

AN ARCHAIC INSCRIBED STELE FROM MARATHON

The stele published here for the first time contains parts of two inscriptions, one on the front, the other on the back. The first is a legal document dating from the time of the reforms of Kleisthenes which perhaps defines the powers and duties of local courts or judges. The second, which dates from just after the battle of Marathon, records some of the procedure governing the selection of officials for the Herakleian games at Marathon. Both inscriptions are unique.

The stone was found some ten years ago in the southern part of the plain of Marathon in the locality now known as Valaria, just north of the small swamp of Vrexisa.¹ It was transported by its finder, S. H. Kakares, to the village of Marathon and placed in the courtyard of his house where Professor George Soteriadis, who was then doing archaeological work in the Marathon region, saw it for the first time not long afterward. In the spring of 1940, at Professor Soteriadis' request, the Ministry of Education ordered the stone to be brought to Athens, and the order was promptly carried out by Mr. Marcellos Mitsos, Director of the Epigraphical Museum. The stone is now in the Epigraphical Museum and has received the inventory number 13,046.² I am indebted to Professor Soteriadis for allowing me to publish the stone, to his daughter, Mrs. Sedgwick, for assistance in locating it, in determining its provenience, and in many other matters, and to Professor James H. Oliver for a number of helpful suggestions on readings and restorations.

The stone (Figs. 1 and 2) is a tall, rectangular pillar of Pentelic marble 1.60 m. high, 0.36 m. wide, and 0.20 m. thick, with a flat top and bottom. It is inscribed on two faces, front and back, and may once have been inscribed on the sides as well. The sides, however, have been trimmed down, probably when the stone was reused as a building block, and their new faces neatly dressed with a toothed chisel. As the restoration of the text on the back indicates, four letter spaces or about 0.08 m. have

¹ E. Curtius und J. A. Kaupert, *Karten von Attika*, Blatt XIX, lower right corner. According to the finder, S. H. Kakares, it was discovered in a vineyard belonging to him a few metres south of the place marked "Unterbau und Baustücke."

² It may be noted in passing that another Marathonian inscription, the Herodes epigram, *I.G.*, II², 3606, was brought to the Epigraphical Museum in Athens at the same time (now E. M. 13,047). Since it was photographed by Svensson (*B.C.H.*, L, 1926, p. 528, fig. 1) its surface has become very worn, especially near the middle, so that many letters are now illegible, and it has been broken into three pieces. It was through the efforts of Professor Soteriadis that the stone was removed from the threshold of the stable where Svensson saw it and taken, first to police headquarters in Marathon village, and then to the Epigraphical Museum in Athens.



Fig. 1



Fig. 2

Obverse and Reverse of the Stele from Marathon

been cut away, probably about half from one side and half from the other. The original width of the stele was thus 0.44 m. The front and back faces of the stone have also been largely reworked so that letters remain only on the upper parts for a

