

AN ATTIC DECREE CONCERNING OROPOS

(PLATE 10)

IN JULY, 1957, at the place of construction of a ticket booth for the west entrance to the Agora Excavations from Apostle Paul Street, an inscribed stele (I 6793) was found re-used as a manhole cover. Preliminary examination by the Agora staff just after finding led to its classification as a poletai record. The compact grid and small lettering corresponded to several known poletai documents, and some words in the text suggested leases. For the next quarter of a century the inscription remained unnoticed except for one brief mention.¹ Then in 1975 and again in 1980 I undertook a study of the stone for the purpose of its inclusion in the corpus of poletai inscriptions which I was then preparing for one of the epigraphical volumes of the Agora excavations. I soon determined that the stele was not a poletai record but most likely a tribal decree. Plans to include the inscription in my corpus have accordingly been altered. At the suggestion of Homer Thompson and John Traill I offer instead this separate publication of the document.²

Complete stele of Pentelic marble (Pl. 10), broken in two pieces, found on July 4 and 8, 1957. The two pieces were re-used to cover a manhole leading to an underground water channel on the southwest slope of Kolonos Agoraios about 100 meters southwest of the southwest corner of the Hephaisteion (A 11). One small piece is missing from the right side at the break.

H. 1.65 m.; W. at top including molding 0.49 m., at top of inscribed face 0.455 m., at bottom 0.485; Th. above 0.09 m., below 0.10 m. L.H. 0.004 m.

Agora Inv. No. I 6793

ΣΤΟΙΧ. 57

Ca. a. 330 a.

Θεοί
 [...]οιο[...].ι[...]⁸...ρ[χ]ουι[...]⁸...η[...]²⁷...]
 [...]α[.]ν[.]ιλ[...].ρ[γ]α[.]ιν[.]ιλ[...]³⁴...δε-
 [δ]όχθαι ται[...].λ[...].τους[...]⁸...ι[...]²⁹...]
 5 [...]ς λιθινα[...].νο[.]λ[.]ι[...].ν[...]³⁵...]
 [τ]ὸ κεφάλαιον[...].η[...]⁴⁰...]
 [...]φυλῶν[...]⁷...ε[κ]⁶...γγ[...]¹⁰...ιου[.]τα[...]¹⁸...]
 α[.]κι[...].τους[...].τησ[...].ε[...]³⁹...]
 οι[...]⁷...ατα[...].φυλη[...]⁸⁻⁹... vacat
 10 [...]δε[...].λη[.]ο τὰ ἐδά[φ]η τ' ἂ ἐ[ν] 'Ωρ[ω] πῶι τ' ὦ[ν] Αἰγειδῶν καὶ Αἰαντιδῶν[...]⁶...]
 [...]οστο[...]⁷...δων[...].οκράτης 'Ιπποκ[...].ν[...].ο[...].ρ[χ]ι[...]⁸...

¹ R. E. Wycherley, *The Athenian Agora*, III, *Literary and Epigraphical Testimonia*, Princeton 1957, p. 225, addendum to p. 92.

² I wish to thank Homer Thompson for permission to publish the inscription. In addition to his and John Traill's good advice and counsel I received help from L. J. Bliquez, M. H. Jameson, D. M. Lewis, and M. W. Walbank. I alone, however, am responsible for the readings of the inscription and opinions expressed in this study.

[.]κ[.]λλου[.]ρα[.]α[.]...ο[.]...¹¹...ορος[.]...αφια[.]...¹⁵...
 [...]ο[.]...ιφαλ[.]...ν[.]...⁷...λ[.]ι[.]...⁷...λλ[.]λλρ[.]...⁸...ραν[.]ο[.]...
 [...]...⁷...σταλ[.]...⁶...η[.]...¹³...λ[.]...ακ[.]...¹⁵...ι[.]...
 15 [...]α[.]...⁶...ου[.]ο[.]...¹⁰...οροι[.]ιστο[.]...¹²...ο[.]ν[.]α[.]
 [K]αλλικράτης [-----] *vacat*
 [...]ωνεν[.]...⁴³...οκράτ-
 [η]s[.]...ο[.]λιτ[.]ο[.]...³⁷...ἔδ[.]οξεν
 [...]δ[.]...⁴³...⁴³...ομ[.]...
 20 [...]τοσιαμ[.]...⁸...λ[.]...³⁷...ο[.]...

