος 49, 4 (omitted in *Index Ar.*;
 found in [Ar.] *Oec.* ii 1347 a 8 τὸ
 νόμισμα—ἀδίκμων ἐποίησε)
 ἀδύνατοι 49, 25
 ἄδω· ἦδον ἐν τοῖς σκαλοῖς 19, 14; 20, 21
 * ἀδωροδόκητος 25, 5
 αἰε 5, 19 (*n. c.*); 13, 11; 16, 25; 19, 7,
 10, 21 &c; αἰε μάλλον 27, 23; τῶν αἰε
 βουλευόντων 30, 11 (decree); οὐ' ἂν αἰε
 μέλλῃ col. 31, 36
 αἰεκής 12, 7, 40 (Solon)
 * αἰεφυγίαν, ἐφυγεν 1, 3
 ἀζήμιος 56, 31 (*Rhet.* 1372 a 12)
 Ἄθηνᾶ 14, 24; τῆς Ἀθηνᾶς, ταμίαι 47, 2;
 ἄγαλμα 47, 5
 Ἀθῆναι 19, 22; Ἀθήνησι 28, 29
 Ἀθηναῖοι 16, 39; 19, 32, 37; 20, 9; 21,
 18; 22, 17, 33; 23, 9. τῶν Ἀθ. καὶ

- τῶν μετοίκων 43, 25. Ἀθηναίων, οἱ ἐθέλοντες 29, 24; τοὺς βουλομένους 39, 2 (decree); τοῖς δυνατωτάτοις 29, 34; ἐξ ἀπάντων Ἀθ. 56, 8; ἐξ Ἀθ. ἀπάντων 56, 3
- ἀθλητής 60, 7
- ἀθλοθεταί 60, 2, 19; 62, 12
- ἄθλον. *pl.* 49, 22; 54, 32 (?); 60, 20
- *ἄθλος· ἐν ἀθλῶ ἀγωνιζόμενος 57, 20
- ἀθροίζω· τοὺς ἀθροιζομένους 25, 17; χρημάτων ἡθροισμένον 24, 2
- ἀθυμεῖν 15, 29
- αἰαί 19, 15 (scol.)
- Αἰγυῖος frag. 4
- Αἰγὸς ποταμοὶ 34, 15
- Αἴγυπτος 11, 5
- *αἰδεῖσθαι 57, 21
- αἰκείας (δική) 52, 15
- αἰκισθεῖς, πολλὸν χρόνον 18, 23
- αἰρεσις τῶν ἀρχόντων 3, 37; 26, 14; (τῶν στρατηγῶν κτλ) 31, 10 and 15 (decree). εἰς δατητῶν αἰρεσιν 56, 36
- αἰρετοὶ 22, 23
- αἰρῶ· Νάξον ἐλών 15, 15. *mid.* αἰροῦμαι ('elect')· αἰροῦνται 38, 5; 42, 9, 15; αἰρεῖσθαι 30, 11 (decree); αἰρουμένων 3, 20; ἡροῦντο 4, 5; 22, 8; εἰλετο 11, 14; εἰλονται 5, 4; 30, 2; 38, 18; ἔλονται 31, 4 (decree); ἐλεῖσθαι 13, 8; and (in decrees) 29, 10, 37; 31, 11, 14; 39, 113; ἐλομένη 46, 8. *pass.* ἡρέθη 38, 32; ἡρέθησαν 3, 19; 38, 7; αἰρεθεῖς ἀρχων 13, 6; τοὺς αἰρεθέντας τῆς βουλῆς 25, 16; οἱ αἰρεθέντες 29, 21; 30, 1, 3; 32, 1; 38, 18; and (in decrees) 29, 17; 31, 12; ἡρημένων 47, 10
- αἰτία· (1) 'cause', διὰ τὴν αὐτὴν αἰτίαν 13, 5; —τοῖανδ' αἰτίαν 19, 8; —ταύτην τὴν αἰτίαν 23, 8; —ταύτας· τὰς αἰτίας 13, 1; τὴν *αἰτίαν ἀνάπτει* τοῖς πλουσίοις 5, 19. (2) 'charge', ψευδῆ τὴν αἰτίαν εἶναι 6, 21; αἰτίαν ἐχῆ 57, 22; —ἐχων 57, 27; τὰς περὶ τῶν προτέρων αἰτίας ἐξήλειψαν 40, 19
- αἰτιος· ναυμαχίας αἰτία 23, 5; αἰτίων μάλιστα γενομένων 32, 9. αἰτιώτατοι 20, 18; 33, 9
- αἰτιῶμαι· *c. inf.* αἰτιῶται 56, 35; αἰτιῶνται 27, 22
- αἰτούντος, Πεισιστράτου τὴν φυλακὴν 14, 9
- *Ἀκατος 3, 10 f.
- *ἀκίβδηλος 51, 3 (*Rhet.* 1375 b 6 κίβδηλον δίκαιον)
- *ἀκληρωτί 30, 30 (decree)
- ἀκολουθεῖν 49, 3
- ἀκοντίζειν 42, 23
- *ἀκοσμοῦντας, ζημιούσα τοὺς 3, 36 (*Pol.* 1272 b 8 ἀκομία τῶν δυνατῶν)
- ἀκούσιος 57, 17
- ἀκούω· ἀκούσαντες *c. gen.* 37, 18; and (in decree) 29, 19
- ἄκριτον ἀποκτεῖναι 40, 12 (*Meteor.* 361 b 31 ἄκριτος καὶ χαλεπὸς ὁ Ὀρίων)
- ἀκρόπολις· (1) with article, κατέσχε τὴν ἀ, 14, 6; τὸ πρόβυλον τῆς ἀ. 15, 19; κατέφυγον εἰς τὴν ἀ. 20, 13; τὴν ἀ. ἐφρούρουν 37, 19. (2) without article, ἐν ἀ. 7, 21; 18, 14; 60, 18; εἰς ἀ. 55, 33; 60, 16. See πόλις.
- *Ἀκτὴ 42, 22; στρατηγὸς εἰς τὴν Ἀ. 61, 7
- ἄκυρος ἢ βουλή 45, 21; ἀμφορεύς col. 36, 7
- ἄκων 27, 10; ἀκόντων 23, 12; ἄκοντας 40, 6
- ἄλγεα 5, 7 (Solon)
- *Ἀλεξίας ἀρχων (405/4) 34, 14
- ἀληθής 18, 28
- ἀλίσκομαι· ἀλῶναι 19, 34; ἀλῶ 61, 13 f
- ἀλκή 12, 53 (Solon)
- *Ἀλκμῆων 13, 17
- *Ἀλκμειωνίδαί· τὸ γένος ἐφυγεν 1, 3; (τῶν φυγάδων) προσιτήκεσαν 19, 9; Κλεισθένης τοῦ γένους τῶν Ἀ. 20, 3; 28, 8; τῶν ἐναγῶν 20, 7; αἰτιώτατοι τῆς ἐκβολῆς τῶν τυράνων 20, 19; πρότερον τῶν Ἀ. Κήδων ἐπέθετο τοῖς τυράννοις 20, 20
- ἀλλά occurs about 30 times, always with negative preceding. ἀλλὰ ἢ 53, 17; also 26, 14; 54, 23 (Blass); μήτε—ἀλλὰ 16, 8; cf. μήν
- ἀλλήλων 21, 16; ἀλλήλοισι 5, 4; πρὸς ἀλλήλους 23, 18
- ἄλλος· τὸν ἄλλον λόγον 15, 23; εἰς τὸν ἄλλον (=μέλλοντα) χρόνον 31, 18 (decree); οἱ τε ἄλλοι 12, 1; τὰ τε ἄλλα 8, 21; τὰ μὲν ἄλλα καθάπερ—εἶπεν 29, 16 (formula of amendment); τῶν ἄλλων τῶ βουλομένῳ 29, 14 (decree); ἐν μὲν τοῖς ἄλλοις 6, 13; τοῖς τε ἄλλοις πᾶσι καὶ δὴ καὶ 2, 3
- *ἄλλοσε δαπανᾶται 29, 30 (decree)
- ἀλλότριος 34, 6
- ἄλλως 34, 21
- ἄλφια 51, 12
- *Ἄλωπεκῆθεν 22, 24; 45, 4
- ἄμα 3, 23; 11, 7; 16, 11; προῆλθεν ἡ πόλις ἄμα τῇ δημοκρατίᾳ—αὐξανομένη 23, 1
- ἄμαρτάνω· 8, 22; 16, 5; 41, 19
- ἄμαρτιαν, ἐγνωσαν τὴν 34, 14
- ἄμεινους 12, 60 (Solon)
- ἄμειψάμενος 7, 24 (anon.)
- *ἄμμιποι 49, 7
- ἄμισθος ἀρχευ, τὰς ἀρχὰς 29, 39 (decree)
- *Ἄμμωνος, ἡ 61, 28
- *Ἀμπρακιώτης 17, 14
- ἀμφιβαλῶν 12, 8 (Solon)
- ἀμφικτόνες εἰς Δῆλον 62, 14
- ἀμφισβήτησις 28, 34; *pl.* 9, 9; 57, 11
- ἀμφισβητῶ—τῇ 57, 10; —τῶσιν 52, 4
- ἀμφορεῖς 6, 6; (in the lawcourts) col. 36, 3
- ἀμφότερος· 11, 9, 12; 12, 55; 15, 4 &c. ἐξ ἀμφοτέρων—ἀστών 42, 2
- ἀμφοῖν ἀστών, ἐξ 26, 23
- ἄν *passim*; ἄν τε—ἄν τε 48, 19; *v. ds* ἄν, ὅστις ἄν
- ἀνὰ δυσχίλους 26, 10

ἀναβαίνω ἀναβάντες ἐπὶ τοῦτον (τὸν λίθον) 55, 30; ἀναβήναι—εἰς Ἄρειον πάγον 60, 17
 ἀναβαλλομένων τὴν ἀπογραφὴν 40, 3
 ἀναγνωσθεὶς 43, 20; ἀναγνωσόμενον 54, 22; ἀναγνώνα 54, 23. *Probl.* and (omitted in *Index Ar.*) *Poet.* 1462 a 12
 ἀναγκάζειν 51, 18; ἠναγκάσθησαν—καταστῆσαι τὴν—πολιτείαν 29, 4; ὁ δῆμος πναγκάσθη χειροτονεῖν τὴν ὀλιγαρχίαν 34, 26
 ἠναγκαῖον *c. inf.* 44, 5; 48, 16; 53, 28; *col.* 32, 5; *cf.* ἐπανάγκες. ἀναγκαίης ὕπο χρεῖους 12, 37 (Solon)
 ἠνάγκη *c. inf.* 9, 9; 47, 24; 48, 5; 54, 4. ἐν ταῖς ἀνάγκαις ('under torture') 18, 24
 ἠναγορεύει, ὁ κῆρυξ *col.* 36, 31; ἀναγορεύουσι, τῶν δῆμων 21, 18
 ἠναγράφω (1) *act.* τὰ θέσμια 3, 20; νόμους 41, 12; τοὺς νόμους εἰς τοὺς κύρβεις 7, 2; πολιτείαν 30, 23; 31, 1; 32, 2; τὰς μισθώσεις—ἐν γραμματεῖσι λευκωμένους 47, 26; τὰ χωρία 47, 21. *c. acc. pers.* 47, 18, and εἰς λευκωμένα γραμματεῖα 47, 16. (2) *pass.* τὸ ὄνομα ἀναγράφεται 54, 37; ἐν ταῖς στήλαις ἀναγράφεται 54, 19; εἰς στήλην χαλκὴν ἀναγράφονται 53, 25; ἀναγεγραμμένα 47, 31
 ἀνάγω· ἀνήγαγον 12, 36 (Solon); ἀνάγουσι (?) 49, 3 (Blass)
 *ἀνάγωγος (?) 49, 3
 ἀνάδοστα ποιήσιν, πάντ' 11, 11; τὴν χώραν ἀνάδοστον ποιούσιν ἀναθήματα 7, 20
 ἀναιρῶ· (1) ἀνελόντες τὰ ὄπλα 15, 20; (2) τοὺς—ἀπογιγνομένους ἀναιρούσιν 50, 14; (3) τὰς προσκλήσεις ἀνείλον 20, 24; ὄρους ἀνείλον 12, 33 (Solon); (4) τοὺς σικοφάντας ἀνήρουν 35, 20; ἀνείλεν πολλοὺς 25, 6; ἀνελόντες τοὺς ἀναιτίους 18, 31; ἀνέλωσιν 40, 15; πολλοὺς ἀνηρηκέναι 19, 3; ἀνηρηκῆσαν 35, 26; *pass.* ἀνηρέθη 25, 23; ἀναιρεθέντος 37, 14; (5) ἀνείλεν ἢ Πυθία 25, 6
 ἀναιτίους, ἀνελόντες τοὺς 18, 31
 ἀνακαλεσαμένην 8, 9
 ἀνάκειται, εἰκὼν 7, 21; *cf.* ἀνατίθημι [ἀνακτῆ]ρῦττει *col.* 36, 14
 *ἀνακράζω· πρῶτος ἐπὶ τοῦ βήματος ἀνέκραγε (Cleon) 28, 17
 ἠανακρέων 18, 5
 ἀνακρίνοντες (= ἐρωτῶντες) 11, 3; ἀνακρίνας (forensic term) 48, 23; 56, 30
 ἀναλαμβάνω· (τὴν ἀρχὴν) 16, 35
 ἀναλίσκειν ἐκ τοῦ ναυκραρικοῦ ἀργυρίου 8, 17 (decree); εἰς τὸ δέον ἀναλίσκηται 30, 20 (decree). *met.* ὥστε ἀναλίσκεσθαι τοὺς ἐπιεικέεις 26, 11
 ἀναλογίζονται τὸν ἑκάτερον βίον, εἴαν τις 17, 7
 ἀνάλογον τῷ μεγέθει τοῦ τιμήματος 7, 14
 ἀνάλωμα 22, 34; 56, 24

ἀναμύγεσθαι 21, 11; ἀναμείξει 21, 4 (ἀναμύγναι *Rhet.*, ἀναμυχθῶσι *Pol.*)
 ἀναμφισβήτητρον τὴν πολιτείαν, ποιούντες 35, 13
 ἀναξίους, ἐν οὕτω μικροῖς καὶ 6, 18
 ἀναπληρῶ· ἀνεπληρώθη 10, 6
 ἀνάπτει, τὴν αἰτία 5, 19 (not thus used in *Ar.*)
 ἀναρχίαν ἐποίησαν 13, 5
 ἀνασφάσσει—τὴν ἀρχὴν 15, 9
 ἀνατίθημι· ἀναθήσει ἀνδριάντα 7, 5; 55, 32; ἀνέθηκε 7, 23 (anon.)
 ἀναφέρω· τὰς ἐκτίσεις εἰς πῶλον 8, 23
 ἀνδάει 12, 24 (Solon); ἦνδανεν 12, 50 (Solon)
 ἀνδραποδιστής 52, 3; *Frag.* 504², p. 1560 b 35
 ἀνδραπέδων (δικαί) 52, 16
 ἀνδρείοτερος 14, 10, 12
 ἀνδριάντα, ἀναθήσειν 7, 5; 55, 32
 *ἀνερωτήσας 55, 19
 ἀνευ μισθορῶς 30, 5 (decree); προχειροτονίας 43, 41; δικαστηρίου γνώσεως 45, 4
 ἀνέχων (?) *col.* 31, 27
 ἀνήρ· ἀνδρὸς Ἄργεον 17, 13; τελευταῖαντος τοῦ ἀνδρὸς 56, 41; χορηγούς—ἀνδράσιν 56, 11, 12
 ἠΑνεμίω, Διφίλου 7, 23
 *ἀνθίστημι· ἀντέστη τοῖς γνωρίμοις ὁ δῆμος 5, 2; τῆς βουλῆς ἀντιστάσης 20, 12
 ἀνθρωπος 16, 22; 27, 24
 ἀνίσθαι—τὴν πολιτείαν 26, 2; ἀνεθεῖς 12, 12 (Solon)
 ἀνοίγειν, τὰς θυρίδας εἰς τὴν ὁδὸν 50, 13; τὸν πίνακα 49, 12
 *ἀνοικοδόμησις, τειχῶν 23, 17
 *ἀνοικοδομῶ· ἀνοικοδόμησε (τὸ Ἐπιλύκειον) 3, 29
 ἀνταποδοθειῶν (?) 3, 13
 ἀνταράξας 12, 14 (Solon)
 *ἀντεγγράφω· ἀντεγγράφον 36, 15
 ἀντὶ 7, 24 (anon.); τῶν τεττάρων 21, 4; τετρακοσίων 21, 7; τῶν ναυκραρῶν 21, 21
 *ἀντιγράφεται 54, 15, 20
 *ἀντιδημαγωγῶν 27, 12
 ἀντίδικος 53, 9; *col.* 35, 33; *col.* 36, 28
 ἀντίδοσις 56, 14; 61, 9
 ἠΑντίδοτος ἔρχων (451/0) 26, 21
 *ἀντικαθημένων ἀλλήλους 5, 3
 ἀντιλαμβάνεσθαι τῆς ἡγεμονίας 24, 2
 ἀντιλέξαι 14, 9
 *ἀντιστασιώτης 14, 3; 28, 8
 ἠΑντιφῶν 32, 10
 ἠΑνυτος 27, 25; 34, 23
 ἀνύτω· ἦνυσα 12, 12 (Solon); οὐδὲν ἦνυσεν 14, 16 (ἀνύειν *Rhet.* 1409 b 4)
 ἀξίος 63, 14 &c.
 ἀξιῶν 14, 15; ἠξίωσιν 37, 18
 ἀξιωμα 23, 8; *pl.* 18, 1; 35, 24
 ἀπαγαγῶν—ἐπὶ τὴν βουλὴν 40, 11; τοὺς ἀπαγομένους κλέπτας 52, 2

ἀπαγωγὴν, ἐνδειξίν—καὶ 29, 26 (decree); not used thus in Ar.
 *ἀπαλείφω (of debts) 47, 34; 48, 2
 ἀπαλλάξῃ τοῦς κατηγοροῦς 55, 26
 ἀπαντῶ· ἀπήνηθησεν ὡς ἀπολογησάμενος 16, 33
 ἀπαξ ἄρξαι 31, 18 (decree); προεδρεύει 44, 14
 ἀπαρκεῖ 12, 4 (Solon)
 ἀπας· ἀπαντες 3, 31; ἐξ Ἰθηναίων ἀπάντων (opp. ἀφ' ἐκάστης τῆς φυλῆς) 57, 3; ἐξ ἀπ. Ἰθ. 56, 8; ἐξ ἀπ. 56, 8 (?)
 ἀπειμι (ἀβζιμι)· ἀπῆ 34, 8
 ἀπειμι (ἀβίδο)· ἀπιέναι 34, 8; 42, 35
 ἀπειρων τοῦ πολεμίου, στρατηγῶν 26, 9
 ἀπέρχομαι· ἀπελθόντας 52, 25; πάλιν εἰς παῖδας ἀπέρχονται 42, 6
 ἀπεχθάνεσθαι 11, 3; ἀπεχθέσθαι 6, 15; 11, 14; ἀπεχθίμενος 28, 39
 ἀπέχω· οὐδενὸς ἀπέχοντο 35, 22
 ἀπιστος, πᾶσιν ἦν 19, 3
 ἀπλοῦν, ἀποτίνεται 54, 11
 ἀπλῶς, ἀρχαϊκῶς καὶ λαῶν 14, 23; μὴ ἀ. παρῶς σαφῶς 9, 7
 ἀπὸ *passim*. (1) 'beginning with', ἀπὸ Κλεοφῶντος 28, 25; ἀπὸ—τοῦ ἡ 63, 10; cf. ἀφ' οὐ *neu.* 17, 2; *masc.*? 18, 7; ἀφ' ὧν 27, 22. (2) the source from which, ἀπὸ τῶν φόρων 24, 11; τῶν γυγνομένων 16, 12. (3) the derivation of a name, τῶν τόπων κτλ 13, 25; 21, 22. (4) interchangeable with ἐξ; ἐκ τοῦ κτήματος, οὐκ ἀπὸ τῶν στελεχῶν 60, 14; ἀφ' ἐκάστης τῆς > φυλῆς opp. ἐξ ἀπάντων 61, 2; ἀπὸ <τῆς> φυλῆς ἐκάστης 43, 6. (5) proleptic, μὴ κατελείπειν τοὺς ἀπὸ Φυλῆς 38, 15.—ἀπὸ τοῦ κνάμου 24, 20; ὁ ἀπὸ τοῦ τυπᾶνου 45, 7; ἀποστήσας ἀπὸ τῶν ὅπλων 18, 27
 ἀποβαλεῖν Πύλον 27, 26
 ἀπογιγνομένους, ἐκ ταῖς ὁδοῖς 50, 14 (not in Ar. in this sense)
 ἀπογιγνώσκω· ἀπέγνωσαν ποιεῖν* 41, 30
 *ἀπογραφῆ· (1) ἀπογραφὴν εἶναι 39, 13 (decree); ἀναβαλλομένων τὴν ἀ. 40, 3; τὰς ὑπολοίπους ἡμέρας τῆς ἀ. 40, 6; (2) τὰς ἀπογραφὰς τῶν δημονομένων 43, 20
 ἀπογράφω· *mid.* πρὶν ἂν ἀπογράψῃται πάλιν 39, 18; *pass.* τὰ ἀπογραφέντα καὶ πραθέντα 47, 22; τὰ ἀπογραφόμενα χωρία 52, 6
 ἀποδειξάμενοι 42, 30
 ἀποδέκται· *esp.* 48, 1—12; also 47, 32; 50, 3; 52, 18
 *ἀποδημία· 11, 4; 13, 1
 ἀποδημῶν 53, 32; τοῖς ἀποδημοῦσιν 39, 16 (decree); Σίλωνος ἀποδημήσαντος 13, 2
 ἀποδίδωμι· ἀποδίδασαι 43, 33; 48, 4; 60, 7; 62, 5; *col.* 32, 20; ἀποδιδόναι 40, 21; ἀποδιδόνθ' 7, 14; 20, 4; *col.* 36, 1; ἀποδιδόντες *col.* 37, 3; ἀποδώσω 11,

12; ἀπέδωκεν 25, 10; ἀπέδοσαν 40, 20; ἀποδῶ 52, 13; ἀποδώσι 56, 46; ἀποδοῦναι 39, 26; 47, 24; 58, 8; ἀπέδεδωτο 4, 4
 ἀποδοκιμάσει 45, 19; 55, 27; ἀποδοκιμάσειεν 55, 11
 ἀποθνήσκειν 45, 3, 5; ἀπέθανε 17, 1, 18; ἀποθανεῖν 18, 33; ἀποθανόντος 40, 16
 ἀπόκειται χωρὶς 47, 34
 ἀποκοπή, χρῆθ' 6, 11; 10, 2; 12, 26; 13, 13; *pl.* 6, 3; 11, 9 (ἀποκοπαί—ὀνομάτων *Poet.* 1458 ὅ 1)
 ἀποκρίνομαι· ἀπεκρίνατο 16, 22
 ἀποκτείνω· ἀπέκτεων 35, 23; ἀπέκτεινεν 39, 19; ἀπέκτευναι 18, 20; 38, 12; ἀποκτεῖνθ' 57, 15, 17; ἀποκτείνει 37, 7; 40, 12; 45, 2; 57, 18, 22
 ἀπολαμβάνω· *col.* 33, 17; 37, 6
 ἀπολαύειν, τῆς ὑπῶρας 27, 18
 ἀπολείπεσθαι, ἀπολείπεσθαι, *conj.* for ἐπι-, *q.v.*
 ἀπολλύναι, τὰ ὑπάρχοντα 56, 36; *mid.* ἀπόλλυσθαι 26, 11
 Ἀπόλλων πατὴρ 55, 21; *frag.* 1
 ἀπολογεῖται 57, 23, 29; ἀπολογησάμενος 16, 33 (only in *Rhet. ad Alex.*)
 ἀπολογία 55, 21
 *ἀπομετροῦσι (τὸ ἔλαιον) 60, 19
 *ἀπομυμησάμενος, τὴν θεὸν 14, 27
 ἀπονέμω· τὰς—ἀρχὰς ἀπονέμειν ἄρχην 7, 11 (τὰς ἀρχὰς—τούτους ἀπονέμειν *Pol.* 1309 a 21)
 ἀπορία 13, 22
 ἄπορος 16, 6
 ἀποσεισαμένον τὸ βάρος 6, 5
 *ἀποστασίον 58, 9
 ἀπόστασις (*trans.*) τῶν Ἰώνων 23, 18
 ἀποστέλλων τὴν πομπὴν 18, 16; ἐφ' ἐκάστη τῶν ἀρχῶν—ἀπέστειλεν 8, 11; ἀπέστειλαν, Ἀγχιμολον 19, 26; Καλλίβιον 37, 18; *pass.* ἀποστέλλονται ἀρχαί εἰς Σάμον 62, 16
 ἀποστέρῃ, δανεισάμενος 52, 14; ἀπεστέρηθη τῆς ἐπιμελείας 26, 2
 ἀποτίμημα 56, 45
 ἀποτίνει 60, 13; ἀπέτινον 4, 18; παθεῖν ἢ ἀποτέσει 61, 13; 63, 15; ἀποτίνεται 54, 8, 9, 10
 ἀποτυγχάνοντες 19, 9
 ἀποφαίνω· οὐσίαν 4, 8; νόμον 4, 22; τῷ δήμῳ 46, 9; *mid.* ἀποφαινόμενος 12, 10; 28, 35; ἀποφαινεται τὰς διατάξεις 55, 29. Cf. οὐκ ἀποφαινεται τὴν οὐσίαν *Pol.* 1303 ὅ 35
 *ἀποφέρω· λόγον ἀπενεγκεῖν 54, 4
 ἀποφεύγω· of acquittal, ἀπέφυγεν 27, 27; 45, 6; ἀποφύγη 59, 9; 61, 14; ἀποφύγωσι 52, 5. Opp. ἀμύνεσθαι *de Part.* *An.* 663 a 13
 *ἀποχειροτονῶ· 49, 6, 7; 61, 12
 ἀποχωρήσαντες, κακῶς 37, 3
 ἀποψηφισάντων μὴ εἶναι ἐλεύθερον 42, 8; ἀπεψηφισμένους ὑπὸ τῶν δημοτῶν 59, 12

- ἀπροβούλευτος 45, 22
 *ἀπροστασίω 58, 9
 ἀπώθεν τῆς τυραννίδος 22, 28
 Ἄργεῖος 17, 13; *pl.* 17, 15; 19, 25. Ἄρ-
 γείας (γυναικός) 17, 11; τὴν Ἄργεῖαν
 17, 17
 Ἄργινούσαις, ἐν 34, 3
 Ἄργος 17, 13
 ἀργός, σίτος 51, 11
 ἀργύριον 8, 18; 22, 31; 62, 17; ἐὰν ἀργυ-
 ρίου τιμηθῆ 63, 15; ἀργύρια 60, 21
 Ἄρειον πάγου, βουλή ἢ ἐξ 4, 20; ἢ ἐξ
 Ἄρειου πάγου βουλή 41, 16; 60, 11;
 Ἄρειφ πάγφ, βουλή ἢ ἐν 8, 9; 23, 3;
 ἐξ Ἄρειου πάγου 35, 11; 47, 13; 59,
 18; ἐν Ἄρειφ πάγφ 57, 15, 24; εἰς
 Ἄρειον πάγον 16, 33; 60, 17
 Ἄρεοπαγῆται 3, 38; 8, 19; 25, 3, 7, 12,
 21; 27, 4; 35, 10; ἢ τῶν Ἄρεοπαγιτῶν
 βουλή 3, 34; 4, 22; 26, 1
 *Ἄρεοπαγιτῶν βουλήν, τὴν 41, 8
 ἀρέσκη, ἐὰν 22, 34; 53, 8
 ἀρετή 36, 10
 ἀριθμός 41, 6; col. 36, 26, 32
 Ἀρίστειχος ἀρχων (621/0) 4, 2
 Ἀριστείδης 22, 39; 23, 13, 19; 24, 10;
 28, 11; 41, 17
 ἀριστίνδην 1, 1; καὶ πλουτίνδην 3, 2, 37
 Ἀριστίων 14, 4
 Ἀριστογείτων 18, 13, 22; 58, 3
 Ἀριστόδικος 25, 24
 Ἀριστοκράτης 33, 10
 Ἀριστόμαχος 32, 3
 ἄριστον, ἴν' ἐξ ἀπάντων αἰρῶνται τὸ 29,
 15; βουλευσῶνται τὸ 29, 19; ἢ ἀν δοκῆ
 αὐτοῖς ἄριστα ἔξεω 30, 20; ὡς ἀν δύνων-
 ται ἄριστα 30, 21 (all in decrees)
 ἄριστος, ἐφ' 14, 29 (*de Mundo* 400 b 6,
de Xenoph. 980 a 12)
 Ἀρμόδιος 18, 8, 12, 13, 21; 58, 3
 ἀρμόσας 12, 46 (Solon)
 *ἀρμοστής 37, 19
 ἄρπαγαῖσιν 12, 17 (Solon)
 Ἄρπακτίδης ἀρχων (511/0) 19, 37
 Ἄρτεμις ἀγροτέρα 58, 1
 ἄρτιος 12, 14, 18 (Solon)
 ἄρτος, ἀρτοπῶλαι, 51, 12, 13
 ἀρχαῖκός καὶ λίαν ἀπλῶς 14, 23
 ἀρχαῖος χαρακτήρ 10, 6; τῆς ἀρχαίας πο-
 λιτείας 3, 1; τὸ ἀρχαῖον 8, 9; τῶν ἀρ-
 χαίων 7, 21
 ἀρχαιρεσίαι 44, 16
 Ἀρχέστρατος 35, 10
 ἀρχή (1) 'beginning', 5, 6; 41, 13; ἐξ
 ἀρχῆς 3, 6 (?); 16, 1; 28, 5; 41, 7;
 55, 3; ἐν ἀρχῇ 5, 20; ἀρχὴν ('motive')
 καὶ πρόφασιν 13, 13; ἀρχῆν—κακῶν 18,
 8; κατ' ἀρχάς 35, 18
 (2) 'rule', 'office', 'official'; the last
 two combined in 3, 4, πρῶται τῶν ἀρ-
 χῶν ἦσαν βασιλεὺς κτλ. τούτων δὲ πρώτῃ
 μὲν ἢ τοῦ βασιλέως. *Sing.* 3, 18; 7,
 15, 30; 8, 14; 13, 4, 7, 12; 14, 17,
 18; 15, 9; 16, 25, 28; 16, 35 (?); 17,
 1, 4, 9, 18; 18, 4; 24, 6, 8; 30, 11;
 41, 20; 55, 34; τῆς ἀρχῆς ἕνεκα 55,
 32; ἀρχὴν ἀρχων τινά 53, 31. *Pl.* ἀρ-
 χαὶ ἐνόημοι, ὑπερόριοι, 24, 16; αἱ πρός
 τὸν πόλεμον ἀρχαὶ 43, 5; 44, 17; 61,
 1; αἱ κατὰ πόλεμον ἀ. 62, 18; ἀ. κλη-
 ρωταὶ 8, 1, 5; 30, 13 (decree); 43, 2;
 55, 1; 62, 1; κληρούμεναι, ἐκ τῆς δλης
 φυλῆς 62, 2; ἐν Θησεῖφ 62, 2; ἀρχαὶ
 εἰς Σάμον κτλ 62, 16; τῶν ἀρχῶν 3, 38;
 8, 10; ταῖς ἀρχαῖς 48, 8, 14; 59, 3, 11;
 τὰς ἀρχὰς καθίστασαν 3, 2; ἐποίησε κλη-
 ρωτάς 8, 1; αἰρουμένων τὰς ἀ. 3, 20;
 διετῆρει τὰς ἀ. 4, 21; περὶ τὰς ἀ. 3, 33;
 9, 2; ἀρχάς—ἀρχῶν 7, 11; 54, 4; ἀμί-
 σθους 29, 30 (decree)
 *ἀρχηγέται, ἑκατὸν 21, 25
 ἀρχιθέωρος, εἰς Δῆλον 56, 20 (οὐ τὸ αὐτὸ
 δαπάνημα τριπάρχφ καὶ ἀρχιθέωρφ *Eth.*
 1122 a 24)
 Ἄρχίνος 34, 23; 40, 4
 Ἄρχινος Ἀμπρακιάτης 17, 14
 ἀρχιτέκτονες—ἐπὶ τὰς ναῦς 46, 4
 ἀρχω (1) 'begin', ἠγοούμενοι τοῦτο πρῶτον
 ἀρχεῖν δεῖν τῆς ὁμονομίας 40, 23; *mid.*
 ἤρσατο 27, 24; 40, 11; ἀρξάμενοι 62, 13.
 (2) 'rule', or 'hold office', ἀρχει 47, 4;
 61, 14; ἀρχουσι 43, 4; 50, 5; ἀρχωσι
 4, 21; ἀρχεῖ 4, 16; 24, 9; 29, 31; 39,
 17; 62, 18; ἤρχε 55, 11; ἤρχων 3, 2;
 ἀρξεν 55, 31; ἤρξεν 13, 7; 19, 39;
pass. τὴν ἀρχὴν—τῶν ἀρχομένων ἤττω
 36, 11
 ἀρχων esp. 56, 5—46; also 3, 5, 9, 13,
 16, 27; 13, 6, 11; 14, 8; 17, 2; 17, 8;
 55, 5; Solon 5, 4; Lygdamis 15, 15.
 ἐπί—ἀρχωντος about 20 times; Νικο-
 μήδους ἀρχωντος 22, 29; ἀρχωντος Ἰψη-
 χίδου 22, 40. For list of archons, see
English Index. (=εἰς τῶν ἀρχόντων)
 col. 31, 17, 24, 35; τῷ ἀρχοντι τῷ
 ἐφεστηκότι col. 31, 28
 ἀρχοντες, *ol* ἐνέα 7, 4, 12; 8, 3, 8; 22,
 21; 29, 31; 30, 6; 45, 18; 47, 15; 55,
 2; 59, 19; 62, 2, 10; 63, 1; cf. 3, 11,
 24. ἀρεσις τῶν ἀρχόντων 3, 37; 26,
 13; ἤρουντο τοὺς—ἀρχοντας 4, 5; ἀρ-
 χοντας ἐλέσθαι δέκα 13, 8; ἐκ ζευγι-
 τῶν 26, 15; τῶν ἀρχόντων καὶ τῶν ἐπω-
 νόμων 53, 20.—ἀρχοντες εἰς τὰ φρούρια
 30, 7 (decree); τοῦ Πειραιεύς—δέκα
 35, 6
 ἀσαφεῖς 9, 11
 ἀσεβείας, γραφή 57, 10
 ἀσεβήσασιν 18, 30
 ἀσελγείας—παύσασθαι 36, 2
 ἀσθενεῖς 18, 31
 Ἀσκληπίω, πομπή 56, 21
 ἀσκῶν 23, 14 (*z. c.*); ἀσκήσαι 23, 10
 ἀσπίς 42, 31; 60, 22
 ἀστός, ἐξ ἀμφοῖν ἀστοῖν—γεγονώς 26, 23;
 ἐξ ἀμφοτέρων—ἀστών 42, 3

ἄστν· οἱ ἐν τῷ ἄστει 14, 30; τὰ ἐν τῷ ἄ.
19, 5; εἰς τὸ ἄστν 6, 15; 39, 7 (decree);
51, 18; τῶν ἐκ τοῦ ἄστει 19, 13; περὶ
τὸ ἄστν 21, 13; ἐν τῷ ἄστει 16, 8 (opp.
κατὰ τὴν χώραν); 24, 3 (opp. ἐκ τῶν
ἀγρῶν); 27, 9; 39, 18; οἱ ἐκ τοῦ ἄστει
(opp. οἱ ἐκ Πειραιῶς) 38, 3; 39, 7;
40, 22; τῶν ἐν ἄστει μεινάντων 38, 30;
39, 1 (decree); τῶν ἐν τῷ ἄ. 39, 17 (de-
cree); τοὺς ἐν τῷ ἄ. 39, 24 (decree).—
ἐν ἄστει 50, 5; εἰς ἄστν 51, 2

ἄστυνόμοι 50, 4

*ἀτακτοῦντα 61, 15

ἄτε—ἔχων 27, 13

ἄτελες 56, 16; ἀπάντων 16, 24; πάντων
42, 34; ἀτελεῖς 53, 32.—ἀτελεῖς χωρίον
16, 18

ἄτιμος 8, 30; 16, 44; 22, 42; 53, 30;
63, 12

*ἀτιμοῦσθαι (τὸν διατητὴν) 53, 34

Ἄττικὴν, εἰς τὴν 19, 31; γλῶσσαν—Ἄτ-
τικὴν 12, 38 (Solon); Ἄττικὸν ἐμπόριον
51, 17

ἀτυχῶ· ἠτύχησαν—ναυμαχίαν 34, 15

αὐθημερόν (*ε conj.*) 45, 2

αὐθῖς 12, 51 (Solon). Not in *Index*.

αὐλητής 62, 11

*αὐλητρίδες 50, 6

αὐλλισκὸν ἔχουσαι, ψῆφοι col. 35, 27; ἐπι-
λαμβάνει τὸν αὐλλισκὸν (τῆς κλεψύδρας)
col. 34, 36

αὐξανομένη, κατὰ μικρὸν 23, 2; -ου τοῦ
πλήθους 25, 3; (ἀρχῇ) τοῖς ἐπιθέτοις
αὐξηθεῖσα. 3, 18

αὐξησις 10, 4

αὐτοκράτορας, ἄρχειν 31, 13 (decree); τῶν
δέκα τῶν α. (411) 32, 13; α.—τοὺς τρια-
κοντα—ἀποκτείναι 37, 6; δέκα—αὐτο-
κράτορας 38, 5; α. ἐαντῶν 39, 4 (decree)
αὐτόματον, τὸ 8, 28

αὐτός 6, 20; 12, 2; 14, 13; 15, 25; 16,
14, 33; αὐτοὶ 2, 4, 7; αὐτοὶ δι' αὐτῶν
19, 9.—αὐτὴν μόνην χωρεῖν τὴν ψῆφον
col. 36, 8.—τοῦ αὐτοῦ 4, 12

αὐτοτελεῖς κρίνειν 3, 32; 53, 5

αὐτόχειρ 39, 19 (decree). *Frag.* 1553 ὁ 32

ἀφαιρῶ ἀφελῶν 12, 5 (Solon); τὰς προσ-
οῦσας δυσκολίας—ἀφείλον 35, 16; *pass.*
οἱ ἀφηρημένοι τὰ χρέα 13, 22; τοὺς
ἀφαιρεθέντας (?) 25, 16; *mid.* ἀφείλετο,
'deprived of' 34, 1; 45, 7; 'rescued'
45, 4

ἀφανίσαι, τοὺς νόμους 22, 3

*ἀφέσιμος (ἡμέρα) 43, 13

ἄφεςιν, εὐρύμενος 30, 33 (decree)

2 Ἀφιδναῖος 34, 37

ἀφιημι· (1) καταπαλτὴν ἀφιέναι 42, 24;
(ἐκκλησίαν ἀφιέναι 44, 13; (2) 'release',
ἀφείσαν ὑποσπίνδους 20, 15; τοῦτον
ἀφίαισιν 49, 16, 19; ἀφέντας τοῦτον 40,
14; ἀφήσοντας 52, 5; (3) 'cede', τὴν
ἀρχὴν τῆς θαλάττης ἀφήσουσι 32, 17;
ἀφῶσι τὰς πόλεις 34, 12

ἀφικέσθαι 38, 23; ἀφικομένου 38, 24; -ων
38, 26

ἀφίστημι· ἀποστῆσας ἀπὸ τῶν ὄπλων τοὺς
παμπέοντας 18, 26; οὕτως ἀπέστησαν
32, 17; ἀποστάντος—τοῦ δήμου πρὸς
αὐτοὺς 38, 16; Εὐβόλος ἀποστάσης 33, 4

ἀφνεῶν, ἐπιθ' 12, 17 (Solon)

ἀφορμὴν, δαυεζήται 52, 15

*ἄφρακτα, χωρία 27, 17

Ἀφερδοῦσιος 38, 22

ἀψύχων, δίκαι 57, 31

βαδίζει εἰς τὸ δικαστήριον col. 32, 11;
βαδίζουσι πρὸς τὸν λίθον 55, 28; εἰς
ἀκρόπολιν 55, 33

βακτηρία 63, 6, 8; col. 32, 3, 10, 16;
col. 37, 3

βάλανοι, *sortes*, 63, 8, 9; col. 31, 32; 32,
5, 13 (not found elsewhere in this
sense)

βάλλουσι, τοὺς κύβους col. 32, 33; βάλλη
col. 36, 10

βάρβαροι 22, 38

βάρος 6, 5

βασιλεία 3, 12

*βασιλειος στοά, ἡ 7, 4

βασιλεύς, king of Persia, 29, 4, 8. ὁ
βασιλεύς, archon, esp. 57, 1—31; also
3, 4, 5, 17, 24; 19, 7, 30; col. 33, 28;
τῆς τοῦ βασιλέως γυναικὸς 3, 26. τῶν
βασιλέων, early Attic kings, 3, 7; ὁ β.
of Pausanias king of Sparta 38, 25.
'Ηρακλειδης, ὁ β. ἐπικαλούμενος 41, 34

βασιλικῆς (πολιτείας) 41, 11

βεβαίως 15, 14; 38, 12

βελτίω, opp. χείρω 28, 1. τὸ βελτιστον
9, 13; 35, 19; τοῦ βελτιστου χάριν 35,
21; βελτιστοί (?) γεγενηναι 28, 28;
μεταδοῦναι τῶν πραγμάτων τοῖς βελτί-
στοις 36, 3; βελτιστοὺς 38, 19; 42, 16;
τὰ βελτίωτα νομοθεήσας 11, 15; βελτι-
στα—τῆ πόλει 29, 13 (decree)

*βῆμα 28, 17

βίαι 13, 7; 15, 9

βιαζόμενος 12, 12 (Solon)

βλιον τὴν ἀρχὴν 36, 11

βίος, ὁ ἐπὶ Κρόνου 16, 27; διὰ βίου 3, 3,
39; τῷ βίῳ θρασὺς 18, 7; τὸν ἐκατέρου
βίον 17, 8

βιώσας (?)=βιοῦς 17, 3

βλασφημεῖν 6, 9; cf. *Ar. Dial. frag.* 1481
a 35 (κατὰ τῶν τετελευτηκότων) βλασ-
φημεῖν οὐχ ὅσον

βλέποντες, πρὸς τὸ παραυτίκα 28, 28

βοθήθειαν 19, 21; 38, 8; ταῖς εἰς τὰ ἴδια
βοηθείαις 16, 38

βοθῶ 14, 13; 19, 28; 37, 17; 38, 2

*βουκολεῖον 3, 25

βουλευσεως 57, 17; γραφῆ 59, 10

βουλευτήριον 32, 14; 48, 3, 10; 53, 26
(only in corresponding frag. and in
Rhet. ad Alex.)