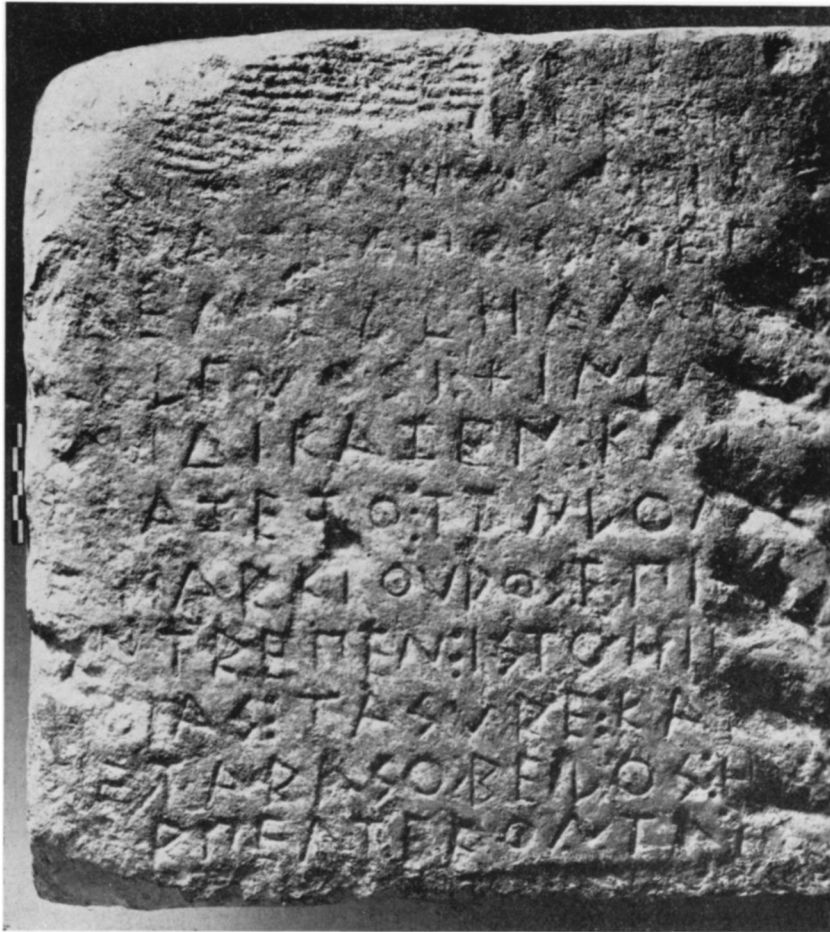


Fig. 3. Stele from Marathon. The Inscription on the Obverse Face

maximum distance of 0.30 m. from the top. Below this the surface has been roughly dressed down just enough to remove all traces of the rest of the inscriptions.³

The inscription on the front (Fig. 3), which is shown to be the earlier of the two by the forms of the letters, the use of punctuation marks, the generally non-stoichedon

³ This reworking of the front and back must have taken place when the stone was reused in a cross-wall of a building. The upper part of the stone was bonded into the side wall and thus protected, the remainder of the inscribed surfaces, which were exposed, were roughened to take a coat of plaster.

arrangement, and the fact that the lines read vertically downward instead of horizontally, dates from the late sixth century before Christ.⁴ It deals with legal matters (see below on line 7), but as at least three quarters of each line is missing, no consecutive text or even complete thought can be made out.

The text is as follows: ⁵

Late sixth century B.C.

NON-ΣΤΟΙΧ.

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-----
----- ν βολ -----
----- ια : ηεκον -----
[.]σιον γνὸ Σ υ Ε Ι Δ -----
5 [.]ν ἄτεχνος : μὲ π[----- ἄλλοθ]
[ι] δὲ μεδὲ χαμῶ -----
κελεύοσι : χινχά[νευ -----]
[ἐ]πιδικάζειν : κατ[----- ἐπιδ]
[ι]καζέτο : τὲν λοι -----
10 ν ἡλκτοῦρος : ἐπι[τέλλε -----]
[.]ν τρέπειν : ἴστω ηι' -----
[.]οιας : τᾶσυνρῆ : και -----
τέταρας ὀβελός : η[----- ην]
πὲρ πεντέκοντα : κ -----
15 -----
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Line 1. The first line was completely cut away when the sides of the stone were trimmed down.

Line 2. The first preserved letter is probably nu, but might possibly be upsilon. We may perhaps restore [τὸ]ν βολ[όμενον].

Line 4. The participle γνούς might also be read. After the sigma there appears to have been a round letter, omicron, theta, or phi. Several ways of resolving the second half of this line suggest themselves, but none seems very convincing.

Line 6. Compare *I.G.*, I², 16, line 11, and 100, line 4.

Line 7. Χινχά[νευ] = κινχά[νευ]. On chi for kappa see Meisterhans, *Grammatik der attischen Inschriften*³, p. 102. On nu for gamma, *ibid.*, pp. 84 and 113. The word κινχάνω is ordinarily found only in poetry. It was used by Solon, however, in a legal sense with the meaning "prosecute" as we learn from Photius' *Lexicon*, s. v. κινχάνειν: τὸ ἐπεξίεναι· οὕτως Σόλων. A similar statement appears in Suidas' *Lexicon*,

⁴ It resembles in many respects the first Attic decree, *I.G.*, I², 1; J. Kirchner, *Imagines Inscriptionum Atticarum*, no. 12, plate 6; *Hesperia*, VII, 1938, p. 265, fig. 1.

⁵ Height of letters, 0.012 m.-0.02 m.