54 lines with only scattered letters preserved

75 [...]...²⁶...ταις[.]...Ἀναφ[λ]υ[σ]τιο...¹³...
 [...]ἔφύλωι τόπ[ωι]...⁷...π[.]τ[.]...ι[.]ο[.]...²³...
 [...]ατέυς[.]...πα[.]...⁴⁴...
 [...]εστοσιακμο[.]...¹²...αιτ[.]...²⁷...
 [...]διαβα[s] τὸν αὐλῶνα τ[ὸν]...¹²...τατ[.]...¹⁶...
 80 [...]ι[.]...τον[.]...⁴⁸...
 [...]ε[.]...ρκη[.]...το[.]η[.]...¹⁶...Ἀναφλυσ[τιο]...¹⁴...
 [...]διαβα[s] τ[ὸν] αὐλῶνα τ[ὸν]...³⁷...

7 lines with only scattered letters preserved

90 [...]ελ[.]η[.]...¹⁶...ου[.]ο[.]...⁷...ε[.]...¹⁸...ῥα[μ]νο-
 ύσιος καὶ ἀμφισβητ[εῖ]. [...]ι[.]...α[.]σο[.]...ε[.]...ω[.]...²⁰...ρ[.]
 πάντα τὸν [τ]όπον [...]ρατη[.]αφ[.]...ο[.]...²³...η[.]...
 παπιδιτος[.]ο[.]...¹³...λ[.]...²⁸...ο[.]α[.]...
 οντος Εὐρυ[.]...ν[.]α[.]...χ[ω]ρί[ον]...¹¹...τ[.]...μ[.]...¹⁰...ἀ-
 95 δης ἔχει [...]...⁶...μ[.]...ιλ[.]ε[.]...α[.]ομέ[.]...Λευκοπ[ύρ]α καὶ τὰ [π]ρ[ὸς] το[.]...⁹...
 τοῦ Ἑρμαίου [τοῦ] Λευκοπυρ[α]ίου. τ[ὸ]π[ος]ο[.]...γος ἐφυλο[s]...ου[.]...
 [...]α[.]ται Καλλίστ[ρ]α[τος] Ἰκαρι[ε]ῖς[.] Ἀλεξίας Ὑ[βάδης] λόφον π[.]...⁹...τ[.]
 σελ[.]...καὶ το[ύ]τον [...]...⁹...ν[.]ν[.]ο[.]ω[.]ο[.]...²⁴...
 ενον καὶ τὰς [...]τηι[.]...ηι[.]λυτο[.]...²⁹...των [ῆ]-
 100 νφεσβήτ[ει] Φ[ε]ρεκράτ[ης] Κολ[λ]υ[τέυ]s[.] πρὸς [...]...¹²...χ[.]...¹²...
 ου[.]...⁷...ἔως [...]ι[.]ν[.]...⁷...νη ἕλη [...]οσ[.]...⁸...ε[.]τα[.]...¹²...
 ενα τῶν Φ[ε]ρεκράτου[s] τόπ[ος] πολ[ύς] ἐφυλος ἀργὸς μέ[χ]ρι τ[.]...⁷...
 ων ἔστιν καὶ οὐκ ἠνφε[σ]βήτ[ει] οὐδ[εῖς] [...] ὑλῶνης. π[ρ]ὸς τῷ λόφωι πρ[ο]σκα-
 τ[ε]ίργαστα[ι] καὶ ἔτερα ἐ[χ]όμενα τούτων, ὑπερβάντ[ι]...¹⁷...
 105 σιν παρε[λ]θόντι τὸν λόφ[ον] οἱ αὐτοί. ἀπὸ τοῦ λόφ[ο]υ[.]θην[.]...⁹...
 τῶν Προξένου ἐργ[α]σίμων τούτου ὧν φυλῶν ἐτ[ε]ρα ἐργάσιμα πολλὰ...⁶...

- υ[.]ητα καὶ [πεφυ]τευμένα [. . . ⁸ . . .]μ[. . . .]αι ἔδ[αφ]ος καὶ οἰκίαν [. . . ⁸ . . .]
 τα[ῦ]τα ἔφη μεμισθῶσθ[αι] Χα[ρίας Κ]ο[λ]λυτεὺς [. ²⁰]χαρ-
 ἀδρ[α. .]ων[. . .]ο[. . .]ειτ[. . .]υ]οτόθεν Πρόξενος [. ¹⁹]
 110 [π]ρὸς νότον [. . .]ων πρὸς ἐσπέρα[ν] οιορανοί[. .]αι[. . .]ενο[.] πρὸς [ἡλί]ο[ν] ἀνιόν]-
 τος [. .]α[.]ετ[. .]ρου[.]ημενα τούτων [. ²⁸]το]ύτ-
 ου [χ]ωρίου τούτου χαράδρα Ξυλλεχο[. ²⁵]ορο[.]
 αδα καλουμένην τόπον ἔφ[υ]λο[ν] πολ[ύ]ν. ²⁴]μέχρ-
 ι τῶν ἀμ[π]έλ[ων] τοῦτον ἐπεργασ[. ²⁹]ηι[. . .]
 115 ἕτερα [ἐπ]ε[ί]ργαστο [.]τη[.] ἔφυλ[. ³⁴]
 α βόρραθεν τῇι [. ¹⁰]α[. .]ιβ[. ¹⁹]υ[.]ν[.]