- βουλευτής 4, 17; 35, 4; 45, 17; 48, 13; 49, 17; 62, 4
 βουλευῶν *inf.* 4, 13; 45, 18; (ἔξῃσι) βουλευσαι δις 62, 19. (In decrees) 30, 4, 16, 19; 31, 2; and ἐκ τῶν ἀεί βουλευόντων 30, 12; also *mid.* βουλευέσθαι (*e conj.*) 30, 19; μετὰ πλείων βουλευσασθαι 30, 22; βουλευσώνται τὸ ἄριστον 29, 19
 βουλή, ἡ τῶν Ἀρεοπαγιτῶν, 3, 34; 4, 22; 26, 1; ἡ ἐξ Ἀρείων πάγου 4, 20; 60, 11; ἡ ἐν Ἀρείῳ πάγῳ β. 8, 9; 23, 3; τὴν Ἀρεοπαγιτῶν βουλήν 41, 18; ἡ βουλή 25, 14; 57, 16; τῆς βουλῆς 25, 8; τὴν βουλήν 25, 13; βουλῆς ἔδρα 4, 17; cf. 30, 24; β. (τετρακόσιοι) 8, 18; 20, 10 f; β. (οἱ πεντακόσιοι) *esp.* 43, 6 ff; and 45—49: 21, 7; 22, 7; 24, 14; συναθροισθῆσι τῆς β. 25, 20; αἱ τῆς β. κρίσεις εἰς τὸν δῆμον ἐληλύθασιν 41, 27; ἡ β. δοκιμάζει τοὺς ἐγγραφέντας 42, 12; κυρία—ζημιώσαι, δῆσαι, ἀποκτείνει 45, 1; (μισθοφορεῖ) πέντε ὀβολοῦς 62, 8.—βουλὰς τέτταρας 30, 14 (decree 411)
 βούλησις 9, 14
 βουλόμενος *c. inf.* 11, 3; 12, 16; 18, 18; 21, 5 f; 22, 17; 25, 12; οἱ βουλόμενοι βλασφημεῖν 6, 9; τῷ βουλομένῳ 9, 4; 27, 17; τῷ β. Λακιαδῶν 27, 15; τῶν ἄλλων τῷ β. 29, 14; τοὺς β. Ἀθηναίων 39, 2 (decree): βουλεσθαι 15, 4; ἐβούλετο 11, 13; ἐβούλοντο 16, 36
 *βραβεύειν 9, 9 (βραβευτής *Rhet.* 1376 b 20)
 Βραυρωνία, πεντητηρίς, 54, 30
 βραχέος, χρόνον 35, 25
 βωμόν, καθίζει—ἐπὶ τὸν 25, 19

 γαῖαν 5, 8 (Solon)
 γάλα 12, 64 (Solon)
 γαμετῆς γυναικὸς 4, 9; ἐκ τῆς γαμετῆς 17, 10 (*Frag.* 172²)
 γάμος 3, 27
 γαμῶ* ἔγημεν 17, 12; γῆμαι 17, 17
 γάρ *passim*. After σημεῖον δὲ 7, 21; 8, 7. καὶ γάρ 22, 2; 41, 27; καὶ γάρ—καὶ 19, 2; 27, 4. In third place, μὲν γάρ—δὲ 3, 9; 11, 10; 14, 10; 16, 37; 24, 12; 28, 5; 40, 14; 41, 6; 47, 2; τε γάρ—καὶ 16, 4, 31; 19, 10; κατὰ ταύτην γάρ 2, 25; ἐπ' ἐκεῖνου γάρ 10, 4; ἐπὶ πέρας γάρ 38, 24. In fourth place ἐτι καὶ νῦν γάρ 3, 25; καθ' ὅτι γάρ 59, 3
 γεγωνῶ ἵνα γεγωνῆ μάλλον 15, 19
 *γεννῆται *frag.* 3
 γένος 1, 3; 16, 44; 20, 3; 28, 8; κατὰ τὸ γ. 42, 36; τῷ γένει μὴ καθαροὶ 13, 22; τῷ γένει—προέχοντες 35, 23; τὰ γένη 21, 6, 23; τοῖς γένεσι 57, 11
 Γεραιστός 22, 42
 γέρας 12, 4 (Solon); ὑπὲρ [τῶν γε]ρῶν 57, 12
 *γεωμόροι *frag.* 2, 14
 γεωργῶ* ἐγεώργουν 13, 26; γεωργοῦντα 16, 17; -τας 16, 7
 γῆ 2, 6; 12, 15 &c. κατὰ γῆν 19, 30.
 Γῆ μέλαινα 12, 32 (Solon)
 γήρως < ἔρεκα > 35, 16 (law of Solon)
 γίγνομαι (often spelt γιν. in papyrus) 2, 8 *n. c.*; 16, 11; τί γίγνεται; 16, 20; τοιαύτης ἔξδου γιγνομένης 16, 17; τοῖς ὑπὸ τῶν τετρακοσίων γιγνομένοις 33, 11; cf. 35, 21. ἐγένετο 15, 1; γενέσθαι 11, 10; γεγενῆσθαι 18, 8; γεγενημένων εὐ 32, 10. γέγονε 3, 18; 42, 7; 54, 19; γεγόνασιν 53, 5; γεγονένα 13, 14 f; 28, 28, 31; 42, 5; 56, 18 f; γεγονώς 26, 23; -ὸς 15, 24; 25, 19; -ότες 42, 3; -ότας 29, 38; 30, 5; -ότων 63, 11
 γιγνώσκω (often spelt γιν. in papyrus) 5, 7 (Solon). γιγνώσκουσι ('decide') 53, 7; ἔγνωσαν *c. inf.* 26, 15, 22; 37, 3. *c. acc.* 34, 14; ὅτι ἂν γνῶσιν οἱ δικασταὶ 48, 27. τὸ γνωσθῆν 54, 7; τοὺς ἐγνωσμένους 36, 14
 γλώσσαν—Ἀττικὴν 12, 38 (Solon)
 γνάθος (ἔππου) 48, 4
 γνησίους, παῖδας 4, 9
 γνώμη—διαφέρειν 32, 11. γνώμην, γράψαντος 15, 5; 29, 7; γνώμας ἐπιψηφίσουσιν 48, 12
 γνώριμοι ('friends') 6, 7; opp. to δῆμος, 2, 1; 5, 2; 11, 8, 11; 16, 36; 28, 7, 10; 34, 19
 γνώσεως, δικαστηρίου 45, 5; γνῶσιν διαιτητοῦ 53, 12 (not used thus in Ar.)
 γονέων κακώσεως 56, 30; γονέας εἰ εὐ ποιεῖ 55, 17
 Γοργίλιος Ἀργεῖος 17, 13
 γράμμα 63, 19, 21, 22, 24; col. 31, 6, 13, 27; col. 32, 4, 12
 γραμματεῖον 47, 16, 19, 20, 27, 30; 48, 2, 4; 53; 13, 22
 *γραμματεὺς ὁ κατὰ πρυτανεῖαν 54, 13. ὁ ἐπὶ τοὺς νόμους 54, 19. (τοῦ δῆμου) 54, 21. θεσμοθετῶν 55, 4, 7; 59, 19; 63, 2. (στρατηγῶν in 411) 31, 12 (decree)
 γραφαί: ἀγραφίου 59, 10; ἀδικίου 54, 10; ἀσεβείας 57, 10; βουλευσεως 59, 10; δωροξενίας 59, 8; δῶρων 54, 9; 59, 9; ἐπιστατικῆ 59, 6; κακώσεως 56, 30—34; κλοπῆς (δημοσίων χρημάτων) 54, 68; μοιχείας 59, 11; ξενίας 59, 8; παρανόμων 29, 23; 45, 24; 59, 6; καὶ νόμον μὴ ἐπιτήδειον θεῖναι 59, 6; προεδρική 59, 6; πυρκαϊῶς 57, 16; τραύματος (δικαί) 57, 14; συκοφαντίας 59, 9; φαρμάκων (δικῆ) 57, 15; φόνου (δικαί) 57, 12, 14; ψευδεγγραφῆς 59, 10; ψευδοκλητείας 59, 10.—γραφαὶ λαγχάνονται πρὸς αὐτὸν 57, 9; 56, 29
 γράφω γράφειν 29, 15 (decree); ἔγραψεν 29, 17 (decree); 34, 27; ἔγραψαν 29, 21; γράψας εἰς πινάκον 48, 20; -αντες γνώμην 14, 5; 29, 7; -αντες 48, 9;

- γέγραπται 8, 17; ἐν ταῖς βαλάνοις 63, 9; γεγράφθαι 9, 7; κατὰ τὰ γεγραμμένα 11, 7. γραψάμενος τὸ ψήφισμα—παρῶν 40, 8.
 γυμνικὸν ἄγωνα, τὸν 60, 5, 22
 γυναικα μεγάλην καὶ καλήν 14, 25; ἔσχεν γυναῖκα 17, 14; γυναικός, γαμετή 4, 9; παραβατοῦσης τῆς γ. 14, 29; γυναικὶ πιθόμενος 35, 16; αἱ γυναῖκες 2, 4; γυναικῶν ἐπιμελεῖται 56, 41
 Δαμασίας ἄρχων (c. 582) 13, 6, 10
 Δαμιονίδης Οἰθήβεν 27, 19
 δαρείξειν 6, 2; 9, 3; δαρείσαι 22, 33; δαυνοίμενοι 38, 8; ἐδανείσαντο 39, 25; δανείσθηται 52, 14; δανεισάμενος 52, 13; —οἱ 6, 9; 22, 35
 δανεισμοὶ 2, 8; 4, 23
 δαπανή 8, 15; 22, 35
 δαπανῶ δαπανῆσαι 29, 30 (decree)
 * δατητῶν αἵρεσιν, εἰς 56, 36
 δὲ passim. διὰ τοῦτο δὲ 21, 8 f; μετὰ δὲ ταῦτα 2, 1 &c.; πρὸς δὲ τούτοις 26, 6 &c.; καὶ—δὲ 12, 15; 41, 20 (?)
 * δεδοικέναι 5, 20 (δεδιότες Ar.)
 δεῖ 12, 10; 16, 22; ἔδει 7, 10; (ἔτη) ἐνὸς δέοντα ἐλκοσι 17, 4; ἐνὸς δεῖν (δεῖ MS) 19, 39; 27, 7; εἰς τὸ δέον 30, 20 (decree)
 δεικνύμι τὸ γράμμα δεικνύσι col. 31, 27; δείξει—συνισταμένους 25, 15; δείξουσιν εἰ βούλονται 40, 12; οὐ δεικνύων col. 36, 18
 δεινός, τὰ πολεμικά, τὰ πολιτικά, 23, 15
 δειπνοῦσι, ἐν τῷ πρυτανείῳ 62, 12
 δέκα 8, 3 f; ἄρχοντας 13, 8; ἐτών 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 and ἐπιμεληταὶ 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 ἐπιμεληταὶ, ἐμπορίων ἐπιμεληταὶ, εἰθνηοὶ, ἱεροποιοὶ (βίς), ἱερῶν ἐπισκευασταὶ, ἱππέων καταλογεῖς, λογισταὶ (βίς), λογιστῶν συνήγοροι, μετρονόμοι, πωληταὶ, στρατηγοί, σωφρονισταὶ, ταμίαι τῆς Ἀθηνᾶς, ταξίαρχοι, τριηροποιοὶ, φύλαρχοι.
 * δεκαετία, ἥρῃον 3, 4
 * δεκάξειν 27, 25; δεκάσας τὸ δικαστήριον 27, 27
 * δεκαπλοῦν, τὸ γνωσθὲν ἀποτίνεται 54, 8 f; τὸ δ. 54, 12
 δεκάτη 16, 13, 22
 δέκατος ὁ γραμματεὺς 59, 19; τῆς δεκάτης φυλῆς 63, 2
 Δεκέλεια 34, 8
 Δελφινίω, ἐπὶ 57, 21
 Δελφοί· ὁ ἐν Δ. νεὸς 19, 20
 δεξιά· δοῦναι τὴν δ. πίστεως χάριν 18, 35; τὴν δ. δέδωκε 18, 36
 δέομαι· ἐὰν μὴ δέωνται πλειόνων 30, 24 (decree); κἄν τι δέωνται ἐπισκευάζουσι τὰ μάλιστα δεδμενα τῶν ἱερῶν 50, 4
 δεσμοτηριὸν φύλακες 35, 6; ἐν τῷ δ. 52, 2
 δεσμοτῶν φύλακες 24, 20
 δεσποτικωτέρως 24, 7
 δευτέρα 3, 6; δευτέρω 14, 7. τὸ δεύτερον 15, 2. οὐδενὸς ἔντα δεύτερον 38, 11
 δέχομαι· δέχονται τὰ χρήματα 48, 8; δέχομενος—τὴν πομπήν 18, 15; ἐδέχοντο 14, 30
 δέω· θανατοῦν καὶ δεῖν καὶ χρήμασι ζημιῶν 45, 8; (ἢ βουλῇ) κυρία—δῆσαι 45, 2 (πρότερον); 48, 7; (στρατηγοί) κύριοι δῆσαι 61, 15; ἀνάγκη τὸ ἐλλειφθὲν καταβάλλειν ἢ δεδέσθαι 48, 6; cf. 63, 16
 δῆ· διὰ ταύτην δὴ τὴν αἰτίαν 23, 8; πρὸς δὴ ταύτην τὴν χορηγίαν 27, 18. * κάλλιστα δῆ* καὶ πολιτικώτατα ἀπάντων 40, 17. καὶ δῆ καὶ 2, 3; 16, 5, 40
 δῆλον 12, 21 (Solon)
 δῆλον 13, 10; 53, 20
 Δῆλον, ἀμφικτύονες εἰς 62, 14; πεντητηρῖς εἰς 54, 29; χορηγοὶ and ἀρχιθέρωσι 56, 20
 δημαγωγίαν, διεδέχοντο—τὴν 28, 26
 δημαγωγὸς 22, 14
 δημαγωγῶ· πρὸς τὸ δημαγωγεῖν ἐλθόντος Περικλέους 27, 1; διετέλουν οἱ ἐπιεικεῖς δημαγωγοῦντες 26, 5; τοὺς προθύμους δημαγωγοῦντας 28, 3
 Δημάρετος 38, 11
 * δῆμαρχος 21, 19; δῆμαρχος, εἰς Πειραιέα 54, 34
 δημενομένων, τὰς ἀπογραφὰς τῶν 43, 20
 δημηγορῶν 15, 20; ἐδημηγόρησε 28, 18
 δῆμος 45, 3
 δημουργοί 13, 9
 δημοκρατία 23, 2; 29, 2, 5, 18; 38, 30; 40, 13; 41, 13, 21
 δῆμος· (1) *ραγίς*, τὸ ὄνομα τοῦ δήμου 63, 19; ἐκ τοῦ δ. τῶν Παιανιῶν 14, 26; ἐπώλων οἱ δῆμοι 62, 4; δῆμων 21, 16, 21; τῶν δ. ἀναγορευῶσιν 21, 18; καλοῦσιν τῶν δ. 21, 19; πόθεν τῶν δ. 55, 13, 15; δῆμος ἀντὶ τῶν ναυκραριῶν 21, 20; κατὰ δῆμον 21, 12; 48, 24; οἱ κατὰ δ. δικασταὶ 16, 3; 26, 21; 53, 3; διηροῦντο εἰς τοὺς δ. 62, 3
 (2) *ροβίλις*, 12, 4, 11, 29, 49, 57

- (Solon). 5, 2; 6, 1; 9, 12; 11, 10; 15, 14, 16; 18, 29; 20, 4, 13, 16, 17; 21, 1; 25, 1, 10; 29, 10; 34, 1, 7, 19, 26; 35, 19; 36, 6; 38, 17, 20, 28; 41, 2, 4, 5, 25—7; 42, 2, 31; 43, 12, 28. (= ἐκκλησία) 44, 8, 45; 22; 46, 3, 9, 21; 56, 23; 57, 3. δῆμον προστάτης 2, 9; 23; 13; 25, 4. θαρροῦντος τοῦ δ. 22, 12; τῆ εὐθυαίας τοῦ δ. πρᾶβητη 2, 19; τοῦ δ. καὶ τῶν ἐυπόρων 26, 11; Περικλῆς προεστῆκε τοῦ δ. 28, 1; τοῦ δ. προσεστῆκει Ξάνθιππος 28, 10. ἐπαναστὰς τῷ δῆμῳ 14, 6; τῷ δ. διανεύσασθαι 22, 31; ἐν τῷ δ. 25, 22. οὐρέεσσε τὸν δῆμον 14, 3; *pl.* οἱ δῆμοι κρατήσαντες 40, 24.
- δημόσιος, ὁ 47, 31; 48, 4. ἴδιος and δημόσιος 6, 4; 43, 27; 48, 25; 59, 16. δημοσία σφραγίς 44, 5; τὸ δημόσιον 63, 12; δημόσιοι ἐργάται 54, 2; ὑπηρέται 50, 14; τὰ δόξαντα δημόσια εἶνα 52, 7. δημοσία 49, 28; col. 32, 14, 19.
- δημότης 21, 16; 22, 22; 27, 14; 42, 3, 5; 9, 11, 13; 59, 12; 62, 5.
- δημοτικός· τῷ ἦθει 16, 30; δημοτικὴν—πολιτείαν 29, 19; δημοτικά 10, 1; δημοτικώτερα 22, 1; 27, 3; 41, 15; δημοτικώτατος 13, 20; 14, 1; τρία—δημοτικώτατα 9, 2. οἱ δημοτικοί 6, 8, 13; 16, 36; 18, 30; 34, 18.
- διά· *c. gen.* (1) duration of time, διά βίου 3, 3, 39. (2) interval of time, διά τῶν αὐτῶν χρόνων 13, 6; adverbial *διά τάχους* 34, 1 (διά ταχέων in *Rhet.* 1386 ὁ 1 &c). (3) agent, δι' Ἀριστοδίκου 25, 24; τῶν φίλων 6, 8; δι' αὐτῶν 33, 12; ἐαυτῶν 35, 7; αὐτοῦ 41, 5. (4) means, διὰ τούτων 25, 1; δι' ὧν 25, 9. (5) distributive possession, ἡ γῆ δι' ὀλίγων ἦν 2, 6; 4, 29; ἐὰν δι' ὀλίγων ποιήσονται τὴν πολιτείαν 29, 9.
- c. acc.* (1) *personae*, δι' ὧν 22, 16; διὰ Πανσανίαν 23, 20; τοὺς δημαγωγούοντας 26, 3; τοὺς δημαγωγούς 41, 9; τοὺς παροργισάντας 34, 7; (2) *rei*, διὰ τοῦτο 21, 8; ταῦτα 38, 31; τοιανδ' αἰτίαν 19, 8; ταύτην τὴν αἰτίαν 23, 8; ταύτας τὰς αἰτίας 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 παρρησίαν 16, 23; τὸ πλῆθος τῶν πολιτῶν 26, 21; τὴν βραθυμίαν 8, 28; τὴν σεισάχθειαν 12, 27; τὴν συμμαχίαν 29, 4; τὴν Ξέρξου στρατείαν 22, 40; τὴν φιλονικίαν 13, 16; τὸν φόβον 13, 23. *c. inf.* διὰ τὸ ἀνηρηκεῖναι 19, 2; ἀποβαλεῖν Πύλον 27, 26; βοηθῆσαι 19, 28; γενέσθαι 3, 7; δοκεῖν 20, 7; 11, 9; θανατοῦσαι 16, 19; μεγάλην γεγονέναι μεταβολὴν 13, 15; μὴ βούλεσθαι 15, 3; μὴ γεγράφθαι 9, 7; μὴ
- δύνασθαι 9, 12; μὴ χρῆσθαι 22, 3; νομίζειν 29, 8; ποιήσασθαι 41, 4; στασιάζειν 13, 8; συμβῆναι 28, 33; τιμωρεῖν 19, 2.
- διαβάλλειν 6, 5; διαβάλλουσι 28, 36; διαβεβλημένους 23, 20.
- *διαβουλεύσαι, (κατελύθη) ἡ βουλή πρην, 32, 4.
- διαγιγνώμει· διαγεγνηται (ἡ πολιτεία) μέχρι τῆς νῦν *c. part.* 41, 23.
- διάγω· διήγον ἐν ἡσυχίᾳ 13, 3; οὗτως διάγουσι 42, 29.
- διαδέχομαι· διαδεξαμένον (?) τῶν υἱέων 16, 28 (cf. *Pol.* 1293 a 29 τῶν τελευταύτων διαδέχεσθαι τοὺς υἱεῖς); διεδέχοντο συνεχῶς τὴν δημαγωγίαν 28, 26.
- διαδίδωμι· παρῆσασα δραχμὰς ἐκάστῳ ὀκτὼ διέδωκε 23, 7; (διωβελια) διεδίδωτο (?) 28, 21.
- διαδικάζει τοῖς γένεσι—τὰς ἀμφισβητήσεις 57, 10 (only in corresp. frag. and *Oec.* 1347 ὁ 28).
- *διαδικασία· ἐπιτροπῆς 56, 38; *pl.* κλήρων καὶ ἐπικληρίων 56, 39; (τριπραρχῶν) 61, 9.
- *διαίρετοι, ἀμφορεῖς col. 36, 5.
- διαίρω· 'divide', τὰ τιμήματα διείλεν εἰς τέτταρα τέλη 7, 9; διήρητο 7, 9; διηροῦντο εἰς τοὺς δήμους 62, 3; διελόμενοι τὰς φυλάς, πέντε ἐκάστῳ 61, 20; 'distinguish' τοῖς μέτροις διηρησθαι 7, 26.
- διαίτας ἀποφαίνονται 55, 29; διανεμοῦσι 53, 28; ἐκδιαιτῶν 53, 29.
- διαιτηταί· 53, 6; 55, 29; 58, 8; ἐξηκοστὸν ἔτος 53, 19; διαιτητοῦ γνώσις 53, 12; παρὰ τοῦ δ. 53, 18.
- *διαιω· διαιτῆσει 53, 28; ἐπώνυμος ὁ—δεδιαιτηκῶς 53, 24.
- [διάκ]ενα col. 36, 27.
- *διακληροῦσι 50, 8; διακληρώσαι 30, 18 (decree).
- διάκοι 20, 22 (scolium).
- διακόσιοι 24, 14; ἓνα καὶ διακοσίους (δικαστάς) 53, 15; διακόσια (μέτρα) 7, 27.
- 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.
- *διαλλακτῆν Σόλωνα, εἴλοντο 5, 4; τῶν (ἐκ Λακεδαιμόνος) δέκα διαλλακτῶν 38, 26.
- διαλύσεις (ἐπ' Εὐκλείδου) 38, 20, 25; 39, 1; 40, 1.
- διαλύω τοὺς διαφορομένους 16, 14; διαλύσαι 53, 7; διελύθησαν—πρὸς τοὺς Ἐλευσίην 40, 25.
- διαμαρτάνω τῆς πρὸς αὐτὸν φιλίας 18, 9.
- διαμένει τὸ δέκα κληροῦν 8, 4; ἐν τῇ ἀρχῇ διεμεινεν 17, 4; διεμεινεν ἡ πολιτεία 25, 2; 33, 1.

διαμφισβητεῖ, ὑπὲρ ἀμφοτέρων μάχεται
καὶ 5, 20
διαμφισβητήσεις εἶχον, τῶν Σόλωνος θεσμῶν
οἷοι 35, 11
διανέμω διανεμόμενος—τὰς διαίτας 53, 27;
διανεμάντων 31, 20 (decree); διένειμε
τὴν χώραν τριάκοντα μέρη 21, 12; δια-
νεύμαι σφᾶς τε αὐτοὺς καὶ τοὺς ἄλλους
δέκα μέρη 30, 17 (decree); διανείμαντα
(τὰς δίκας) δέκα μέρη 58, 6. διανείμασ-
θαι τὴν γῆν 12, 15; τὸ ἀργύριον 22, 31
διαπέμω διεπέμποντο πρὸς τοὺς ἐν Πειραιεὶ
38, 23
διαπεσόντος (?), χρόνου 35, 25
διαπραξάμενος, ταῦτα 20, 9
δια[ριθμοῦσιν] col. 36, 29
διαρπάξειν, τὰς οὐσίας 35, 25
**διαρρῶ· ἐπίθημα διερρυνημένον col. 36,
8
διασεισάντος τοῦ ὑπηρετοῦ col. 31, 8
διασημαίνω διεσημῆναι 15, 22
διασπείρω· διεσπαρμένοι κατὰ τὴν χώραν
16, 8; διεσπάρθησαν οἱ λόγοι πρὸς τὸ
πλήθος 36, 4
*διασφάλλωμαι· ἐν—οἷς ἔπραττον διεσφά-
λονται 19, 11
διασφίξειν ἐπεριώρνω τὸν δῆμον 34, 18
διατάττουσι (τοὺς στρατηγούς) 61, 3; διέ-
ταξε τὴν πολιτείαν 7, 7; τὴν πολιτείαν
διέταξαν 29, 28; διατάξας 11, 1; δια-
τάξασα 8, 11
διατελοῦσιν, χρώμενοι 8, 6; διετέλουν
νοσοῦντες 13, 12; διετέλουν—δημαγω-
γοῦντες 28, 4; στασιάζοντες διετέλεσαν
20, 19
διατηρεῖν τοὺς νόμους 3, 34; διετηρεῖ τὰς
ἀρχὰς 4, 30; τὰ μέγιστα τῶν πολιτικῶν
8, 22
διατίθησιν, ἀγῶνα 57, 7; 58, 2
διατρίβω· *c. part.* διέτριβε δημηγορῶν 15,
20. οὐ διέτριβεν 25, 16; διατρίβουσιν
ἐν τῷ ἄστει 16, 8; διατρίβουσιν ἐν τοῖς
φυλακτηρίοις 42, 33
διαφάδην 12, 57 (Solon)
διαφέρων, δικαιοσύνη τῶν καθ' ἑαυτὸν 23,
15; συνέσει καὶ γνώμῃ διαφέρειν 32,
11. διαφερόμενοι πρὸς ἀλλήλους 23,
17; τοὺς διαφορομένους 16, 15
διαφθείρασι ('corrupt') τὸν δῆμον 28, 16.
(2) 'kill', Θνηραμένην διαφθείρασι 37, 4;
διέφθειρεν αὐτὸν 18, 38
διάφορος *c. dat.* 11, 8
διαφυλάττω· τὴν δημοκρατίαν 29, 2
διαχειρίζωσι—χρήματα 30, 14 (decree);
cf. 43, 13, and *Pol.* 1322 b 28
*διαχειροτονοῦσιν 49, 17
*διαψηφίζεσθαι 55, 25; col. 36, 10; δια-
ψηφίζονται 42, 4; διαψηφίσασθαι col.
36, 13
*διαψηφισμός 13, 24
διδάσκαλοι (ἐφήβων) 42, 22
διδάσκουσιν 42, 24
*δίδραχμον 10, 7; *Oec.* 1353 a 17

δίδωμι· δίδοναι τοῖς πολλοῖς τὰ αὐτῶν 27,
21; δίδοναι δημοσίᾳ τροφήν 49, 28;
δίδωσι—εἰς τροφήν 42, 24; δίδωσιν ἐπι-
χειροτολίαν—ψῆφον 55, 22 f; δίκην (42,
34), ἐπιχειροτολίαν (43, 24), εὐθύνας (56,
4) δίδασιν; οὐδεμίαν ἑαυτῷ πλεονεξίαν
διδούς 16, 32; δοῦναι τὴν δεξιάν and τὴν
δεξιάν δέδωκεν 18, 35 f; δοῦναι τὰ ἑαυ-
τοῦ 35, 14; δοῦναι ταῖς ἀρχαῖς (τὰ δι-
καστήρια) 59, 2; (φάρμακον) δοῦς 57, 16;
δοῦς κατηγορίαν καὶ ἀπολογία 55, 21
*διεγγυᾶσθαι 4, 10
διελθεῖν (?) 4, 16; χρόνου διελθόντος 4, 2;
διελθόντων—ἐτῶν 42, 36
δικάζω· of the officials presiding at a
trial, (οἱ εἰσαγωγεῖς) ταύτας δικάζουσιν
57, 17, 21, 23—26, 30; 59, 2; ἐμμή-
νονος εἰσάγοντες 52, 17; *cf.* 57, 27 and
30. *Abs.* 63, 11, 13. κατὰ δήμου
ἐδίκαζον 53, 3; τοῖς τὴν φυλὴν—δικά-
ζουσιν 53, 14; 58, 7; δεδικασμένα col.
37, 5
δικαίος πρὸς τὴν πολιτείαν 25, 5; οὐ—δι-
καίον 9, 13; 11, 64; δικαίος (μέτρος
καὶ σταθμοῖς) 51, 7. *Adv.* δικαίως
λαβεῖν τὴν ἐξουσίαν 41, 4; ἐγγράφασθαι
42, 10; ὥνιος ἔσται 51, 11; ἀρξεν 55
31
δικαιοσύνη—διαφέρειν 23, 15
δικαστήρια (under Solon) 7, 15; 9, 5, 10;
(Ephialtes) 25, 10; (Pericles) μισθο-
φόρα 27, 11; (Anytus) δεκάσας τὸ δι-
καστήριον 27, 27. εἰσάγειν οἱ δικαστή-
ριον (29, 26), εἰς τὸ δ. 45, 10; 48, 26;
52, 4, 6, 19. ἐφήσιν (ἐφή 53, 9) εἰς τὸ
δ. 42, 8; ἐφέσιμος εἰς τὸ δ. 45, 14;
ἐφεσις εἰς τὸ δ. 45, 16, 19; 55, 11. ἐν
δικαστηρίῳ 55, 7, 10; ἐν τῷ δ. 47, 22;
48, 18; 55, 22; 56, 3; 61, 12. τὸ δ.
63, 17; τὰ δ. 63, 23; προγράψαι 59, 1.
δ. ἴδια καὶ δημόσια 59, 15. τὰ δ. τρεῖς
ὄβολοὺς (μισθοφορεῖ) 62, 7; τὰ δ. κλη-
ροῦσιν οἱ ἐννέα ἀρχοντες 63, 1; εἰσοδοὶ
εἰς τὰ δ. (?) 63, 3
δικαστής, ἕκαστος, 63, 18; δικασταί—
ἐξακισχίλιοι 24, 12; κατὰ δήμου 16,
13; 48, 24; 8 τι ἂν γνώωσι οἱ δικασταί
48, 27; ἂν καταγνώσω οἱ δικασταί 54,
9; 63, 14; ἐπὶ τοῖς δικασταῖς 55, 20;
τῶν λαχόντων δικαστῶν 63, 6; δικαστὰς
κληροῦσι 59, 18
δίκη· Solon in *c.* 12, ἐν δίκῃ χρόνον 1, 30;
βίαν τε καὶ δίκην 1, 43; εὐθείαν δίκην
1, 46.
δίκην δίδασιν—λαμβάνουσιν 42, 34;
δίκας λαγχάνουσιν 53, 2; δίκαι λαγχά-
νονται πρὸς αὐτὸν 58, 4; δίκαι κρίνειν 3,
32
δίκαι· αἰκεῖα 52, 15; ἀνδραπόδων 52,
16; ἀποστασίον, ἀπροστασίον, 58, 9;
εἰς δατητῶν αἰρεσιν 56, 36; εἰς ἐπιτρο-
πῆς διαδικασίαν 56, 38; εἰς ἐπιτροπῆς
κατάστασιν 56, 37; δοῦλον ἐάν τις τὸν

- ἐλεύθερον κακῶς λέγει, 59, 14; ἔμμηροι 52, 11—20; ἐμπορικά 59, 14; ἐραρικά 52, 15; ἴδια 58, 5; 59, 13; κλήρων καὶ ἐπικλήρων 43, 21; 56, 39; 58, 9; κωνωνικά 52, 15; μεταλλικά 59, 14; παρανομία 56, 35; προικός 52, 12; ἀπὸ τῶν συμβόλων 59, 17; τραπεζιτικά 52, 16; τριηραρχίας 52, 16; ὑπογίγων 52, 16; (ψευδομαρτυριῶν) col. 36, 11—13; τὰ ψευδομαρτυρία τὰ ἐξ' Ἀρείου πάγου 59, 17. For δίκαι ἀδικίου, κακώσεως, κλοπῆς (δημοσίων χρημάτων), πυρκαϊᾶς, τραύματος, φόνου, see γραφαί
- δίμηνον ἦρξεν 33, 2
- διὸ καὶ 3, 17, 21, 38; 5, 19; 8, 16; 16, 13, 20, 34; 17, 4; 20, 21; 23, 15, 20; 27, 20; διὸ καὶ νῦν 7, 29
- διοικεῖν, μηδὲν τῶν πατρίων τὸν ἄρχοντα, 3, 16; πάντα, 16, 31; 44, 12; τὴν πολιτείαν, 27, 11. διοικεῖ—ἀγῶνα 56, 27; τὰς πατριῶς θυσίας 57, 9. διοικουσί, πεντητηρίδας 54, 28; πομπὴν 60, 4. διώκει τὰ πλεῖστα καὶ τὰ μέγιστα 3, 35; τὰ κοινὰ 14, 17; τὰ κατὰ τὴν πόλιν 16, 2; τὴν πόλιν 23, 3. τὰ ἄλλα πάντα διώκουν 26, 12. διώκῃσαν, τειχῶν ἀνοικοδόμησιν 23, 17. πάντα διοικεῖται ψηφισμασι καὶ δικαστηρίοι 41, 25; τὰ ὑπὸ τῆς βουλῆς διοικούμενα 50, 1; περὶ τῶν δικημένων 25, 7
- διοικήσεις ἀπὸ τῶν κοινῶν 24, 21; ἐγκύκλιος 43, 1
- Διονύσια 56, 11, 12, 28; Δ. τῶν μεγάλων 56, 22; τῶν ἐπὶ Ἀθῆναι 57, 4; in Samos and Peiraeus 54, 35
- Διώνυσος 3, 26
- διπλοῦν—καταβάλλειν 49, 5
- διπλοῦται 54, 12
- dis τὸν αὐτὸν μὴ ἄρχειν 4, 15; οὐκ ἔστιν (ἐπιστάτην) dis τὸν αὐτὸν γενέσθαι 44, 3; ἔξεστι βουλευσάσαι dis 62, 19
- *δισμύριοι 24, 12
- *δισχιλίοι 24, 18; ἀπὸ τοῦ κυάμου 24, 20; δισχιλίου 26, 10
- Δίφιλος 7, 21, 23
- *δίχους col. 34, 33 f
- διωβελία 28, 20 (διωβολία Pol. 1267 b 2)
- *διώβολον 41, 34
- διώκειν, 'prosecute,' 56, 31; τοῦ διώκοντος, 'the plaintiff,' 53, 11; col. 36, 32. διώκειν τὴν μέσσην πολιτείαν 13, 18; τὴν πατριον πολιτείαν 35, 9
- δῶγμα· οὐδενὶ δῶγματι λαβούσα τὴν ἡγεμονίαν 23, 4
- δοκιμάζει (ἢ βουλή) τοὺς ἐγγραφεύτας 42, 12; —βουλευτάς 45, 17; —θ' ἄρχοντας 45, 17; —ἵππους, προδρόμους, ἀμύππους, 49, 1, 5, 7; —ἀδυνάτους 49, 25, 27. δοκιμάζωσιν (τοὺς ἄρχοντας) 55, 13; δοκιμάζονται (οἱ ἄρχοντες) 55, 6; (οἱ πάρεδροι) 55, 3. δοκιμασθέντες (οἱ ἄρχοντες) 55, 27; (οἱ ἀθλοθέται) 60, 3; δοκιμασθῶσιν οἱ ἐφηβοὶ 42, 14
- δοκιμασίας ταῖς ἀρχαῖς ἀπάσαις, εἰσάγουσιν (οἱ θεσμοθέται) 59, 11
- δοκῶ *passim*. c. *inf.* 6, 12; 9, 2; 10, 1; 20, 7; 22, 17; 25, 5; 28, 35 &c. τὰ δόξαντα περὶ τῆς πολιτείας 35; 3
- δολοφονηθεὶς 25, 24. δολοφονηθέντος Διομήδους, de *Admir.* 836 a 16; δολοφονία *Eth.* 1131 a 7
- δόξαν, παρὰ 11, 10; τῇ φύσει καὶ τῇ δόξει 5, 12; διὰ τὰς πατρικὰς δόξας 26, 9
- δῶρον 42, 31
- δορυφόροι (of Hippias) 18, 22
- δουλεῖν 2, 11; ἐδούλευον οἱ πένητες τοῖς πλουσίοι 2, 3; τῶν πολλῶν δουλευόντων τοῖς ὀλίγοις 5, 2; cf. 12, 26. Γῆ — δουλεύουσα 12, 34 (Solon)
- δοῦλων δίκαι 59, 4; φανερώς δοῦλοι 40, 10
- Δρακοντίδης 34, 27
- Δράκων 3, 1; 4, 3; 7, 2; 41, 11
- *δραχμῆ 3, 19; 10, 6; 23, 7; 42, 25; 50, 7; 62, 7, 12, 14. ἐπὶ δραχμῇ 52, 13. μέχρι δέκα δραχμῶν 52, 19; 53, 5. Omitted ἐντὸς χιλίων—ὑπὲρ χιλίας 50, 15 f. (συναλλάγματα) δραχμαῖα καὶ πεντάδραχμα Pol. 1300 b 33
- *δρύφακτος 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); μέγιστην εἶχεν 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 9, 12; μὴ δ. τῷ σώματι ἵππευεν ἢ τῇ οὐσίᾳ 49, 16; particip. 7, 19; 49, 3; ἐδύναντο 18, 25; 19, 9; δύνωνται διαλύσασαι 53, 7
- δυναστείαν, καταλύσῃ τὴν (of the Thirty) 36, 6
- δυνατός, καθ' ὅσον ἦν 14, 14; μὴ δυνατοὺς εἶναι τοῖς σώμασιν ἵππευεν 49, 14; τοῖς δυνατωτάτοις καὶ τοῖς σώμασιν καὶ τοῖς χρήμασιν λητουργεῖν 29, 34 (decree)
- δύο 4, 19; 13, 7, 9; 20, 14; 22, 11; τὰ δύο μέρη 51, 17. *gen.* τῶν δυνεὶν ἐτῶν 42, 37; δυνεὶν δραχμαῖν 50, 7; δυοῖν χάριν 16, 7. *dat.* δυοῖν φυλαῖν 52, 12; 56, 13; πρὸς τοῖν δυοῖν ὀβολοῦ 28, 32. Cf. Kühner, ed. Blass, i p. 633
- δυσκολίας, τὰς παρούσας 35, 15
- δυσχεραίνοντες, τῇ πολιτείᾳ 13, 15 (οἱ ἐν τῇ πολιτείᾳ δυσχεράναντες Pol. 1306 b 4); ἐπὶ τοῖς ἄλλοις ἐδυσχεράνων 2, 12.
- δώδεκα 8, 13; 21, 9
- δωδεκάτην, ἔτει 22, 10
- δωρεῶν οὐκ ἔστιν αὐτοῖς λαβεῖν 46, 6; δωρεῶν 3, 13
- *δωροξενίας γραφῆ 59, 8
- δῶρα δούς 59, 9; λαβόντα 54, 8; μὴ ληψέσθαι 55, 3. δῶρων γραφῆ 59, 9; δῶρων τιμῶσιν 54, 9

ἐὰν 7, 6; 16, 42 (law); 17, 7; 22, 34 &c. Cf. ἄν
 ἐαυτοῦ, αὐτοῦ, *passim*. νοσοῦντες τὰ πρὸς ἐαυτούς (= ἀλλήλους) 13, 12
 ἔβδομηκοῦτα 10, 6
 ἔβδομος 15, 2
 ἐγγίγνεται 54, 32
 ἐγγραφή τῶν πολιτῶν 42, 38
 ἐγγράφονται—ἐὺς τοὺς δημότας 42, 3, 4; ἐγγράφειν 42, 11; ἐγγράψαντας 42, 13; δικαίως ἐγγράφασθαι 42, 10; τοὺς ἐγγραφέντας 42, 12; οἱ δ' ἔφηβοι οἱ ἐγγραφόμενοι — ἐὺς λελευκωμένα γραμματεία ἐνεγράφοντο, — ἐνεγράφησαν 53, 22 f. (ἱππέας) ἐγγράφουσα ἐὺς τὸν πίνακα 49, 18; (ἱππέας) ἐγγεγραμμένων 49, 13. τῶν ἐγγεγραμμένων (ἐὺς τὸν τῶν τρισηχίλων κατάλογον) 36, 15.
 ἐπίτροπον ἐγγράψαι 56, 39. κἄν τις ἐλλίπη καταβολήν, ἐνταῦθ' ἐγγέγραπται 48, 5; (cf. πράξεις τῶν προτιθεμένων κατὰ τὰς ἐγγραφὰς *Pol.* 1322 a).
 ἐγγυηταὶ 4, 12
 ἐγκαλῆ, ὅ τι ἂν 48, 22; οὐδεὶς οὐδὲν ἐνεκάλεσεν αὐτοῖς 38, 30
 *ἐγκατεγήρασε τῆ ἀρχῇ 17, 1
 ἐγκρατέστερον ἔσχον, τὴν πᾶσιν 35, 22 (cf. ἐγκρατῶς ἔσχον τὴν ἀρχήν *Pol.* 1284 a 40).
 ἐγκύκλιον (ἀρχαί) 26, 18; τὰς ἀρχὰς τὰς περὶ τὴν ἐγκύκλιον διοικήσιν 43, 1
 ἐγγχει 22, 22 (scolium)
 *ἐγγχειρία 18, 27
 ἔδρα βουλῆς ἢ ἐκκλησίας 4, 17; τὰς ἔδρας — τῆς βουλῆς 30, 24
 ἔερδον 12, 23 (Solon)
 ἐθέλω *passim*; in pap. saepe θέλω. μὴ 'θέλουσι 49, 3; μὴ 'θέλη 56, 37. οἱ ἐθέλοντες Ἀθηναῖοι 29, 24 (decree)
 εἰ μὴ τι παρεωράτο 26, 18; εἰ μὴ — ἀποδιοῖεν 2, 7; εἰ — ἐκλείποι 4, 17; εἰ δὲ μὴ, after ἐὰν μὲν, 22, 35 &c; after κἄν μὲν, 52, 5. εἰ — ἢ (= πότερον — ἢ) 43, 23
 εἰκός 6, 13; 9, 12 &c.
 εἴκοσι 17, 4; 24, 19; 29, 11; 30, 10
 εἰκών 7, 21
 εἰμί *passim*. εἶη 14, 9. ἐπὶ τῶν ἰδίων εἶναι 15, 25; πρὸς τοὺς ἰδῖους ὄντες 16, 9. τὸ νῦν εἶναι 31, 9 (decree)
 εἰπεῖν 2, 12; 14, 9; ὡς εἰπεῖν 2, 12; ὡς ἔπος εἰπεῖν 49, 31; 57, 8. ἂν — εἰποι 7, 30; εἰπῶν 10, 5; Περικλέους εἰπόντος 26, 22; εἰπόντος τὸν πρὸ τοῦ ψηφίσματος λόγον Μηλοβίου 29, 6. εἶπα 12, 22 (Solon). Cf. εἰρηται
 εἰργεσθαι τῶν νομίμων 57, 13; εἰργεταὶ τῶν ἱερῶν 57, 28
 εἰρήνην ἀγειν 34, 9; παρεσκεύαζεν εἰρ. 16, 26; ἐπὶ πέρασ ἤγαγε τὴν εἰρήνην 38, 25. τῆς εἰρ. γενομένης αὐτοῖς 34, 17
 εἰρηται, καθάπερ 4, 24; ὥσπερ 16, 3; ὄνπερ εἰρηται τρόπον 11, 2. τῆς ἡλικίας