σ.υ. κιγχάνειν: τὸ ἐπεξιέναι οἱ περὶ Σόλωνα. The occurrence of this word in our inscription, an Attic legal document of the sixth century B.C., suggests that we may have before us a part of Solon's law code. I find, however, no other connection between our text and Solon's laws,⁶ so the presence of a single "Solonian" word is of no great significance, especially as Solon's code must have set the standard for all subsequent legal phraseology. In any case, Suidas attributes the word not to Solon himself but to his followers. Furthermore, our stele stood at Marathon and there is no record that Solon's laws were ever published anywhere but in Athens.⁷ It is much more probable that our inscription is to be connected with the reforms of Kleisthenes. Aristotle tells us⁸ that under Peisistratos a board of circuit judges (οἱ κατὰ δήμους δικασταί) was established whose duty it was to travel around among the demes deciding small cases in which the total amount involved was ten drachmai or less. Kleisthenes appears to have abolished this board (for Aristotle says that it was re-established in 453/2 B.C.) and must have placed these minor judicial matters in the hands of the individual demes. Our inscription, which dates from the time of Kleisthenes, is probably to be connected with this change and perhaps it defined the duties and powers of the local judges or courts.

Line 9. The last letter may be gamma, mu or nu.

Line 10. The morning-rising of Arcturus was in mid-September, its evening-rising in late February. See the table in Boll's article "Fixsterne," Pauly-Wissowa, *R.E.*, VI, cols. 2427-8.

Line 12. The word *ἀστυρῆς* has not hitherto been found in any text earlier than Polybius.

Lines 15 and 16. Line 16 was completely cut away when the sides of the stone were trimmed down. Line 15 was partially cut away at the same time and the rest of it disappeared when the new edge was damaged (see Fig. 3).

The inscription on the back (Fig. 4) may be dated on epigraphical⁹ and historical¹⁰ grounds in the early fifth century before Christ, just after the battle of Marathon. It deals with the selection of officials for the Herakleian games at Marathon, and, as only four letters are missing from most lines, an almost complete text for the first twelve lines can be secured. Below this the surface has been cut down and no letters remain, so that perhaps three quarters of the inscription is lost. The

⁶ C. Sondhaus, *De Solonis legibus* (Jena dissertation, 1909) is a collection of the laws attributed to Solon and contains an index of the principal words. There is also a useful summary in K. Freeman, *The Work and Life of Solon*, pp. 112 ff.

⁷ Even there, it appears, they were not published on stone until the end of the fifth century B.C. See Oliver, *Hesperia*, IV, 1935, pp. 7 ff.

⁸ *Αθ. Πολ.*, 16, 5; 26, 3; and 53, 1.

⁹ For the letter forms compare the Marathon epigrams, *Hesperia*, II, 1933, pp. 480 ff.; Kirchner, *Imagines*, no. 18, plate 9.

¹⁰ See commentary on line 1, below.

inscription is stoichedon with the exception of the first line, and there were twenty-one letters in each line. Seventeen letters are preserved in most of the lines and four more are to be restored, as is clearly shown by the phrase *μὲ ὄλεζον ἔ τριάκοντ[α ἔτε]* *γεγονότας* in lines 9-10. The other restorations fit easily and naturally into this scheme.

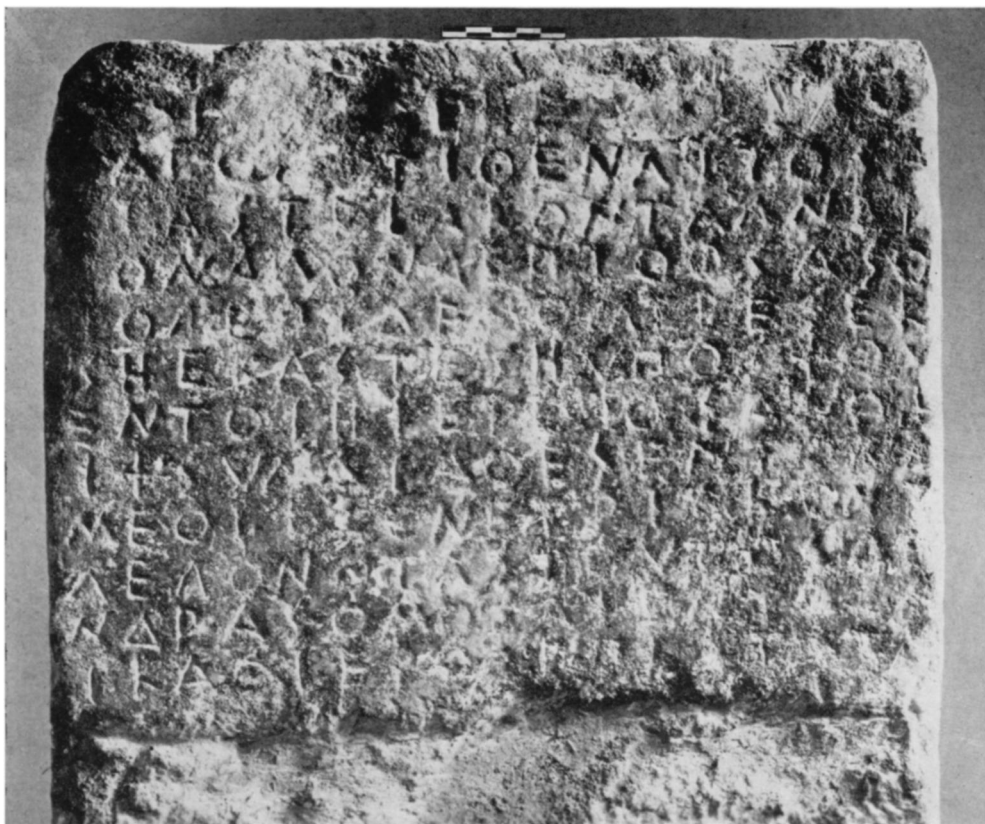


Fig. 4. Stele from Marathon. The Inscription on the Reverse Face

The text is as follows: ¹¹

Shortly after 490 B.C.

[. . . .]	[. . . .]		ἡερακλείο[ισι]	
[. . .]	ΑΓΓΥ	[.]	τιθέναι τὸς ἀ[θλ]	ΣΤΟΙΧ. 21
[οθ]	έτας	τριάκοντα	ἄνδρ[ας]	
[ές]	τὸν ἀγὼνα.	ἐπιόφασθ[αι]		
5	[δὲ]	τὸν ἐπιδέμομ	τρῆς ἐκ [φυ]	
	[λῆ]	ς	ἡεκάστες, ἡυποσχομ[έν]	

¹¹ Average height of letters, 0.015 m.

[ος] ἐν τῷ ἱερῷ ὅς ἀν οἱ [όν]
 [τ' εἰ] χσυνδιαθέσεν τὸν ἀ[γὼ]
 [να] μὲ ὀλέζον ἐ τριάκοντ[α εἰ]
 10 [τε] γεγονότας. τούτος δὲ [τὸ]
 [ς ἄ]νδρας ὁμόσαι ἐν τῷ ἱ[ε]
 [ρὸ]ι καθ' ἱερὸν. ἐπιστατε[ν .]
 ----- / ----- ' -----

TRANSLATION

----- Herakleian games -----. The Athlothetai shall appoint thirty men for the contest. They shall select from the visitors three from each tribe, who have promised in the sanctuary to help in arranging the contest to the best of their ability, not less than thirty years of age. These men are to take the oath in the sanctuary over victims. A steward -----.

COMMENTARY

Line 1. The letters in the line are badly damaged and hard to decipher. Approximately in the fourth letter space there is a slanting stroke which may be part of a letter, though it is so irregular that it seems to be fortuitous. There is a vertical stroke in the fifth space. If this letter was correctly spaced in its stoichos it can be completed only as a rough breathing, but the other strokes necessary to this letter are not now visible. There seems to be a mark extending from the top of this horizontal stroke toward the right. If this mark is part of the letter it must be assumed that the letter was not accurately placed in its stoichos. Possible restorations would be epsilon and rho, though complete strokes for neither one of these letters are preserved. There is some temptation to restore here a word like [ἐπι]με[λεάς], for some such supplement seems to be needed as the direct object of *τιθέναι* in line 2. The tenth letter space of line 1 has been represented in the text as a vertical stroke, but the cutting on the stone is so deep that no assurance can be given about the letter that should be read here. The letters in the latter part of the line are not strictly stoichedon. However, the letters in the latter half of the line are legible and they show that the inscription is concerned with the festival of the Herakleia at Marathon. This festival was very old. The Marathonians claimed to have been the first to worship Herakles as a god, and Marathon is also connected with the legend of the children of Herakles. The cult there was, with that in Kynosarges, the most important of the cults of Herakles in Attica.¹² Before the Persian wars the festival was probably only of local importance,

¹² Ancient references to the Herakleia at Marathon are collected by S. Solders, *Die ausser-städtischen Kulte und die Einigung Attikas*, pp. 79-80. See also L. Deubner, *Attische Feste*, p. 227, and A. Mommsen, *Feste der Stadt Athen im Altertum*, pp. 159 ff.