τῆς εἰρημένης 30, 15 (decree); εἰρημένους ὡς οἱ Λόγοι col. 35, 30. Cf. εἰπεῖν
 εἰς' (1) of place, εἰς Ἀλγυπτον 11, 5; εἰς Πειραιεά, εἰς ἄστυ, 51, 1 f; ἢ εἰς τὸ δικαστήριον ἔφεσιν 9, 5
 (2) of time, εἰς ἐνιαυτὸν 30, 19 (decree); τρία ἔτη 47, 12; ἑκατὸν ἔτη 7, 7; τὸν μέλλοντα χρόνον 31, 1; and (in decrees) τὸν λοιπὸν χρ. 30, 15; τὸν ἄλλον χρ. 31, 18. ἐκ Παναθηναίων εἰς Παναθηναία 43, 4.
 (3) of measure, or limit, εἰς ἑπτακοσίους ἄνδρας 24, 16
 (4) of relation τὸ, ἧδον — εἰς τοῦτον 20, 21. τὰ εἰς τὸν πόλεμον 23, 10
 εἰς *passim*. — ὁ μὲν εἰς — ὁ δ' ἕτερος 37, 6 f; ἐνὸς δεῖν 19, 39; 27, 27; ἐνὸς δέοντα 17, 4; ἔνα 4, 14; μία 13, 17; μίαν 4, 19
 *εἰσαγγεῖλαι. Σόλωνος θέντος νόμον εἰσαγγεῖλαι 8, 26; *pl.* 29, 23; 43, 19; 59, 4
 εἰσαγγέλλειν, πρὸς τὴν τῶν Ἀρεοπαγιτῶν βουλῆν 4, 22; εἰς τοὺς διαιτητὰς 53, 32; (οἱ θεσμοθέται) τὰς εἰσαγγεῖλαι εἰσαγγέλλουσα ἐὺς τὸν δῆμιον 59, 4; ἔξεστι καὶ τοῖς ἰδιώταις εἰσαγγέλλειν ἢ ἂν βούλωνται τῶν ἀρχῶν μὴ χρῆσθαι τοῖς νόμοις 45, 14 (not found in Ar. in technical sense)
 εἰσάγω' εἰς δικαστήριον 29, 26 (decree). εἰς τὸ δικαστήριον 45, 10 (law); 48, 26; 52, 4, 6; 53, 15; 54, 6; 56, 30, 42; 63, 14. δίκας 52, 12, 17; 58, 8; 59, 13, 17. διαδικασίας 61, 6. δοκιμασίας 59, 11. ἐνδείξεις 52, 8, 9. προσβολὰς κτλ 59, 5. τοῖς δικασταῖς τοῖς τὴν φυλὴν—εἰσάγουσιν 48, 25.
 *εἰσαγωγῆς 52, 11
 *εἰσελαύνω' ἐφ' ἄρματος εἰσήλανε 14, 29
 εἰσέρχομαι' εἰς τὴν ἀρχὴν εἰσέρχονται 55, 35; εἰσελθεῖν εἰς τὴν ἀρχὴν 56, 6. εἰσελθόντες εἰς τὸ βουλευτήριον 32, 13. εἰσελθεῖν εἰς τὸ δικαστήριον col. 32, 6; εἰσὶν (εἰς δικαστήριον) col. 31, 33; col. 32, 7. εἰσελθεῖν εἰς τὸ λέρων 57, 29. *Ads.* εὐθὺς εἰσελθὼν 56, 5; εἰσῆσαν and εἰσιέναι 32, 5 f. τὸν εἰσιόντα ἐνιαυτὸν 31, 13 (decree)
 εἰσηγήσατο, ὥσπερ Ἀριστείδης 24, 10
 *εἰσηγητής 27, 20
 εἰσοδος, εἰς τὰ δικαστήρια (?) 63, 3, 7; δικαστήριον col. 32, 10
 *εἰσπράττειν 8, 17; 48, 6; 60, 8; ἐπιτρόπους—εἰσπράττει 56, 46
 εἰσφέρει—τὰς μισθώσεις 47, 26. εἰσφέρουσι γράψαντες ἐν σανίδι 48, 9; τὸν κατάλογον εἰς τὴν βουλῆν 49, 11. νόμους εἰσηγεγαν εἰς τὴν βουλῆν 37, 5. εἰσφέρεται—εἰς τὴν βουλῆν τὰ γραμματεία 47, 30
 εἰσφορά 8, 15
 εἶτα' εἶτ' 8, 4; 22, 34. πρῶτον μὲν—εἶτ' 42, 20; πρῶτον μὲν—ἔπειτα—εἶθ' 62, 6—9.

εἰωθεν 28, 24; εἰώθασιν 40, 4; τῆ εἰω-
θιᾶ—πράττει 22, 19
ἐκ' (1) place, ἐξ Ἄργους 17, 12; 'out of'
ἐκ τούτων 8, 4; ἐκ τῆς φυλῆς ἐκάστης 8,
12 &c.; πρῶτος ἦρξεν ἐξ αὐτῶν 26, 16;
ἐκ καταλόγου 26, 8. (2) origin, ἐκ τῆς
γαμετῆς 17, 10. *ἐκ (= ὑπὸ) τῶν ἄλλων*
ὁμολογεῖται 5, 13. (3) inference, ἐκ τῶν
νῦν γυγνομένων, ἐκ τῆς ἄλλης πολιτείας,
θεωρεῖν 9, 13. (4) time, ἐξ ἀρχῆς
(= ἐν ἀρχῇ) 16, 1; 28, 5; 41, 7; 55, 3;
ἐξ ὑπαρχῆς, *denno*, 4, 16 (*Pol.* 1293 a 2,
iniūto); ἐξ οὗ 60, 12; ἐκ Παναθηναίων
eis II. 43, 4
ἐκαστος ἕκαστον 11, 6. ἐκάστη—τῶν
φυλῶν 8, 2.
The art. generally added, but some-
times omitted—ἐκάστη τῆ ἡμέρα 43,
15; τῆς ἡμέρας ἐκάστης 62, 15. τῆς
πρυτανείας ἐκάστης 43, 14; κατὰ τὴν
πρ. ἐκάστην 61, 11; κατὰ πρ. ἐκάστην
47, 18. ἐκ τῆς φυλῆς ἐκάστης 8, 12;
29, 37; 44, 8; 53, 1; τῆς φ. ἐκάστης
48, 17; col. 32, 20; ἀπὸ <τῆς> φ.
ἐκάστης 43, 6; ἀφ' ἐκάστης τῆς φ. 61,
2; ἕνα τῆς φυλῆς ἐκάστης 42, 18; 48,
15; 56, 25; 60, 3; 61, 17; ἐξ ἐκάστης
τῆς φ. 22, 9; ἐξ ἐκάστης <τῆς> φ. 55,
5; ἐκατὸν ἐξ ἐκάστης φ. 8, 19. ἐκάστη
τῆ φυλῆ 58, 7; τῆ φ. ἐκάστη 63, 3, 4,
5. καθ' ἐκάστην τὴν φ. col. 31, 2
Art. without ἕκαστος: δύο ὄβολοὺς
ἐκάστῳ τῆς ἡμέρας 49, 28 (law); τρεῖς
ὄβολοὺς ἕκαστον τῆς ἡμέρας 29, 32;
δραχμὴν τῆς ἡμέρας 62, 12. ἅπαξ ἐν
τῷ ἐνιαυτῷ 44, 14. εἰς ἐκ τῆς φυλῆς
47, 3, 8; ἕνα τῆς φυλῆς 61, 23.
Pl. 7, 14; 13, 25; 21, 24 &c.
ἐκάτερος *passim*. ἐκατέρου βιον 17, 8;
ἐφ' οἷς ἐκάτεροι τυγχάνουσιν ἔχοντες 32,
15; ἐφ' οἷς ἔχουσιν ἐκάτεροι 34, 8
ἐκατέρωθι 54, 35
Ἐκατομβαιῶν 62, 13
ἐκατὸν ἀρχηγετῶν 21, 25; ἐξ ἐκάστης
φυλῆς 8, 19 (cf. 21, 8); ἀνδρας, τοὺς
ἀναγράφοντας τὴν πολιτείαν 30, 3, 17;
31, 21; 32, 1. ἔτη 7, 7. μῶν 4, 9;
τάλαντα 22, 30; (δραχμαῖς) 10, 6
ἐκβάλλω—ἐξέβαλον (Πεισίστρατον) 14, 19;
πολλοὺς—ἐκβεβληκέναι 19, 3; ἐκ τῶν
τάφων ἐξεβλήθησαν 1, 2
ἐκβολή· τῶν τυράνων 20, 18
*ἐκδιαιτᾶν, διαίτας 53, 29
ἐκδικῶ 12, 36 (Solon)
ἐκεῖ 55, 34; pap. 19, 6
ἐκεῖθεν 15, 6
ἐκεῖνος 15, 20; 16, 40 &c.
ἐκεῖσε 19, 6
*ἐκθύματα (?) 54, 24
*ἐκκηρύξει 61, 15
ἐκκλησία, under Dracon, 4, 18; under
Solon, 7, 15. ἐκκλησίαι, esp. 43, 16 f.
ἐ. κυρία 43, 17; 62, 7. ἐλθὼν εἰς τὴν

ἐ. 35, 11. ἐ. ἐν τῷ θεάτρῳ 42, 30.
(ἀρχαιρεσίαι) ἐν τῇ ἐ. 44, 17. μισθο-
φόρον ἐκκλησίαν—ἀπέγνωσαν ποιεῖν,
and οὐ συλλεγομένων εἰς τὴν ἐ. 41, 30;
μισθοφοροῦσι—ταῖς ἐκκλησίαις 62, 6
ἐκκλησιάξει 15, 17
ἐκκομσάμενοι, τὰ αὐτῶν 19, 36
ἐκλείπει τὴν σύνοδον, εἰ δέ τις τῶν βουλευ-
τῶν 4, 18
*ἐκμαρτυρῶν (?) 7, 25
ἐκπέπω· Κλεομένην ἐξέπεψαν 19, 29;
ὅταν ἠλικίαν ἐκπέπωσι 53, 36; τοὺς
ἄλλους πρὸς τὰ παρόντα πράγματα ἐκ-
πέπουσιν 61, 10
ἐκπίπτω (τῆς ἀρχῆς)· ἐξέπεσε 15, 2; 19,
6; δτ' ἐκπέσοι 16, 35; ἐκπεσόντα 17,
17. ὡς ἐξέπεσον (ἐκ τῆς πόλεως) οἱ περὶ
τῶν Ἰσαγόραν 28, 9
*ἐκπολιρκῶ· ἐξεπολιρκήθησαν ὑπὸ τῶν
τυράνων 19, 13
ἔκρουν ἔχοντας, ὀχετοὺς μετεώρους εἰς τὴν
ὁδὸν 50, 12
*ἐκθύμοι, πελάται καὶ 2, 5
ἐκτίνω· εἶν—ἐκτίσῃ τις 54, 11: ἔως ἂν
ἐκτίσῃ 63, 16 ([*Ar.*] *Rhét. ad Alex.*
1444 b 2)
ἐκτίσει 8, 23
ἐκτός 22, 41 (ἐντός *ραβ.*)
ἐκτῷ ἔτει 14, 19; 26, 14
ἐκφανεῖν 12, 19 (Solon)
ἐκφέρειν, δόξειεν αὐτοῖς 36, 14; ἀνέγρα-
ψαν καὶ ἐξήνεγκαν 30, 4
ἐκῶν 27, 10
ἐλαίαν μορίαν 60, 11
ἐλαιον 60, 7 bis, 14, 23
ἐλαττον 4, 8; οὐκ ἐλάττω μοίραν 19, 24
ἐλαύνειν τὸ ἄγος 20, 7. ἤλασατε 5, 16
(Solon)
*ἐλεγείαν, ποιήσαντι τὴν 5, 6; cf. 5, 20
ἐλεύθερος 42, 7; ἂν τις τὸν ἐλεύθερον κακῶς
λέγῃ 59, 14. οὐσίαν—ἐλευθέρων 4, 6, 9
ἐλευθεροῦν τὰς Ἀθήνας 19, 22; τὸν δῆμον
ἠλευθέρωσε 6, 2; ἐλευθερωθέντων διὰ
τὴν σεωσάθειαν 12, 27
Ἐλευσίς 39, 3. Ἐλευσίην 39, 10, 17; 40,
26. Ἐλευσινῶθεν, Ἐλευσινάδε, 39, 6 f.
Ἐλευσίαια, πεντητηρίς, 54, 31. Ἐλευσι-
νίων 39, 13
ἐλκει—πινάκιον col. 31, 9; βάλανον col.
31, 26
ἐλλείπω· κἂν τις ἐλλίπῃ καταβολὴν—ἀνάγ-
κῃ τὸ ἐλλειφθὲν καταβάλλειν 48, 5 f
Ἐλληνας 23, 11
*ἐλληνοταμίαι 30, 9(?) and 13 (decree)
ἐλπιδ'—ἀφνεῖαν 12, 17 (Solon)
ἐμβάλλει (τὴν ψῆφον) col. 36, 20; εἰς ἐνέ-
βαλλε τὴν ψῆφον 55, 24. (b) ἐμβάλλει
τὸ πινάκιον col. 31, 29; ἐμβάλλωσιν—
τὰ πινάκια εἰς τὸ κιβώτιον col. 31, 4;
ἐμβάλλεται—τὰ πινάκια 63, 5. (c) βά-
λανοι εἰς τὴν ὑδρίαν ἐμβάλλονται 63, 8.
(d) ἐμβάλλει τοὺς κύβους col. 31, 17; ἐμ-
βάλλονται λευκοί (κύβοι) ib. 21. (e) ἐμ-

βαλόντες τὰς μαρτυρίας—εἰς ἐχίνους 53, 10; μαρτυρίας—εἰς τοὺς ἐχίνους ἐμβεβλημέναις 53, 18. *Mid.* εὐθύναν—ἐμββαλέσθαι 48, 20. *Intr.* εἰς τὴν ἀγοράν—ἐμβαλεῖν αὐτῷ 57, 28

* ἐμβιβάζω ἐνεβίβασεν 23, 7
ἐμμένειν, τοῖς ὄρκοις 40, 13; κἂν—ἐμμένωσι (τοῖς γνωσθεῖσι) 53, 8

* ἐμμηνοὶ δίκαι 52, 11—20
ἐμπηγῆναι τὰ πινάκια col. 31, 11; ἐμπηγῆναι
ἐμπήκτης col. 31, 11, 24
ἐμπορίαν, κατ' 11, 4
ἐμπορικῶν, δίκαις 59, 14
ἐμπορίου ἐπιμελητάς—τῶν ἐμπορίων ἐπιμελεῖσθαι 51, 15, 16

ἐμποροὶ 51, 17
ἐμφανῶν κατάστασις, εἰς 56, 38
ἐμφῶν 18, 3
ἐν *passim*. (1) of place, ἐν τῇ στοᾷ 7, 3; ἐν ὄπλοις ('under arms'), 31, 11 (decree); of trial before a court, ἐν τοῖς (ἐν Πειραιεῖ) 29, 23 (decree); with vb. of motion, τοὺς μύδρους ἐν τῷ πελάγει καθέσαν 23, 24. (2) of circumstances &c., ἐν τούτοις ὧν 19, 6; adverbial use, ἐν κόσμῳ 28, 18. (3) of time, ἐν ᾧ 15, 20; ἐν ('within') πέντε ἔτεσιν 47, 23.—ἐνὶ φρεσὶ 4, 15 (Solon)

* ἐναγῶν, εἶναι τῶν 20
* ἐναγίσματα 58, 4
ἐναντίον τι, *c. dat.* 37, 10; ἐναντιώτατα 36, 10
ἐναντίον τῆς βουλῆς 47, 6, 10, 14; 48, 3; and (in decree) 30, 28
ἐναντιωθέντες 36, 4; ἀμφοτέροις ἡναντιώθη 11, 13
ἐνδείκνυται 63, 13; ἐνεδείχθη 63, 17 (not in *Ar.* in technical sense)

* ἐνδείξιν—καὶ ἀπαγωγῆν 29, 26 (decree); *pl.* 52, 8, 9
ἐνδεκα, οἱ 7, 13; 29, 27; *esp.* 52, 1—10. τοῦ δεσμοκτηρίου φύλακας ἐνδεκα 35, 6

* ἐνδεκάτω—ἔτε 15, 8; ἐνδεκάτη 41, 5
ἐνδέχεται 17, 7
ἐνδημοὶ, ἀρχαὶ 24, 16
ἐνδοθεν 5, 7 (Solon)
ἐνδοξότατος 54, 16
ἐνδύω θώρακα ἐνδεδυκὸς 55, 32
ἐνεκα, τῆς ἀρχῆς 55, 32; γήρως <ἐνεκα> 35, 16
ἐνη(?) col. 31, 33
ἐνιαύσιος (ἀρχή) 3, 22 (ἀρχαὶ ἐνιαυσίαι *Pol.* 1299 a 7)
ἐνιαυτός τρις τοῦ ἐν. 47, 19; ἐν—ἐνιαυτῷ 53, 31; τὸν ἐν. 13, 10; τὸν πρῶτον ἐν. 42, 29; εἰς ἐν. 47, 16; ἐπ' ἐνιαυτὸν 8, 10; κατ' ἐνιαυτὸν 3, 20; 30, 4
ἐνοι 3, 10; 7, 18; 8, 27; 13, 15; 18, 32. ἐνια 27, 4
ἐνίοτε 43, 30
ἐνίστημι. ἐνέστη φιλία 17, 15; πόλεμος 27, 9. τὴν ἐνεστῶσαν φιλονικίαν 5, 11;

ἐχθρας ἐνεστῶσης 5, 22; τοῦ χειμῶνος ἐνεστῶτος 37, 1. ἐνεστῆσαντο τὴν—πολιτεῖαν 41, 2
ἐννέα ἀρχοντες, οἱ, see ἀρχοντες
ἐνοῦς, τοὺς ἱππάρχους τοὺς 4, 11 (*cf. Pol.* 1322 a 11)
ἐνοχλῶ ἠνώχλου 11, 2
ἐνοχος γραφῆ παρανόμων 45, 24
ἐνσημαίνομαι ἐνεσημαίνετο πικρῶς 18, 10
ἐνταῦθα 3, 26; 48, 5; 54, 30 &c.
ἐντεῦθεν 55, 33
ἐντὸς χιλίων 53, 15; τριῶν μῶν 49, 26; τριῶν ἡμερῶν 48, 18; δέκα σταδίων 50, 9
ἐντυγχάνοντα, φιλανθρώπως, *c. dat.* 18, 17
Ἐυνάλιος 58, 2
ἐξ, see ἐκ

ἐξάγω στρατιὰν 37, 3
ἐξαίρη (οἱ ἐξέλη) τοὺς κύβους col. 31, 23. ἐξέειλεν 12, 64 (Solon)

ἐξαιρῶ ἐξαράμενος (an exceptional use) τὰ ὄπλα πρὸ τῶν θυρῶν 14, 13

* ἐξαλείφουσι, τοὺς ἐξομνυμένους τῶν—ἐγγεγραμμένων 49, 13; ἐξήλειφον, *opp.* ἀντενέγραφον 36, 15. *Met.* τὰς περὶ τῶν προτέρων αἰτίας ἐξήλειψαν 40, 19
ἐξαπατηθέντος τοῦ δήμου 34, 6; ἐξαπατηθέντες ὑπὸ Κλεοφώντος 34, 10; κἂν ἐξαπατηθῆ τὸ πλῆθος 28, 24

* ἐξαπορῶ ἐξαπορησάντων τοῖς πράγμασι 23, 5
* ἐξάχους col. 34, 34
ἐξελάσαι *abs.* 22, 17; ἐξηλάθη—τῆς ἀρχῆς 13, 7
ἐξελέγχεται col. 32, 7; ἴνα μὴ—ἐξελέγχωσι τοὺς νεοπολίτας 21, 17; κἂν—κλέπτοντα ἐξελέγξωσιν 54, 7
ἐξεργαζομένης τῆς χώρας 16, 12; ἐξεργασμένα 46, 5
ἐξέρχομαι ἐξῆι πολλάκις εἰς τὴν χώραν 16, 14. (Of troops) τῶν ἐξίοντων 26, 10; ἂν ἐξίωσιν 61, 4; *cf.* ἐξοδος
ἐξεσσι 44, 15; 45, 14, 22; 53, 17; 62, 18; 63, 11, 13. ἐξῆν 4, 21; 27, 15. ἐξῆ 27, 17; col. 31, 33 (?). ἐξὼν 6, 14; 11, 13. ἐξέιναι 9, 4; 29, 14, 29; 39, 6, 16, 21 (decree)
ἐξετάζειν τὰ γένη 21, 6; ἐξετάζει—τὰ ἰσοκοδομήματα 46, 8
ἐξέτασις ἐν ὄπλοις 31, 11 (decree)
ἐξευρών, γυναικα μεγάλην καὶ καλὴν 14, 25
* ἐξηγεῖσθαι, τοὺς νόμους 11, 6
ἐξήκοντα 10, 8
ἐξοδος 16, 6
ἐξοικεῖν ἔχειν Ἰελευσίνα 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—ἱππεύειν 49, 13; ἐξομόσηται 49, 15; μὴ ἐξομνυμένον 49, 16. ἐξόμνυται τὰς μαρτυρίας 55, 30. (ἐξόμνυσται τὴν ἀρχὴν *Pol.* 1297 a 20)

- * ἐξοπλισία 15, 16 (ἐξοπλισίς *Probl.* 922 b 14)
 ἐξορύξαι, ἐλάλει μορία 60, 11 (ἐξορυσσόμενοι τόποι, [Ar.] *de Admir.* 833 b 4)
 ἐξουσία 6, 19; 41, 4, 24
 ἐξω—τῆς πολιτείας 37, 12
 ἐξωθεν, τῶν 36, 16
 ἐορτῶν ἐπιμελεῖται 56, 29
 ἐπαγγειλάμενος ὡς ἄλλους μνηύσων 18, 34
 ἐπαυομένων, τῶν 16, 30; διὰ τὴν εὐνοίαν—ἐπηνέθησαν 38, 28
 * ἐπᾶν 42, 14; 56, 4
 ἐπανάγκης ἐπιψηφίζεω 29, 21 (decree); ἐγγράφει 42, 11
 ἐπαναφέρωντες τὸν πεντακισχιλίους, οὐδὲν 33, 12
 * ἐπαναχωρήσαντες 38, 3
 ἐπανιστημὶ ἐπαναστάς τῆς δῆμῳ 14, 6.
 ἐάν τινας τυραννεῖν ἐπανιστῶνται 16, 43.
 (Used in literal sense in Ar.)
 ἐπανορθοῦντες—τὴν πολιτείαν 35, 12 (ἐπανορθῶσαι πολιτείαν *Pol.* 1289 a 3)
 ἐπέει 3, 28; 14, 12; 15, 23; 19, 4, 30; 24, 17 &c.
 * ἐπειδὴν 7, 29 &c.
 ἐπειθὴ 11, 1; 62, 3
 ἔπειστιν, τὸ αὐτὸ γράμμα col. 31, 13
 ** ἐπεισκαλεῖν, and ** ἐπεισκλητός, 30, 22 f (decree)
 ἔπειτα 6, 7. Often after πρῶτον μὲν (*q. v.*), but never followed by δέ. Cf. εἶτα.
 ἐπελαύνει (?) 5, 9
 ἐπερωτῶσω, ἐπερωτᾶ 55, 13, 20
 ἐπί *passim*. (1) *c. gen.* (a) of place &c., ἐπὶ τοῦ βήματος 28, 17; ἐφ' ἄρματος 14, 29; ἐφ' οὗ 55, 28. 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 ἑκτῆς πρυτανείας 43, 22; cf. 44, 15; 47, 21, 25, 28. ἐπὶ τῆς ὑσπερον βουλῆς 46, 6; ἐπὶ Μέδοντος—Ἀκάστου 3, 9 f; Δράκοντος 41, 11; Σόλωνος 3, 30; 41, 12; Πεισιστράτου 41, 13; τῶν τετρακοσίων 29, 5. ἐπ' Ἀντιδότου (*sc.* ἄρχοντος) 26, 21; ἐφ' οὗ ἄρχοντος 17, 8. ἐπὶ (τοῦ δέινος) ἄρχοντος (20 times) 4, 2; 14, 8, 20; 17, 2; 19, 37; 21, 3; 22, 6; 22, 11, 21; 23, 22; 25, 8; 26, 19; 27, 8; 33, 2; 34, 14; 35, 1; 40, 1; 41, 3; 54, 33; ἐπὶ omitted only twice:—Νικομήδους (?) ἄρχοντος 22, 29, and ἄρχοντος Ἰψυχίδου 22, 40. ἐφ' ὧν ('under the authority of') 38, 19.
 (2) *i. dat.* (a) of place, 'upon', ἐφ' ἧ 7, 21; 'at', or 'near', ἐπὶ Παλληνίδι 15, 13; 17, 16; ἐπὶ Ληναίω 57, 5; ἐπὶ Παλλαδίω 57, 18. (b) condition, ἐφ' οἷς 23, 24; 32, 15; 34, 8; ἐπὶ τούτοις 1, 3 (?); 23, 36; ἐπὶ τῇ σωτηρίᾳ 19, 35; ἐφ' ᾧ τε 14, 22; 34, 17. (c) ground or reason, ἐπὶ τοῖς ἄλλοις ἐδουχέραινον 2, 12; χαλεπῶς φερόντων ἐπὶ τούτοις 38, 8; χαλεπῶς ἐνεγκόντες ἐπὶ τῇ συμφορᾷ 33, 5; ἀναγκαῶν ἐπὶ τοῖς γιγνομένοις 36, 2; ἐφ' οἷς ἔχαυρον ἢ πόλις 35, 20; ἐφ' ᾧ 63, 17. (d) object, ἐπὶ καταλύσει τοῦ δήμου 8, 25;—τῆς πολιτείας 25, 15; ἐφ' οἷς 38, 6; 'for', ἐφ' ἐκάστη τῶν ἀρχῶν. (e) 'in the power of', ἐπὶ τοῖς δικασταῖς 55, 26. (f) 'on the security of', ἐπὶ τοῖς σώμασι 2, 8; 4, 33; 6, 2; 9, 3
 (3) *c. acc.* 'upon', ἐπὶ τὸν βωμόν 25, 9. 'over', ἐπὶ πάντας 42, 19; τὸ θεωρικόν 43, 2; 47, 10; τὰ ἐκθύματα 54, 24; τοὺς ὀπλίτας, τὴν χωρᾶν, κτλ 61, 4—8; τὰς ναῦς 46, 4. 'for', ἐπὶ τὸ νομοφυλακεῖν 8, 20; τὴν ἀπόστασιν 23, 18; τὴν τοῦ πολέμου κατάλυσιν 38, 5. 'to', ἐπὶ πέρας 38, 24; τὴν ναυτικὴν δύναμιν 27, 5; ἕκαστον τὸ δικαστήριον 63, 23. 'throughout', ἐπ' ἐναντιόν 8, 10; ἐτὶ τέτταρα 13, 3;—τρία 22, 25
 ἐπιβάλλειν 56, 42; ἐπιβολὴν 61, 15; *sc.* ζήμιαν 56, 42; τροχόν 49, 4
 * ἐπιβολῆ 61, 15
 ἐπιγράφει, τοῖς θεσμοθέταις 48, 25. ἐπεγράφοντο (τοῖς ἐφήβοις) 53, 23. ἐπιγράφεται 7, 21; col. 31, 3; πινάκιον ἐπιγεγραμμένον τὸ ὄνομα 63, 18; ἐπιγεγραμμένον τὸ γράμμα col. 31, 6; τὸ στοιχεῖον col. 31, 31. 'allege', πρόσφασιν 8, 24. 'paint on', τοῖς δικαστηρίοις χρώματα ἐπιγράφεται col. 32, 9
 ἐπιδειξῶσω, τινα δῶρα λαβόντα 54, 8
 ἐπιδημῶ 39, 14, 16 (decree)
 * ἐπιδιανέμω, ἐπιδιανεμήθησαν 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. τοῖς ἐπ. καὶ τοῦ δήμου καὶ τῶν εὐπόρων 26, 11. τοὺς ἐπιεικεστέρους 26, 4
 Ἐπίζηλος 29, 7
 ** ἐπιζηλώσεις 45, 9 (law)
 ἐπίθετον 3, 17 f; 25, 9 (not found elsewhere in same sense)
 * ἐπίθημα col. 36, 8
 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)
 ἐπικηρυκεύσασθε, πόλις *c. acc.*, 14, 21. ἐπικηρύττειν ἀργύριον (ἐπιτίμιον) [Ar.] *Osc.* ii 1351 b 31
 ἐπικλήρος 9, 8; 42, 35; 43, 21; 56, 33, 39, 40, 44
 * ἐπικληροῦσιν (τὰς διαίτας) 53, 28; τὰ δικαστήρια 59, 15; ἐπικληρώσῃ τὰ γράμματα 63, 22; τούτοις ἐπέκλήρων 8, 3

ἐπικρατῶ· ἐπεκράτων τῷ πολέμῳ 38, 17 (ἐπικρατοῦσιν οἱ δῆμοι τῶν εὐπόρων *Pol.* 1321 a 19)
 *ἐπικυρωθέντων τούτων ὑπὸ τοῦ πλήθους 32, 2; ἐπ. τῶν νόμων 37, 12
 *ἐπικύρωσιν—χειροτονίας 41, 32
 ἐπιλαμβάνει τὸν ἀλλοσκον col. 34, 36
 ἐπιλείπεσθαι, οὐδενός τῶν πολιτῶν 34, 22.
 ἐπιλείπεσθαι τῆ δυνάμει 20, 5; τῆ οὐσίᾳ 27, 18 (*act.* in *Ar.*)
 ἐπιλήθου 20, 22 (*scolium*)
 *ἐπίλοιπος 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; ἔμπορίου 51, 15; μυστηρίων 57, 2, 7; κρηῶν ἐπιμελητῆς 43, 3
 ἐπιμελοῦμαι (1) *c. gen.* 15, 25; 16, 10; 39, 5; 42, 17, 28; 44, 11; 46, 1; 51, 3, 16; 52, 1; 56, 21, 26, 29, 39; 57, 1, 2; 61, 7, 25. (2) followed by ὅπως *c. fut.* 50, 10; 51, 10—12. (3) *Abs.* 39, 5 (*decree*)
 ἐπιμελῶς 27, 23
 Ἐπιμενίδης ὁ Κρής 1, 3. Βουζύγης frag. 10
 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 col. 36, 11; ἐπισκήψασθαι *ib.* 13 (πρῶτος ἐποίησε τὴν ἐπισκῆψιν *Pol.* 1274 b 7)
 *ἐπίσκοπος τῆς πολιτείας 8, 20
 ἐπισκοπῶν 16, 14
 *ἐπιστατεῖ 44, 2; ἐπιστατούσης 41, 16; ἐπιστάτει 18, 3; ἐπιστατῆσαι 44, 13 (*only found in Rhet. ad Alex.* 1422 b 17, and that in another sense)
 ἐπιστάτης τῶν πρυτάνων 44, 1; τῶν προέδρων 44, 9
 *ἐπιστατική, γραφῆ 59, 7 (*in this sense, here only*)
 *ἐπιστάλλω· ἐπέ[σ]τελλον] conj. 38, 7 (*only in Rhet. ad Alex.* 1420 a 6 ἐπέστειλάς μοι)
 ἐπιστολάς φέροντες, οἱ τὰς 43, 32
 *ἐπιστόλιον 47, 33
 *ἐπιτάφιος, ἀγῶν 58, 2
 ἐπιτελῶ· ἐπετέλεσεν (*πολιτεῖαν*) 41, 17; τὸν ἄλλον λόγον 15, 23
 ἐπιτήδειος 8, 10; 42, 17; 49, 6, 17; 59, 6. τὰ —εια, 42, 27
 ἐπιτήδες 9, 11; 18, 30
 ἐπιτιθημι· ἐπιθήσει (= προσθήσει) πρὸς τοῦ δυοῖν ὀβολοῖν ἄλλον 28, 22. ἐπέθηκε—τὸ γράμμα 63, 23. *Mid.* ἐπιτιθέμενον τυραννίδι 14, 11; ἐπέθετο τοῖς τυράννοις 20, 10; τῆ βουλή 25, 6
 *ἐπιτίμους καὶ κυρίους καὶ αὐτοκράτορας ἐαυτῶν 39, 3 (*decree*)

ἐπιτιμῶ· τὰ μὲν ἐπιτιμῶντες 11, 2. *c. dat.* ἐπιτιμῶ καὶ τούτοις 36, 8
 ἐπιτρέπω· τὴν πολιτείαν ἐπέτρεψαν (Σόλωνι) 5, 5; ἐπιτρέψαι—τοῖς δυνατωτάτοις 39, 33 (*decree*); οὐ φάσκων ἐπιτρέψειν 34, 12
 *ἐπιτροπῆς καταστάσαι, εἰς 56, 37; εἰς ἐπ. διαδικασίαν 56, 38
 ἐπίτροποι 56, 32 f, 35, 38, 45
 ἐπιφανεῖς 18, 24; 28, 14
 ἐπιφέρων, ἀγῶνας 25, 7
 *ἐπιχειροτονεῖν 37, 6; 43; 17
 *ἐπιχειροτονία 43, 23; 55, 22; 61, 10, 22
 ἐπιχειρῶ· ἐπεχειρεῖ 15, 10, 17; ἐπεχειρήσει 19, 5
 ἐπιψηφίζειν, τοὺς πρυτάνεις 29, 22 (*decree*); τὸν ἐπιψηφιοῦντα 30, 27 *decree*; ἐπιψηφίζουσιν, γνώμας 48, 12; ἐπιψηφίσαντος Ἀριστομάχου 32, 3
 ἔπουτο, ἔπηται, 12, 11, 13 (Solon)
 ἐπονομάσας 21, 14 (ἐπονομάσαι *Ar. ap.* Strab. 445; Rose, *Frag.* 6013)
 ἐπορεξάμενος 12, 5 (Solon)
 ἔπος· ὡς ἔπος εἰπεῖν 49, 31; 57, 8
 ἐπτά καὶ δέκα 25, 2
 *ἐπτακόσιοι 20, 9; 24, 16, 17
 **ἐπτάχους col. 34, 32
 **ἐπτετηρῆς 54, 29
 ἐπώνυμια 13, 25; 45, 6
 ἐπώνυμοι (φυλῶν) 21, 25; 48, 17; 53, 21, 26. (2) ἡλικίω 53, 21, 27; ὁ ἐπώνυμος ὁ—δειδιαιτηκῶς 53, 24; χρίονται τοῖς ἐπώνυμοις καὶ πρὸς τὰς στρατείας 53, 35 (*found in περὶ κόσμου, and in a quotation in Rhet.*)
 *ἐραγκαὶ δίκαι 52, 15
 ἐργάζεσθαι, μηδὲν ἔργον 49, 27; ἐν ἀγορᾷ βουλόμενος ἐργ. 52, 14; ἐργαζόμενον, πέτρας 16, 19; ἐργάζοντο τοὺς ἀγρούς 2, 5
 ἐργασίας, πρὸς τὰς 16, 6
 ἐργασίμοι 47, 12 (ἐργάσιμα χωρία *Probl.* 924 a 1)
 ἐργάτας, δημοσίους 54, 2
 ἔργον, ἀγαθοῦ πολλῶν 28, 38; ἔργον ἐργάζεσθαι 49, 27; ἔργα (= μέταλλα) 22, 30
 Ἐρετρία 15, 8. τῆ περὶ Ἐρετριαν ναυμαχίᾳ 33, 4
 Ἐρεχθεύς Heracl. *Epit.* 1. 3
 ἔρμον γενόμενον 43, 22
 ἔρκειος, Ζεὺς 55, 16 (*see Jebb on Soph. Ant.* 487); *only in περὶ κόσμου* 401 a 20
 Ἐρμιοκρέων ἄρχων (5010), 22, 6
 ἔρομαι· ἔρηται 7, 29; ἐρέσθαι 16, 20 (ἐρομένην *Rhet.* 1391 a 10)
 ἔρχομαι, *passim*. ἔλθων εἰς Ἐρετριαν 15, 8; ἔλθοντες πρὸς—15, 22; πρὸς τὸ δημαγωγεῖν ἐλθόντος 27, 1; αὐτῆς βουλῆς κρίσεις εἰς τὸν δῆμον ἐληλύθασιν 41, 27
 ἐρώμενον 17, 5; ἐρασθεῖς 18, 8
 ἐρωτικός 17, 4
 ἐσθλοῦς 12, 25 (Solon)
 ἐσθρῶν 5, 8 (Solon)

- ἐσχάτας ἡμέρας, *eis tās* 40, 3
 εἰταιρεία 20, 4; 34, 19, 21
 Ἐτεοβουτάδαι frag. 3, l. 30
 ἔτερος, *passim*. μηδὲ μεθ' ἐτέρων 8, 30.
 τῶν ἐτέρων (opp. τοῦ δήμου) 28, 13,
 19
 ἐτέρωθι 12, 15
 ἔτι 8, 3; 21, 23 (?) ; 47, 4. ἔτι καὶ νῦν 3,
 25; 7, 6; 8, 6; 22, 7. ἔτι δὲ καὶ 9, 7;
 ἔτι δὲ 15, 11; 24, 20; 27, 16; 52, 15;
 55, 4; 59, 4. ἔτι δὲ πρότερον 20, 20.
 δημοτικωτέραν ἔτι 27, 3
 ἔτος, *passim*. ἔτει δευτέρῳ 14, 7; τῷ ὑστέ-
 ρῳ ἔτει 22, 20; τρίτῳ 22, 28; 23, 21;
 τετάρτῳ 19, 3; 21, 2; 22, 39; πέμπτῳ
 22, 5; 26, 19; ἕκτῳ 14, 19; ἑβδόμῳ 15,
 2; ἑνδεκάτῳ 15, 9; δωδεκάτῳ 22, 10.
 ἔτη δύο 22, 11; δέκα ἐτῶν 10, 5; ἔτη
 ἑπτὰ καὶ δέκα 19, 38; 25, 1; τριάκοντα
 καὶ τρία, ἐνὸς δέοντα ἑκοσι 17, 3 f; ἐπὶ
 ἔτη τρία 22, 25; *eis* ἑκατὸν ἔτη 7, 7;
 πολλοὺς ὑστερον ἔτεσι 3, 19
 εὖ ποιεῖ 55, 17
 *εὐανδρία 60, 21
 Εὐβόλια ἀποστάσης 33, 4
 εὐγενής 28, 7
 εὐδιαφορώτεροι 41, 28 (ὁμοιοσοῦσα ὀλιγα-
 ρία οὐκ εὐδιάφορος *Pol.* 1306 a 10)
 εὐδοκίμησαι, παρὰ τοῖς Ἕλλησι 23, 11;
 πρῶτον εὐδοκίμησαντος, ὅτε 27, 2; οὐκ
 εὐδοκιμοῦντα παρὰ τοῖς ἐπιεικέσι 28, 3;
 σφόδρ' εὐδοκιμηκώς 14, 2
 εὐδοντες 12, 59 (Solon)
 εὐθυνα—ἐμβαλέσθαι 48, 20; εἰσάγουσι
 48, 26, cf. 54, 6. εὐθύνas διδῶσι and
 δοῦναι 39, 23 (decree); διδάσι 56, 4;
 ἔδωκε 48, 19; ἔδωσαν 38, 29; δεδωκότων
 48, 18. μέχρη εὐθύνων 4, 12; περὶ τῶν
 εὐθύνων 31, 7 (decree)
 εὐθῦνοι 48, 15, 23
 εὐθύνω· τοὺς ἀμαρτάνοντας ἠθύνων 8, 22
 εὐθύς 22, 20; 38, 32; 55, 23. εὐθύς εἰσελ-
 θῶν 56, 5. εὐθέως 18, 21. εὐθείαν—
 δίκην 12, 46 (Solon)
 Εὐκλείδης ἀρχῶν (403?) 39, 1
 εὐκοσμίαι ἐπιμελοῦνται 44, 11
 εὐλογώτερον *c. inf.* 7, 26
 Εὐμηλίδης ὁ Ἀλωπεκίθων 45, 3
 Εὐμολπίδαι 39, 6; 57, 4; frag. 3, l. 30
 εὐνοια· *eis* τὸν δῆμον 38, 28
 *εὐπατρίδαι 13, 9; 19, 17 (scolium)
 εὐπορία τροφῆς 23, 10; τὴν Κίμωνος εὐπ.
 27, 13
 εὐποροῦντες τῶν μετρίων 16, 9; εὐπόρησαν
 χρημάτων 19, 20
 εὐπῶρων, τῶν (opp. τοῦ δήμου) 26, 12; 28,
 12
 εὐρόμενος ἄφεςιν 30, 33 (decree)
 *εὐσημία 44, 19
 *ἐφέσιμος (κρίσις) 45, 13
 ἐφέσις 9, 6; 45, 15, 19; 55, 11 (not found
 in Ar. in technical sense)
 *ἐφέται (?) 57, 24

ἐφηβοὶ 42, 14, 17, 20, 25, 38; 53, 22, 34
 (ἐφήβων ἡ φρουρῶν τάξις *Pol.* 1322 ὁ 28)
 Ἐφιάλτης 25, 4, 13, 17, 18, 21, 23; 26,
 14; 28, 11; 35, 9; 41, 17
 ἐφήσων *eis* τὸ δικαστήριον 42, 8; ἐφῆ *eis*
 τὸ δ. 53, 9 (not found in Ar. in techni-
 cal sense)

ἐπίστυμι· στρατηγῶν ἐπίσταμένων 26, 8;
 τῷ ἀρχοντι τῷ ἐφεστηκότι col. 31, 28
 ἐφοδος, ὅπως μὴ ᾗ τοῖς συκοφάνταις 35, 17
 ἐχθρα 5, 22
 ἐχθρὸν εἶναι καὶ φίλον, ὥστε τὸν αὐτὸν 23,
 23

ἐχίνος 53, 11, 18 (not found in Ar. in
 technical sense)

ἔχω *passim*. ἔσχεν γυναῖκα 17, 14; ἐγ-
 χειρίδια ἔχοντας 18, 28; χλαμύδας ἔχοντες
 42, 33. With double acc. ταύτους φύλα-
 κας ἔχων τῆς ἀρχῆς 24, 8. Of troops,
 ἔχοντα στρατιάν, ἱππέας, στόλον 19, 27,
 28, 30. εἶχον τὸ θεσμοθετεῖον 3, 30;
 τὰ πράγματα βεβαίως ἔχον 38, 12; τὴν
 πόλιν ἐγκρατέστερον ἔσχων 35, 22; τῶν
 ἐχόντων τὴν πολιτείαν 15, 12

Intrans. ἔχει—τόνδε τὸν τρόπον 42,
 1; τοῦτον εἶχε τὸν τρόπον 3, 33; 9, 1;
 τοῦτον τὸν τρόπον ἔσχει 12, 1. With
 adv. ἄριστα 30, 20 (decree); καλῶς 28,
 25; κακῶς 19, 5; οἰκείως 36, 5; ὀποτέρως
 3, 14

εἶω· *c. inf.* εἶασεν 21, 24; εἶων 22, 18.
 εἶώντας τὰς πολιτείας παρ' αὐτοῖς καὶ
 ἀρχεῶν ὧν ἔτυχαν ἀρχόντες 24, 8. εἶασ'
 12, 9 (Solon)

εἶω ἐθάρρησαν 40, 7; ἐξηλάθη 13, 7; ἦν
 29, 1; περιεῖλοντο 25, 22; προειστήκει
 28, 1; προστρέψε 19, 22. *c. opt.* εἶω
 μηδὲν παρανομοῦεν 28, 37. εἶω ἀν—
 ᾗ 29, 31, 35 (decree);—γένηται 56,
 44;—ἐκτελεῖ 63, 16

*ζευγίσιον 7, 27

ζευγίτης 4, 19; 7, 10, 12; 26, 15, 18
 (*Pol.* 1274 a 20)

Ζεὺς ἔρκειος 55, 16. Διὲ τῷ Σωτήρι,
 πομπῇ 56, 27

ζῆμιαν, ἐπιβάλλειν 56, 42

ζῆμιῶ· κολάζουσα καὶ ζημιούσα 3, 36;
 ζημιῶν καὶ κολάζειν 8, 23. ἡ βουλή—
 ζημιοὶ τοὺς δημότας 42, 13. *subj. (abs.)*
 ζημιοὶ 29, 25 (decree). θανάτῳ ζημιώσαι
 29, 28 (decree); θ. ζημιώσοντας 52, 4;
 θ. ἐζημιῶν 60, 12. χρῆμασιν ζημιώσαι
 45, 1; χρ. ζημιῶν 45, 8; ζημιώση 45,
 9. ζημιοὶ τῷ σίτῳ 49, 2

ζῆτῶ· τὴν ὀλιγαρχίαν ἐζήτουν 13, 19; τὴν
 πάτριον πολιτείαν 34, 23 (ισότητα ζῆτῆ
 ὁ δῆμος *Pol.* 1298 a 11)

ἦ *passim*; ('than') 2, 17 &c. ἦ—ἦ 11,
 11 &c. ἦ ('or else') 22, 43 (law)

*ἦ μὴν συγγράψω, ὀμόσαντες 29, 12

(decree); omitted by author in 2, 11; 7, 5; 55, 31
 ἡγεμονία *abs.* 23, 4; 24, 2, 5; θαλάττης 23, 11
 ἡγεμών 20, 17; 22, 9, 20; 26, 4. ἡγεμόνευσα 12, 11 (Solon)
 Ἠγησίας *ἄρχων* 14, 20
 Ἠγησίστρατος 17, 11, 16
 ἡγοῦμαι, (1) 'lead', *c. gen.* 13, 19; 61, 4, 18, 20, 24; *abs.* 61, 14
 (2) 'think', 19, 13 (decree); 35, 21; 40, 22; 42, 16 (ἡγήσασθαι *c. inf.* quoted only from *Μέτωρ.* 339 *b* 22
 ἡῶν 3; 19; 14, 14; 15, 14; 18, 14; 28, 26; 42, 37 &c.
 ἡδομαι 'ἡσθεὶς διὰ τὴν παρρησίαν 16, 23
 Ἡετιωνεία 37, 9
 ἦθεος 56, 21
 ἦθος· τὸ δημοτικὸν εἶναι τῷ ἦθει 16, 30.
 ἦθη δεσποτῶν 12, 41 (Solon)
 ἦκω οὐ[χ ἦξ]ει 11, 5
 ἡλικία (?) 57, 20 (cf. *Pol.* 1301 *b* 23)
 ἡλικία γεγονέναι 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
 ἡμέρα 19, 36; 20, 13. τῆς ἡμέρας 29, 33; 49, 29; 62, 12; τῆς ἡμέρας ἐκάστης 62, 15. νύκτα καὶ ἡμέραν 44, 2. ὅσαι ἡμέραι ('daily') 43, 13. τίσιν ἡμέραις δεῖ δικάζεω 59, 2
 ἡμκοτόλιον 60, 9 (*Hist. An.* 573 *a* 7)
 ἡμίους *al.*—ἡμίσεια *dis.* col. 35, 28 *f*
 ἡμίχους col. 37, 4 (*Hist. An.* 630 *a* 34)
 Ἡράκλεια, πεντητηρίς 54, 30
 Ἡρακλείδης ὁ Κλαζομένιος 41, 33
 *ἦρία (*pl.*) 55, 17
 Ἡρόδοτος 14, 25
 ἡσυχάσασθαι 4, 15 (Solon)
 ἡσυχία, ἐτήρει τὴν 16, 26; διήγον ἐν ἡσυχίᾳ 13, 3 (ἡσυχίαν ἄγειν *Pol.* 1297 *b* 7)
 ἦπορ 5, 15 (Solon)
 ἡπτάμενος ταῖς ἐταιρείαις 20, 3; τοῖς ἰδίοις ἡπτάτο 27, 21; ἡπτηθέντος αὐτοῦ 19, 27; ἡπτηθέντες—ναυμαχία 33, 3
 ἦττω, τὴν ἀρχὴν τῶν ἀρχομένων 36, 11
 θάλατταν, κατὰ 19, 27; τὴν τῆς θαλάττης ἡγεμονίαν 23, 11,—ἀρχὴν 41, 20; τὴν ἀρχὴν τῆς θ. 32, 16
 θάνατος 19, 4; 26, 14; 28, 23; 29, 28; 52, 4; 60, 12. ἀμφοτέρων θάνατον κατέγνωσαν 28, 13
 θανατοῦν καὶ δεῖν καὶ χρήμασι ζημοῦν 45, 7; κυρίου εἶναι θανατοῦντας 37, 4. θανατώσοντας 52, 5 (θανατώσαι, opp. φνυγαδεύσαι, *Oec.* ii 1347 *b* 33; θανατωθῆναι *de Adm.* 836 *a* 6)

Θαργήλια 56, 12 *f*, 27 *f*. (Θ. μετὰ τὰ Διονύσια *Μετ.* 1023 *b* 11)
 Θαργηλιῶν 32, 4 *f*
 θαρροῦντος ἦδη τοῦ δήμου 22, 12; θαρροῦσης ἦδη τῆς πόλεως 24, 1; θαρρήσαντας τοὺς πολλοὺς 27, 6; ἕως ἐθάρρησαν 40, 7
 θαυμάζειν 15, 24; θαυμάζοντες 14, 30; θαυμάσαι 16, 19; θαυμασάντων πάντων 25, 19
 θεάτρῳ, ἐκκλησία ἐν τῷ 42, 30
 Θεμιστοκλῆς 22, 31; 23, 14; 25, 11, 13, 21; 28, 11
 θεόκτιτον, πατρίδ' εἰς 12, 35 (Solon)
 Θεόπομος *ἄρχων* (4110) 33, 2
 θεός, ἡ 30, 8 (decree). θεοῖς 7, 23 (anon.); 30, 8 (decree)
 Θερμαῖος κόλπος 15, 6
 θέσω, νόμων 14, 7 (*Pol.* 1289 *a* 22, 1298 *a* 18)
 *θέσμα, ἀναγράφαντες τὰ 3, 20; θέσμα—καὶ πάτρια 16, 42 (law)
 θεσμοθέται 3, 19, 30; 45, 10; 48, 25 *f*; 55, 4; *esp.* 59, 1—20; col. 32, 32. εἰσάγουσι τῶν ἐνδείξεων τινὰς 52, 9. γραμματεὺς τῶν θ. 63, 2. ὁ θεσμοθέτης 63, 22; col. 31, 9
 θεσμοθετεῖον 3, 30, 31
 θεσμοὺς ἔθηκεν (Δράκων) 4, 3; Δράκωντος θεσμοῖς 7, 12; τῶν Σόλωνος θεσμῶν 35, 11; θεσμοὺς—ἐγραψα 12, 45 *f* (Solon); only in *περὶ κόσμου* 401 *a* 10, τοῖς τοῦ θεοῦ θεσμοῖς
 Θετταλοὶ 19, 30
 Θετταλὸς 17, 12; 18, 6; 19, 28
 θεωρεῖν τὴν ἐκείνου βούλησιν 9, 14
 θεωρία, κατὰ 11, 5. θεωρία sent to Delos 56, 20 note
 *θεωρικόν, τῶν ἐπὶ τὸ 43, 3; 47, 10
 Θηβαῖοι 15, 11
 Θηραμένης 28, 19, 30, 30—39; 32, 10; 33, 10; 34, 25; 36, 1
 θῆς· θῆτα 7, 11
 Θησεῖον 15, 16, 22
 Θησεὺς 41, 10
 θητικόν, τὸ 7, 15; θητικῷ—τέλους 7, 24 (anon.); θητικῶν (τελεῖν) 7, 28, 30
 θόλος 43, 11; 44, 6 (not found in *Ar.* in this sense)
 Θουκυδίδης κηδεστὴς Κίμωνος 28, 13, 30
 Θρασύβουλος καταλαβόντος Θ. Φυλῆν 37, 1; τὸ ψήφισμα τὸ Θρασυβούλου 40, 8
 θρασύνεσθαι 28, 27 (opp. ὑπομένειν in *Εἰθ.* 1115 *b* 33)
 θρασὺς 18, 7
 Θράττα 14, 27
 θρυλλεῖν· ἐθ[ρ]υλλ[ε]ῖτο 16, 27
 θυγάτηρ 14, 22; 15, 4; 17, 13
 θυρῶν, πρὸ τῶν 14, 13
 θυρίς 50, 13
 θύει 58, 1; θύουσι 54, 25
 θυσίας—θύουσι 54, 27; θύει 58, 1; διοικεῖ 57, 9
 θώρακα ἐνδεδυκῶς 34, 11

- Ἰαορίας 5, 8 (Solon)
 ἰδία καὶ κοινῇ 40, 17. ἴδιος καὶ δημόσιος
 6, 4; 43, 27; 48, 19, 24 f; 59, 15.
 νόμιμον—ἴδιον 8, 29. ἴδια 9, 10; ταῖς εἰς
 τὰ ἴδια βοηθείαι 16, 37. ἐπὶ τῶν ἰδίων
 εἶναι 15, 25. πρὸς τοῖς ἰδίοις ὄντες 16,
 9; τοῖς ἰδίοις ἠγγᾶτο 27, 21
 ἰδιώτην (opp. ἀρχοντα) 48, 12; ἰδιώταις
 (opp. βουλῇ) 45, 14
 ἱερεῦσι 57, 11
 ἱερωσύνη 21, 24; 42, 36; 57, 10
 ἱερομημίω 30, 36 (decree)
 ἱερόν, at Eleusis, 39, 5. τὰ ἱερά 55, 16;
 περιήλθον 42, 20. τῶν ἱερών 44, 4;
 57, 28; τῶν ἱερών ἐπισκευασταί 50, 2
 *ἱεροποιοί 30, 10 (decree); 54, 24
 ἱερών *adv.* 30, 29 (decree); 43, 29. τῶν
 ἱερών χρημάτων 30, 8 (decree)
 ἱκετηρίαν θεὸς 43, 27; ταῖς ἱκετηρίαις 43,
 26 (τὴν ἱκετηρίαν ἀλοχυνθέντες *ap. Rhét.*
 1411 b 7)
 Ἰμβρον, ἀρχαί εἰς 62, 16
 ἴνα, usually *c. subj.* even after past tense
 (cf. Eucken, i 52), αἰρώνται 29, 15
 (decree); γεγώνη 15, 19; γένηται 55,
 27; δείξῃ 25, 17; διατρέβωσιν 16, 8;
 μή—ἦ 42, 35; μή—κακουργῇ *col.* 31,
 14; μή προεξαλειφθῇ 47, 34
c. opt. ἀσεβήσαιεν—καὶ γένοιτο ἀσθε-
 νεῖς 18, 30
 *Ἰοφῶν 17, 11
 ἱππάδα (τελεῶν) 7, 18; 7, 24 (*anon.*); 7,
 25 (*Pol.* 1274 a 21)
 *ἱππαρχος εἰς Ἀθήνων 61, 25. ἱππαρχον
 εἶνα 31, 14 (decree in 411). ἱππαρχοί
 4, 8, 11, 13; 30, 7; 44, 16; 49, 10;
 61, 19 (ἱππαρχαίαι καὶ ταξιαρχαίαι *Pol.*
 1322 b 3)
 Ἰππαρχος, son of Peisistratus, 17, 10;
 18, 2, 4, 16, 19; 19, 4
 Ἰππαρχος Χάρμου Κολλυτηνῶν 22, 15, 20
 ἱππεύς 4, 19; 7, 10, 12. ἱππεῖς 24, 14;
 26, 17; 38, 14; 49, 8; 61, 20, 26.
 ἱππεῖς (ἐν Ἐπρετρίᾳ) 15, 12. Thessalians
 19, 29, 31
 ἱππεύει 49, 14, 16 f
 Ἰππίας 17, 10; 18, 2 f, 15, 17, 26, 35, 37;
 19, 32
 *ἱπποδρομία 60, 5, 22
 Ἰπποκράτης 22, 24
 ἴππος, παρέστηκεν 7, 25. καλὸν ἵππον
 ἔχων 49, 22. δοκιμάζει τοὺς ἵππους
 ἢ βουλή 49, 1
 *ἱπποτροφεῖν 7, 18 (ἱπποτροφία *Pol.* 1321
 a 11)
 Ἰσαγόρας ὁ Τεισιάνδρου 20, 2, 5, 10, 13;
 28, 9. ἀρχων (508/7) 21, 3
 ἰσομοίριαν ἔχειν 12, 25 (Solon)
 ἰσόρροπα τὰ πράγματα 29, 1
 ἴσος 63, 8, 21. ἴσαι (αἱ ψῆφοι) *col.* 36,
 35
 *ἰσοτελέσει, δίκαι τοῖς 58, 5
 ἴστημι· ἔστησαν (τοὺς νόμους) 7, 3. ἔστην
 12, 8 (Solon). ἴσταται ἢ στήλη 53, 25;
 (μηνὸς) ἴσταμένου 62, 14
 ἰσχυράς τῆς στάσεως οὐσίας 5, 3; ἰσχυρότερα
 29, 3
 ἰσχυκέναι 9, 5; ἰσχυσεσθαι 23, 3
 ἴσως (= μάλιστα) τέτταρας μῆνας 33, 1
 (seems not to occur in *At.* in this sense)
 ἴχνος τῆς πράξεως, λαβεῖν 18, 26
 ἴων 3, 8; 41, 7
 Ἰώνων ἀπόστασις 23, 18; ὄρκοι 23, 23
 καθαίρω· Ἐπιμενίδης—ἐκάθηρε τὴν πόλιν
 1, 4
 καθαίρω· τοὺς—νόμους καθεῖλον ἐξ Ἀρείου
 πάγου 35, 10; καθελῶν (τὰ γραμματεῖα)
 47, 32
 καθάπαξ, ἀτίμως εἶναι 22, 43 (law); κύ-
 ριον ποιήσαντες καθάπαξ 35, 15 (*Pol.*
 1259 b 36; 1332 b 23)
 καθάπερ ἐπὶ Ἀκάστον quoted in 3, 11; κ.
 εἰρηται 4, 24; κ. πρότερον 7, 9; 8, 11;
 κ. τοὺς πεντακοσιομεδίμους 7, 26. τὰ
 μὲν ἄλλα καθάπερ κτλ (formula of a-
 mendment) 29, 16
 καθαρά καὶ ἀκίβδηλα 51, 3; τῷ γένει μὴ
 καθαροί 13, 23
 καθήκων (νόμος) 16, 41. τῆς ἡλικίας καθη-
 κούσης 53, 30; ὅταν καθήκῃ *conj.* in 43,
 15 (ὅταν οἱ χρόνοι καθήκωσιν οὗτοι *Hist.*
At. 591 a 8; cf. *ib.* 568 a 17, 573 a 30,
 585 a 18)
 καθήσθαι 48, 17. καθήμενον *παρυγί lectio*
 45, 3
 καθίζει—ἐπὶ τὸν βωμόν 25, 18; καθίζειν
 (τὴν βουλήν) 43, 15
 καθίημι· τοὺς μύδρους ἐν τῷ πελάγει καθεῖ-
 σαν 23, 24
 καθίστημι· χορηγὸς καθίστησι 56, 7, 19;
 χ. καθίστη 56, 9; λοχαγὸς καθίστη 61,
 18; καθίστη τὴν δημοκρατίαν 29, 18
 (decree), κυρίως καθίσταται 20, 11.
 καθιστᾶσι τοὺς ἑνδεκα 52, 1; χορηγὸς
 καθιστᾶσι 54, 36; καθίστασαν, ἀρχὰς
 3, 2. πολιτεῖαν κατέστησε 7, 1; ἀρ-
 χοντα κατέστησε Λύγδαμον 15, 5; βου-
 λὴν—κατέστησεν 21, 7; κατέστησε—
 δημάρχους 21, 19; οὐ κατέστησαν ἀρ-
 χοντα 13, 4; κατέστησαν—εὐπορίαν τρο-
 φῆς 24, 9; καταστήσαι τὴν—πολιτεῖαν
 29, 5; τοὺς τριάκοντα 34, 16; τοὺς
 φυλοβασίλεις 41, 9; καταστήσαντες (ἀρ-
 χὰς) 35, 4. κατέστη 16, 1; 17, 2; 22,
 15; κατέστησαν 26, 20; 35, 1; καταστή
 31, 11 (decree). καθίσταντο 3, 38; 55,
 3. πολέμου καθεστῶτος 33, 14
 κάθοδος 15, 13; 19, 10; 38, 24; 41, 5; 23
 καθόλου 9, 12
 καθ' ὅ τι ἂν 43, 7; 59, 3
 καὶ *passim*. καὶ γὰρ 5, 9. καὶ δὴ καὶ 2, 3;
 16, 5, 40
 κωνὰς τριήρεις 22, 3
 κἀπερ *c. gen. abs.* 19, 23. *c. part.* 23,
 17; 25, 3 (*Pol.* 1269 b 1)

καιρός· κατὰ τούτους τοὺς κ. 23, 9, 13; 33, 13; κατὰ τοὺς κ. τούτους 26, 4; κατ' ἐκείνους τοὺς κ. 16, 40. ἐν τούτοις τοῖς κ. 22, 39; ἐν τοῖς ὑστερον—κ. 41, 1
κακά 16, 20; κακῶν 16, 21; 18, 8
* κακοπράγμων 35, 19
κακουργῆ, ἴνα μὴ col. 31, 15
κακοφραδῆς 12, 48 (Solon)
κακῶς 19, 4; 37, 3; 49, 2; 59, 14
κάκωσις γωνέων 56, 30; ὄρφανῶν 56, 32; ἐπικλήρου 56, 33; οἴκου ὄρφανικοῦ 56, 34 (σωμάτων—κακώσεις *Rhet.* 1386 a 8)
Καλλίας ἄρχων (412/1) 32, 3, 8
Καλλίας ὁ Ἀγγελῆθεν ἄρχων (406/5) 34, 3
Καλλίβιος ἀρμοστής 37, 18; 38, 13
* καλλιερῶ· κᾶν τὴ καλλιερῆσαι δέη, καλλιερῶσι μετὰ τῶν μάντεων 54, 25
Καλλικράτης Παιανιεὺς 28, 21
καλὸς κάγαθος 28, 31. τὸ καλὸν 6, 16.
καλὸν ἵππου 49, 1. γυναῖκα μεγάλην καὶ καλὴν 14, 25
καλῶ· καλεῖ εἰς τὸ κληρωτήριον col. 31, 18; τοὺς εὐληφότας *id.* 25. καλοῖσι 6, 4; 21, 18; 49, 15. κάλει τοὺς μάρτυρας 55, 19. καλεῖται 13, 16; ἐκαλεῖτο 3, 28. τὸ καλούμενον 19, 32; τὸν κ. 54, 13; καλούμενοι 55, 2; καλούμενος 14, 6; 54, 25. ἐκλήθη 3, 30; κληθέν 16, 18
καλῶς 16, 38; 23, 9; 28, 25; 33, 13; 34, 13; 40, 7; 43, 18; 61, 12. κάλλιστα δῆ* 40, 17
+ κανηφορέιν 18, 11
* κανονίς col. 31, 13, 16
καρπὸς 60, 10
* καρπονόμενος, τὰ αὐτῶν 39, 4 (decree)
καρτερόν ἦτορ 5, 15 (Solon)
κατὰ· c. gen. (1) καθ' ἱερῶν ὀμόσαντες 1, 1; ὀμόσαντες καθ' ἱερῶν τελείων 29, 39. (2) κατὰ τῶν ἐπιτρόπων 56, 33. (3) κύριοι—εἰσω—κατὰ τῶν ὀπλιτῶν 61, 21
c. acc. (1) of place, (a) κατὰ θάλατταν, γῆν, 19, 26, 30; τὴν χώραν 16, 8; τὴν εἰσοδὸν 63, 7. (b) 'opposite', τὸν ἐπ' ἀνῆμον 48, 17. (c) φυλάς 22, 21; δῆμος 16, 14; ἐκάστην (τριτῦν) 8, 15; αὐτήν, 'by itself', or 'on its own responsibility', 8, 10. (d) κατὰ πέντε πινάκια εἰς col. 31, 21. (2) of object, ἐμπόριον καὶ θεωρίαν 11, 4. (3) 'ac-cording to', τοὺς νόμους 16, 31; τὰ πάτρια 21, 24; πάσας (τὰς πολιτείας) 28, 37; τὰ γεγραμμένα 31, 15; σελήνην 43, 10; καθ' ὅσον ἦν δυνατός 14, 14; καθ' ὅ τι ἄν—43, 7; 59, 3;—δοκῆ 44, 17; 'in respect to', τῶν κατὰ τὴν πολιτείαν 2, 11; nearly equivalent to διὰ in κατὰ τὸ γένος ἱερωσῶν 42, 36; κατὰ αὐτὰ ταῦτα ἔνοχος ἐστίν—γραφῆ παρανομῶν 45, 23; (of rent) ταύτην τὴν μίσθωσις. (4) (a) of parts of time, ἐνιαυτῶν 30, 4 (decree); ἐκάστην τὴν ἡμέραν 27, 16; 30, 27 (decree); cf. κατὰ μικρὸν 23,

2; 25, 3. (b) of periods of time, ἐκεί-nous τοὺς καιροὺς 16, 40; τούτους τοὺς κ. 23, 9, 13; τοὺς κ. τούτους 26, 4; τῶν καθ' ἑαυτὸν 23, 15; πῶλεμον 29, 1; 62, 18
καταβαίνοντες εἰς ἄστν 16, 15; καταβάνας ἐκ τῶν ἀγρῶν 24, 3. *Ads.* καταβάνας (from the acropolis) 18, 19. καταβέ-βηκεν (*ex equo*) 49, 6
καταβάλλω (1) *lit.* καταβαλεῖ κόπρον 50, 10. (2) of payment (esp. by instal-ment) 47, 19, 25, 28, 33; 48, 2, 6 (τι-μὴν *Oec.* ii 1346 b 29, 1349 b 5)
καταβολή (of payment) 47, 20, 30, 32; 48, 5 (αἱ καταβολαὶ τῶν προσόδων *Oec.* ii 1351 a 9)
καταγιγνώσκω· κλοπὴν—καταγιγνώσκουσι. 54, 7. τούτων—θάνατον κατέγνωσαν 28, 23 (cf. *Rhet.* 1380 b 13). ἄν τινας ἀδικεῖν καταγνῶ 45, 9; ἀδικεῖν κατα-γνῶσι 54, 10. (αὐτῶν) καταγνῶ 45, 16; (τινὸς) καταγνῶσι 53, 34; εἰ του καταγνοῆ 60, 12. *Ads.* καταγνῶ 48, 23; καταγνώσι 54, 9; καταγνόντος (τοῦ δήμου) 46, 10. *Pass.* καταγνωσθέντος τοῦ ἀγῶσι 1, 2
κατάγνυμι· ἐλαίαν—κατάξειεν 60, 11
* καταγνώσεις, εἰσάγειν 45, 9 (decree); cf. 59, 13
κατάγω· κατήγαγεν—καταγούσης 14, 23 f (*Pol.* 1311 b 19)
καταδέξωτος, πρώτου 27, 25 (κατέδειξεν ἐναργῶς *Ar.* 1583 a 15 in epigram on Plato)
καταδέχομαι· κατέδεξαντο—τοὺς ὠστρα-κισμένους 22, 39 (*de Respir.* 476 a 29 καταδέχεσθαι τὴν τροφήν)
κατακλήθω· κατακλήσαντες εἰς τὰ—οἰκή-ματα 15, 21; κατακλήσας—εἰς τὸ—τεί-χος 19, 31; κατακλησθεῖς—ἐν τῷ ἄστει 27, 9
κατακοῦειν *ads.* 15, 18. (ἐὰν κατακοῦσω-σι αὐλοῦντος *Eth.* 1175 b 4; κατακοῦ-εσθαι τὴν φωνὴν *Hist. An.* 614 b 23)
* κατακυρῶ· κατεκύρωσεν—τοὺς νόμους 7, 7; τὰ τέλη—κατακυροῦσιν 47, 10, 15
καταλαβόντος Φυλῆν 37, 1; -λαβόντων Μουχιχάν 38, 1; χρειαίς -λαβούσης 3, 8
καταλέγω· μερισμὸν 48, 10; τοὺς ἵππείας 49, 8, 10; τοὺς πεντακισχιλίους 29, 37 (decree); τρισχιλίους 36, 7; τριπράρχους 61, 82. τοὺς κατελιγμένους καλοῦσι 49, 15 (πληρωμάτων κατελιγμένων εἰς ἑκατὸν 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 γενομένης ἐκ καταλόγου 26, 8; τοῦ κ. μετέχοντος 37, 7; τὸν κ.—ὑπερεβάλλοντο 36, 12; εἰσ-φέρουσι τὸν κ. εἰς τὴν βουλὴν 49, 10
κατάλυσις· τοῦ πολέμου 38, 6. τῶν τυ-ράνων 13, 24; 41, 14; (τῶν τετρα-

- κοσιών) 33, 10; 34, 2. ἐπὶ καταλύσει τοῦ δήμου συνισταμένους 8, 25; συνισταμένους ἐπὶ τῇ κ. τῆς πολιτείας 25, 15 (κατάλυσις τῆς ὀλιγαρχίας *Pol.* 1305 a 3; κατάλυσις τυραννίδων 1312 b 21)
- καταλύω τὴν τυραννίδα 19, 8 (καταλυθείσης τῆς τυραννίδος. 20, 1; 28, 7). τὴν βουλὴν 20, 10; 25, 13; 41, 18 (κατελύθη, sc. ἡ βουλή, 32, 4). 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 28, 21.
- Pass.* ἡ κρίσις καταλέλυται 60, 14; *Mid.* κατελύοντο τὸν πόλεμον 32, 15.
- ι. *gen.* μὴ καταλυθῶσι τῆς ἀρχῆς 38, 10
- καταπάτην ἀφίεναι 42, 24
- καταπαύειν τὴν ἐνεστῶσαν φιλονικίαν 5, 10
- καταπλέοντος, τοῦ σίτου τοῦ 51, 16
- καταπλαγείς 25, 18; 34, 26. καταπλήξαι 38, 10
- * καταρρυπαίνειν 6, 18
- * κατασεσημασμένα τὰ ὀνόματα 49, 12. (ἐχίνους) κατασημηγνόμενοι 53, 12
- κατασιωπῶσω 14, 12
- * κατασκήψαντες, τεῖχος 37, 9
- κατασκευάζω κατασκευάζε δικαστάς 16, 13. τὴν ἀρχὴν — κατασκευάζοντες 36, 12. κατασκεύασε (τὸ πολεμαρχεῖον) 3, 29; τοῦτο 18, 29; μισθοφορὰν τοῖς δικασταῖς 27, 22. κατασκευάσασι τὴν—ὀλιγαρχίαν 37, 10
- κατασκευή, πομπῆς 56, 26
- καταστασις (1) τῆς πολιτείας 42, 1; τῶν τετρακοσίων 41, 20; cf. 11, 10; 14, 20; 16, 41; 22, 6; 41, 6. (2) ἐπιτροπῆς 56, 37. (3) ἐμφανὸν 56, 38
- * κατατραυματίσας ἑαυτὸν 14, 2
- * καταφατιζῶ *impf.* 7, 5 (κατάφασις, καταφατικός, *Att. saepius, e. g. Categ.* 12 b 7 ἢ κατάφασις λόγος ἐστὶ καταφατικός)
- καταφεύγω κατέφυγον 20, 13
- καταχαρίζεσθαι τὴν κρίσιν 49, 21 (πολλὰ τῶν κοινῶν *Pol.* 1271 b 3)
- * καταχειροτονία 59, 12
- κατελθεῖν τοὺς ἀπὸ Φυλῆς 38, 15; τὸν δῆμον 38, 20. τῶν φυγάδων οἱ κατελθόντες 34, 20; τῶν ἐκ Πειραιέως κατελθόντων 38, 31. τῶν κατεληλυθόντων 40, 11
- κατέχω (1) 'restrain', οὐ κατεῖχε τὴν ὀργὴν 18, 9; ἑαυτὸν 18, 37. κατέσχε δῆμον 12, 49 and 63 (Solon). (2) 'retain', βουλόμενος κατασχεῖν αὐτοῦς 40, 5. (3) 'hold'; 'gain, or keep, possession of'; τὴν ἀκρόπολιν κατέσχε 14, 6; κατέχον τὴν ἀρχὴν 17, 9; κατέχοντα τὴν ἀρχὴν 17, 18; κατασχόντος τοῦ δήμου τὰ πράγματα 20, 16; κατέχον τὴν πόλιν δι' ἑαυτὸν 35, 7; κατεῖχε τὴν τυραννίδα 15, 13; κατασχόντες τὴν τυρ. 19, 37; *abs.* κατεῖχεν 15, 3
- κατηγορία 55, 21
- * κατηγορος 42, 9; 55, 21, 26
- κατηγορῶ *c. gen.* 18, 23, 29; 25, 20; 37, 17; 55, 21, 23. κατηγορήσασε τὰς εὐθύνas Κίμωνος 27, 2
- * κατοικοδομεῖν, τὰς ὁδοὺς 50, 11
- κατοικῶ 22, 42; 39, 17 f (decree); 40, 26
- καίται 5, 7 (Solon): ὄνομα—κέιμενον 7, 20
- κελεύει 8, 7; 49, 26; 51, 14; 53; 31
- κελεύουσιν 43, 29; 53, 34. κελεύη 44, 7. ἐκέλευεν 16, 20. ἐκέλευσεν 15, 18. κελεύων 22, 32; κελεύοντες 37, 5; κελευουσῶν 40, 21
- κενόν *col.* 33, 10
- κέντρον 12, 47 (Solon)
- κέρδει καὶ χάρισιν 41, 29
- κηδεστής 28, 13
- Κήδων 20, 20, 22
- κῆρυξ (τῶν ἐννέα ἀρχόντων) 62, 11; (in the law-courts) *col.* 36, 11, 31. *pl.* κηρύξιν—πρεσβείας 20, 29 (decree); 43, 30
- Κήρυκες 39, 5; 57, 4
- κηρυξάντων, τῶν στρατηγῶν 23, 6. ὁ ἀρχων—κηρύττει 56, 52
- Κηφισοφῶν ἀρχων (329/8) 54, 33
- κιβάτιον 63, 4 f; *col.* 31, 1, 5, 10, 12, 14, 30; *col.* 32, 20
- * κιθαριστήρα 50, 6
- Κίμων 26, 5; 27, 1; his εὐπορία 27, 13; τυραννικὴν ἔχων οὐσίαν 28, 12
- κινδυνον, μετὰ τὸν 38, 3
- Κινέας 19, 28
- κινεῖν, ταῦτα 11, 3; τὴν ἀρεσκον οὐκ ἐκίνουν 26, 14; κ[ι]νήσασιν τὴν δημοκρατίαν 29, 4
- Κλαζομένιος 41, 33
- Κλεαίνετος 28, 15
- κλεῖς τὰς τῶν ἱερῶν, τὰς 44, 3
- Κλεισθένης 20, 3, 4, 8, 15, 17; 21, 2; 22, 4, 16; 28, 7; 29, 17, 20; 41, 15
- Κλειτοφῶν 29, 15; 34, 24
- Κλεομένης 19, 6, 29; 20, 6, 13, 14
- Κλεοφῶν 28, 19, 26; 34, 10
- κλέπτῃς 51, 2
- κλέπτουτ' 54, 6
- Κλέων 28, 15
- κλήμα (?) 60, 14 *n. c.*
- κλήρου καὶ ἐπικλήρου 42, 35; κλήρων καὶ ἐπικλήρων 9, 8; 43, 21; 56, 39; 58, 9
- κληρῶ *acc.* ἐξ ὑπαρχῆς κληροῦν 4, 17; (in appointment of archons) δέκα κλ. ἐκάστην (τὴν φυλὴν), εἰτ' ἐκ τούτων κυμαεῖν 8, 4; κλ. τοὺς ταμίαις ἐκ τῶν πεντακοσιομεδίωνων 8, 7; κλ. τὴν βουλὴν τοὺς ἐννέα ἀρχοντας 30, 25 (decree); κλ. τοὺς λαχόντας πέντε τοὺς ἐθέλοντας προσελθεῖν ἐναντίον τῆς βουλῆς 30, 27 (decree)
- κληροὶ (ὁ ἐπιστάτης τῶν πρυτάνεων) προέδρου ἐννέα 44, 8. κλ. (ἡ βουλή)

ιεροποιοῦς 54, 24; ιεροποιοὺς τοὺς κατ' ἐναντιόν 54, 27; Διονυσίων ἐπιμελητὰς 56, 25
 κληροῦσι—ἀθλοθέτας 60, 2; γραμματεῖς τὸν κατὰ πρυτανείαν 54, 13; (γρ- τὸν) ἐπὶ τοὺς νόμους 54, 19; δικαστὰς (πάντες οἱ ἐννέα ἀρχῶνες δέκατος δ' ὁ γραμματεὺς τῶν θεσμοθετῶν) 59, 18; τὰ δικαστήρια (οἱ ἐννέα ἀρχῶνες κτλ) 63, 1; εἰς Σαλαμίνα ἀρχῶνα καὶ εἰς Πειραιέα δῆμαρχον 54, 34; εἰσαγωγέας 52, 11; εὐθύνους 48, 14; θεσμοθέτας 55, 4; λογιστὰς 48, 13; ὁδοποιούς κτλ. 54, 1; (τοὺς) τετραράκοντα 53, 1 (τριπτύς) ἐκλήρωσεν τρεῖς εἰς τὴν φυλὴν ἐκάστην 21, 14
 Μιδ. κληροῦσθαι (τὰς ἀρχὰς) τοὺς ὑπὲρ τριάκοντα ἔτη γεγονότας 4, 14; 7, 29; (of dicasts) κληροῦμένων—μᾶλλον τῶν τυχεύων ἢ τῶν ἐπιεικῶν ἀνθρώπων 27, 23; τοὺς κληρωσομένους τῶν ἐννέα ἀρχῶ- των 26, 15
 Pass. κληροῦσθαι—τὸν ἐπιψηφιοῦντα 30, 27 (decree). βουλή κληροῦται 43, 6. (τῶν πωλητῶν) κληροῦται εἰς ἐκ τῆς φυλῆς 47, 2; (τῶν ταμιῶν τῆς Ἀθηνᾶς) κλ. εἰς ἐκ τῆς φυλῆς 47, 7; (ἐμπήκτης) col. 31, 14. κληροῦνται ἀγοράνιοι 51, 1; ἱερῶν ἐπισκευασταὶ 50, 1; μετρονόμοι 51, 5. (ἀρχαί) μετ' ἐννέα ἀρχῶντων ἐκ τῆς φυλῆς ὅλης κληροῦμεναι 62, 2; (ἀρχαί) ἐν Θησεῖω κληροῦμεναι 62, 2; (ἀποδέκται) κεκληρωμένοι κατὰ φυλάς 48, 1
 * κληρωτήριον 63, 4; col. 31, 15, 18
 κληρωτός (γραμματεὺς κατὰ πρυτανείαν) 54, 19; (ταμίαι) 49, 30. κληρωτοὶ (οἱ ἐνδεκα) 52, 1; (σιτοφύλακες) 51, 8. ἀρχαὶ κληρωταὶ 8, 1, 5; 30, 13 (decree); 43, 2; 55, 1; 62, 1
 κλοπῆν (δημοσίων χρημάτων) καταγιγνώ- σκουσι 54, 7
 Κοδρίδαί 3, 13
 κοινῆ 5, 4, 10; 23, 17; 40, 18, 21; 57, 6
 κοινόν, μέτριον καὶ 6, 14 (of Solon). κοινόν, c. gen. 39, 5 (decree). εἰς τὸ κοινόν 42, 28. τὰ κοινὰ 9, 10; 14, 17; 15, 25; 16, 10; 24, 5; ἀπὸ τῶν κοινῶν 25, 21; 56, 37; τὰς κοινὰς λειτουργίας 27, 14
 κοινῶν c. gen. 6, 9; 13, 24; τῶν κοινω- νούτων τῆς πράξεως 18, 16; κοινῶν τῆς—πολιτείας 37, 8; ἀμφοτέρων κοι- νωνηκόσ 37, 11
 κοινῶν δίκαι 52, 15 (not found in Ar. in technical sense)
 κολάζουσα καὶ ζημοῦσα 3, 36; ζημοῦν καὶ κολάζειν 8, 23
 Κολλυτός 14, 26; 22, 16
 κόλπος, Θερμαῖος 15, 6
 κομίζειν (σίτν) 51, 18; κομισάντος (of troops) 17, 16. Μιδ. κομισσασθαι τὰ χρήματα παρὰ τῶν δανεισασμένων 22, 35
 Κῶν ἀρχῶν (402/1) 25, 8