being celebrated chiefly by the people of the Marathonian Tetrapolis. In 490 B.C., however, when the Athenians marched out from the city to meet the Persians at Marathon, they took up their position in the sanctuary of Herakles and encamped there for some days before the battle.¹³ After their brilliant victory it would be only natural that they should want to do more honor to Herakles, their protector,¹⁴ and that his cult and festivals, especially at Marathon, should assume a much greater importance than before. This supposition is borne out by our inscription, for its letter forms suggest a date in the early fifth century and it contains provisions for the organization of the games on a Pan-Attic scale. The festival thus became Pan-Attic and its games even attained a certain Panhellenic renown and attracted competitors from neighboring states, at least in the generation or two after Marathon, for we learn from Pindar that Epharmostos of Opous, Aristomenes of Aigina, and some relative of Xenophon of Corinth won victories there.¹⁵

Line 2. The first three letters of this line have been lost with the trimming of the stone and subsequent damage. The fourth letter is clearly alpha, and the sixth letter is clearly omicron. In the fifth letter space there is preserved an upright stroke which seems to have a horizontal stroke extending toward the right from its upper extremity. If the letter was intended for pi or epsilon it seems never to have been completed. It could not be finished as rho to give the same shape as the other letters rho in this inscription. In the seventh letter space there is the bottom tip of a stroke which slopes up and slightly to the right. It might be completed as mu or nu, or as alpha, or gamma, or even sigma, though a sigma would seem to lie rather far to the left in its stoichos. There is no trace remaining of the eighth letter. I have no suggestion for the restoration of this word, even on the assumption that the seventh letter may have been iota; but I print here the facts about the strokes as I understand them in the hope that others will have success in finding a restoration.

Line 4. For the verb ἐπιόφασσθ[αι] cf. Suidas, *s.v.* ἐπιώψατο.

Line 5. The words τῶν ἐπιδέμου are to be construed as genitive plural, rather than accusative singular. The selection of the thirty men to assist in the conduct of the games was to be carried out by the athlothetai, and they were to choose three from each tribe from the number of the ἐπίδεμοι. It must be assumed that these were people temporarily¹⁶ at Marathon for the sake of the games and the sacred festival, the

¹³ Herodotos, VI, 108 and 116. The sanctuary of Herakles, which lies near Vrana just below the chapel of St. Demetrios, has been identified by Professor Soteriadis: Πρακτικά, 1935, pp. 84 ff., where references will be found to his earlier articles on the subject. Good summaries of his work at Marathon are given by Karo in *Arch. Anz.*, 1934, pp. 146 ff.; 1935, 179 ff.; 1936, 125 ff.

¹⁴ In this connection we may note that Herakles was depicted in the painting of the battle of Marathon in the Stoa Poikile, Pausanias, I, 15, 3.

¹⁵ *Ol.*, IX, 89-90, with scholia; *Pyth.*, VIII, 79; *Ol.*, XIII, 110.

¹⁶ Cf. ἐπι[δ]έμος = peregrinos: *I.G.*, XII, 9, *Addenda*, p. ix, 1274, III; *I.G.*, XII, Supplement (1939), p. 204, lines 25 ff.

Pan-Attic character of which is further attested by the fact that prominent men could be chosen from each of the ten tribes to help in managing the contest. A suggestion that the singular ἐπίδημος should be interpreted as the equivalent of the ἐπιδήμιος ἄρχων should, we believe, be rejected. Cf. *Lexicon Rhetoricum Cantabrigiense*, s.v.

Lines 6-10. Cf. *I.G.*, XII, 5, 647, lines 20-22 (= Dittenberger, *Syll.*³, 958). For the phrase μὲ — — γεγονότας in lines 9-10, cf. *I.G.*, I², 10, lines 9-10.

Line 12. For the phrase καθ' ἑρὸν cf. *I.G.*, I², 10, line 17; Thucydides, V, 47, 8; and Aristophanes, *Frogs*, 101. It is uncertain whether ἐπιστατε[ν] is a noun or an infinitive. In either case, however, the sense is the same: provision is being made for the selection of an epistates. On this official, see P. G. Hermann Schween, *Die Epistaten des Agons und der Palaestra in Literatur und Kunst* (Kiel dissertation, 1911), especially pp. 23 ff.

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