κόπος, 50, 10; * κοπρολόγοι 50, 9
 κόρος 12, 13 (Solon)
 * κορωνηφόροι 14, 5
 * κοσμητῆς 42, 19
 κόσμος—τὴν θεὸν ἀπομνησάμενος τῷ κόσμῳ 13, 28; τὸν ἄλλον κόσμον (of the Par- thenon) 47, 6. ἐν κόσμῳ λεγόντων 28, 18
 κρατεῦν, ἔχειν καὶ 56, 7; ὁ δῆμος ἐστὶν ὁ κρατῶν 41, 26; οἱ δῆμοι κρατήσαντες 40, 24
 κρατερόν σαίος 12, 8 (Solon)
 κράτος 12, 42 (Solon)
 κρηνῶν ἐπιμελητῆς 43, 3
 κριθαί 51, 12
 κρίνειν, δίκας 3, 32; αὐτοτελεῖς κρίνειν 53, 6; κρίνει τὰς ἀρχὰς ἡ βουλή 45, 12; κρί- νουσιν (στρατηγῶν) 61, 12; κρίνασα 8, 9; ἔκριον 8, 25; 60, 11; παραδείγματα— ἡ βουλή 49, 20; κρίνεσθαι Μηδισμοῦ 25, 12; κρινόμενος 27, 26
 κρίσις, οὐ κυρία 45, 13; καταέλνεται 60, 14. κρίσεως—κύριος 9, 11; κρίσεως— γενομένης 45, 5; ἀμφισβήτησις κρίσεως 28, 34. πρὸς τὴν κρίσιν 3, 21; κατα- χαρίζεσθαι τὴν κρίσιν 49, 22. αἱ τῆς βουλῆς κρίσεις 41, 27
 Κρόνος· ὁ ἐπὶ Κρόνου βίος 16, 27
 κτήμα 60, 14
 κτίζω ἀπὸ τῶν κτισάντων 21, 22 (Pol. 1275 b 33, 1310 b 38
 κτώμαι· οὐσαν κεκτημένους 4, 6; συμπελ- θεν τὸν κεκτημένον 39, 10 (decree); ὁ τὸ χωρίον κεκτημένος 60, 8, 13
 * κυμαεῖν, ἐκ τούτων 8, 4; ἐκυάμευσαν τοὺς—ἀρχῶνας 22, 21
 κύαμος· τοὺς ἀπὸ κύαμου διαχίλους ἄνδρας 24, 20; τὴν ελληχιῶν τῷ κύαμῳ βουλὴν 32, 6
 κύβοι col. 31, 17 f; col. 32, 31
 (Κύλων) 1, 1—3 notes
 κύρβεις 7, 3 (only in *de Mundo* 400 b 30, τὰ ἐν κύρβεσιν ἀναγεγραμμένα)
 κύριος· ὁ νόμος 47, 4; οὐ κυρία ἡ κρίσις 45, 13; κυρία ἐκκλησία 43, 17; 62, 7; ἀμ- φορεὺς κύριος, ἄκυρος, col. 63, 21; κυ- ρίαν (ψῆφον) col. 36, 20; ὁ τι ἂν οἱ δικασταὶ ψηφίσωνται, τοῦτο κύριον εἶναι 45, 11; ὁ τι ἂν γνώσῃ οἱ δικασταί, τοῦτο κύριόν ἐστι 48, 27; ὄντες κύριοι 52, 19
 c. gen. πάντων 41, 25; τῶν αὐτῶν 61, 21; τῶν γραμμάτων 54, 14; τῆς δοκιμασίας 55, 12; ἐαυτῶν 39, 3; τῆς κρίσεως 9, 12; οὐδενός 54, 22; τῆς πό- λεως 20, 11; 34, 16; 35, 2; τῆς πο- λιτείας 9, 7; τῶν πραγμάτων 6, 1; 18, 1; 41, 2; 55, 1; τῆς ψῆφου 9, 6
 c. inf. 3, 31; 8, 23; 29, 36 (decree); 44, 13; 45, 19; 56, 42; 58, 1; 61, 14
 c. part. 37, 13 κυρίου εἶναι θανα- τοῦντας
 κυρίως, ζημοῦσα 3, 36
 * κύρος, ὁ ἦν ἐν τοῖς δικασταῖς· κατέλυσαν τὸ 35, 12
 κυροῦσι τὰ σύμβολα τὰ πρὸς τὰς πόλεις 59,

- 16; κυρωθέντων δὲ τούτων 30, 1 (only ἐν τῇ Τενεδίῳ πολιτείᾳ, p. 1569 a 27, frag. 593^a, ἐκύρωσε καὶ περὶ τοῦ ἰδίου παιδὸς τηρηθῆναι τὸν νόμον)
- Κυψελίδαί 17, 14
 κρεῖν 56, 42
 κρεῖν πολλαῖσιν 12, 54 (Solon)
 * κωλακρέται 7, 13
 κωλύω ἐκάλυψεν 18, 11; 22, 32. *ι. inf.*
 γενέσθαι 34, 10; δανεῖξεν 6, 2; κατοικοδομῆν 50, 11; κωνωεῖν 37, 8; παριέναι 19, 31; as in Ar. (*Index* p. 419 b 32) never followed by μή
- Κωμῆας ἀρχων (560/59) 14, 8
 κωμφοδοῖς, χορηγοῦς 56, 9, 11 (κωμφοδοῖς χορηγῶν *Eth.* 1123 a 23; χορὸν κωμφοδῶν ὄψέ ποτε ὁ ἀρχων ἔδωκεν *Poet.* 1449 b 1)
 κωτίλλοντα 12, 19 (Solon)
- λαγχάνω· δίκας λαγχάνουσι (πρὸς) 53, 2; τῷ δράσαντι λαγχάνει 57, 30. οὐ ἔλαχον col. 37, 8. τοῦ ελληχότος col. 32, 14; τοὺς ελληχότας col. 31, 24; τοῖς ελληχόσιν col. 32, 24. ἄς ἂν λάχῃ διαίτας 53, 29; εἰς οἶον ἂν λάχῃ (δικαστήριον) col. 31, 32; καθ' ὅ τι ἂν λάχῃσιν 43, 7. ὁ λαχῶν 47, 4; εἰς ὁ λαχῶν 44, 1; τὸ γράμμα τὸ λαχόν 63, 24; τὸ δικαστήριον τὸ λαχόν 49, 21; τὸ λαχὸν μέρος 30, 16 (decree); 58, 7; τῷ λαχόντι 50, 9. οἱ λαχόντες 57, 24; οἱ λ. ἐπὶ τὰς ψήφους col. 35, 30; τῶν λαχόντων δικαστῶν 63, 6; τοὺς λαχόντας 4, 14; (πέντε) 30, 26, 28
Pass. γραφαὶ καὶ δίκαι λαγχάνονται πρὸς αὐτὸν 56, 29; γραφαὶ λ. πρὸς αὐτὸν 57, 9; δίκαι λ. πρὸς αὐτὸν 58, 4; λ. δίκαι 57, 12
- Λακεδαιμόνιοι 19, 7, 21; 23, 19; 29, 3; 32, 14; 34, 8; 37, 18; 38, 25; 40, 20
 Λακεδαιμῶν 37, 17; 38, 7, 27
 Λακιάδαι 27, 15
 Λάκωνες 19, 7, 21, 25; 23, 20
- λαμβάνει ἀποτιμήματα 56, 45; δίκην λαμβάνουσι 42, 34; λ. δωρεάν 46, 7; εἰς σίτησιν λ. 62, 10. λαμβάνων 25, 26; λαμβάνοντες ἀργύριον 43, 11; λ. τριάκοντα μνᾶς 50, 3. τὴν θυγατέρα αὐτοῦ λήψεται 14, 23. ἔλαβεν (τὴν δεξιάν) 18, 35; προστάτην ἔλαβεν ὁ δῆμος 28, 3. λαβείν (αὐλητήριδα) 50, 8; λ. τὴν δεκάτην 16, 22; λ. τὴν ἐξουσίαν 41, 4; τὴν ἡγεμονίαν λ. 23, 11. λ. ἔχνος 18, 25. λαβῶν 22, 36; λ. τὴν ἀρχήν 14, 16; 15, 13; δωρεάν λ. 46, 6; λ. τὴν ἐπιμέλειαν 38, 29; λ. τοὺς κορυνηφόρους 14, 5; μοιχῶν λ. 57, 19; λαβόντες ὄσπια 42, 31; δῶρα λαβόντα 54, 8. δῶρα λήψεσθαι (= ἀλάβωσι 55, 32. ληφθέντων (= ἀλόντων) 19, 34
- λαμπάδων ἀγῶνες 57, 7
 λαμπρῶς, ἐλητούργει 27, 14 (χορηγεῖν λαμπρῶς *Eth.* 1122 b 22)
- λαυθάνω· λάθη—ἐρημον γενόμενον 43, 22
 λέγω· λέγει 12, 15; λέγουσι 6, 8. λέγων 14, 12; ὁ πρότερον λέγων, ὁ ὕστερον λέγων, col. 36, 15 f; ἐν κόσμῳ λεγόντων 28, 18. λέγεται *c. acc. et inf.* 14, 8. ὁ λεγόμενος λόγος 18, 26. ἐλέχθη 21, 5. *ν. ειπεῖν* and *εἰρηται*
- Λειμώνη (Ἴππομένους) Heracl. epit. l. 12
 λείπω· (δίκην) ἔλειπεν 16, 34 (retinet Blass, coll. Dem. 49 § 19, 59 § 60)
 Λειψύδριον 19, 12, 15
 λείως 12, 19 (Solon)
 Λέσβιοι 24, 7
 λευκοί, κόβου col. 31, 19
 λευκῶ· πινάκιον λελευκωμένον 48, 20; λελευκωμένα γραμματεῖα 47, 16, 27; 53, 22 (only in *Phys. Ausc.* 185 b 29 ὁ ἄνθρωπος οὐ λευκός ἐστίν ἀλλὰ λελευκωται)
 Λεωκόρειον 18, 20
 Λήμνον, ἀρχαί els 62, 16; ἕπαρχος els 61, 25; τῶν ἱππέων τῶν ἐν Λήμνῳ 61, 26
- Ληναίω, ἐπὶ 57, 5
 λῆξις· λήξις κλήρων 43, 21; νείμαι—τοὺς ἄλλους πρὸς τὴν λῆξιν ἐκάστην 30, 17 (decree); ἕνα νεμηθῶσιν els τὰς τέτταρας λῆξεις 31, 19 (only in *de Mundo* 401 b 20 ἡ κατὰ φύσιν λῆξις)
- * ληροῦσιν 17, 5 (λήρος *Pol.* 1257 b 10; ληρώδης *Rhet.* 1414 b 16; *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· ὁμνόντες πρὸς τῷ λίθῳ 7, 5; βαδίζουσι πρὸς τὸν λίθον 55, 28
- λογιζόμενοι, οἱ τοῖς ὑπευθύνους 54, 5; τοὺς λογιζομένους ταῖς ἀρχαῖς 48, 14
 λογιστὰ δέκα (τῆς βουλῆς) 48, 13. λογιστὰ δέκα καὶ συνήγοροι 54, 3
- λόγος· (1) 'speech', τὸν ἄλλον λόγον ἐπετέλεσεν 15, 23; τὸν πρὸ τοῦ ψηφίσματος λόγον 29, 6, 23; in the law-courts, (εἰρημένοι) οἱ λόγοι col. 35, 31. (2) 'current account', ὁ τῶν δημοτικῶν λόγος 6, 13 (= ὡς οἱ δημοτικοὶ λέγουσι 6, 8); ὁ λεγόμενος λόγος 18, 26; 'rumour', 'report', διασπείρας 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); els τὸν λοιπὸν χρόνον 30, 15 (decree); τὰ λοιπὰ (ἐτη) 17, 4
- λοξόν—ὀρώσι 12, 21 (Solon)
 λοχαγῶι 61, 18 (*de Mundo* 399 b 6; *Dec.* ii 1350 b 11; λοχαγία *Pol.* 1322 b 4)
 Λύδαμος ὁ Νάξιος 15, 11, 15
 Λυκομήδης Σικύριος Heracl. epit. l. 7

*λυκόποδες frag. 5
 λύκος 12, 54 (Solon)
 Λυκούργος 13, 20; 14, 19
 λυμαίνομαι· τὴν ἄλην ἐλυμήναντο πράξιν
 18, 21
 *λυρποιοί, Κλεοφῶν ὁ 28, 20
 Λύσανδρος, King of Sparta 34, 16, 25
 Λυσικράτης ἄρχων (453/2) 20, 19
 Λυσίαχος, father of Aristides, 22, 39; 23,
 13
 Λυσίαχος ὁ ἀπὸ τοῦ τυπάρου 45, 2-7
 *λυχνεῖον col. 36, 17
 λωποδύτης 52, 3

μαλακός 3, 7; 18, 12
 μάλλον 14, 17; 15, 19; 16, 3; 29, 8 &c.
 αἰεὶ μάλλον 27, 23.—μάλιστα 9, 4; 13,
 18; 16, 40; 18, 4; 22, 16; 25, 2. πολ-
 λῶν μὲν καὶ ἄλλων, μ. δὲ Θηβαίων 15,
 11; αἰτίων μ. γενομένων Πεισάνδρου κτλ
 32, 9; μάλιστα with numbers 32, 9;
 τῶν προγεγεννημένων 33, 5.—μάλα does
 not occur.

μανιῶν < ἔνεκα > 35, 15 (law)
 *μαντευτὰ ἱερά 54, 25
 μάντεω, μετὰ τῶν 54, 26
 Μαραθῶν, ἐν 22, 10
 μαρτυρία 53, 10, 17; 55, 30
 μαρτυρεῖ 5, 14; 6, 19
 μάρτυρες 55, 30. κάλει τοὺς μάρτυρας 55,
 19; ἐπειδὴν παράσχηται τοὺς μ. 55, 20
 Μαρωνεία 22, 30
 *μαστιγοφόρος—ὕπηρετας 35, 6
 μάχαιραν, σπασάμενος τὴν 18, 38
 μάχη, τὴν ἐπὶ Παλληνίδι 17, 16; τὴν ἐν
 Μαραθῶνι 22, 10. (τῶν ἀπὸ Φυλῆς)
 νικησάντων μάχη τοὺς μετὰ τῶν τριά-
 κοντα 38, 2
 μάχεται, πρὸς ἑκατέρους ὑπὲρ ἑκατέρων 5, 9
 Μεγακλῆς (the slayer of Cylon) Heracl.
 epit. l. 15
 Μεγακλῆς Ἰπποκράτους Ἄλωπεκῆθεν 22, 24
 Μεγαρέας· ἐν τῷ πρὸς Μ. πολέμῳ 14, 2;
 (+ περὶ Σαλαμῖνος) 17, 6
 μέγας· γυναικα μεγάλην καὶ καλήν 14, 25.
 μείζων ('too powerful') 22, 27; μείζω
 10, 4; στόλον μείζω 19, 30
 μέγισται καὶ πρῶται τῶν ἀρχῶν 3, 4;
 τὰ πλείστα καὶ τὰ μέγιστα 3, 35; 8, 22;
 πρῶτων καὶ μέγιστον 9, 3; μεγίστην
 εἶχεν δύναμιν 13, 11; μέγιστον πάντων
 ἦν 16, 29

μέγεθος τοῦ τιμηματος 7, 14
 Μέδων (Βασιλεὺς) 3, 9
 *μεθιδρυσόμενος, ἐκέισε 19, 6
 μεθιστατο 22, 27
 μεθύων 34, 11
 μέλαρες, κύβος col. 31, 19
 μέλλω c. *inf.* *praes.* 6, 6; 7, 29; 18, 11;
 24, 12, 14; 45, 3; col. 36, 10
 c. *inf.* *fut.* 63, 10 and col. 31, 36
 μέλλη πληρωθήσονται (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
 μεμψιμοιρία· *ph.* 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 &c. μὲν
 without δὲ 19, 9; 48, 23. μὲν in irre-
 gular position 48, 24; μὲν—δέ 21,
 13; μὲν οὖν *passim*, 2, 10; 3, 14; 33;
 4, 1; 8, 8; 9, 1, 10; 10, 1 &c.
 μὲν < τοι > 28, 35
 μένω· μένεω 44, 5; 49, 2; ἔμεινεν 16, 35;
 μενάντων 38, 31; 39, 3. μεμνήηκε διὰ
 βίου 3, 38
 μερίζω κατὰ τὰς—τριτῆς 21, 10; (τὰ
 χρήματα) 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); ἐν μέρει 43, 7; 56, 13; ἐν τῷ
 μέρει col. 37, 7. τὰ δύο μέρη 51, 17.
 διένειμε τὴν χώραν—τριάκοντα μέρη 21,
 12; διανέμει τέτταρα μ. 58, 6; νενέμη-
 νται—δέκα μ. 63, 20
 μεσόγειος, ἡ 21, 14
 μέσος· Σδλων—τῇ οὐσίᾳ καὶ τοῖς πράγμασι
 τῶν—μέσων 5, 12; τὴν μέσῃ πολιτείᾳ
 13, 18; ψῆφοι—αὐλισκον ἔχουσαι ἐν τῷ
 μέσῳ col. 35, 28
 μετὰ c. *gen.* τῶν Ἀθηναίων 19, 33; αὐτοῦ
 20, 11; δλίγων 20, 18; ὀποτέρων 11,
 13; τούτων 14, 6. μεθ' ὅπλων 18, 28.
 μετὰ σπουδῆς 25, 17
 c. *acc.* τοὺς ἀρχαίους 28, 29; τὸν—
 θάνατον 19, 4; τὴν τῶν νόμων θέσιν 14,
 7; τὴν κάθοδον 15, 2; τὴν τῶν τυράννων
 κατάλυσιν 13, 24; 21, 3; τὴν πρώτην
 κατάστασιν 14, 19; ταύτην τὴν κατά-
 στασιν 22, 6; τὰ Μηδικὰ 23, 2; 25, 2;
 τὴν ναυμαχίαν 23, 22; τὴν νίκην 22, 11;
 οὐ πολὺ 6, 10; οὐ πολὺν χρόνον 25,
 24; 34, 13; ταῦτα 2, 1; 10, 3; 14, 20;
 15, 1; 19, 1; 24, 1 &c.; τὴν τοῦ πατρὸς
 τελευτήν 19, 38; τὴν τυραννίδα 22, 23
 μεταβολή 13, 15; 16, 2; 41, 5
 μεταδίδασθαι 36, 9; μετεδίδου 40, 9; μετέ-
 δωκε 40, 9; μεταδοῦναι 36, 39. Constr.
 τινὸς τινι
 μεταίχμιον, ἐν 12, 65 (Solon)
 μετακινεῖν (τοὺς νόμους) 31, 9 (decree)
 μέταλλα 22, 29; 47, 8, 11
 *μεταλλικαὶ δίκαι 59, 14
 *μεταπέμπομαι 3, 8; 18, 6; 20, 16; 38,
 8
 μεταπίθῃμι· τὰς στάσεις ἀμφοτέρας μετα-
 θέσθαι 11, 9
 μετέχω· ἀρχῆς 7, 29; τοῦ καταλόγου 37,
 7; οὐδένομός 2, 12; τῆς πόλεως 8, 30; 26,
 22; τῆς πολιτείας 21, 5; 42, 2; πάντων
 τῶν τόπων 21, 15. μετεχόντων πολλῶν
 18, 14
 μετεώρους, ὄχετοὺς 50, 12

μέτοικος 43, 25; 57, 18; 58, 11. δίκαι—
μετοίκους 58, 5, 10
μέτριος· μέτριον γενέσθαι καὶ κοινὸν 6, 14;
· μέτριοι τοῖς πολλοῖς 35, 8; εὐποροῦντες
τῶν μετρίων 16, 9; ἔχειν τὰ μέτρια 27,
16. ἐν μετρίοις 5, 17 (Solon)
μετρίως 16, 3
μέτρον 7, 17, 26; πεντακόσια μέτρα 10, 4;
μέτρων καὶ σταθμῶν 10, 3
* μετρονόμοι 51, 5
μέχρι δέκα δραχμῶν 52, 18; 53, 5; εὐ-
θύνων 4, 12; Σόλωνος 2, 9; ἀρχῆς τέ-
λους 56, 7; τίνων 52, 37; τῆς νῦν (sc.
πολιτείας καταστάσεως?) 41, 23 (τοῦ νῦν
usurpat Ag.); τοῦ κ 63, 20; col. 31, 4;
τούτου 23, 1; τριῶν 43, 25
μή, μηδέ, μηδεῖς, μήτε *passim*.
μηδὲ μεθ' ἐτέρων 8, 29 (law of Solon).
μή—μηδὲ 9, 7. μήτε—μήτε 11, 3; 16,
10; 39, 6 (decree); col. 35, 34. μήτε
—ἀλλὰ 16, 8
Μηδικά, μετὰ τὰ 23, 2; 25, 2; 41, 16
* μηδισμοῦ, κρινέσθαι 25, 12
Μηλόβιος 29, 6
μῆν· οὐ μῆν ἀλλὰ 6, 12; 7, 20; + καὶ 2,
11. οὐ μῆν εἰκὸς ἀλλὰ 9, 12. ἡ μῆν
29, 12 (decree)
μῆν, ὁ μῆνης 32, 4; μῆνα 62, 13; μῆνας
13, 7
μηνεῖν 18, 8; ἐμήνυνεν 18, 33; μηνύσων
18, 34
μῆτηρ and μητρὸς πατήρ 55, 14
μικρὸν 3, 14; 11, 12; 15, 17; 25, 3; 41,
10. ἐν οὕτω μικροῖς 6, 17
Μιλτιάδης 26, 5; 28, 10
μισθὸς (δικαστικός) col. 33, 18; col. 37,
7; cf. τρεῖς ὀβολοῦς 62, 7. μ. (ἐκκλη-
σιαστικός) 41, 29—35; 62, 6 f
μισθοφορὰ· κατεσκεύασε μισθοφορὰν τοῖς
δικασταῖς (Pericles) 27, 22; ἄνευ μισθο-
φορᾶς 30, 5 (decree). μισθοφορὰν πο-
ρίζων *Pol.* 1304 b 27
μισθοφόρα τὰ δικαστήρια, ἐποίησε 27, 11;
μηδεμίαν ἀρχὴν εἶναι μισθοφόρον 33, 9;
μισθοφόρον 33, 9; μισθοφόρον ἐκκλη-
σίαν—ἀπέγνωσαν ποιεῖν 41, 29. Cf.
Pol. 1303 b 1; *Rhet.* 1399 b 2.
μισθοφορεῖν, ἐν ταῖς στρατείαις 27, 10;
μισθοφοροῦσι δραχμῆν 62, 6; πέπναιται
μισθοφορῶν 49, 8. Cf. *Pol.* 1317 b 35
μισθοῖ τοὺς οἴκους τῶν ὀφθαλμῶν 56, 42;
μισθοῦσι τὰ μισθώματα 47, 8; τῶ λα-
χόντι μισθοῦσι 50, 9. *Pass.* ὅπως—μὴ
μισθωθήσονται 50, 7. *Mid.* στρατιώτας
μισθωσάμενος 15, 18; ἐμισθώσαντο τὸν
—νεὸν οἰκοδομεῖν 19, 20
* μισθώματα 47, 8
μισθώσει 47, 27; μισθώσεις τῶν τεμενῶν
47, 26. κατὰ ταύτην τὴν μισθωσιν 2,
5; τὰς μισθώσεις ἀποδιδούειν 2, 7
μισθῶ μισεῖν 28, 24
μῆ 10, 5, 8, 9; ἐντὸς τριῶν μῶν 49, 26;
τριάκοντα μῶς 50, 3; ἑκατὸν μῶς 56, 26

Μνησιθείδης ἀρχων (457/6) 26, 16
* μνησικακεῖν 39, 20 (decree); 40, 11.
ἐμνησικακήσῃ 40, 16 (μνησικακος *Rhet.*
1381 b 4; *Eth.* 1125 a 5)
* μοῖρα (= μέρος)· συνεβέβλητο δ' οὐκ ἐλάττω
μοῖραν 19, 24
μοιχέας γραφῆ 59, 11
μοιχὸν λαβῶν 57, 19
μόνος c. gen. 3, 21, 38 &c. οὐ μόνον—
ἀλλὰ καὶ 40, 18 &c. ὥστ' αὐτὴν μόνῃ
χωρεῖν τὴν ψήφον col. 36, 9. τρισχι-
λοις μόνοις 36, 9
* μονοχίτων 25, 18
* μορία 60, 8, 9; ἑλαίαν μορίαν 60, 31
Μουνηχία 19, 5; 38, 1, 16; 42, 21. (στρα-
τηγὸς) εἰς τὴν Μ. 61, 6
μουσικῆς γένων 57, 5; 60, 5. τοῖς τὴν
μουσικὴν ἀνάσων 60, 21
μῦδροι 23, 24 (only in *de Mundo* 395 b
23 μῦδρους διαπύρους)
* μυλωθοῖ 51, 11
Μύρων 1, 1
* μύσται, ὅταν οἰκουράσι 56, 22
μυστήρια 39, 8; 57, 2

Νάξιος 15, 11
Νάξος 15, 15
* ναυκραρία 8, 13 f
* ναυκραρικοῦ ἀργυρίου, ἐκ τοῦ 8, 18 (de-
cree)
* ναύκραρα 8, 14, 17; 21, 20
ναυμαχία, ἡ περὶ Σαλαμίνα 23, 5; ἐν Σαλα-
μῖνι 23, 22; 27, 7. ἡ περὶ Ἐρετριᾶν 33,
4. ἐν Ἀργινούσις 34, 4. ἐν Αἰγύψοις ποτα-
μοῖς 34, 15. ἠτύχησαν—ναυμαχίαν 34,
15
ναυμαχῶ· ἐναυμάχησαν—πρὸς τοὺς βαρβά-
ρους 22, 37
ναυπηγοῦμένου 22, 37; ἐναυπηγήσατο 22,
36 (only in *Oec.* 1349 a 25 ναυπηγεῖσθαι
τριήρεις μελλῶν. ναυπηγὸς and ναυπηγία
in *Pol.*; ναυπηγική in *Eth.*)
ναῦς· ἐπ' ἄλλοτριάς νεώς 34, 6; νῆες φρου-
ρίδες 24, 18; ἄλλαι νῆες 24, 19; εἰς τὰς
ναῦς 23, 7
ναυτικήν δύναμιν, τὴν 27, 5
νέμω· νεύμαι—τοὺς ἄλλους πρὸς τὴν λήξιν
ἐκάστην 30, 16 (decree); ἵνα νεμηθῶσιν
—εἰς τὰς τέτταρας λήξεις 31, 18 (de-
cree); ἐκ τῆς φυλῆς ἐκάστης νενεμημένα
τριπτύεις τρεῖς 8, 13; νεμένηται κατὰ
φυλὰς δέκα μέρη οἱ δικασταὶ 63, 20.
Mid. ἐάν τις μὴ ᾗθελη κοινὰ τὰ ὄντα
νέμεσθαι 56, 37
Νεοκλῆς 23, 14
* νεοπολίτας, τοὺς 21, 17
νεὸς ὢν 27, 3; τῇ νέᾳ βουλῇ 46, 5. νεώτε-
ρος 19, 6; ν. ὀκτῶ καὶ δέκα ἐτῶν 42, 13;
νεώτερον (?) 26, 5
* νεωρίων, φρουροὶ 24, 15
νεὸς ὁ ἐν Δελφοῖς 19, 20
* νεώσοικα 46, 2, 4
νεωστὶ 3, 18

νίκη, μετὰ τὴν 22, 11. Νῦκαι 47, 5
 Νικίας 28, 15, 29
 Νικόδημος (or Νικομήδης) ἄρχων (c. 483/2)
 22, 29
 νικῶ νικᾶν 12, 9 (Solon). ἐνίκησεν (τοὺς
 ἱππεῖς) 19, 31. *c. acc. cogn.* νικήσας
 τὴν ἐπὶ Παλληνίδι μάχην 15, 12; τὴν
 ἐν Μαραθῶνι μάχην νικησάντων 38, 2;
 τὴν μουσικὴν νικῶσι—τὴν εὐανδρίαν—
 τὸν γυμνικὸν ἀγῶνα καὶ τὴν ἱπποδρομίαν
 60, 20 f. *c. dat.* νικησάντων μάχην 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; ὄντως νικᾷ col. 36, 35
 νομίζειν 6, 21; νομίσαντες 18, 18
 νομίμων, εἰργεσθαι τῶν 57, 14
 νόμισμα 10, 4, 7
 νομοθεσία 10, 2
 νομοθετῶ· ἐνομοθέτησεν 8, 8; νομοθετήσας
 11, 15 (both of Solon)
 νόμος 4, 23; 16, 41. ὁ μὲν νόμος ἐστίν 60,
 13. εἰσαγγελίας 8, 26; περὶ τοῦ ὀστρα-
 κισμοῦ 22, 5. νόμον ἔθηκε 8, 28; 22,
 17; νόμους ἔθηκε 6, 3; 7, 1; νόμους ἐτέθη
 21, 4; 22, 13, 26. νόμον μὴ ἐπιτήδειον
 θεῖναι 59, 6. ἀναγράφαντες—νόμους 7,
 3; ἀσαφεῖς—νόμους 9, 11; μὴ γεγράφθαι
 τοὺς νόμους ἀπλῶς μηδὲ σαφῶς 9, 7; νό-
 μους (διατρεῖν) 3, 35; νόμους ἐξηγεῖσθαι
 11, 6; νόμον θέσις 14, 7; ἐν τοῖς νόμοις
 10, 1; κατὰ τοὺς νόμους 4, 21; τοὺς—
 νόμους τοὺς περὶ τῶν Ἀρεοπαγιτῶν 35, 10;
 ὑπὸ τῶν νόμων 51, 2; ἐχρήσαντο τῶν νόμων
 22, 12. νόμοι quoted, περὶ τῶν ταμιῶν
 8, 6; Σόλωνος 8, 16; περὶ τῶν τυράννων
 16, 39
 * νομοφυλακεῖν, ἐπὶ τὸ 8, 20 (νομοφύλακες
 and νομοφυλακία in *Pol.*)
 νόον, τρέφεσθε μέγαν 5, 17 (Solon)
 νοσῆσας 17, 2. *Met.* τὰ πράγματα νοσ-
 οῦντα 6, 19; διετέλουν νοσοῦντες 13, 12
 νύκτα καὶ ἡμέραν 44, 2
 νῦν 3, 24 &c. τὸ νῦν εἶναι 31, 9 (decree).
 καὶ νῦν 3, 39; 7, 29. ἔτι καὶ νῦν 3, 25;
 7, 6; 8, 6; 22, 7. νῦν δέ (opp. πρότε-
 ρον μὲν) 53, 24; 54, 19; 55, 11, 25;
 56, 25; 61, 2; (opp. πρότερον δέ) 56,
 9; (opp. ποτε) 49, 20; (opp. τὸ μὲν ἐξ
 ἀρχῆς) 55, 4; νῦν δ' after impf. 51, 9

Ξάνθιππος ὁ Ἀρίφρονος 22, 28; 28, 10
 Ξεναίετος ἄρχων (401/0) 40, 27
 Ξενίας γραφὴ 59, 8
 Ξέρως 19, 23; 20, 6; 57, 18
 Ξέρξου στρατεία 22, 40
 ξηρὰ καὶ ὑγρὰ 7, 17
 ξύλινοι (ἀμφορεύς) col. 36, 5, 7. ξύλοι (ῥ)
 κύβοι col. 31, 19
 ξυνήγαγον 12, 28 (Solon)

δ. τὰ μὲν ἐκὼν τὰ δ' ἄκων 27, 10.—τὰ
 δύο μέρη 51, 17.

Article often found in periphrastic
 phrases, *ol* περὶ Ἀνακρέοντα 18, 5; *ol*
 περὶ τὸν Κλεομένην 20, 12; τῶν ἐν τῇ
 πολιτείᾳ 38, 9; τὰ περὶ τὰς ἀρχάς 3,
 33; τὰ πρὸς ἑαυτοῦς 13, 13; τὰ εἰς τὸν
 πόλεμον 23, 10; τὰ τοῦ πολέμου 30, 30
 (decree); τὰ κατὰ τὴν πολιτείαν 2, 10;
 29, 1 f.

Sometimes omitted (*i*) before the
 names of officials, as θεσμοθέται 3, 30;
 στρατηγούς καὶ ἱππάρχους 4, 8; cf. 30,
 7: (2) in certain set phrases, as ἐν
 ἀγορᾷ 51, 10; 52, 14; ἐν ἄστει 50, 5;
 ἐν ἀκροπόλει 18, 14; εἰς ἀκρόπολιν 55,
 33; 60, 18 (but εἰς τὴν ἀκρόπολιν 20,
 13); ἀνευ δικαστηρίου γνώσεως 45, 4;
 ἐκ καταλόγου 26, 8; ἐν μέρει 43, 7;
 κατὰ μέρος 55, 5; εἰς πόλιν 8, 24; μέχρι
 ἀρχῆς τέλους 56, 7; ἔτει δευτέρῳ 14, 7;
 15, 9 &c; καὶ αὐτὸν καὶ γένος 16, 44;
 τίς πατὴρ (and μητὴρ) πατήρ 55, 14 f.
 Similarly with ἀρχή 5, 6, 20. (The
 exx. mainly from H-L, *s.v.* Articulus.)
 See also ὅδε, ἕκαστος and τρόπος.

ὀβολός 41, 33; 62, 9. δύο ὀβολοῖς (τοῖς
 ἀδυνατοῖς) 49, 28; δυοῖν ὀβολοῦν 28, 22;
 τρεῖς ὀβολοῦς 29, 32; 62, 7; τέτταρας
 42, 26; 62, 10; πέντε 62, 7; ἑνέα 62,
 7

ὅδε, article sometimes omitted in papyrus
 after, 7, 8; 29, 29; 37, 5; not omitted
 in 42, 1 τόνδε τὸν τρόπον.—νόμος—ὅδε
 16, 42

* ὀδοποιοί 54, 1

ὀδός 50, 11—14; 54, 2

ὀδύνα 16, 21

ὅθεν (1) 'whence', (of place) 15, 7; (of
 origin &c) 6, 11 ὅθεν φασὶ γενέσθαι;
 8, 3 ὅθεν ἔτι διαμένει; 18, 12 ὅθεν
 συνέβη; 19, 20 ὅθεν εὐπόρησαν χρη-
 μάτων; 21, 5 ὅθεν ἐλέχθη τὸ φυλοκρι-
 νεῖν. (2) 'wherefore', ὅθεν καὶ 3, 8;
 17, 15; 21, 18; ὅθεν ἔτι καὶ νῦν 7, 6;
 ὅθεν ὕστερον 19, 13
 οἶδα *passim*. οἶδεν ἀδικοῦντα 49, 11; μὴ
 εἰδῆ 57, 20; εἰδότες 14, 12

Οἴηθεν 27, 19

οἰκείας, ἐκ τῆς 7, 17; τῶν οἰκείων 40, 24

οἰκείως εἶχον 36, 5

οἰκέτην ἀποκτείνῃ 57, 17

οἰκήματα 15, 21

οἰκία· ἐὰν—οἰκίαν λαμβάνωσιν 39, 10; οἰ-
 κίας 20, 9; τὰ χωρία καὶ τὰς οἰκίας 52,
 6

οἰκοδομεῖν 19, 20

οἰκοδομήματα δημόσια 46, 8

οἴκου ὀρφανικοῦ κακώσεως 56, 34; οἴκους
 ὀρφανῶν 56, 43

* οἰκουράσι μύσται, ὅταν 56, 22

οἰκῶ *c. acc.* οἰκεῖν τὴν πόλιν 22, 19; *c.*
praep. τοὺς οἰκούντας ἐν ἐκάστῳ τῶν
 δήμων 21, 16; οἰκεῖν ἐν τῷ ἄστει 24,
 3 &c. ᾤκησαν (?) 3, 23

- οἰνοχεῖν 20, 23 (scol.)
 οἰομαι 'οἰοῦνται' 9, 10; οἰεσθαι 10, 6; ψετο
 11, 10
 οἶον, 'for example', 35, 14; 57, 19. * οὐχ
 οἶον* *parryri lectio* 40, 23
 δκτώ 23, 7. δκτωκαίδεκα ἔτη 42, 3, 13
 ὄλβος 12, 13, 18 (Solon)
 ὄλιγαρχία κατέστη 32, 7; ὄλιγαρχίας ἐπε-
 θίμου 34, 20; ἐν ὄλιγαρχίᾳ 38, 29;
 τὴν ὄλιγαρχίαν ἐξήτουν 13, 19; χειρο-
 τονεῖ τὴν ὄλ. 34, 26; τὴν προτέραν ὄλ.
 37, 11; τὴν ἐπὶ τῶν τριάκοντα ὄλ. 53,
 4
 ὄλιγαρχική, ἡ πολιτεία 2, 2; προσθεμένον
 τοῖς ὄλιγαρχικοῖς 34, 25
 ὄλιγος 'δι' ὀλίγων ἦν 2, 6; 4, 24. οἱ ὄλι-
 γοὶ 41, 28; τῶν πολλῶν δουλευόντων
 τοῖς ὀλίγοις 5, 2
 ὄλιγῶν τούτων μὲν ὀλιγώρησαν 36, 12
 ὄλος 'τὴν ὄλην—πράξιν 18, 21; ἐκ τῆς φυ-
 λῆς ὄλης 62, 2
 ὄλω 13, 12
 ὄμλαια—προσῆγετο, ταῖς 16, 37
 ὄμλουντας, πρὸς χάριν 35, 19
 ὄμνυμι 'ὄμνύουσι 3, 11; 7, 6; 22, 7; 55,
 31; 55; 34. ὄμνυτες 7, 5; τοῖς ὄρκους
 ὤμοσε τοῖς Ἰωσὺν 23, 23; ὤμοσαν χρή-
 σεσθαι 7, 4; περὶ τοῦ ὄρκου ὄντινα χρή
 ὄμοσαι γράψαι 31, 6. ὄμοσαντες 42, 4,
 15; 55, 29, 33; ἡ μὴν 29, 12 (decree);
 καθ' ἰερῶν 1, 1; καθ' ἰερῶν τελείων 29,
 39; ὄμωσων 39, 15
 ὄμοις καὶ πρότερον 26, 12; ὄμοιως—καὶ
 ἐπὶ τῶν ἄλλων 35, 17
 ὄμολογία 19, 35
 ὄμολογῶ ὄμολογοῦσιν 28, 31; ὄμολογῆ 57,
 19; ὄμολογῶσι 52, 3; ὄμολογεῖται 28,
 31
 ὄμοιόας, ἄρχεν τῆς 40, 23
 * ὄμοφρονήσαντες 14, 18
 ὄμωχρον τῷ δικαστηρίῳ, βακτηρίαν col. 32,
 4; δικαστήριον ὄμωχρον τῇ βακτηρίᾳ col.
 32, 11
 ὄνειδίζω 12, 55; ὄνειδισας 18, 36; ὄνει-
 δισαί 12, 57 (Solon)
 ὄνομα 7, 19; 14, 27; 17, 13; 48, 20; 54,
 36; 63, 19
 ὄπλα, ἀνελόντες 15, 21; ἐξαράμενος 14,
 13; μὴ θῆται 8, 29; παρελίετο 15, 15;
 παρελίοντο 37, 14; παρελεσθαι 37, 4;
 παρελόμενος 15, 13; παρεχόμενοι 4, 47;
 ἀπὸ τῶν ὄπλων 18, 27; τοῖς ἐκ τῶν
 ὄπλων 33, 8; ἐκ τῶν ὄπλων τῆς πο-
 λιτείας οὐσης 33, 14; μεθ' ὄπλων 18,
 28; περὶ τῶν ὄπλων 15, 24. ἐξέτασεν
 ἐν ὄπλοις 31, 11 (decree)
 ὄπλιται 24, 18; 61, 21, 24. (στρατηγὸς)
 ἐπὶ τοῖς ὄπλιταῖς 61, 4
 * ὄπλομαχεῖν 42, 22
 ὄποτέρος ἂν 46, 3; ὄποτέρως ποτ' ἔχει 3, 14
 ὄπου 43, 15
 ὄπῶρα 27, 17
 ὄπως (1) with *subj. pres.* (a) after past
 tense, ἀρχωσιν 4, 21; ἐξῆ 27, 17; ἦ 9,
 11; μετέχη 21, 15; προσισθῆται 41, 31;
 φυλάττωσιν 3, 21; μὴτ' ἐπιθυμῶσι μήτε
 σχολάζωσιν 16, 10; μὴ ἦ 35, 16; μὴ
 παραμελώσι 16, 15; μὴ συμβαίῃη 21, 9.
 (b) after pres. inf. dependent on pf.
 ind. προστέτακται—ἐπιμελεῖσθαι, ὅπως
 πωλήται 51, 2—4.
 (2) with *subj. 2nd aor. μετάσχωσι*
 21, 5; μηδὲνα λάθη 43, 22.
 (3) ὅπως <ἂν>—βουλευσονται 29, 18
 (decree); ἂν συμβουλευσῶσι 29, 24 (de-
 cree); ἂν σῶα ἦ 30, 20 (decree)
 (4) with *ful. ind.* (after ἐπιμελοῦν-
 ται), ὅπως—ἔσται—, ὅπως—πωλήσουσι
 51, 10 11; μηδεὶς καταβαλεῖ 50, 9; χρή-
 σονται (χρήσανται MS); (after σκοποῦ-
 σιν), ὅπως μὴ—μισθωθήσονται 50, 7
 ὄργη 'ὑπὸ τῆς ὄργῆς 18, 37; οὐ κατέχε
 τὴν ὄργην 18, 9
 ὄρθως, ποιεῖν 41, 28
 ὄρῖζω ὤρισαν τοῖς ὄστρακιζομένοις—κατοι-
 κεῖν 22, 41; ὡς ἐν τούτῳ τῷ πλήθει τῆς
 ἀρετῆς ὤρισμένης 36, 10
 * ὄρκια ποιήσειν (?) 3, 12
 ὄρκοι ἐποίησαν 22, 7; ὄρκους ὤμοσεν 23,
 23; τοῖς ὄρκους ἐμίμνηεν 40, 13
 ὄρμη 19, 24; ὄρμαῖς (?) 28, 16
 ὄρος 12, 23, 66 (Solon)
 ὄρφαλοι 24, 20; ὄρφανῶν, ἐπιμελεῖται 56,
 39; ὄρφανῶν κακώσεως 56, 32; ἄκοι
 ὄρφανῶν 56, 43
 ὄρφανικός 'ἄκοι ὄρφανικοῦ κακώσεως 56, 34
 ὄρῶ *passim*. ὄρῶν 8, 26; ὄρῶν col. 35,
 33; ἰδῶν 16, 18; ἰδῶντες 18, 16
 ὄς' ἐξ οὗ 60, 12. ἐφ' ᾧ τε 14, 22; 34, 17-
 ἦ ἂν δοκῆ αὐτοῖς ἄριστα ἔξειν 30, 19;
 ἦ ἂν ἠγῶνται συμφέρον 31, 9 (decrees)
 ὄσιων 43, 30; + χρημάτων 30, 9 (decree)
 ὄσος' ὄσον ἂν 51, 14; καθ' ὄσον 14, 14;
 ὄσοι μὴ 22, 18; ὄσοι ἡμέραι 43, 13
 ὄσοσπερ' ὄσοιπερ 63, 7; ὄσαπερ ἂν 63, 10
 ὄσαπερ' ἐκ τοῦ αὐτοῦ τέλους ὄσαπερ 4, 13;
 τὸ αὐτὸ ὄσαπερ 31, 7, 13, 31. ὄσαπερ ἐγένετο
 38, 11; ὄσαπερ καὶ συνέπεσον 40, 15; ὄσαπερ
 εἰώθεισι ποιεῖν ἄπαντες 40, 4; ὄσαπερ ἔστιν
 ἀγαθὸ πολίτου ἔργον 28, 38
 ὄστις' ὅ τι χρῆσεται 22, 31. ὅ τι ἂν γνῶ-
 σιν 48, 27; δοκῆ 48, 22; 63, 15; ἐγκαλῆ
 48, 21; προστιμῆση 63, 7; χειροτονήση
 47, 11; ψηφίσανται 45, 10; μὴ προ-
 γράψωσιν 45, 22. ὄστις καταλέξουσι
 29, 38; ὄντων' ἀποδοκιμάσειεν ἢ βουλή
 55, 11
 ὄστρακίζω 22, 15, 24, 25, 27, 38, 40, 41;
 27, 20
 ὄστρακισμός 22, 13
 ὄστρακοφῶρα 43, 23
 ὄταν *passim*. 4, 17 &c
 ὅτε *passim*; c. *opt.* 16, 35; 36, 14
 ὅτι *passim*; 6, 18 &c
 οὐ *passim*; ἦ οὐ 49, 28. οὐχί 18, 32
 (Poet. 1448 b 18, 1459 a 21 &c). οὐ

μῆν ἀλλά 6, 12; 7, 26; +καί 2, 11; οὐ μῆν εἰκὸς ἀλλά 9, 12
 οὐδὲ ἀνδ' οὐδὲις *passim*; οὐδ' ἄν εἰς εἶποι 7, 30
 οὐδὲις' οὐδεμῆς 7, 28; οὐδ'—εἰς 7, 30
 οὐκέτι χρώνται 8, 16 &c
 οὐνεκα 12, 28, 53 (Solon)
 οὐπω 14, 17
 οὐσία 4, 8; 5, 12; 27, 13, 19; 49, 16.
Pl. 35, 23, 25; 47, 13
 οὔτε—οὔτε 38, 30 f
 οὔτεροι 12, 51 (Solon)
 οὔτος *passim*. τοῦτον <τὸν> τρόπον 12, 1.
 τούτων δ' εἶναι 30, 5 (decree)
 οὔτω, οὔτως, *passim*. ἐν οὔτω μικροῖς 6, 17
 * [ὀφείλει] τῶν (?) 47, 14
 ὀφείλειω δραχμῆν τῆς ἡμέρας ἐκάστης 30,
 33; ὀφείλων (πρόκα) 52, 13; ὀφείλουσι
 τῷ δημοσίῳ 63, 12
 * ὀφλημα 63, 16 (ὀφείλημα *Eth.* 1162 b 28,
 1165 a 3)
 ὀχετοῦς μετεώρους—ποιεῖν 50, 12
 ὀψέ 26, 6

Πάγγαιον 15, 7
 πάγος, "Ἄρειος" v. "Ἄρειος
 Παιανιεύς 14, 26; 38, 22
 παιδιώδης 18, 4
 παιδοστρίβης 42, 22
 παῖς 16, 19; παῖδες 2, 8; 4, 9; 19, 35.
 ἐάν μὴ ἀποδοῖσι τοῖς παισὶν τὸν σίτον
 56, 46. χορηγοῦς—παισὶν 56, 11 f;
 παισὶν χορηγοῦντα 56, 18
 * παλαιόπλοτοι 6, 12
 πάλιν 11, 11; 12, 55; 14, 21; 15, 9; 16,
 35; 20, 6. πάλιν ἐξ ὑπαρχῆς 4, 16.
 πάλιν δέ 12, 10, 15, 26
 Παλλαδίω, ἐπὶ 57, 18
 Παλληνίδι, ἐπὶ 15, 13
 Παναθήναια 18, 11, 15; 43, 4; 49, 23;
 54, 28, 31; 60, 4, 19; 62, 13
 Πανδίων Heracl. epit. l. 3
 πάντων ἐσνης 47, 4
 παρὰ c. dat. ἑώντες—παρ' αὐτοῖς 24, 8;
 παρὰ τοῖς Ἑλλησιν 23, 11
 c. acc. ἐλθόντι παρ' αὐτόν 27, 16:
 παρὰ τὸ Λεωκόρειον 18, 20; τοὺς ἐπω-
 νόμους 53, 26; δῶξαν 11, 9; τὸ βέλ-
 τιστον 35, 19; παρ' ὃν ἀδικεῖται νόμον
 4, 23
 παράβολον p. 253 frag. dubium 7 (not
 found elsewhere in this sense)
 παραβῶσι τῶν νόμων, ἐάν τινα 7, 6
 παράδειγμα ποιήσιν 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.
 παραδιδόσιν (τὰ τέλη) τῇ βουλῇ 47, 17;
 (τὸν κατάλογον) τοῖς ἑπάρχους 49, 10;
 τὸ τίμημα τοῖς διατητῆταις 53, 6; (τοὺς
 ἐχίρους) τοῖς—δικάζουσιν 53, 14; τὰ κι-

βῶτια col. 32, 23; τοῖς ἐλλησίν col.
 32, 24; ἐκάστω τῶν δικαστῶν δύο ψήφους
 col. 32, 31. παραδύσαντας τοῖς πωλη-
 ταῖς 52, 7. παρέδωκαν τὴν ἀκρόπολιν
 19, 36. παραδῶσιν ἐξεργασμένα 46, 5;
 παραδῶσιναι τοῖς ἔνδεκα 29, 27 (decree)
 * παραβιβατοῦσης τῆς γυναικὸς 14, 29
 * παραινῶ 5, 10, 14; 36, 2
 * παραιροῦμαι τῶν Ἄρεσπαγιτῶν ἔνια παρέ-
 λετο 27, 4. (Οἱ ὄπλα) παρελόμενος 15,
 13; παρείλετο 15, 15; παρελθεῖται 37,
 14; παρείλοντο 37, 14. Cf. περιαιροῦ-
 μαι.
 παρακάθηται τῇ βουλῇ 54, 15, 20 (only
 quoted from *fr. de Admir.* 845 b 28 ἐγεί-
 ρειν τὸν υἱὸν παρακαθήμενον)
 παρακαλῶν *abs.* 14, 16
 παράκειται τῷ ἄρχοντι κιβώτια col. 31, 35
 παραλαμβάνει σὺμβολον col. 32, 14; παρα-
 λαμβάνουσι τὸ ἀγαλμα τῆς Ἀθηνᾶς 47,
 5; βακτηρίαν πάλιν παραλαμβάνοντες col.
 37, 3. ἐάν παραλάβωσιν (τὰ δημόσια)
 48, 26; (εὐθύναν) 48, 26. παραλαβῶν
 τοὺς χορηγοῦς 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. παραλίων (στάσις) 13, 17
 παραλλάξει 11, 12
 Πάραλος 61, 27
 παραμελῶσι τῶν ἀγρῶν 16, 15 (ἐνέργεια
 παρημελημένη *Eth.* 1175 a 10)
 παρανομία, δίκη 56, 35. Cf. *de Part. An.*
 635 b 5
 παρανομοῖεν 28, 37; παρανομοῦσαις 28, 38;
 παρανομοῦντων 3, 21
 παρανόμων γραφῆ 45, 24; 59, 6; *Pl.* 29,
 23. γραψόμενος παρανόμων 40, 8 (*Pol.*
 1255 a 9)
 * παρανοοῦντα 56, 35
 παραπλησίαν c. dat. 29, 20. *Adv.* παρα-
 πλήσιον 10, 5
 παραπλησίως ἴσοι 63, 21
 παρασκευάζω παρεσκεύαζεν εἰρήνην 16, 25
 παράστασις τίθεται 59, 8 (found in *Pol.* in
 different senses)
 * παραστρατηγηθῆναι διὰ τῶν φίλων 6, 8
 παρατηροῦντες 18, 14
 παρατίθενται, βακτηρίαι κατὰ τὴν εἴσοδον
 63, 7
 * παρατρέφοντι κήρυκα καὶ αὐλητῆν (of the
 archons) 62, 11
 παραντικὰ πρὸς τὸ π. βλέποντες 28, 28
 παραχρῆμα 18, 25
 παραχωρησάντων τῶν Κοδριδῶν—3, 13;
 παρεχώρουν αὐτῇ τοῦ ἀξιώματος 23, 8
 παρεγκλίνουσα τῆς βασιλικῆς, μικρὸν 41,
 10
 * παρεδρεῖναι 56, 3
 * πάρεδροι (to the ἄρχων, βασιλεὺς and
 πολέμαρχος) 56, 1; (to the εὐθύναι) 48,
 15
 πάρεμι (εἰμί) παρὸν 11, 4, 6; τῆς παρ-

- ούσης πολιτείας 37, 8; ἐν τῷ παρόντι 6, 2; + καιρῷ 31, 2; τῶν παρόντων (masc.) 38, 13; πρὸς τὰ παρόντα πράγματα 61, 10
 πάρειμι (εἰμι) εἰς τὴν Ἀττικὴν παριέναι 19, 31
 παρέργως 28, 35
 παρέρχομαι· παρήλθεν εἰς τοὺς—τόπους 15, 7; τῶν παρεληλυθότων—μνησικακεῖν 39, 20 (decree)
 παρέχει δ' ἐν μέρει ἑκατέρα τῶν φυλῶν τοῦτον 56, 13. *Mid.* τοῖς ὄπλα παρεχομένοις 4, 5; τῶν ὄπλα παρεχομένων 4, 7. ἐγγυητὰς παρασχομένους 4, 12; παρὰσχῆται τοὺς μάρτυρας 55, 20; τιμήματα παρεχομένοις (?) 39, 24
 παρίστημι· παρέστηκεν ἵππος 7, 25
 Πάρης 19, 12
 παροξυνθέντα 18, 13; παρώξυνε 18, 36
 παροργισαντας, διὰ τοὺς 34, 7 (*Act.* hitherto found in Gk. Test. alone)
 παρορῶ· τὰ δόξαντα—παρεώρων 35, 3; εἰ μὴ τι παρεωράτο 26, 18
 παροχλῶ· παρῶχλει 16, 25
 παρρησία 16, 23
 * παρωνύμιον 17, 12
 πᾶς, ἅπας, *passim*. πάντες 12, 2; πάντ' ἀνάστα ποιήσῃ 11, 11; πάντα ποιῶν 18, 33
 πάσχω· ὑπὸ τῶν ἀντιστασιωτῶν ταῦτα πεπονηθῆς 14, 4; παθεῖν ἢ ἀποτεῖσαι 61, 13; 63, 15; (ἵππος) ὁ ταῦτα παθῶν 49, 4
 πατήρ 19, 39; 55, 13; πατὴρ πατήρ 55, 14
 πατρικὰς δόξας, τιμωμένων διὰ τὰς 26, 9
 πατρικῶς χρωμένους, τῇ πόλει πάσῃ 28, 32
 πάτριος· πάτριον πολιτεῖαν 34, 18, 22; τῶν πατρῶν 3, 16; πατρίους νόμους 29, 17 (decree); πατρίους θυσίας 57, 8; κατὰ τὰ πάτρια 21, 24 and (in decrees) 31, 3; 39, 6, 19
 πατρίδα, σώσας 11, 14; βεβοθηκέναι τῇ πατρίδι 14, 14
 * πατρόθεν· προσαγορεύοντες 21, 17; τὸ ὄνομα τὸ ἑαυτοῦ πάτροθεν 63, 19
 πατρώος, Ἀπόλλων 55, 16; p. 251 frag. 1 (only in *Pol.* 1303 b 34 ἢ τῶν πατρώων νομῆ)
 πατράλῳ (?) 16, 18
 Πανσανίας, Spartan general in Persian war, 23, 20
 Πανσανίας, Λακεδαιμονίων βασιλεὺς 38, 23, 25
 παῦν· *Mid.* ἐπαύσαντο χρώμενοι 7, 1; πέπανται μισθοφορῶν 49, 8. τῆς ἀσελγείας παύσασθαι 36, 2. ἐπαυσάμην 12, 29, 63 (Solon)
 πεδιακὸν (στάσις) 13, 19
 πεζὰς μόσχους p. 255 frag. alienum 15
 πείθει· οὐκ ἐπειθεν 14, 12. πείσας 18, 34; 40, 12. πεισθέντες—ταῦτα 24, 6. γυναικὶ πειθόμενος 35, 16 (law of Solon). πεισόμεθ' 5, 18 (Solon)
 Πειραιεύς. Πειραιεύς· τοῦ Π. ἄρχοντας δέκα 35, 5; τῶν ἐκ Π. κατελθόντων 38, 31; τοὺς τοῦ Π. ἄρξαντας 39, 22; τοὺς ἐκ Π. συγκαταλεθούσιν 40, 9; τοὺς ἐκ τοῦ Π. 40, 22; τὴν ἐκ Π. κάθοδον 41, 23. Πειραιεῖ· 38, 23; 39, 23 f; 50, 5; 61, 7. Πειραιεῖα· 38, 16; 42, 21; 51, 1, 6, 8, 10; εἰς Π. δήμαρχος 54, 34; (στρατηγὸς) ἐπὶ τὸν Π. 61, 6
 πεிரῶμαι· c. *inf.* 6, 5; 20, 10; 34, 19
 Πείσανδρος 31, 9
 Πεισιστρατίδαι 19, 24 f, 34
 Πεισιστρατος 13, 20; 14 *passim*; 15, 22; 16 and 17 *passim*; 23, 14; 28, 5; 41, 13
 πέλαγος 23, 24
 Πελαργικὸν τεῖχος 19, 32
 * πελάται 2, 5
 Πελοποννησίους, πόλεμος πρὸς 27, 8; τῶν Π. 38, 13
 πέμπτω (ἔτει) 13, 3, 5; 26, 19
 πέμπω· οὐ γὰρ ἐπεμπον—μεθ' ὄπλων 18, 28; τὴν πομπὴν—πέμπουσιν 57, 6
 πένης 47, 4; πένητες 2, 3; πένησιν 13, 14
 * πενήθημερον, κατὰ 30, 24 (decree)
 * πεντακισχίλιοι, οἱ 29, 35; 39 (decree); 30, 2; 31, 10 (decree); 32, 1, 12; 33, 8, 12
 πεντακόσιοι, οἱ 21, 7; 22, 7; 25, 10. π. 22, 22; 24, 14 f, 18; 55, 6. π. βουλευταί 35, 3; 43, 6. πεντακόσια 7, 17
 πεντακοσιομέδιμμος 4, 18; 7, 10 f, 27; 8, 7; 26, 17; 47, 3. -ον τελέων 7, 16
 πέντε 13, 8; 19, 36. πεντεκαίδεκα 51, 9
 πεντετηρίδες 54, 28—32 (διὰ πεντατηρίδος *Pol.* 1308 b 1)
 πενήκοντα 19, 39; 21, 8; 24, 15
 * πέπλος (of Athena) 49, 20; 60, 6
 πέρας, ἐπὶ 38, 24
 περὶ· c. *gen.* τῆς ἀποκοπῆς 12, 26; ταύτης τῆς ἀρχῆς 13, 11; αὐτῶν 8, 26; 12, 2; τῶν βουλομένων 12, 15; τῶν διωκημένων 25, 7; κλήρων καὶ ἐπικλήρων 9, 8; τῶν νόμων 11, 2; τῶν ὄπλων 15, 23; τοῦ ὀστρακισμοῦ 22, 5; πλείονος ποιήσασθαι 6, 16; τοῦ πλήθους 12, 10
 c. *acc.* (local) τὸ ἄστυ 21, 13; Σαλαμίνα 23, 4; Πάργαιον 15, 7; τὸν Θερμαίων κόλπον 15, 6. τὰς ἀρχάς 9, 1; τὸν ὀστρακισμόν 22, 13; τὸν χρόνον τοῦτον 23, 10—οἱ περὶ Ἀνακρέοντα καὶ Σιμωνίδην 18, 5; τὸν Κλεομένην καὶ Ἰσαγόραν 20, 12; τὸν Ἰσαγόραν 28, 9; τὸν Ἐπίωνα 38, 28
 περιαιρῶ· περιαιρεῖται τὸν στέφανον 57, 26; ἅπαντα περιείλετο τὰ ἐπιθετά 25, 8; περιείλοντο αὐτῶν τὴν δύναμιν 25, 22.
 Cf. παραιρῶ
 περιεγένετο τῇ πόλει τάλαντα ἑκατόν 22, 30
 * περιελαυνόμενος τῇ στάσει 14, 21
 περιέρχομαι· τὰ ἱερὰ περιήλθον 42, 20; κατὰ δῆμους περιμόντες 53, 3
 περιζωσάμενος ἐδημηγόρησε 28, 17 (περιεζῶσθαι τὴν φορβέλειαν *Pol.* 1324 b 16)

Περικλής' (law concerning citizenship) 26, 22; πρὸς τὸ δημαγωγεῖν ἐλθόντος II, 27, 1; ἐποίησε μισθοφόρα τὰ δικαστήρια 27, 12; πρὸς ταύτην τὴν χορηγίαν ἐπιλειπόμενος 27, 18; ἔως II. προεστῆται 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. 12², 1476 a 6, ἤλιον περιπολοῦντα)

πέτρας σκάπτοντα 16, 19

πήγνυμι ὄρους—πεπηγότας 12, 33 (Solon)

πῆρῶν τὸ σῶμα πεπηρωμένους 49, 26

πίαρ 12, 64 (Solon)

πιέρας χθονός 12, 24 (Solon)

πιθανώτερος ὁ τῶν δημοτικῶν λόγος 6, 12

πικρός 19, 3. πικρότατον 2, 10. πικρῶς 18, 10

πινάκιον λελευκωμένον 48, 20. (δικαστοῦ)

π. πύξινον 63, 18; πινάκιον col. 31, 7, 10, 30; *pl.* 63, 6; col. 31, 5, 11; col. 32, 19; col. 33, 9. ἐν τοῖς δικαστηρίοις ... φέρειν ἕκαστον πινάκιον (of Hippodamus) *Pol.* 1268 a 2

πίναξ 49, 12 (πίναξ δὲ ἀνέθηκε—χορηγίας *Pol.* 1341 a 36)

*.πιπράσκω τὰ πραθέντα μέταλλα 47, 11; μ. πεπραμένα 47, 12 f; τέλη πεπραμένα 47, 16 (πραθέντων ἢ μισθωθέντων *Rhet. ad Alex.* 1425 b 23)

πιστεύω ἐπίστανεν 21, 1

πίστωσι χάριν 18, 34

πιστότατος 54, 17

πλανωμένους 12, 39 (Solon)

πλαττόμενος 18, 32

πλεονάκις 62, 18

πλεονεκτεῖν 4, 15

πλεονεξία 7, 17; 16, 32

πλήθος, τὸ 2, 2; 9, 5; 12, 10; 16, 24; 20, 5, 12; 21, 2, 12; 22, 4; 25, 4; 28, 24; 34, 9; 36, 4; 41, 24, 32. τὸ πλ. τῶν πολιτῶν 26, 21. πλήθος, 'number', 36, 10; 40, 4

πλήν *c. gen.* 7, 2; 24, 7; 29, 31. πλήν ἐάν 43, 13; 54, 31. πλήν βουλευσαί 62, 19. πλήν μυστηρίου 39, 7 (decree)

πλήρης, ψήφος col. 35, 29; col. 36, 20, 33

πληρωθήσεται, δικαστήρια 63, 11; col. 31, 37 (not found in Ar. in this technical sense)

πλησίον *c. gen.* 3, 25. τὰ πλ. οἰκήματα 15, 21

πλοῖα, ἐν 57, 23

πλούσιος 2, 4, 6; 4, 14, 19; 22, 33. πλουσιωτάτους 56, 8

πλουτιδὴν 3, 2, 37

πλουτῶ *in part.* 6, 11

πόθεν τῶν δῆμων 55, 13, 15

ποιήματα 5, 13; 6, 20

ποίησις τῶν Νικῶν 49, 22. ἐν τῇ ποιήσει 12, 2

ποιητής 18, 6

ποιόν τέλος τελεῖ 7, 20

ποιῶν εὐ ποιῆ 55, 17. ποιῶν τὴν σεισάχθειαν 6, 6; ποιῶν—μέτρα 7, 17 f, 28. πάντα ποιῶν 18, 33. τοῦτο—ἐποίησε 16, 7. ἀνάστα ποιῶν 11, 11. ἐποίησε 27, 11; βουλὴν ἐποίησε 8, 18; ἐποίησε—σταθμὰ 10, 7; ἀτελεῖ—ἐποίησεν 16, 24; ἀσαφείς ποιήσαι τοὺς νόμους 9, 11; ποιήσαι—χρεῶν ἀποκοπὴν 10, 2; γεγραμμένα ποιήσαι 11, 7. *Míd.* ποιεῖται τὰς τριήρεις 46, 7. ἀποδημίαν ἐποίησάτο 11, 4; 13, 1. δι' ὀλίγων ποιήσονται 29, 9; περὶ πλείονος ποιήσασθαι 6, 16 (cf. *Εἰλ.* 1160 ὁ 15). ἐξοπλισίαν ποιησάμενος 15, 17; ὁμολογίαν ποιησάμενος 19, 35. ἀλκήν—ποιεῖσθε 12, 53 (Solon); ποιῶν 12, 61 (Solon)

* πολεμαρχεῖον 3, 28

* πολεμαρχία 3, 6

πολέμαρχος 3, 5, 17, 27; 22, 9; 55, 5; esp. 58

πολεμαρχῶν -χῆσας 2, 29

πολεμικά, τὰ 3, 7; 23, 14

πόλεμος πρὸς Μεγαρέας 14, 2; + περὶ Σαλαμίνα 17, 6. πρὸς Πελοποννησίους ἐνέστη 27, 8; συνεστήσαντο τὸν πόλεμον 24, 17; τὰ εἰς τὸν πόλεμον 23, 10; τὰ κατὰ τὸν πόλεμον 29, 1. αἱ κατὰ π. ἀρχαί 62, 18; αἱ πρὸς τὸν π. ἀρχαί 43, 5; 44, 7; 61, 1. ἐν πολέμῳ 57, 20; τετελευτήκισιν ἐν τῷ πολέμῳ 58, 3. π. ἐν τῇ χώρᾳ 61, 5

πολεμῶν ἀπέριων τοῦ πολεμῆν 26, 9. πολεμῆν οὗτος 61, 5

πολιορκῶ 19, 32; 20, 14

πόλις τῆς πόλεως, τυραννῆν 6, 15; τὴν τῆς πόλεως σωτηρίαν 6, 16; στασιαζούσης τῆς πόλεως 8, 29; τῆς πόλεως μὴ μετέχει 8, 30; κυρίως τῆς πόλεως 20, 11; θαρροῦσης τῆς πόλεως 24, 1. τῶν ἐν τῇ πόλει 3, 35; τῇ πόλει, περιεγένετο 22, 30; τῇ πόλει πατρικῶς χρωμένους 28, 32. πόλις—στασιαζούσαν 8, 27; οἰκῆν τὴν πόλιν 22, 19; πρὸς τὴν πόλιν ὄψε προσελθόντα 26, 6. τὰ σύμβολα τὰ πρὸς τὰς πόλεις 59, 16 = ἀκρόπολις εἰς πόλιν 8, 24; ἐν τῇ πόλει 24, 15

πολιτεία 2, 2, 11; 3, 1; 4, 15; 5, 1, 5; 7, 1, 7; 8, 21; 9, 2, 14; 11, 1; 13, 14, 18, 25; 15, 12; 20, 5; 21, 5; 22, 2; 25, 2, 9, 15; 27, 6, 11; 29, 28, 33. *Pl.* 24, 8; 28, 34, 36; ('grants of citizenship') 54, 18. τὰ κατὰ τὴν πολιτείαν 28, 2; τῶν ἐπὶ τῶν τετρακοσίων π. 29, 5; ἡ τῶν τετρακοσίων π. 33, 1; δι' ὀλίγων ποιήσονται τὴν π. 29, 9; ἀναγράφοντας τὴν π. 30, 3; τῶν ἐν τῇ πολιτείᾳ 38, 9

πολιτεύεσθαι κατὰ πάσας (τὰς πολιτείας), δυνάμενος 28, 37; ἐφ' ᾧ τε πολιτεύου-

ται τὴν πάτριον πολιτείαν 34, 18; δοκεῖ τοῦτο πολιτεύσασθαι καλῶς 40, 7; τῶν Ἀθηναίων πολιτεύσαμένων 28, 20. *Pass.* ἐπολιτεύθησαν Ἀθηναῖοι καλῶς 23, 8; καλῶς πολιτευθήναι 33, 13

πολίτης *passim*. ἀγαθοῦ πολίτου ἔργον 28, 38; τῶν πολιτῶν ἐπίνοις 8, 27

πολιτικός, τῆ φύσει 18, 3; ἀνδρας—πολιτικούς 28, 32; τὰ μέγιστα τῶν πολιτικῶν 8, 22; τὰ πολιτικὰ δευρὸς 23, 14; περὶ τῶν πολιτικῶν 31, 8; τῶν πολιτικῶν (*coni.*) εἰσηγητής 27, 20. πολιτικῶς 14, 17; 16, 14; πολιτικώτατα 40, 17

πολλάκις 8, 27; 16, 14, 26

πολλαχῆ 12, 33, 39 (Solon)

πολλαχοῦ μέμνηται 6, 20; π. γέγραπται 8, 17

πολύς· πολλὸν χρόνον 2, 2; 5, 3; 16, 34; 18, 23; 36, 13; οὐ πολλὸν χρόνον 15, 3. μετ' οὐ πολὺ 6, 10. πολὺ πρὸς ὠμότητα—ἐπέδοσαν 37, 15; νεώτερος πολὺ 18, 6; δημοτικώτερα πολὺ 22, 1. πολλῶ *c. compar.* 16, 28; 19, 1. οἱ πολλοὶ 2, 10; 4, 2; 27, 21; 28, 27; 29, 8; 36, 5. τῶν γνωρίμων—οἱ πολλοὶ 16, 37. πολλῶν—ἄλλων 15, 10; μετεχόντων πολλῶν 18, 14. πολλοὺς 11, 8; πολλὰς ἀμφισβητήσεις 9, 9. τὰ πολλὰ 21, 19. πλείων ἢ ἐνιαυτοῖς 3, 22. πλεόν ἢ ἅπαξ 31, 17; 44, 14. πλείονος 50, 7; περὶ πλείονος 6, 16. οἱ πλείους 3, 9; πλείους 21, 5; 24, 12; 50, 8.

τὰ πλείεστα 3, 35; 8, 21; 49, 31

πομπεύω 18, 27

* πομπή 57, 5. τὴν πομπήν, ἀποστέλλων 18, 16; διακομῶντα 18, 20; ἀναλώματα εἰς 56, 24; κομῆ πέμπουσιν 57, 6; διοικοῦσι 60, 4. πομπῶν 56, 21

πονηρός 35, 20; 55, 26

πονηρία 37, 15

πορεύονται, εἰς Πειραιέα 42, 21

πορίσασα δραχμὰς ἐκάστῳ ὅκτω διέδωκε 23, 6; ὀβολὸν ἐπόρμισεν 41, 33; τὴν διωβελίαν 28, 20

Ποσειδεῖνος *col.* 35, 7

ποτέ 16, 32; ποτε—νῦν δὲ 49, 20; ὀποτε—*ως ποτ'* ἔχει 3, 14

πότερον—ἢ οὐ 49, 17

που, ἐτέρωθι 12, 15

πού ταῦτα τὰ ἱερά ἐστὶ 55, 16 f

πράγματα· 'government', προάγοντες τὰ πράγματα 17, 10; κατασχόντος τοῦ δήμου τὰ πράγματα 20, 17; τὰ πρ. παρέδωκαν τοῖς πεντακισχιλίοις 33, 8; μεταδοῦναι τῶν πρ. τοῖς βελτίστοις 36, 3; τὰ πρ. βεβαίως εἶχον 38, 12; κύριοι τῶν πρ. 18, 1; κύριος ὁ δήμος γενόμενος τῶν πραγμάτων 41, 2. 'Public affairs', τὰ τε πράγματα νοσοῦντα μαρτυρεῖ 6, 19; ἐξαπορησάντων τοῖς πράγμασι 23, 6. 'Occupation', *ὕπαιε στάδια ac negotia* (Herwerden), τῆ ὀσεία καὶ τοῖς πράγμασι τῶν μέσων 5, 12

πρᾶξω, πράττει τὴν 18, 14; τὴν δλην ἐλυμήναντο τὴν πρ. 18, 21; κοινωόντων τῆς πράξεως 18, 17; ἔχους τῆς πρ. 18, 26

πρᾶξω 16, 5; νόμοι πρᾶξι 16, 39

πράττης, τοῦ δήμου 22, 19

πράττει τὴν πρᾶξω 18, 13; τὰ κοινὰ 24, 5; ἢ ἂν ἠγῶνται συμφέρον 31, 7; ἐφ' οἷς ἠρέθησαν οὐκ ἔπραττον 38, 7; ἔπραττον 19, 11; ἔπραξε 25, 11

Mid. ἐπράττει ἀπὸ τῶν γυγνομένων δεκάτην 16, 12; [τοῦ πράττ]εσθαι (τὰς ἐκτίσεις, οἱ τὴν ζήμιαν) 8, 24

πρεσβείαις 30, 29 (decree); 43, 30 (in another sense, κατὰ πρεσβείαν *Pol.* 1259 ὅ 13)

πρέσβεις 37, 16; 43, 32 (not in this sense in *Index Ar.*; πρεσβευταὶ αἰροῦνται *Pol.* 1299 a 19)

* πρεσβευσάμενοι, πρὸς Λακεδαιμονίους 32, 14

πρεσβύτερος 18, 2. πρεσβυτάτην 5, 8 (Solon)

πρεσβύτης 14, 14

πρὶν τυχεῖν 12, 29; διαβουλεύσαι 32, 4; &c. πρὶν ἂν ἀπογράφῃται 39, 18 (decree); παραδῶ 60, 17. πρὶν [ἢ] ἀφικέσθαι 38, 22 (*de Part. Anim.* 668 a 35). Cf. Eucken, i 5—8. πρὶν—ἐξείλον 12, 64 (Solon)

πρὸ, (1) of place, τοῦ βουλευτηρίου 53, 25; τῶν θυρῶν 14, 13. (2) of time, τοῦ διελθεῖν 4, 16; τῆς ἐνάτης πρυτανείας 28, 37; τῆς νομοθεσίας 10, 2; τῆς συλλήψεως 18, 18; τούτου 26, 17. τὸν πρὸ (?) τοῦ ψηφίσματος λόγον 54, 11

προάγοντες τὰ πράγματα 17, 9; τοὺς τι προαγαγόντας ποιεῖν αὐτοῖς τῶν μὴ καλῶς ἐχόντων 28, 5; πᾶσας (τὰς πολιτείας) προάγειν 28, 37

προαγορεύων, (1) 'proclaim', 57, 13; (2) 'state beforehand', προειπεῖν 6, 7; τὴν ὦραν τὴν προρρηθεῖσαν 30, 32 (decree)

προαιρούμαι· [προρηέτω] πάντα διοικεῖν κατὰ τοὺς νόμους 16, 30; προρηέτω τὴν πολιτείαν διοικεῖν αὐτὸς 27, 11

προανακρίνειν 3, 32

προβολή 43, 24; 59, 5 (not in *Ar.* in technical sense)

* προβούλευμα 44, 19

προβουλεύειν εἰς τὸν δήμον 45, 21 (*Pol.* 1298 ὅ 30, 1299 ὅ 33, 1322 ὅ 16)

πρόβουλοι 29, 11

προγεγεννημένων, μάλιστα τῶν 33, 6; ταῖς -αις συμφοραῖς 40, 18

* πρόγραμμα 44, 10

προγράφουσι (οἱ πρυτάνεις), ὅσα δὲ χρηματίζων τὴν βουλήν κτλ 43, 16; τὰς ἐκκλησίας *id.* cf. 45, 23. (οἱ θεσμοθέται) τοῦ προγράψαι τὰ δικαστήρια κύριοι 59, 1. (Of the people) προγράφουσιν 53, 36. (Found only in the fragments, and in *Oec.* ii 1352 a 1)

* προδανείζω τοῖς ἀπόροις προδάνειζε χρήματα 16, 6
 ** προδιασπείρω· προδιασπείρας λόγον 14, 24
 ** προδρομεύω 49, 6
 πρόδρομοι 49, 5 (not in *Index* in this sense)
 προδυσέταιρον, Λειψύδριον 19, 15 (scol.)
 * προεδρεύω 44, 14
 ** προεδρική, γραφή 59, 6
 πρόεδροι 44, 8 (found in technical sense in the fragments only)
 προειπεῖν 6, 7; v. προαγορεύω
 ** προεξαλειφθή 47, 35
 * προεξαναστάτες τῶν [λοιπῶν] 18, 19
 πρόεχουσιν ἀλλήλων 3, 23; ταῖς οὐσίαις κτλ προέχοντας 35, 24
 προήλθεν ἡ πόλις, μέχρι τούτου 23, 1 (μέχρι τῆς προέρχοντα *Pol.* 128ο α 10)
 προθυμουμένων 38, 21
 προθύμως 26, 3
 προικὸς (δίκη) 52, 12
 προϊσθημῶν προϊσθῆται 13, 17; 28, 1, 10, 14; 34, 24; προϊσθήκεσαν 19, 9; 38, 21. προϊσθηκῶς 21, 2; προϊσθῶτων 25, 2; προϊσθῆται 26, 5 (*Pol.* 1285 u 36, 1319 ὁ 7)
 πρόκειται 54, 32; περὶ τῶν προκειμένων 29, 25 (decree)
 πρόκλησις 53, 10, 17
 προκρίνω· προκρίνει and προκρίνω 8, 2; προκρίνοντα 30, 12 (decree). προκρίνεσθαι 26, 15. ἐκ τῶν προκρίθεντων 21, 25; 22, 22
 προκρίτων, ἐκ 8, 1; 30, 11 (decree); 31, 4 (decree); 35, 4
 πρόνοια· ἐκ πρόνοιας ἀποκτείνῃ ἢ τρώσῃ 57, 15 (*Pol.* 1300 ὁ 26).
 * προξενία 54, 18
 προξένος, δίκαι 58, 5
 * πρόπυλον τῆς ἀκροπόλεως, πρὸς τὸ 15, 19
 πρόρηθηθεῖσαν, τὴν ἄραν τὴν 30, 32 (decree); v. προαγορεύω
 πρὸς· c. dat. πρὸς τούτους 23, 13; 24, 15, 17; 26, 6; τοῖν δυοῖν ὀβολοῖν 28, 22. τῷ λίθῳ 7, 5. τοῖς ἰδίοις ὄντες 16, 9
 c. acc. πρὸς ἀλλήλους 23, 17; ἀμφοτέρους 11, 14; 16, 38; τοῖς Ἀργείοις 17, 15; τοῖς Ἀρσπαγίταις 15, 14; τῆς πρὸς αὐτὸν φιλίας 18, 9; πρὸς τὴν—βοήθειαν 19, 20; πρὸς τὴν βουλὴν εἰσαγαγέλλειν 4, 22; πρὸς τὸ δημαγωγεῖν ἐλθόντος 27, 1; πρὸς ἐκατέρους μάχεται 5, 9; πρὸς τὸν Ἐφιάλτην ἔλεγεν 25, 13; τὴν κρίσιν 3, 21; τὰς μεμψιμοιρίας 12, 55; τὸ νόμισμα 10, 7; τὸ παραντίκα 28, 28; τὰ παρόντα πράγματα 61, 10; τὸν Πεισίστρατον 14, 22; αἱ πρὸς τὸν πόλεμον ἀρχαί 43, 5; 44, 17; 61, 1; πρὸς τὴν πόλιν προσελθόντα 26, 6; τὰ σύμβολα τὰ πρὸς τὰς πόλεις 59, 16; δίκαιος πρὸς τὴν πολιτείαν 25, 6; πρὸς τὸ πρόπυλον 15, 19; τὰς τιμὰς 51, 11, 13; πρὸς χάριν ὁμολούτας 35, 19

προσαγορευόντες, πατρὸθεν 21, 17; προσηγῆρυσεν 21, 21
 προσαγαγόντας τοὺς στρατηγούς, τὰ τοῦ πολέμου—ἀκκληρωτῶ (decree). *Míd.* ταῖς ὀμάλιαις προσήγαγο 16, 38; προσηγάγετο τὸν δῆμον 20, 4 (*Pol.* 1296 ὁ 37, 1303 ὁ 36)
 * προσαιρούμαι· προσελθόμενοι σφίσω αὐτοὺς ἀρχοντας 35, 53 (only quoted in *Index* from Pollux viii 92)
 προσαναβῆσαι 15, 18
 ** προσαναζητῆσαι 29, 16 (decree)
 προσαρτήσαντες, τὴν γνώσιν τοῦ διαιτητοῦ 53, 13
 πρόσειμι (εἰμι)* τὰς προσούσας δυσκολίας 35, 15
 πρόσειμι (εἰμι)· προσίντες αὐτῷ 11, 2; τὰ χρήματα τὰ προσιόντα 29, 29 (decree); ἀπὸ τῶν προσόντων 39, 8 (decree)
 * προσεπιλαμβάνουσα τῷ πλήθει τὴν ἐξουσίαν 41, 24
 προσέρχομαι· c. dat. 43, 31. προσελθεῖν ἐναντίον τῆς βουλῆς 30, 28 (decree). πρὸς τὴν πόλιν ὄψε προσελθόντα 26, 6. Cf. πρόσειμι (εἰμι)
 προσέχοντες, τοῖς νόμοις 26, 13 (frag. 496²)
 προσήκων, οὐ 13, 25
 πρόσθεν (?) col. 31, 2
 προσιστῆται τὸ πλήθος, ὅπως 41, 31
 * προσκαθεζόμενος ἐπολιόρκει 20, 14
 προσκαθήμενον δ' αὐτοῦ 19, 33
 προσκαλόμαι· προσκληθεῖς φόνον δίκην 16, 32; ὁ προσκαλεσόμενος 16, 34; ἐάν—προσκαλήται 29, 25 (decree)
 * προσκλήσεις 29, 23 (decree)
 * προσκομῶ· προσεκεκόσμητο 13, 21 (not found elsewhere in this sense)
 προσκυνούντες 14, 30
 προσόδους, τὰς 16, 11
 * προσοργίζομαι· προσοργισθέντες 19, 29
 * προσορμισσόμενος ἐν πλοίῳ 57, 23
 * προσπαράτιθεσθαι· c. dat. 63, 22
 προσποιούμαι· προσποιούντο διώκειν τὴν πάτριον πολιτείαν 35, 8
 προστάτης, ἡγεμῶν καὶ (of Hipparchus) 22, 20. προστάτης τοῦ δήμου 2, 9; 20, 18; 23, 12; 25, 4; 28, 6; 36, 6. προστάτην ἔλαβεν ὁ δῆμος 28, 3
 προστάττω· προστέτακται 51, 2, 15; 54, 2
 προστιθέσθαι τῶν οἰκείων 40, 24; προσθεῖναι 58, 7; ὀβολὸς προστίθεται 62, 9; προσθεμένον τοῖς δλιγαρχικοῖς 34, 25
 * προστιμῶσιν αὐτῷ οἱ δικασταὶ 63, 14; προστιμῶσθαι 63, 17 (Bekk. *Anec.* 219, 16 in Testimonium, c. 57 § 2)
 * προτεραία, τῇ 48, 8
 πρότερον 3, 28; 7, 10; 8, 20; 10, 5; 12, 27; 17, 14; 20, 20; 62, 1; 63, 16. οὐ—πρότερον—πρὶν ἂν 60, 17. πρότερον μὲν—μετὰ δὲ— 53, 3. πρότερον—νῦν δέ, see νῦν. ὁ πρότερον λέγων, ὁ ὕστερον λέγων, col. 36, 15 f. τοῖς πρό-

- τερον ναυκράροις 21, 20; ἐν τοῖς πρότερον χρόνοις 28, 4
 πρότερος τῷ προτέρῳ ἔτει 53, 24; τὴν προτέραν δλιγαρχίαν 37, 11; οἱ πρότεροι 22, 23
 προτιθέασιν 44, 11; 48, 10
 προτρέπω προτρέψω 40, 14; προστρεψε (eis) 19, 22; (ἐπὶ c. acc.) 27, 5; ὁ προτρέψας (ἐπὶ c. acc.) 23, 19
 προῦπαρχούσας τριτῆς, τὰς 21, 10; τῶν προῦπαρχόντων δέκα προβούλων 29, 11
 * προῦποβάλλονται (?) col. 36, 5
 πρόφασις τοῦ ἀπίεναί 42, 35; τὴν πρόφασιν τοῦ [πράττ]εσθαι 8, 24; ἀρχὴν καὶ πρόφασιν 13, 13
 προφέρω προσφέρω, ἢ Πυθία 19, 21 (not in *Index* in this sense)
 προχειροτονίας, ἀνευ 43, 31 (only in frag. 396²)
 πρυτανεία 43, 14, 22; κατὰ πρυτανείαν 47, 18; (γραμματεὺς) κατὰ πρ. 54, 13; κατὰ τὴν πρ. 48, 14; + ἐκάστην 61, 11; ἐπὶ τῆς ἐνάτης πρ. 47, 21, 25, 28; πρὸ τῆς ἐνάτης πρ. 54, 11
 πρυτανείων 3, 25, 27; 24, 20; 62, 12 (only in *de Mundo* 400 ὁ 19)
 πρυτάνεις 4, 11; 29, 21, 32; 41, 31; 43, 32; 44, 1; 45, 23
 πρυτανεῖναι 43, 7; ἡ πρυτανεύουσα φυλή 44, 9; οἱ πρυτανεύοντες 43, 10; 62, 8; οἱ μετὰ τὴν ἔκτην πρυτανεύοντες 44, 18. (The *Index* refers to the fragments only)
 πρῶτος 22, 27; οἱ πρῶτοι 5, 12; πρῶται τῶν ἀρχῶν 3, 4. πρῶτον μὲν—ἔπειτα (never ἔπειτα δέ) 9, 3; 21, 3; 24, 8; 25, 6; 27, 13; 29, 21; 34, 4; 36, 8; 43, 11; 51, 10; 56, 7; 57, 2; 59, 1.—*εἶτα* 42, 20.—*ἐκέειθεν* δὲ 15, 6.—*δευτερον*, τρίτον 30, 29 (decree).—*μετὰ δὲ ταῦτα* 55, 13 f.; τὸ πρῶτον—*μετὰ ταῦτα* 3, 3. πρῶτον—*τότε* 28, 3; *τότε* πρῶτον 15, 9; 22, 12, 23; 41, 7
 Πυθία, ἡ 19, 21; 21, 26
 Πυθόδωρος ἀρχων (432/1) 27, 8
 Πυθόδωρος ἀρχων (404/3) 41, 3; II. Ἐπιζήλου 29, 7, 10, 16
 Πυθοκλείδης frag. 13 p. 255
 Πύλος 27, 25
 * πύξινον, πινάκιον 63, 18
 πυρκαιῖς (γραφῆ) 57, 16
 πυροί 51, 13
 πῶ οὐπω 14, 17; πῶποτε apparently does not occur
 πωληταί 7, 13; 47, 7; 52, 8. (*Index* refers to frag. 401² only)
 πωλεῖ τοῦτον ἢ πόλις 42, 10; τὰ μέταλλα πωλοῦσι 47, 9; τὰς οὐσίας 47, 15; τὰ χωρία 47, 23. οἱ πωλοῦντες 51, 7. πωλήσουσιν—*ἀλφίτα*—*ἄρτους* 51, 12 f. ἐπῶλει τὸν καρπὸν ἢ πόλις 60, 10; ἐπῶλουν οἱ δήμοι (τὰς ἀρχάς) 62, 3. *Pass.* ὅπως—*πωλῆται* 51, 3. τὰ πραθέντα 47, 11, 22. τὰ πεπραμένα 47, 12 f.
- ῥαδίως 16, 36
 ῥαθυμία 8, 28
 ῥαϊκῆλος 15, 6
 ῥέξεν 12, 24; 44 (Solon)
 ριζῶ οὐπω τῆς ἀρχῆς ἐριζωμένης 14, 18
 ῥῶνων 38, 21, 28, 32
- σάκος 12, 8 (Solon)
 Σαλαμίς 17, 7; 22, 38; 23, 5, 22; 27, 7. ἀρχων εἰς Σαλαμίνα 54, 34; 62, 11
 Σάμοι 24, 7
 Σάμων, ἀρχαί εἰς 62, 16
 σανίς 48, 9 (only in *de Admir.* 832 a 9)
 σαφῶς, γεγράφθαι 9, 8
 * σεισάχθεια 6, 4, 7; 12, 27
 σελήην, κατὰ 43, 10
 σημαίνουσιν, ὡς—7, 25
 σημεῖον δ' ἐπιφέρουσι 3, 10; σ. δὲ φέρουσι 7, 19. ὅτι τελευτάα—*ἐγένετο* τῶν ἀρχῶν, σ. καὶ τὸ—*διοικεῖν* 3, 15; σ. δ' ὅτι 13, 23; σ. δ' ὅτι—*νόμος* 8, 5; σ. δὲ—*γάρ* 3, 25
 Σικελία, ὁ ἐν Σ. τελευτήσας 28, 15; τὴν ἐν Σ. γενομένην συμφορὰν 29, 2
 Σιμωνίδης 18, 5
 * σίτησιν, εἰς 62, 9 f, 17
 * σιτικὸν (?) ἐμπόριον 51, 17 (*ραβ.*)
 σίτος ἀργός 51, 11; περὶ σίτου 43, 18; τοῦ σίτου 51, 16; ζῆμοι τῷ σίτῳ 49, 2; ἐὰν μὴ ἀποδώσι τοῖς παισὶ τὸν σίτον 56, 46
 σιτοφύλακες 51, 8 (*Index* quotes corresponding frag. only)
 σκάπτοντα, πέτρας 16, 19
 σκευή, 'tackling' &c. 46, 23
 * σκήπτωνται κνεῖν 56, 41
 σκήψεις 56, 14 (οὐ δοτέον ἐπιτιμησῶς σκήψην *Top.* 131 ὁ 11)
 Σκιροφοριῶν 32, 7
 σκόλιον 19, 14; 20, 21
 σκοποῦσιν ὅπως μὴ c. *fut.* 50, 6
 Σκυλλαῖον 22, 42
 Σκῆρον, ἀρχαί εἰς 62, 16
 σ[μικρὸν] 12, 12 (*ραβ.* ?); v. μικρός
 Σδλων 5, 5, 11; 6, 1, 6; 8, 7, 16, 25; 9, 2; 13, 2 f.; 14, 8, 15; 17, 6; 22, 1 f.; 29, 20; 41, 12, 15; (appointment of ταμίαι) 47, 3. προστάτης τοῦ δήμου 28, 6. Σδλωνος θεσμών 35, 11
 σοφίζομένω, πολλὰ 41, 31
 Σοφωνίδης 25, 5
 σοφώτερος 14, 10, 11
 Σπαρτιάται 19, 23
 σπουδάξω c. *imp.* σπουδάσωσι λαβεῖν 50, 8. ἐσπούδαζον μὴ κατελθεῖν τοὺς ἀπὸ Φυλῆς 38, 15; οὐς—*ἐσπούδασεν* ἐλθεῖν 38, 27. *Adv.* ἐνιοι μὲν ἐσπούδαζον 34, 9
 σπουδῆς, μετὰ 25, 17
 σπῶ σπασάμενος τὴν μάχαιραν 18, 38
 σταδίων, ἐπὸς δέκα 50, 10
 σταθμός 51, 13; σταθμά 10, 7; σταθμῶν 10, 3; σταθμοῖς 10, 9
 στασιάξει, διὰ τὸ 13, 8. τὴν πόλιν—

στασιάζουσιν 8, 27; στασιάζουσης τῆς πόλεως 8, 29; στασιάζοντες 13, 11; 20, 19. ἐστασίαζον 20, 1. στασιάζουσι 2, 1

στάσις ἰσχυρὰς τῆς στάσεως οὐσης 5, 3; τὴν αἰτίαν τῆς στάσεως 5, 19. περιελαυνόμενος τῇ στάσει 14, 21. διὰ τὴν στάσιν 13, 4; μετὰ τὴν στάσιν 41, 12. τὰς στάσεις ἀμφοτέρως 11, 9; 15, 5; στάσεις τρεῖς 13, 16

στατήρ 10, 9 (*Oec.* ii 1349 a 28, and fragments)

στῆλεχος 60, 9, 15

*στεφανόπωλις 14, 27

στέφανος 57, 27

στήλη χαλκῆ 53, 25; ἐν ταῖς στήλαις 54, 17

στόα, ἡ βασιλείως 7, 3 (*Index* refers to fragm. only)

στοιχεῖον 63, 9, 20; col. 31, 3, 8, 37

στόλος 19, 30

στοχαζόμενον τοῦ πλήθους 22, 4

στρατεία, 'military expedition' 22, 41 (ΣΤΡΑΤΙΑΝ); 26, 7; 27, 10 (ΣΤΡΑΤΙΑΙC); 53, 35; 55, 18

στρατειομένους 24, 4; στρατεύεσθαι 53, 37; τὰς στρατείας εἰ ἐστράτευται 55, 18 (ὅσας ἂν στρατεύσωνται στρατείας *Pol.* 1324 b 15)

στρατηγία 27, 26

στρατηγός 22, 14; 23, 16; 26, 8; 38, 32

στρατηγὸς 4, 8, 11, 13; 22, 8; 23, 5; 29, 27; 30, 5; 34, 4; 44, 16; esp. 61, 2—16. ἐπὶ τοὺς ὀπλίτας 61, 3; ἐπὶ τὴν χώραν 61, 4; ἐπὶ τὸν Πειραιῆα, εἰς τὴν Μουνιχίαν, 61, 6; εἰς τὴν Ἀκτὴν 61, 7; ἐπὶ τὰς συμμορίας 61, 8

στρατηγείν 17, 6

*στρατιά, (1) 'army' 19, 27; 22, 9. (2) 'expedition' κατὰ τὴν στρατιάν (στρατείαν K-W) ἢ ἐξήγαγον 37, 2

στρατιώτης 15, 8; 37, 19

στρατιωτικῶν, ταμίαις 43, 2; c. *art.* 47, 9 and 49, 23

στρέφω ἐστράφην 12, 54 (*Solon*)

συγγενῶν, τῶν ἐκείνου 22, 15

συγγίγνεσθαι 15, 4

συγγνωμονικός 16, 5

συγγράψαι, συγγράψουσι, 29, 13 (decree); ταῦτα συνέγραψαν 30, 1 (only in *Eth.* *Eud.* 1214 a 2 and *Rhet. ad Alex.*)

*συγκαισθῆ τὴν τυραννίδα 16, 44; συγκαισθῶτες 34, 21

συγκαταλθεῖν, τοῖς ἐκ Πειραιῆος 40, 9 (*Pol.* 1300 a 18)

συγχωρῶν, παρανομοῦσας οὐ 28, 39; τὰ συγκεχωρημένα 47, 12

συκοφάντης 35, 17 f; συκοφαντῶν προβολαί 43, 24

συκοφαντίας γραφή 59, 9

συλλαβόντες—ἀπέκτειναν 38, 11; τοὺς ἐφίβους 42, 19; ὕστερον συλληφθεῖς 18, 23

συλλέγεται, χρήματα 47, 29; τὸ ἔλαιον 60, 7; συλλέξας 60, 15. οὐ συλλεγομένων εἰς τὴν ἐκκλησίαν 41, 30; συλλεγόντες—κατὰ φύλιν 42, 14

συλλήψεως, πρὸ τῆς 18, 18 (not in Ar. in this sense)

συμβαίνω c. *inf.* συμβαίην 21, 9. συνέβαιεν 11, 7; 16, 11; 19, 1; 24, 10; 26, 2, 10; 37, 12. συνέβη 2, 1; 6, 6; 16, 28; 18, 7, 12; 22, 2; 23, 9; 26, 3; 27, 5; 34, 5, 16; 37, 19; 41, 1, 18. συνεβεβήκει 13, 14. συμβῆναι <εἶναι> 28, 33; *sine inf.* 16, 17. ἐὰν μὴ συμβαίνωσιν ἀλλήλοις 39, 11 (decree)

συμβάλλω συνέβαλλετο—οὐκ ἐλάττω μοῖραν 19, 24

σύμβολον, παραλαμβάνει col. 32, 14; ἀποδίδοντες col. 37, 2. (2) τὰ σύμβολα τὰ πρὸς τὰς πόλεις 59, 16; τὰς δίκας τὰς ἀπὸ τῶν συμβόλων 59, 17

συμβουλεύειν 30, 14 (decree); συμβουλεύοντων 22, 31; συνεβούλευεν 24, 2; συμβουλεύωσι 29, 24 (decree); συμβουλεύεσσαντος 27, 19. συμβουλεύεσθαι μετὰ τῆς βουλῆς 31, 3 (decree)

σύμβουλος 23, 16

συμμαρτυροῦν 12, 30 (*Solon*)

συμμαχίαν, τὴν πρὸς βασιλέα 29, 4; ἀπὸ τῆς τῶν Λακεδαιμονίων συμμαχίας 23, 19; πρὸς ταῖς συμμαχίας 54, 18

συμμαχικόν, τὸ 39, 9 (decree). *Isocr.* ἐν τῷ συμμαχικῷ (in another sense) *Rhet.* 1418 a 32

συμμάχομαι συνεμαχέσαντο τὴν—μάχην 17, 15 (*Pol.* 1300 a 18, *Rhet.* 1396 a 18)

σύμμαχοι 24, 6, 11 (*Pol.* 1269 b 1, 1315 a 2, omitted in *Index Ar.*)

σύμμεξις 3, 26 (not in Ar. in this sense)

*συμμορία (στρατηγός) ἐπὶ τὰς συμμορίας 61, 8

σύμπας· σύμπαντα 19, 39

συμπέθειν τὸν κεκτημένον 39, 10 (decree); συνέπεισε τὸν δῆμον 14, 3; συνέπεισεν c. *inf.* 20, 6. συμπεισθέντων τῶν πολλῶν 29, 8

συμπίπτω c. *inf.* οὐ συνέπιπτεν ἂν 21, 11; συνέπεισε 19, 33; 26, 4

συμπολεμήσειν βασιλέα—ἐάνοις 29, 9; μετὰ τῶν τριάκοντα συνεπολέμησαν 40, 2

*συμπροθυμωμένων αὐτῷ 15, 10

συμφέρον, ἢ ἂν ἡγῶνται 31, 7 (decree)

συμφορὰ 19, 14; 29, 3; ταῖς προγεγενημέναις συμφοραῖς 40, 18 (συμφοραῖς περιπέσειν *Eth.* 1100 a 7; word omitted in *Index Ar.*)

συμφωνοῦσι πάντες 12, 2 (frequent in genuine works; but the closest parallel is in the spurious *de Admir.* 838 b 34 συμφωνοῦσιν, *uno ore perhibent*)

σὺν οἷς ὁ πατήρ ἦρξεν τὰ σύμπαντα (ἐτη) 19, 39

συνάγειν τὴν βουλὴν—τὸν δῆμον 43, 12; 44, 7; συνάγειν (?) col. 31, 34
 συναγωγίζομενον 38, 13; -ων 38, 20
 συναθροισθέντος τοῦ πλήθους 20, 12; συναθροισθείσης τῆς βουλῆς 25, 20; συναθροισθέντες εἰς τὴν ἀγορὰν 38, 4
 συναίτιου γενομένου Θεμιστοκλέους 25, 11
 σννάφω 7, 17, 28
 συναναγκασθῆναι μένειν 40, 6
 *συναρεσκόμενοι τοῖς γυρομένοις 33, 10
 συναρμύσας 12, 43 (Solon)
 συναρπάζειν 25, 14
 *συνδοικεῖ ταῖς ἄλλαις ἀρχαῖς τὰ πλείεστα 47, 1; 49, 31
 συνεθισθεῖς—μισθοφορεῖν 27, 10
 *συνεισήγαγεν μετ' αὐτοῦ 14, 28
 *συνεξαμαρτάνω' ὅσοι μὴ συνεξημάρτανον 22, 18
 συνεξήλθον, εἰς δ' 19, 12
 *συνεπιμελεῖται, τῶν ἄλλων—μετὰ τοῦ ταμίου 49, 23
 συνέσει καὶ γνώμη—διαφέρειν 32, 11
 συνεχῶς 28, 26
 συνήγοροι, τοῖς λογισταῖς 54, 3
 συνήλθον, ἅπαντες εἰς τὸ θεσμοθετεῖν 3, 31
 συνθήκας συντίθεσθαι 29, 36 (decree); κατὰ τὰς σ. τὰςδε 39, 2; κελουσοῦν τῶν σ. 40, 21
 συνίστημι' συνέστη φίλια, πόλεμος σοῖζι. van Leeuwen, for ἐνέστη, 17, 15; 27, 9. μεθ' ὁποτέρων ἐβούλετο συνστάντι 11, 13. *Mid.* ἐπὶ καταλύσει τοῦ δήμου συνισταμένους 8, 25; ἐπὶ καταλύσει τῆς πολιτείας 25, 15. συνεστήσαντο τὸν πόλεμον 24, 17
 *συνναυμαχῆσαντας 34, 6
 *συννέμω' συνένειμε πάντα εἰς δέκα φυλάς 21, 4; εἰς τὰς τέτταρας συνενεμήθησαν φυλάς 41, 8
 σύννοδος 4, 18
 σύννοια' τοὺς συνειδίτας ἐμήνυεν 18, 33
 συνοικεῖν 39, 13 (decree); τῶν συνοικούντων 56, 34; συνοικησάντων 41, 7
 συνοικίω 15, 5 (?)
 συνομολογοῦσι 6, 20
 συνουρῶ' συνιδῶν τὸ πλήθος 40, 4
 συνπᾶττω' οὐκ εἰς δώδεκα φυλάς συνέταξεν 21, 9
 συντελεῖν—εἰς τὸ συμμαχικόν 39, 8 (decree)
 συντίθεσθαι, συνθήκας 29, 36 (decree)
 συννωσόμε' συνεπρίαντο πολλὰν χώραν 6, 8 (συμπρίασθαι πάντα τὸν σίδηρον *Pol.* 1259 a 24)
 *συσπουδάξω' συσπεπύδασαν τὴν κάθοδον 38, 24
 συσσιτοῦσι κατὰ φυλάς 42, 28; ἐν τῇ θόλῳ 43, 11
 σφᾶς αὐτοῦς 21, 19; 30, 15. σφῶν αὐτῶν 30, 2
 σφηκίσκος col. 32, 9 (only in corresp. frag.)
 σφῶδρ' εὐδοκιμηκῶς 14, 1; σφῶδρα πρεσβύτης 14, 14

σφραγίδα, δημοσίαν 44, 5
 σχεδόν 20, 18; 28, 31
 σχολάζουσιν 16, 10
 σῶζειν ἕκαστον ἑαυτόν 23, 6; τὴν δημοκρατίαν σῶζειν 40, 13. σώσας τὴν πατρίδα 11, 14. ἐπ' ἄλλοτρίας νεὼς σωθέντας 34, 6
 σῶμα πεπηρωμένους 49, 26. φυλακὴν τοῦ σώματος 14, 4. ἐπὶ τοῖς σώμασι 2, 8; 4, 23; 6, 3; 9, 3. σώμασι—ληγουργεῖν 29, 34 (decree). μὴ δυνατοῦς—τοῖς σώμασι 49, 14
 σῶα ἦ, ὅπως ἂν 30, 20 (decree); only in *Oec.* ii 1347 a 24
 σωτήρ, Ζεὺς, 56, 27 (σωτήρ ἀπάντων ὁ θεὸς *de Mynndo* 397 b 20)
 σωτηρίαν, τὴν τῆς πόλεως 6, 17; ἐπὶ τῇ τῶν παίδων σωτηρίᾳ 19, 35
Abs. περὶ τῆς σωτηρίας 29, 14, 22 (decree)
 *σωφρονισταὶ 42, 18, 25, 27

τὰ μὲν ἄλλα καθάπερ 29, 16
 τάλαντον 10, 8; 22, 30
 ταμίαι (τῆς βουλῆς) 49, 30. τ. στρατιωτικῶν 43, 2; *c. art.* in 47, 9; 49, 23. τ. τῆς Παράλου καὶ ἄλλος τῆς τοῦ Ἀμμωνος 61, 27.
 ταμίαι 4, 6; 7, 13; 8, 6, 7; 60, 16. οἱ ταμίαι τῆς Ἀθήνας 47, 2; τ. τῶν ἱερῶν χρημάτων τῇ θεῷ καὶ τοῖς ἄλλοις θεοῖς δέκα (411) 30, 8 (decree)
 Ταναγραῖος 25, 24
 ταξιαρχοῖ 30, 6; 61, 17 (*Oec.* ii 1350 b 10, *de Mynndo* 399 b 7; ταξιαρχεῖν and ταξιαρχία in *Pol.*)
 τάξις τῆς πολιτείας 3, 1; πολιτείας τάξις 41, 10; τῆς τάξεως—ἐν τῇ πολιτείᾳ 5, 1; ἡ τάξις τόνδε τὸν τρόπον εἶχεν 4, 3; (ἡ βουλῆ) τάξιν εἶχε τοῦ διατηρεῖν τοὺς νόμους 3, 34; τὴν αὐτὴν τάξιν ἀποδώσειν 11, 12. *Pl.* τὰ περὶ τὰς τάξεις 42, 31
 ταράττω' τῆς πόλεως τεταραγμένης 13, 2
 παραχαῖς, ἐν ταῖς 22, 18 (*Pol.* 1302 a 22)
 παραχώδεις τὰς πολιτείας 28, 33
 τᾶττω' ἔταξεν ἐπὶ τὸ νομοφυλακεῖν 8, 20; τὰ περὶ τὰς ἀρχὰς τοῦτον ἔταξε τὸν τρόπον 9, 1; τοὺς φόρους οὕτως ἦν ὁ τάξας 23, 21; ἦντιν' ἂν—τάξωσιν τιμὴν 39, 12 (decree); ὅσον ἂν—τάξωσιν—τάπτειν (τὸν σταθμόν) 51, 14. (στάσις) ἐφ' ἣ τεταγμένοι ἦν 13, 20; ἐπὶ τούτῳ τεταγμένοι 15, 21 (*Pol.* 1307 b 13); (ἀρχῆ) τεταγμένη πρὸς *c. acc.* 8, 15; οἱ τεταγμένοι col. 36, 23
 τάφος 1, 2
 τάχους, διὰ 34, 2
 τε—καὶ *passim*
 Τεῖσανδρος 19, 2
 *τειχίζειν 19, 5; τειχίσαντες 19, 11
 τεῖχος, τὸ Πελαργικόν 19, 32; τὸ ἐν Ἡετιωείᾳ 37, 9; τοῦ τεῖχους 50, 10; τὴν τῶν τεῖχων ἀποικοδόμησιν 23, 17

τέκνα 2, 4
 τελέων, καθ' ἱερῶν 29, 39 (decree)
 Τελεσίνοσ ἀρχῶν (487/6) 22, 21
 τελευταῖος 3, 9; 53, 26
 τὸ τελευταῖον 18, 10
 τελευτήν, μετὰ τὴν τοῦ πατρὸς 19, 38
 τελευτήσας 28, 15; τελευτήσαντος 17, 8;
 19, 27; 28, 2, 14; 56, 41; ἐτελεύτησεν
 18, 22; τετελευτηκόσι 58, 3
 τέλος ἔχει τέλος ἡ δίκη 53, 9; ἀρχῆς
 τέλους 56, 7. *adv.* 18, 33. *Classis,*
 census, τέτταρα τέλη 7, 9; ἐκ τοῦ αὐτοῦ
 τέλους 4, 12; τὸ ὄνομα τοῦ τέλους 7, 19;
 θητικῶ ἀντὶ τέλους 7, 24 (*amon.*); ποῖον
 τέλος τελεῖ 7, 30. τέλη 24, 11; 47, 9,
 15; 55, 18
 τελῶ· τοῖς τὸ θητικὸν τελοῦσιν 7, 15;
 τελεῖν 7, 16, 27; ποῖον τέλος τελεῖ 7, 30;
 εἰ—τὰ τέλη τελεῖ 55, 18 (quoted in this
 sense from the fragments only)
 τελῶναι 52, 18
 τεμενῶν, μισθώσεις 47, 26
 τετάρτῳ, ἔτει 19, 4; 21, 2; 22, 26
 τετράδι ἐπὶ δέκα 32, 6 f; ἀπὸ τῆς τετράδος
 ἱσταμένου 62, 14
 τετράκις 43, 14
 τετρακοσίους καὶ ἕνα, βουλευέω 4, 13;
 (βουλῆν) τετρακοσίους 8, 19; ἕνα καὶ
 τετρακοσίους (δικαστάς) 53, 16. οἱ τε-
 τρακόσιοι c. 29; 37, 10; 41, 20
 τετρήρεις 46, 3 (frag. 558^b)
 *τετταρακαίδεκέτις (?) 56, 44
 τετταράκοντα (δικασταὶ κατὰ δῆμους) 53,
 1 f; 53, 27 (quoted from frag. 413^a).
 τ. ἐτῆ γεγονότες 29, 12, 37; 56, 18
 τέτταρες 4, 12; φιλοβασιλείς τ. 8, 12;
 ἀντὶ τῶν τεττάρων (φυλῶν) 21, 4;
 τέτταρας φυλάς 41, 8. τέτταρα τέλη 7,
 9. τοῖς τέτταραι τοῖς τὴν φυλῆν—δικά-
 ζουσιν 53, 13
 τηρῶ· τὰ γραμματεῖα—τηρεῖ ὁ δημόσιος
 47, 30; τὰς κλείς (ὁ ἐπιστάτης) 44, 3;
 (τὸ ἔλαιον) οἱ ταμίαι τηροῦσιν 60, 18.
 ἐτῆρει τὴν ἡσυχίαν 16, 26. τηρήσας
 τοὺς Δάκωνας διαβεβλημένους 23, 19
 τίθημι νόμους ἔθηκε 6, 3; 7, 1; νόμον
 ἔθηκε 22, 16; + πρὸς αὐτοὺς ἴδιον 8, 28;
 (νόμους) θείναι 22, 4; ἐν τοῖς νόμοις
 ταῦτα δοκεῖ θείναι δημοτικά (of Solon)
 10, 1; θεσμοὺς ἔθηκεν (of Dracon) 4, 3;
 Σόλωνος θεντὸς νόμον εἰσαγγελλας 8, 26.
Pass. ἐτέθη (νόμους) 21, 4; 22, 13, 26;
 τὸς νόμοις οἱ ἄν τεθῶσι περὶ τῶν πολιτι-
 κῶν 31, 8; παράστασις τίθεται 59, 8.
Mid. νόμον ἔθετο 45, 8; μηδ' ἐτέρους
 (νόμους) θέσθαι 31, 9; ὅς ἂν μὴ θῆται
 τὰ ὅπλα μηδὲ μεθ' ἐτέρων 8, 29
 τίκτει 12, 13 (Solon)
 τιμῆν, ἀποδοῦναι τὴν 47, 24; λαμβάνειν
 39, 12 (decree); πρὸς τὰς τιμὰς τῶν
 κριθῶν τὰ ἄλφιστα καὶ πρὸς τὰς τιμὰς τῶν
 πυρῶν τοὺς ἄρτους (πωλεῖν) 51, 12.
 τιμῆς 12, 5 (Solon)

τιμήματα διεῖλεν 7, 9; μεγέθει—τιμήματος
 7, 12; ἐκ τῶν τ. 8, 5. ἐν τοῖς τὰ τιμή-
 ματα παρεχομένοις (?) 39, 24 (decree).
 'Penalty', τίμημα ἐπιγραφάμενος 48,
 22; ὑπὲρ τοῦτο τὸ τίμημα 53, 6
 τιμησις col. 37, 4
 τιμητὰς ἐλέσθαι τρεῖς 39, 11 (decree).
 τιμητὰ γήμισα οἱ δικασταὶ *Rhet. ad*
Alex. 1427 b 6 (the only ref.)
 Τιμισθένης ἀρχῶν (409/8) 23, 22
 τιμωμένων διὰ τὰς πατρικὰς δέξας 26, 9.
Litem aestimare, δῶρον τιμῶσιν 54, 9;
 ἀδικίου 54, 10; ὅτι χρῆ παθεῖν ἢ ἀπο-
 τεῖσαι 61, 13. πάλιν τιμῶσι, ἂν δέη
 τιμῆσαι, col. 37, 1. ἐὰν ἀργυροῦ τιμηθῆ
 63, 16
 Τιμώνασσα 17, 13
 τιμωρεῖν τῷ ἀδελφῷ 19, 2 (cf. *Pol.* 1311
 b 21, *Rhet.* 1401 a 10); ὑπὲρ τῶν
 ἀδικουμένων 9, 4 (τιμωρεῖσθαι ὑπὲρ
 τινος *Rhet.* 1372 b 4)
 τίς, τινές, *passim*
 τίς; τίς σοι πατήρ κτλ; 55, 13. τί
 γίγνεται; 16, 20
 τιτρώσκω· ἔτρωσεν 39, 20 (decree); τρώση
 57, 15; τρώσαι 57, 22
 τοῖσδε· 3, 2; 29, 10
 τοιούτος· 15, 1; 16, 15; 40, 1
 *τόμα 55, 28
 τοξέουσι 42, 23
 τοξόται 24, 13
 τόπος· ἀπὸ τῶν τόπων 13, 26; 21, 22;
 πάντων τῶν τόπων 21, 15; τοῖς τόποις
 21, 23; τοὺς περὶ Παγγαλίον τόπους 15, 7
 τόσον—ὅσον 12, 4 (Solon)
 τοσόσδε· not found (?) in 'Aθ. πολ.
 τοσοῦτος· 16, 2
 τότε 4, 16; 14, 16; 15, 9; 18, 28; 21, 2,
 8; 22, 12, 22; 41, 7. τότε δ' after
 τὸν μὲν ἄλλον χρόνον, 57, 29; redun-
 dant after εἰ δὲ μή, 52, 5
 τραγωδοῖς, χορηγοῖς 56, 7
 *τραπεζιτικά (δίκαι) 52, 16
 τραύματος, δίκαι 57, 14
 τραχύν—νόον 12, 19 (Solon). τραχυτέραν
 τὴν ἀρχὴν 16, 29; τὴν τυραννίδα 19, 1
 τρεῖς 4, 19; 8, 13; 13, 9, 16; 21, 14.
 τρεῖς καὶ ἐξήκοντα μνᾶς 10, 8. τρία
 ταῦτ' 9, 2; τρία μὲν ἱερῶν χρηματίζεω,
 τρία δὲ κήρυξι καὶ πρεσβείαις, τρία δ'
 ὄσιων 43, 29. μέχρι τριῶν 43, 25; ἐν-
 τὸς τριῶν ἡμερῶν 48, 18
 τρέφειν (ἴππων) 49, 2; τῶν δημοτῶν ἔτρεφε
 πολλοὺς 27, 15. τρέφεσθε (νόον) 5, 17
 (Solon); τρέφεσθαι 24, 12
 τριάκοντα (δικασταὶ κατὰ δῆμους) 26, 20;
 53, 3. τρ. ἔτη 4, 15; ἔτη τρ. καὶ τρία
 17, 3. τρ. μέρη 21, 12. οἱ τριάκοντα
 34, 17; 35—37; 40, 20; 41, 22; 53, 4
 *τριακοντόριον 56, 20; cf. p. xlviii, n. 4
 τριακοσίους 20, 10; τριακόσια (μέτρα) 7,
 18
 *τριακοστῷ (ἔτει) 14, 7

- τριηραρχίας (δικαί) 52, 16
 τριηραρχοί 61, 7
 τριήρεις 22, 36; 46, 1—8
 τριηροποιοί 46, 8
 τρίς 47, 19
 * τρισχίλιοι 26, 10; 36, 7, 9, 13; 37, 8, 15
 τρίτον 9, 4; τρίτη (στάσις) 13, 20; τῆ τρίτη (ἡμέρα) 20, 14; τρίτῳ (ἔτει) 26, 21
 * τριτοπάτωρ frag. alienum 14 p. 255
 τριτύς τριτύτες τρεῖς 8, 13; (τὰς) τριτύς 21, 10, 14; δώδεκα τριτύτες 21, 11. τριτύτων τῶν πρυτάνεων 44, 6 (reff. to *Frag.* only)
 τριώβολον 41, 35 (reff. to *Oec.* ii 1347 a 35 and *Frag.* only)
 τρομεμένους 12, 41 (Solon)
 τρόπον, τὸν αὐτὸν 17, 10; 25, 22; col. 31, 22; col. 37, 1. τοῦτον τὸν τρόπον 3, 33; 9, 1; 12, 1; 16, 2; 26, 1; 32, 7; 42, 38; 55, 27; 60, 1. τόνδε τὸν τρόπον 7, 8; 15, 6; 29, 29; 37, 5; 42, 1. ὄνπερ εἰρηται τρόπον 11, 1. ὄν τρόπον 55, 3; τρόπῳ τοιῷδε 34, 17
 τροφή 25, 1; εὐπορίαν τροφῆς 23, 10; τροφήν ἔσεσθαι πᾶσι 24, 3; δίδωσι—εἰς τροφήν—δραχμῆν 42, 24; δίδοναι—τροφήν δύο ὀβολούς 49, 28 (law)
 τροχὸν ἐπὶ τὴν γνάθον ἐπιβάλλει 49, 4
 τροπήματα col. 36, 25
 τρυπῶ ψήφος τετρυπημένη col. 35, 29 f; col. 36, 14, 19, 30, 33
 τυγχάνω c. *part.* 2, 12; 18, 15; 24, 9; 37, 9, 11; 53, 31. μᾶλλον τῶν τυχόντων ἢ τῶν ἐπιεικῶν ἀνθρώπων 27, 24
 τυπάνον, ὁ ἀπὸ τοῦ 45, 7 (not in *Ar.* in this sense; ἀποτυμπαίνεσθαι in *Rhet.* 1383 a 5)
 τυραννεῖν 6, 15; 11, 4; 16, 43
 τυραννικὴν ἔχων οὐσίαν (Κίμων) 27, 13. τυραννικῶς, opp. πολιτικῶς, 14, 17; 16, 4; 19, 8
 τυραννίς 14, 11; 15, 14; 16, 1, 27, 41, 43; 19, 2, 37; 20, 1; 22, 3, 23, 28; 28, 7; 41, 14. ἡ τῶν τριακοντα καὶ τῶν δέκα τυραννίς 41, 22
 τύραννος 17, 3; τ. κατέστη 22, 14; τῶν τοῦ τυράννου φίλων 18, 30. οἱ περὶ τῶν τυράννων νόμοι 16, 39; τοὺς τῶν τ. φίλους 22, 18, 25; ὑπὸ τῶν τ. 19, 13; ἐκβολῆς τῶν τ. 20, 19; τ. κατάλυσις 41, 14. φίλοι τοῖς τυράννοις 18, 25; ἐπέθετο τοῖς τυράννοις 20, 20
 ὕβρις 12, 13 (Solon)
 ὕβριστής 18, 17
 ὕγρα, μέτρα—ξηρὰ καὶ 7, 17
 ὕδρα 63, 6, 8; col. 31, 26
 ὕδωρ col. 33, 14; πρὸς ἡμίχουν ὕδατος col. 37, 5
 υἱός υἱεῖς 17, 9; 19, 34; υἱέων 16, 28
 ὕμηττω, ἐν 16, 17
 ὑπαίθριοι, δικάζουσιν 57, 26
 ὑπακουσάντων, οὐχ 32, 16; οὐχ ὑπήκουσεν 34, 9
 ὑπαρχῆς, ἐξ 4, 17 (*de Gen. Anim.* 745 a 18, *de Anima* 412 a 4, *Rhet.* 1355 b 24)
 ὑπάρχει col. 31, 24; ἡ—ὑπάρχουσα φίλια 19, 25; ὑπῆρχεν καὶ πρότερον 8, 20; ὑπῆρχον 21, 23
 ὑπεξαιρούμενοι τὸν φόβον 35, 24 (ὑπεξαιρήσαντες τὰς ἐπιφερομένας δυσχερείας *Rhet. ad Alex.* 1432 b 13, the only ref.)
 ὑπέξειμι ὑπέξιόντας 19, 34
 ὑπέξέρχομαι ὑπέξῆλθεν 15, 5; ὑπέξεληθόντος 20, 8
 ὑπέρ c. *gen.* Πάρρηθος 19, 12; τῶν ὀδῶν 51, 11. τῶν ἀδικομένων 9, 4; ἐκατέρων 5, 9. τῶν γερῶν 57, 12; ὦν δεῖ χρηματίζειν 44, 11
 c. *acc.* ὑπὲρ δέκα ἔτη γεγονότας 4, 10; —τριακοντα—4, 15; 30, 4 (decree); 31, 4 (decree); —τετταράκοντα—29, 12, 37 (decree); 42, 16; 56, 19; 63, 11. τὰ ὑπὲρ τοῦτο τὸ τίμημα 53, 6; τὰ ὑπὲρ χιλίας 53, 16
 ὑπερβάλλομαι τὸν κατάλογον—πολὸν χρόνον ὑπερβάλλοντο 36, 13 (*Rhet. ad Alex.* 1420 a 8, 1438 b 6, the only reff.)
 ὑπερηφανία 5, 21 (Solon)
 ὑπερβόριοι, ἀρχαί 24, 16
 ὑπερτείνειν, δρυφακτοῦς ὑπὲρ τῶν ὀδῶν 50, 12
 * ὑπεύθυνος 54, 5
 ὑπηρέτης 63, 23; col. 31, 8; col. 32, 2, 3, 19. ἔχοντες δημοσίους ὑπηρέτας 50, 14; μαστιγοφόρους—ὑπηρέτας 35, 7
 ὑπισχνούμαι ὑποσχόμενος ἐπιθήσει 28, 22; ὑποσχόμενός τι 43, 26; ὑποσχόμενῳ 12, 44 (Solon)
 ὑπὸ τῶν δορυφόρων 18, 22; ὑπὸ τῆς ὀργῆς 18, 37; ὑπὸ τῶν τυράννων 19, 13
 ὑποβάλλονται (?) col. 36, 5
 ὑπογραφή 4, 1
 ὑποδείκνυμι ὑπέδειξεν, ὄρρ. ἐπετέλεσεν, 41, 17
 ὑποζυγίω δικάει 52, 16
 ὑπόλοιπος 40, 5
 ὑποποισάμενον τοὺς ἑτέρους 6, 15. τὸν ἐρώμενον (τοῦ ἑταίρου) ὑπεποίησατο *Pol.* 1303 b 24, the only ref.
 * ὑπόσπονδος 20, 15
 ὑποφορομένη κατὰ μικρὸν (ἡ πολιτεία) 25, 3; τῆς πόλεως ὑποφορομένης 36, 1
 ὑπόψια τῶν ἐν ταῖς δυνάμει 22, 13; only quoted from frag. and spurious works
 ὕστερα, τῆ 38, 4; 48, 9
 ὕστερος τῷ ὕστερῳ ἔτει 22, 20; τὸν ὕστερον ἐνιαυτὸν 42, 30; 45, 17; αἱ ὕστερα (φυλαί) 43, 9
 ὕστερον ἀνθ. 3, 19; 6, 12; 16, 18, 28; 18, 22, 29; 19, 13; 24, 18; 27, 21; 28, 24; 38, 26. τῷ ὕστερον ἔτει 34, 14; ἐν τοῖς ὕστερον—καιροῖς 41, 1. c.

gen. ἔτεσον δ' ὑστερον τῆς τῶν τυράννων ἐκβόλης μάλιστα ἑκατόν 32, 8
 ὑφέιλε τὰς ὑπολοιπous ἡμέρας 40, 5 (ὑφαι-
 ροίη de Caelo 294 a 18, the only ref.)
 Ἰψιχίδης ἄρχων (481/0) 22, 40

Φαινιππος ἄρχων (490/89) 22, 11
 φαίνονται γὰρ αἰεὶ στασιάζοντες 13, 11;
 ἐφάνη τὰ μέταλλα 22, 29

φανερὰς ὁρᾶν (ψήφους) col. 35, 33. φανε-
 ρῶς ληροῦσιν 17, 5; φ. ἦσαν δούλοι 40,
 10

φάρμακον· φαρμάκων, δίκαι 57, 15
 φάσκων *c. inf.*, after οὐ, 15, 18; 34, 12;
 45, 4; οἱ φάσκοντες 17, 5

Φαῦλλος ὁ Ἀχεροδούσιος 38, 22

Φειδῶνεα μέτρα 10, 5
 φέρω (of pay) φέρονται τρεῖς ὀβολοῦς 29, 32
 (decree); (of expenditure) τὰ ἀναλώ-
 ματα—ἦνεγκον 56, 25. (of election)

(χορηγοῦς κωμικοῖς) αἱ φυλαὶ φέρονσιν
 56, 9; τοὺς χορηγοῦς τοὺς ἐνηνεγμένους
 ὑπὸ τῶν φυλῶν 56, 10. χαλεπῶς φε-
 ρόντων ἐπὶ τοῦτοις 38, 9; χ. ἐνεγκόντες
 ἐπὶ τῇ συμφορᾷ 33, 5. ἐπέθηκε φέρων—
 τὸ γράμμα 63, 23

φεύγω (of exiles) ἐφυνγεν ἀειφυγίαν 1, 3;
 ἔφυγε τὰ λοιπὰ 17, 4; τῶν ἐξ Ἀρείου
 πάγου φευγόντων 47, 14; φεύγων φυ-
 γῆν 57, 21; (of the defendant) 48, 21;
 53, 11; col. 36, 32

φημί· φησι 14, 25; 55, 19; φασί 6, 11;
 7, 18; 9, 5; 16, 17; 17, 17; 18, 30,
 &c. ἔφη 14, 13; 16, 21. φῆ 56, 15;
 57, 19

φθεῖρω· ἐφθάρθαι—κατὰ πόλεμον 26, 7
 φθίνοντος Θαρηγηλιῶνος, ἐνάτη 32, 5
 φιλάνθρωπος 16, 4, 30. *Adv.* 18, 17

φιλαργυρία (?) 5, 21 (Solon)

φιλεργία 16, 24 (*Rhet.* 1361 a 8)

φίλλα 17, 15; 18, 9; 19, 26

φιλοκτήμων 12, 48 (Solon)

φιλόμοστος 18, 4 (*Étél.* 1175 a 34)

Φιλόνεως ἄρχων (527/6) 17, 2

φιλονικίαν τὴν ἐνεστῶσιν 5, 11; τὴν πρὸς

ἀλλήλους φ. 13, 16

φίλος 23, 24; φίλοι τοῖς τυράννοις 18, 24;
 τῶν τοῦ τυράννου φίλων 18, 30; τοὺς
 τῶν τυράννων φίλους 22, 18, 25; φίλους
 18, 32; φίλος τῶν τυράννων 20, 2; τῶν

φίλων 20, 11; διὰ τῶν φ. 6, 8

φόβον, ὑπεξαίρουμένοι τὸν 35, 24

φοβούμενοι μὴ καταλυθῶσι τῆς ἀρχῆς 38,
 9; φοβηθέντες μὴ—καταλύσῃ 36, 5; φο-
 βηθῆς 15, 4; 16, 34; φοβουμένων *abs.*

40, 1

* φανεὺς 18, 36

φονικῶν (θεσμῶν) 7, 2 (*Pol.* 1269 a 1,
 1274 b 24, 1275 b 10, 1300 b 24)

φόνου δίκην, προσκληθῆς 16, 32; αἱ τοῦ
 φόνου δίκαι 57, 12; φόνου δίκαι καὶ
 τραύματος 57, 14

Φορμίστιος 34, 24

φόρος· τοὺς φόρους—τοὺς πρώτους 23, 21;
 ἀπὸ τῶν φόρων 24, 11 (*Pol.* 1272 a 18);
 φόρους (*φραβ.*) ἀγούσαι νῆες 24, 19
 φράζω· ἐφρασάμην 12, 7, 20 (Solon); φρα-
 σαλατο 12, 51 (*id.*)

φρατρῖαι 21, 23

Φρεάτου, ἐν 57, 22

φρενὸς ἔνδοθεν 5, 7 (Solon); ἐνὶ φρεσὶ 5,
 15 (*id.*)

* φρούρια, ἄρχοντες εἰς τὰ 30, 7 (decree)

* φρουρίδες, νῆες 24, 18

φρουροὶ 24, 14, 19 (?); 62, 5

φρουρῶ *abs.* 24, 4; τὰ δύο ἔτη 42, 33; τὴν
 ἀκρόπολιν—ἐφρουροῦν 37, 20; φρουροῦ-
 σιν τὴν Μουνιχίαν—στῆν Ἀκτὴν 42, 21. (οἱ
 ἐκεῖ φρουροῦντες στρατιώται *Oec.* ii 1351
 a 28, the only ref.)

φυγάδες 19, 8; 20, 16; 34, 20; 37, 2

φυγῆν, φεύγων 57, 21

Φύη 14, 27

φυλακὴ 61, 7; τοῦ σώματος 14, 4, 9; ἡ
 τῆς πολιτείας φ. 25, 9; περὶ φυλακῆς
 τῆς χώρας 43, 18

φυλακτήρια 42, 33 (*Pol.* 1331 a 20, b 16;
Rhet. 1360 a 9)

φύλαξ τῶν νόμων 4, 20; φύλακας τῆς ἀρχῆς
 24, 8; δεσμοτῶν φύλακες 24, 21; τοῦ
 δεσμοτηρίου φύλακες 35, 6

φύλαρχοι 30, 7; 31, 14; 49, 10; 61, 23

φυλάττω· τὰ θέσμινα φυλάττωσι 3, 20; τὰ
 ψήφισματα φυλάττει 54, 15; φυλάττει
 (τὴν χώραν) 61, 5. παρ' αὐτοῖς ἐφύ-
 λαττων τοὺς ἐγνωσμένους 36, 14

φυλέται 31, 4 (decree); 42, 15, 26; 61,
 18

Φυλῆ 37, 2; 38, 1, 15; 41, 23

φυλῆ· τοῖς δικασταῖς τοῖς τὴν φυλὴν ταύτην
 εἰσάγουσιν 48, 25; τοῖς τὴν φ. δικάζουσιν

53, 14; τοὺς τὴν φ. δικάζοντας 58, 7.
 τὴν φ. καλεῖ εἰς τὸ κληρωτήριον col. 31,
 18. δύοιν φυλαῖν 56, 13. φυλαὶ τέτ-
 ταρας 8, 11; 41, 8; (χορηγοῦς κωμω-
 δοῖς) αἱ φυλαὶ φέρουσι 56, 9; (χορηγοῦς)

ἐνηνεγμένους ὑπὸ τῶν φυλῶν 56, 10.
 ταῖς φυλαῖς 8, 4. διελομένοι τὰς φυλάς

61, 20; κατὰ φυλάς 22, 8, 22; 42, 15,
 28; 48, 1; 56, 13; 63, 2, 20. ἐκ τῆς
 φυλῆς ὅλης 62, 2, 4. For τῆς φυλῆς
 ἐκάστης *et sim.*, and for εἰς ἐκ τῆς φυ-
 λῆς, *v. ἐκαστὸς τέτταρας*

* φιλοβασιλεῖς τέτταρας 8, 12; φ. 41, 8;
 57, 31

* φυλοκρινεῖν 21, 6

φύσει, τῇ 5, 10; 18, 3, 24

φύω· πρὸς ἀμφοτέρους ἐπεφύκει καλῶς 16,
 38

φωνῆς (?) 15, 17

φωρῶ· ἐφώρασεν 18, 27

χαίρω· ἐφ' οἷς ἔχαιρεν ἡ πόλις γιγνομένων
 35, 20

* χαλῶ· ἐχάλασεν (?) 15, 17

χαλεπώτατον—καὶ πικρότατον 2, 9

- χαλεπῶς ἐνεργόντες 33, 5; χ. φερόντων 38, 8
χαλκοῦς ἀμφορεῦς col. 36, 4, 7; χ. ψῆφοι col. 35, 27; στήλην χαλκῆν 53, 25
χαρκτήρ, ὁ ἀρχαῖος 10, 7
χαρίζεσθαι τοῖς πολλοῖς 28, 27
χάρσις· πρὸς χάριν ὀμιλοῦντας 35, 19
Adv. πίστewς χάριν 18, 35; τοῦ βελτίστου χ. 35, 21; τοῦτων χ. 29, 25 (decree); δυοῖν χ. 16, 7; ὦν χ. 22, 25
Pl. χάρισω 41, 29
Χάρμος, father of Hipparchus, 22, 16
χαῖνα 12, 20 (Solon)
χειμῶνος, τοῦ χ. ἐνεστῶτος, 37, 1
χειροτονητός 54, 16 (*Rhet. ad Alex.* 1424 a 14 χειροτονηταὶ ἀρχαί, the only ref.)
χειροτονια· κριθῆναι μᾶχ. πάντας 34, 5; πρὸς τὴν ἐπικύρωσιν τῆς χειροτονιας 41, 32; τὰς χειροτονιας κρίνειν 30, 25 (decree); κρίνεισιν 44, 12. διατάττουσι τῇ χειροτονίᾳ 61, 3 (frag. and *Rhet. ad Alex.*, the only reff.)
χειροτονῶ 34, 26; 42, 18, 22; 43, 3—5; 46, 3, 4; 49, 9, 18; 54, 17, 21; 56, 24; 57, 3; 61, 1, 17, 19, 23, 25, 27
χειρῶν· χεῖρους 27, 23; χεῖρω 28, 2
χηρῶ· ἐχρηώθη 12, 52 (Solon)
χίλιοι 17, 16; 19, 28; 24, 13, 14; 35, 5 (?); χίλιους πεντακοσίους 35, 26
Χίω 24, 7
χλαμύδας ἔχοντες 42, 33 (frag. 458², the only ref.)
χολοῦμενοι 12, 20 (Solon)
χορηγία *met.* 27, 18
χορηγῶδες τραγωδοῖς καθίστησι τρεῖς—καὶ κωμικοῖς καθίστησι πεντε 56, 7—9; χορηγῶδες καθιστᾶσιν 54, 35. *eis* Δῆλον χ. 56, 20
χορηγοῦντα, παισίν 56, 18
χρεῖας καταλαβοῦσης 3, 8
χρεῖοῦς, ὑπὸ 12, 38 (Solon)
χρεῶν, οἱ ἀφηρημένοι τὰ 13, 21. χρεῶν ἀποκοπῆ 6, 3; 11, 8; χρεῶν ἀποκοπῆ 6, 11; 10, 2; 12, 26; 13, 13 (*Probl.* and *Oec.*, the only reff.)
χρῆ 6, 21; 15, 24
χρήματα, προεδάνειζε 16, 6; δανειζόμενοι 38, 8; διαχειριούσιν—διαχειρίζωσι τὰ χρήματα 30, 10, 14; χρ. συλλέγεται 47, 29; τὰ καταβαλλόμενα χρήματα 48, 3; τῶν ἱερῶν ἐν οἷς τὰ χρήματ' ἐστίν 44, 4. χρημάτων καταβολῆ 47, 31; χρημάτων εὑπόρησαν 19, 20; χρ. ἠθροισμένων πολλῶν 24, 1; τῶν ἱερῶν χρ., τῶν ὄσιων χρ. 30, 8 f. χρήμασιν λητουργεῖν 29, 34 (decree)
χρηματίζειν 43, 14, 29 f.; 44, 11; περὶ στου καὶ περὶ φυλακῆς τῆς χώρας 43, 18. *Mid.* χρηματισάμενος 15, 7
χρησῶν γιγνομένων 19, 7
*χρηστηριαζόμενοι 19, 22
χρόνου τινὸς οὐ πολλοῦ διεληθόντος 4, 2; χρόνον διαπεσόντος (?) βραχέος 35, 25.
πολὺν χρόνον 2, 2; 5, 3; 16, 35; 18, 23; οὐ πολὺν χρ. 15, 3; χρ. τοσοῦτον 3, 23; χρ. τιὰ 28, 21; πλείω χρ. 44, 2 f.; *eis* τὸν ἄλλον χρ. 31, 18 (decree); —λοιπὸν χρ. 30, 15 (decree); μετ' οὐ πολὺν χρ. 25, 24; 34, 13. *Pl.* διὰ τῶν αὐτῶν χρ. 13, 6; τῶν χρόνων—μὴ ἐληλυθότων 56, 17; ἐν τούτοις τοῖς χρ. 3, 14; ἐν τοῖς τότε χρ. 26, 8; ἐν τοῖς πρότερον χρ. 28, 4
χρυσίον· *pl.* 60, 21
χρυσοῦν, ἀνδριάντα 7, 5; 55, 33
χρῶμα, τῆς βακτηρίας col. 32, 7; χρῶματα ἐπιγέγραπται, τοῖς δικαστηρίοις col. 32, 8
χρῶμα· τοῖς Δράκοντος θεσμοῖς χρώμενοι 7, 2; (νόμῳ) χρώμενοι 8, 6; (νόμοις) οὐκέτι χρῶνται 8, 16; χρῶνται τοῖς ἐπωνύμοις καὶ πρὸς τὰς στρατείας 53, 35; ὡς (τῷ πλήθει) δεῖ χρῆσθαι 12, 10; χρώμενοι τῇ εἰσθυσίᾳ—πραβῆτι 22, 19; τῇ πῶλει πάσῃ πατρικῶς χρωμένους 28, 32. ἐχρῶτον τῷ μὲν στρατηγῷ τῷ δὲ συμβούλῳ 23, 16; τοῖς συμμαχοῖς δεσποτικωτέρως ἐχρῶτον 24, 7. ὅ τι χρήσεται τοῖς χρήμασιν 22, 32. ἐχρήσαντο τῷ νόμῳ 22, 12; χρήσασθαι ταῖς—συμφοραῖς 40, 18; οὐ χρησάμενοι καλῶς τοῖς πράγμασι 34, 13
χώρα· ἡ χ. δι' ὀλίγων ἦν 4, 24. ἐξεργαζομένης τῆς χώρας 16, 12; φυλακῆ τῆς χ. 43, 18. ἐν τῇ χώρᾳ 19, 11. συνεπρίαντο πολλῶν χ. 6, 10; κατὰ τὴν χ. 16, 8; *eis* τὴν χ. 16, 14; (στρατηγὸς ὁ) ἐπὶ τὴν χ. 61, 5; τὴν χ. ἀνάδαστον ποιούσιν 40, 25
χωρεῖν τὴν ψῆφον, αὐτὴν μόνην col. 36, 9
χωρῶν 15, 6; 16, 20; 60, 13; χ. ἀτελές 16, 18. *Pl.* 27, 17; 47, 21, 24; 52, 6; 60, 8
χωρῖς 39, 26 (decree); χωρῖς μὲν—χωρῖς δὲ 47, 18; 53, 11. Not found *c. gen.* in 'Ath. pol.
ψαλτρία 50, 6 (only in corresp. frag.)
ψευδεγγραφῆς γραφῆ 59, 10 (only in corresp. frag.)
ψευδῆ τὴν αἰτίαν εἶναι 6, 21
ψευδοκλητείας γραφῆ 59, 10 (only in corresp. frag.)
ψευδομαρτύρια τὰ ἐξ 'Αρείου πάγου 59, 17; *cf.* col. 36, 11, 13. Form ψευδομαρτυριῶν in *Pol.* &c.
ψηφίζομενοι col. 37, 2; ἐὰν μὴ ψηφίζηται col. 36, 3; *eis* οὖς (*sc.* ἀμφορέας) ψηφίζονται οἱ δικασταὶ col. 36, 6. ὅ τι ἂν οἱ δικασταὶ ψηφίσωνται 45, 11; οὐκ ἔξεστιν οὐδὲν ἀπροβούλευτον—ψηφίσασθαι 45, 23; ψηφισάμενοι μηδεμίαν ἀρχὴν εἶναι μισθοφόρον 33, 9
ψηφίσμα 29, 6, 10; 34, 27; 40, 8; 41, 26. τὰ ψηφίσματα φυλάττει 54, 14. ψηφίσματα quoted (Pericles) 26, 22 f.

B.C. 411 (Pythodorus) 29, 10—19 (with amendment); 29, 21—39; c. 30; c. 31. B.C. 403 (αἱ διαλύσεις ἐπ' Εὐκλείδου) c. 39
 ψήφου, κύριος—τῆς 9, 6. διδωσιν—τὴν ψήφου 55, 23 f; εἰς ἐνέβαλλε τὴν ψ. 55, 24. αὐτὴν μόνην χωρεῖν τὴν ψ. col. 36, 9. ψήφοι χαλκαὶ col. 35, 27; τετραπημέναι, πλήρεις, ἰδ. 29. ψήφου, ἀριθμὸς col. 36, 32

ᾧδ' 12, 11

ᾧμοτητα καὶ πονηρίαν, πρὸς 37, 16 (not in this sense in *Meteor.* the only ref.)

ᾧνιος 51, 11. ᾧνια, καθαρὰ καὶ ἀκίβδηλα 51, 13

ᾧνοῦμαι τὸν τε πριάμενον καὶ ὅσου ἂν πρίηται 47, 17

ᾧραν τὴν πρόρρηθῆσαν 30, 32 (decree)

ᾧρεός 33, 5

ᾧς 'as', ᾧς λέγουσι 6, 7 f; 14, 26; 18, 32; φασίν 18, 30; φησιν 14, 25; ὁμολογεῖται 5, 12

'how', ᾧς (τῷ πλήθει) δεῖ χρῆσθαι 12, 10

'that', ᾧς οὐχ ἤξει 11, 5; οὐ χρὴ θαυμάζειν 15, 24; ἐφώρασε 18, 26; εἶη 16, 27

'when', ᾧς ἐξέπεσε 15, 2; ἐξέπεσον 28, 6; οὐκ ἐδύνατο 18, 33; ἔλαβεν 18, 35; ἐφάνη 22, 29; εἶδεν 25, 18; ἐπεκράτουσιν 38, 16

c. *part.* ᾧς ἂν ἀπὸ τοῦ πράγματος κείμενον 7, 20 (ᾧς ἂν not noticed elsewhere in Ar. in this sense); δυνάμενος πολιτεύεσθαι 28, 37; πεπονθώς 14, 4; δυνατὰ 18, 12; ἐπανορθοῦντες 35, 12; ἀπολογησόμενος 16, 33; μνηύσων 18, 34; μεθιδρυσόμενος 19, 5; μεταδίδωσντες 36, 7
 c. *inf.* ᾧς εἰπεῖν 2, 12; ᾧς ἔπος εἰπεῖν 49, 31; 57, 8

c. *gen. abs.* 6, 5; 13, 24; 36, 9

c. *acc. abs.* 7, 25; 29, 19

c. *numeralibus*, ᾧς ἑπτακοσίους 37, 19

c. *superl.* ᾧς ἰσαίτατα 30, 18 (decree)

ᾧς = πρὸς, ᾧς τὸν δῆμον 45, 3

ᾧσπερ 8, 20; 9, 8; 16, 3; 24, 10; 61, 24. ᾧσπερ νῦν 3, 32

ᾧστε c. *ind.* οὐ κατέρχεν ἑαυτὸν 18, 36; οὐ συνέπιπτεν ἂν 21, 11.—c. *inf.* ἀπεχθῆσθαι κτλ 6, 14; διατρέφεισθαι 16, 6; ἀναλίσκεσθαι τοὺς ἐπιεικέις 16, 11; τὸν αὐτὸν ἐχθρὸν εἶναι καὶ φίλον 23, 23; μὴ δύνασθαι 49, 27

ᾧφελούμενοι, ἐτύγχανον 33, 7

ENGLISH INDEX.

The numerals refer to the *pages*; *a* and *b* denote the first and second columns of the commentary.

For proper names not found here, see *Greek Index*.

- Abbott's *History of Greece* quoted, 17 *a*, 45 *a*
 abbreviations in the MS classified, xxxvi
 Aegospotami, 132
 Aeschines, *Schol.* on *F. L.* 150 corrected, 131 *b*; *Schol.* on ii 87 quoted, 212
 Alcmeonidae 1, 72—76
 altars as places of refuge, 103 *b*
 Ambracia, Cypselidae in, 67 *a*
 amendment, formula for, 117 *b*
 Ammonias, state-tireme, 230 *a*, cf. Keil, *Solon. Verf.* 149
 amnesty after the fall of the Thirty and the Ten, 143 *a*
Anaceum, 60 *b*
 Anacreon, 68 *b*
 Andocides, *de Myst.* 78; 214 *b* (cf. Keil, *Solon. Verf.* 110 f)
 Androtion, iv; on Solon, 37 *a*; date of, 86 *a*; cf. Keil, *Solon. Verf.* 190 f
 animals, damage done by, 188 *a*; judicial trial of, 216 *b*
 Anthemion, 28, and *Addenda*, lxxvii
 Antiphon, 127
 Anytus, 110 *b*, 132 *b*
 Apollonius Rhodius, *scholia* on, xxviii
 arbitrators, 190—192
 Arcestratus, 134 *a*, and *Addenda*, lxxvii
 Archinus of Ambracia, 67
 Archinus, a leader of the moderate party, 404 B.C., 132 *b*, 144 *a*
 archons, early history of, 6; official residences of, 8—11; mode of appointment before Dracon, 12, 31; under Dracon, 14; under Solon, 29—31; under Cleisthenes, 86; their appointment by lot, 29 *b*, 87 *a*; archonship opened to *zeugitai*, 106 *b*; oath of, 7, 25, 203; salaries of, 231 *b*; scrutiny of, 201 *b*; archons of same name, how distinguished, 129 *b*
 chronological list of archons (*denotes those hitherto unknown)
 621 *Aristaechmus, 12 *b*
 594 Solon, 19 *a*, 49 *a*, 55 *a*
 582 & 1 Damusias II, 50 *f*
 560 Comeas, 55 *a*
 555 *Hegesias, 57
 527 *Philoneos, 65 *b*
 511 *Harpactides, 75 *b*
 508 Isagoras, 77 *b*
 501 *Hermocreon, 84 *b*
 490 Phaenippus, 85
 487 *Telesinus, 86 *b*
 483 Nicodemus, 88 *a*, 89 *a*
 481 *Hypsichides, 91 *a*
 478 Timosthenes, 94 *a*
 462 Conon, 100 *a*
 457 Mnesitheides, 106 *b*
 453 Lysicrates, 106 *b*
 451 Antidotus, 106 *b*
 432 Pythodoros, 108 *a*
 412 Callias, 126 *b*
 411 Mnesilochus, 128 *a*
 411 Theopompus, 128 *b*
 406 Callias Ἀγγελῆθευ, 129 *b*
 405 Alexias, 132 *a*
 404 Pythodoros, 133 *b*, 146 *b*
 403 Euclidean, 141 *a*
 401 Xenaenetus, 146 *a*
 329 Cephisophon, 200 *b*
 Areopagus, before Dracon, 11 and 31 *b*;

- under Dracon, 18; under Solon, 33; revival of its authority after Persian war, 92; attacked by Ephialtes, 100 f; privileges of, 101 *a*; attacked by Pericles, 107; under the Thirty, 142 *b*; trials before, 172 *b*, 212. Cf. Keil, *Solon. Verf.* 100 f, 120
- Arginusæe, 129 *b*; overtures of Sparta after, 131 *a*
- Aristides, archonship of, 87 *a b*; ostracism and recall of, 91; *προστάτης τοῦ δήμου*, 93; co-operates with Themistocles in building the walls of Athens, 93; withdraws the Ionians from alliance with Sparta, 94; assesses the tribute, *ib.*; counsels the people to live in Athens and to assume the control of affairs, *ib.*; promoter of the seventh change in the constitution, 147
- Aristides, *rhetor*, xxv, 20 *a*, 45 *a*, 49 *a*, 147 *b*. Cf. Keil, *Solon. Verf.* 196 f
- Aristogeiton, 69 f
- Aristophanes, *scholia* to, xxviii
- Aristotle and Macedonia, 59 *a*; *Politics*, xii f, xl, xliii—xlvi, lviii, 63 *u*, 66 *a*, 67 *a*, 76 *a*, 78, 83 &c.; *Politics*, xiv; *περὶ βασιλείας*, xiv (cf. Keil, *Solon. Verf.* 128—142); *δικαιώματα πόλεων*, xiv; *νόμιμα βαρβαρικά*, xiv; *πολιτεῖαι*, xiv—xxxi; style of, xlix; see 'Athenian Constitution'
- assembly, public, under Dracon, 14; under Solon, 26; pay for attendance, instituted by Agyrrhius, 149; its final amount, 231. Number of meetings, 158; business at each, 159 f, 162 f
- Athenæus, xxvi
- Athênê, statue of, 170 *a*; *peplus* of, 180 *a*, 223 *a*; treasurers of, 170, cf. 121
- Athenian ascendancy, beginning of, 94
- 'Athenian Constitution', abstract of, lix—lxvii; authorship of, xxxix—liv; authorities followed in, liv (cf. Keil, *Solon. Verf.* 48, 51, 186, 205, 227, 231, and esp. 200 f); date of, xxxix; Berlin fragments of, xxxi f; British Museum papyrus of, xxxiv—xxxix; language and style, xlvi—l; literature of, lxvii—lxxv; relation to the *Politics*, xliii—xlvi; lviii; 57 *a*, 83 *a*; rhythm, l and *Addenda*, lxxvii
- Atthides*, writers of, lv f (cf. Keil, *Solon. Verf.* 200 &c.)
- Attica; men of the 'Highlands', the 'Shore', and the 'Plain', 54 *u*
- Attic lunar year, 157 *b*
- auditors, 193 *a*
- Bauer, Prof. A., quoted, 56 *b*, 58 *a*, 90 *b*, 130 *b*
- beasts of burden, damage done by, 118 *a*
- Bergk quoted, xxxii f
- Berlin Fragments, the, xxxi f, liv
- Blass, Prof. F., quoted, xxxi f, xxxviii, l, lxxviii, 82 *b*, and, in the critical notes, *passim*
- Bouzyges, 254 frag. 10
- bowmen, citizens serving as, 96 *b*
- Brauronia, 198 *b*
- British Museum papyrus described, xxxiv f
- Busolt, Prof. G., quoted, 14 *a*, 15, 17 *b* &c.
- Callixenus, 114 *a*
- Cauer, F., criticised, 148 *b*
- chiasmus*, 124 *b*
- Chios, 95 *a*
- choregi*, 204 f
- chronology of rule of Peisistratus, 56
- " of later years of Themistocles, 101—3
- Cicero's mention of the *Πολιτεῖαι*, xxi
- Cimon, 104 f; accused by Pericles, 107; his liberality, 108 f
- citizens, revision of the roll of, 53; registration of, 150
- citizenship, grants of, 196 *b*
- Cleidemus, lv
- Cleisthenes, 76—92
- Cleitophon, 117 *b*
- Clement of Alexandria, xxvii
- Cleomenes, King of Sparta, 75—7
- Cleon, 111 f
- Cleophon, 112 f, 131
- clerks, public, 194—6
- cleruchi*, 97 *b*
- Cobet, marginal correction of Pollux viii 85, 202 *b*
- Codrus, 6
- coinage, Aeginetan and Euboic, 39
- Comedy, *choregi* appointed for, 204
- conflict of classes before Dracon and Solon, 3—5
- conjectures proposed, (c. 2, 1) 4 *b*; (c. 3, 13) 7; (c. 4, 13 and 16) 16 *bis*; (c. 6, 19) 22; (c. 8, 24) 33; (c. 8, 28) 34; (c. 13, 24) 53; (c. 26, 5) 104; (c. 28, 16) 112 *a*; (c. 35, 9 f) 134 *b*; (c. 38, 7) 139; (c. 39, 24) 143; (c. 43, 15) 159 *a*; (c. 45, 3) 167; (c. 47, 14) 172; (c. 49, 24) 177; (c. 51, 17) 185; (c. 54, 32 f) 199; (c. 56, 46) 210; (c. 57, 26) 215; (c. 63, 3) 233 l. 3; (c. 63, 8) 234; (col. 31, 1 f) 237; (col. 31, 27) 239; (col. 32, 9) 240; (col. 32, 15, 16, 19) 241. *Schol.* on Aeschin. *F. L.* 150 corrected, 131 *b*. Photius, *s.v.* *ἡγεμονία δικαστηρίου* corrected, 216 *a*; mistake in Photius, *s.v.* *πάραλοι*, accounted for, 230 *a*
- Council of 401 under Dracon, 16; 400 under Solon, 33. Council of 500, instituted by Cleisthenes, 79 *a*; appointed by lot, 157 *a*, 231 *a*; functions of, 168 f; their right of imprisoning, 166 *b*, 175 *b*; salary of, 231 *b*; scrutiny on appointment to, 168 *a*; transfer of some

- of their duties to the Assembly 148 *b*,
or the law-courts, 180 *b*
crown of *archon basileus*, 216 *a*
Crusius, Prof. O., quoted, 9 *b*, 44 *a*, 110
a, 149 *a*
Curtius, Prof. E., quoted, 9 *b*, 10, 54 *a*, &c.
Cylon, 1—3
Cypselidae in Ambracia, 67 *a*
- Damasias II, 50 *f*
Damonides, 109
Dareste, M. R., quoted, 46 *a*
Deceleia, 131 *a*
Delos, festival at, 198, 199 *b*; *amphi-*
ctyones, 232 *a*; *choregi* and *architheoros*,
205 *b*
Delphi, temple at, 74 *a*
Delphinium, court in precincts of, 213 *a*
demagogues, 111
demes, names of, 82: number and dis-
tribution of, 80
Demetrius Phalereus, xlii
Dicaearchus, xxi, xliii
dicasts, 6000, 96 *b*; number of, 190 *b*,
235 *a*; pay, 241 *b*; procedure for their
allotment to the several law-courts,
233 *f*; votes of, 246
Didymus, xxi *f* (cf. Keil, *Solon. Verf.*
59 *f*)
Diels, Prof. H., xxxiii, 3, 51 *b*
diobelia, 112 *b* (cf. Keil, *Solon. Verf.*
223)
Diogenes Laertius, xxv
Dionysia, 201 *a*, 204 *b*, 206 *a*
'district-judges', 63 *b*
dowry, restitution of, 187 *a*
Dracon, constitution before, 6—12; con-
stitution of, 12—18 (defended by Keil,
Solon. Verf. 96—98, 202); laws of,
12 *b*, 23 *b*
- Edinburgh Review*, 1891, p. 478 *f*, quoted,
18 *b*, 138 *b*
Eetioncia, 138 *a*
Eleusinia, 199 *a*
Eleusis, 141 *f*
Eleven, the, 99 *b*, 185 *f*
ephebi, 150—155
ephetae, 214; cf. Keil, *Solon. Verf.* 106 *ff*,
108
Ephialtes, 99—104; cf. Keil, *Solon. Verf.*
120, 213
Epimenides, 3
Erechtheus, 250, l. 3
Eretria, Knights of, aid Peisistratus, 59 *b*;
battle of, 411 B.C., 128 *b*
Etymologicum Magnum, xxvii
Euboea, revolt of, 411 B.C., 128
Eucken, Prof. R., quoted, xlviii *f*, 3, 43 *a*,
76 *a*, 145 *a*
Euripides, *scholia* on, xxvii; 253 frag. 4
Eustathius, xxviii
- Festivals, of Asclepius, 206; Brauronia,
198; Delian, 198, 205; Dionysia, 204;
Heracleia, 198; Lenaea, 210 *b*; Pana-
thenaea 223; Thargelia 204 *f*, 207
Five Thousand, the, 120, 126, 127, 128
fortresses of Attica, 123 *a*, 155 *a*
Forty, the, 188 *b*
Foucart, M., quoted, 97 *a*
Four Hundred, the, 115—128
Fragments, index of, 256
- Gellius, xxv
generals, 85; election and duties of, 225 *f*;
at Arginusae, 129 *f*
gennetae, 252 (cf. Keil, *Solon. Verf.* 64 *f*)
Gilbert, G., 7 *b*, 225 *b*, and *passim*
Giles, Mr P., quoted, 81 *b*
Girard, M. P., 151 *b*, 154 *b*
Gomperz, Prof., quoted, xlvii, 5 *a*, 14 *a*,
58 *a*
Goodwin, Prof. W. W., 164 *a*, 222 *b*
Grote, quoted, 26 *b*, 35 *b*, 36 *b*, 37 *b*, 42 *a*,
56 *a*, 59 *a*, 63 *b*, 79 *b*, 81 *a*, 85, 127 *b*,
128 *a*, 131 *a*, 135 *b*, 164 *b*; supported
by text, 90 *b*, 117 *a*
guards, on the acropolis, 97 *a*; over the
dockyards, *ib.*
guardships, 98 *b*
- Hager, Dr H., 118 *b* &c.
Harmodius, 67—71; commemoration of,
217
Harpocraton, xxvi
Hartel, Prof. von, quoted, 161 *b*
Haussoullier, M. B., quoted, 174 *b*, 237 *f*
Head, Mr B. V., quoted, 38 *b*, 39 *b*, 40
Headlam, Mr J. W., quoted, l, 13—18,
152 *a*, 156 *b*, 157 *b*, 214 *a*, 231 *a*, 232 *b*
Hegesistratus, 66 *b*, 67 *b*
heliaea, 215 *b*
Heracleia, 199 *a*
Heracleides of Clazomenae, 149 *b*
Heracleides Lembos, xxi, 250
Hermippus, xvi *f*
Herodotus, liv, 57 *b*; (v 66, 69) 78 *a*;
(v 69) 79 *b*; (v 71) 1 *b* (cf. Keil, *Solon.*
Verf. 96, 117)
Hesychius, xxvii
hiatus, l, lii (cf. Keil, *Solon. Verf.* 195)
Hicks, Mr R. D., 178 (*n. c.*)
Hipparchus, 68
" son of Charmus, 85 *b*
holidays, Athenian, 158 *b*
Homer, *scholia* on, xxviii; Solon's remi-
niscence of, 48 *a*
homicide, law of, 23 *b*; the Areopagus
and its cognisance of, 100 *b*, 142 *b*;
trials for, 212—6
hoplites (2500), 98 *a*
horses and horsemen, *δοκιμαστα* of, 177 *f*
houses, purchase-money of, 173; windows
of, 183
Hultsch, quoted, 38 *b*

- Ion, 146 *b*, 250 l. 2, 251 frag. 1
 Ionisms in Solon's verses, 46 *b*, 47 *b*; in Cleidemus, 58 *a*
 Isocrates, li, 12 *a*, 30 *a*, 93 *a*; (cf. Keil, *Solon. Verf.* 78 ff, 89 ff)
 Jackson, Dr H., quoted, 185 *a*, and in critical notes 22, 41, 44 &c.
 Jebb, Prof. R. C., quoted, 42 *b*, 44, 166 *a*
 Keil, Prof. Bruno, quoted, lxxiv, lxxvii
 Kenyon, Mr F. G., quoted, xxxiv f, 4 *a*, 14 *b*, 25 *b*, 47 *b*, 74 *a*, 78, 86 *b*, 102, 110 *a*, 120 *b*, 122, 134 *a*, 139 *a*, 146 *b*, 191 *a*, 193 *b*, and in the critical notes *passim*
 Knights (1200), 96 *b*; (1000) 133 *b*; under the Thirty, 142. Of Eretria, 59 *b*
 Köhler, Prof. U., quoted, lxxiv, 39 *a*
 Larmor, Mr J., quoted, 245 *b*
 law-courts, allotment of, 221 *b*, 233 f;
 Gk. Index, *s. v.* δικαστήρια, Ἄρειος πάγος, (ἐπι) Δελφινίω and Παλλαδίω, (ἐν) Φρεάτου
 law-suits, see Gk. Index, *s. v.* γραφαί, and δίκαι
 leases of mines, 171 f; of sacred enclosures, 173 f; property of minors, 209 *b*
 Leeuwen, Prof. van, quoted, xxxvi f, and in critical notes *passim*
 Leipsydrium, 72 *b*
 Lemnos, Ἰππαρχος sent to, 229 *a*
Leocorium, 70 *a*
 Lesbos, 95 *a*
 Liddell and Scott's *Lexicon*, 183 *a*
 Lipsius, Prof. J. H., quoted, 150 *b*, 158 *a*, 189 *a*, 195 *b*, 219 *b* &c.
 lot, appointment by, 16 *a*, 29 f, 87, 230 *b*, 236 *b*; Council appointed by, 157 *a*, 230 *a*. See also Gk. Index, *s. v.* κληρώ and λαγχάνω
 Lycurgus, administration of, 170 *b*, 200 *a b*
 Lygdamis, 59 f
 Macan, Mr R., quoted, lviii, lxvi, 30 *b*, 37 *a*
 Mahaffy, Dr J. P., quoted, xv, 89 *b*
 maladministration, fines for, 194 *b*
Marmor Parium, 50 *b* &c.
 Maroneia, mines at, 89 *b*
 Mayor, Rev. Prof. John E. B., quoted, 4 *a*, 55 *a*, 58 *a*, 154 *b*, 182 (*n. c.*) &c.
 Mayor, Rev. Jos. B., quoted, xlvii (*n.*), 21 (*n. c.*), 67 (*n. c.*), 145 (*n. c.*) &c.
 Megacles, son of Hippocrates, 87 *b*
 Megarian war, 54
 Meyer, P., quoted, 14 *a*
 military discipline, 228 *a*; period of military service, 191 *a*
 mines, 89 f, 171 f
 Müller, Carl, xxix
 Munichia, 72, 226 *a*
naucrari, 32 *b*, 81 *b*; cf. Keil, *Sol. Verf.* p. 93 ff
 neutrals, Solon's law against, 34
 Newman, Mr W. L., quoted, xlv, lvi, 13 *a*, 20 *b*, 34 *b*, 71 *b*, 83 *a*, 85 *b*, 95 *b*, 96 *a*, 103 *b*, 114 *b*, 167 *a*, 200 *a*
 Nicias, 114
 Nicodemus, or Nicomedes, 89 *a*
Nikkē, figures of, 170
 officials, home and foreign, 97 *b*; appointed by lot, members of Council, 157, 231 *a*; other officials so appointed, 170—5, 181—201, cf. Gk. Index, *s. v.* κληρώ. Military officials, 225 f; elected by show of hands, 155 f; time of electing, 165 *b*. Scrutiny of, 202 *a*
 oil from the sacred olive-trees, 223 f
 Oncken, Prof. W., quoted, xxx
opisthodomos, 163 *a*
 orthography; see critical notes on *ἀεί* 20 f; *γίγνομαι* 5; *γυγνώσκω* 19; *ἐξοπλασία* (?) 60; *ἱεροσύνη* 83; *λητουργία* 108 *b*; *Μουσιχία* 72; *σφίξαι* 92; *σῶος*, *σῶς* 123
 Ostracism, 84—92; 160 *a*; archeological evidence on, 88 *a b*
 Palladium, court in precincts of, 213 *a*
 Pallene, 60 *a*
 Panathenaea, 71 *a*, 157 *a*, 198 *a*, 222 f
 Panathenaic vases, 223 *b*
parhyrus, xxxviii
Paralos, 229 *b* (cf. Keil, *Solon. Verf.* 149)
 Paton, Mr W. R., quoted, 15 (*n. c.*), 83
 Patrizzi, xxix
 Patrocleides, decree of, 214 *b*
 paupers, relief of, 181 (cf. Keil, *Solon. Verf.* 75)
 Peiraens, demarch of, 200 *b*; generals set over, 226 *b*; party of, 140—5
 Peisander, 127
 Peisistratus, chronology of, 56 (cf. Köhler, on p. lxxii, and Keil, *Solon. Verf.* 51); in Macedonia, 58
 Pericles, 106—111; law of citizenship carried by, 106 *b*; his accusation of Cimon, 107; his successors, 111
 petitions, 161 *a*
 Phanodemus, lv
 Pheidon, 37 *b*
 Philochorus, xix, lvi; on ostracism, 84
 Philon's *σκευοθήκη*, 168 *b*, 180 *b*
 Philostephanus of Cyrene, xx
 Phormisus, a leader of the moderate party 404 B.C., 132 *b*
 Photius, xxvii; *s. v.* ἡγεμονία δικαστηρίου corrected, 216 *a*; mistake, *s. v.* παράλοι, accounted for, 230 *a*
 'Phreatto', 213 *b*

- Phyle, 137
plans of buildings removed from cognisance of the Council, 180 *a*
- Plato's *Republic*, *Politicus* and *Laws*, x, xi; *Rep.* 558 B, xliv *n*; *Gorgias* 515 E, 110; cf. Keil, *Solon. Verf.* 158, 218 f; *scholia* on, xxviii
- Pliny the Elder, xxiii
- Plutarch and the Πολιτεῖαι, xxiii f, 19 *a*; *Theseus*, 147 *a*, 251 frag. 2; *Solon*, xxiii f, 1—3, 21, 24 f, 33—37, 41—48 (cf. Keil, *Solon. Verf.* 40, 45, 55, 164, 173, 175, &c.); *Themistocles*, 102; *Cimon*, 104 f, 107 f; *Pericles*, 106—9; *Nicias*, 2, 114 *b*
- Polemon, 27 *b*
- Pollux, xxv f, 28, 176 *a*, &c., and in the *Testimonia, passim* (cf. Keil, *Solon. Verf.* 64); corrected by Cobet, 202 *b*
- Poole, Mr R. S., quoted, 39 *a*
- Poste, Mr E., quoted, 14 *b*, 21 *a*, 97 *b*, 115 *a*, 123 *b*, 142 *a*
- Postgate, Dr, 20 (*n. c.*)
- proedri*, 163
- proxenos*, grants of title of, 196 *a*
- prytaneum*, court in precincts of, 216 *b*
- prytanies, duration of, 157 *b*
- Pythocleides, 255 frag. 13
- Pythodorus, archon 432/1, 108 *a*; archon 404/3, 116 *b*, 133 *b*
- quadriremes, 169 *a*
- Quarterly Review*, Apr. 1891, quoted, 103 *a*
- Reinach, Th., 13 *b*, 143 *b* &c.
- Richards, Mr H., quoted, xlvii f, 19 *b*, 61 *b*, and in critical notes *passim*
- Ridgeway, Prof., 40 *b*
- Robertson Smith, Prof., xxxi
- Rose, V., xxx, 74 *a* &c.
- rotation in office, 16 f, 125 *b*
- Rühl, F. xxi (*n*), lxxiii, 147 *b* &c.
- sacrifices, commissioners of, 197 *a*
- Salamina*, 230 *a b*
- Salamis, battle of, 92; archon in, 200 *b*
- salaries, 230 *f*
- Samos, 95 *a*, 232 *a*
- 'Sandwich marble', 232 *a*
- scholia*, quotations from πολιτεῖαι in, xxviii
- Schöll, quoted, 219 *b*
- Schömann, quoted, 133 *a*, 148 *a*, 164 *b* &c.
- Schvarcz, criticised, xlii f
- scolia*, 73, 77
- seal of Athens, 163 *b*
- Selden, xxix
- Shute, Mr R., quoted, xl, lii f
- Simonides, 68 *a*
- slaves, damage done by, 187 *b*
- Solon, liv, 18—48; date of his archonship, 49 f, 55 *a*; legislation of, 23; obscurities in his laws, 36 *b*, 134 *b*; law against neutrality, 34; limited power of testation granted by, 135 *a*; verses of, 19—21; 44—48; democratic tendency of his reforms, 34; reform of coins, weights and measures, 37 (cf. Keil, *Solon. Verf.* 70 f, 163—172); withdraws to Egypt, 41; opposes Peisistratus, 55; ashes of, 254 frag. 11; εἰσαγγελῖαι, 34 *a*; κέρβεις 236 (Keil, *l. c.* 58); δροι 45 f; σεισάχθεια 21, 37 *b*
- Solon and Peisistratus, 55, 66
- Sophocles, his στρατηγία, 166 *a*; *scholium* on *O. C.* 701, 223.
- Strabo and the Πολιτεῖαι, xxii
- symmories, generals set over the, 226 *a*
- taxes, Athenian, 95 *f*
- Ten, the, appointed to succeed the Thirty, 139 *b*; their atrocities, *ib.*; superseded by another body of Ten, 140; excluded from the amnesty, 143 *a*; allowed to settle at Eleusis, *ib.* For other bodies of Ten, see Gk. Index, *s. v.* δέκα
- Themistocles, brings about building of triremes, 90 f; date of his archonship, 90 *b*; co-operates with Aristides in building walls of Athens, 93 *b*; accused of Medism, 102; helps Ephialtes to overthrow the Areopagus (B.C. 462), 101 *f*
- theoricon*, 113 f, 156 *a*, 171 *b*
- Theramenes, leader of aristocratical party, 114; character of, 115. A leader of the 400, 127; joins in subverting them, 128. Leader of moderate party after Aegospotami, 133; opposes extreme measures of the Thirty, 136; put to death, 137. Cf. lxiii *n*
- Theseum, 61 *a*, 230 *b*
- Theseus, 147 *a*, 251 frag. 2, 253 frag. 4
- thesmothetae*, 218 f; clerk to, 201 *b*
- Thettalus, 66 *b*, 68 *b*
- Thirlwall justified, 59 *a*, 63 *b*
- Thirty, the, established by Lysander, 133; their rule, 133—6; defeated at Munichia and expelled from power, 139; excluded from amnesty, allowed to settle at Eleusis, 143
- Thompson, Mr E. S., quoted, 13 *b*, 75 *b*
- Thompson, Dr W. H., quoted, 25 *a*
- Thrasylbulus, occupies Phyle and defeats forces sent by the Thirty, 137; decree proposed by T. attacked by Archinus, 144
- Three Thousand, privileged body under the Thirty, 137 *a*
- Thucydides (i 126), 2 *a*; on Harmodius, liv, 69—71; (viii 67) 117 f, 125 *a*
- Thucydides (son of Melesias), leader of aristocratical party, 111
- Timaeus, xx
- torch-races, 211 *a*

- Torr, Mr Cecil, xxxix, 169 *a*, 185 *b*
 treasurers, lxxvii, 121, 170; treasurer of
 the Council, 181 *b*
 treaties, 196 *a*
 tribes, four in early times, 31 *b*; ten
 instituted by Cleisthenes, 83 *b*
 triremes, building of, 90 *f*, 169 *a*
 'tyranny', law against, 65
 Tyrrell, Prof. R. Y., quoted, 22 *b*, 103 *a*
 Tzetzes, xxvii
- verbs, compound followed by simple,
 194 *a*
 votes of dicasts, 246; reckoning-board
 for, 248 *b*
- Walker, Mr E. M., quoted, 105 *a*
 'war-king', 7
 water-clock, 244 *f*
 weights and measures, 184 *a*
- Weil, Prof. H., quoted, 14 *n. c.*, 69 *a*
 Wilamowitz, von, quoted, 97 *f*, 195 *a*,
 218 *a*, and in critical notes *passim*
 wills, 135 *a*
 Wright, Prof. J. H., xix *f*, xxiv, lvii, lx
 Wyse, Prof. W., quoted, 33 *b*, 62 *b*, 66 *b*,
 85 *a*, 91 *b*, 97 *a*, 99 *a*, 103 *b*, 119 *b*,
 126, 190 *a*, 199 *b* &c.; also in critical
 notes *passim*
- Xanthippus, son of Ariphron, ostracised,
 88 *b*; his dog, 254 frag. 12
 Xenophon and the 'Αθ. πολ., lv; his
 political writings, ix, x; Pseudo-Xeno-
 phon, 'Αθ. πολ., ix (cf. Keil, *Solon*.
Verf. 215)
- year, lunar, 158 *a*
- Zenobius, xxv; (vi 29) criticised, 113 *b*

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