14 lines with only scattered letters preserved

- 131 [. . .]το[. ¹²]ι[. ¹⁷]ομοσιν[. . . ⁸ . . .]ητο[.] τ[ό]π-
 [ος.]τοη[. . . ⁷ . . .]ν τόπος ἐρ[γάσιμος. . . .]υ[. . .]χων τ[. . . .]ο[.]θεις ἢ[ν]φη-
 [σ]βήτει [. .]ο[. . . .]απ[.]ειου[. ¹¹]ο[.]μ[.]ωπου[. . . κ]αλούμεν[ος. .]ο[.]
 [ἐργά]σιμ[ος] [. .]χ[.]ο[.] ἀνανφισβήτητος. ⁸]ο[. . . .] ἐρ[γάσιμ]-
 135 ος [. .]ωνος ἀ[ν]α[ν]φισβήτητος. ¹¹]α[. .]αρ[. . . ⁸ . . .]λο[. . ⁶ . .]ε[.]ο
 [. . .] τόπος ἐργάσιμος ἀν[αν]φισβήτητος. ¹⁷]ο[. . . .] ου
 [. . .] τόπος πολὺς ηβα[.]λειδης ἐν τα[ῖς. .]αιου[. . .]εγε[. . .]κα[. . . ⁷ . .]ε[.]
 [φ]άσκων μ[ε]μ[ισθ]ῶσθαι: ^ΠΔΠ; δραχμῶν [. . .]υνε[.]τ]οῦτον [. ¹¹] ^Π; δραχ
 ταῦτα ἔφη μεμισθῶσθαι παρ' Ὑβρίο[ν] πρὸς τῶι λόφωι [. . . .]ηνη[.]ει[. . .]ῶ]π-
 140 [ε]ρσχ[ε]ῖν τούτων ἢ[ν]φεςβήτει Ὑβρί[ας] Ὀτρυνεύς· τοῦτο[ν] τ[ὸ]ν τόπον [. . .]ε[.]
 [. . .]ιημι[.]σι[.] τῶν ὑλωνῶν Νόθιπ[ος. ¹¹]ο[. . .]ουρο[. . . ⁸ . . .]
 ο[. .]s ἄπρατον τῶν φυλῶν ὕλην ε[. ¹⁰]εφην δ[δ]ο[ν] [εἰ]s τὴν Βοιωτί[αν] ε
 [. . . .] θόλος οκ[.]ιο[.]κ]αλούμενο[ς. . . .]του[. ¹⁰]ανο[.]ε[.]ου[. . . .]
 [. . . .]ν τούτῳ τῶι [τόπ]ωι ἐργασ[ίμ]ωι. ¹⁵]α[. ⁸]ρ[. . . .]
 145 [. . .]νεοι τῶν φυλῶν [ἔσ]τιν ἀνανφισ[β]ήτητα [. .]εορι[. ¹⁸]
 ο[. .]υλειμωνος τοῦ τησαθ[. . .]ο[.]αιπα[.]τ[. .]οιπ[. . .]ο[. ⁸]α[. . . ⁶ . . .]
 λαν ἀνανφισ[β]ήτητο[ν] ο[.]ιξ[ε]ι[.]τατ[. .]ἄγρι[. .]δεορ[.]οσ[. . . ⁷ . . .]αο[. . . .]
 ν[. .]ολειμω[. . .]το[. . .]π[.]ιου[. . . .]καλουμ[έν]ον[. .]ο[. . . . ⁸]γα[. . .]τ[. .]
 όπος ἐργάσιμος α[. .]α[. . .]τα[. ⁹]οσ[. ²³]

6 lines with only scattered letters preserved

- 156 [Φ]ιλαίδης [. . . ¹⁰ . . .]τ[. . .]μ[. ³³]
 φλα[.]ο[.]ο[. . .]λ[. ¹²]α[. ³²]
 νόσου τόπος τ[. ⁴⁶]

11 lines with only scattered letters preserved

- 170 [.]ρ[ε]ν[.]μ[έ]ν[ω]ι ο[.]ο[η][.]ε[.]...⁹...[.]ειλ[.]...[.]μοι κ[α]λ[ο]ύ[μ]ε[ν]ος τόπος ἐ[ρ]γάσ[ε]-
 [ι]μ[ο]ς καὶ ὕλη [.]...⁶...ο[.]...[.]ω[.]...[.]λ[.]...[.]ν[μ]ε[.]... τοῦτον τὸν τόπον ε[.]σαρ[.]...[.]τ[.]...
 [τ]όπος[.]...[.]ο[.]...[.]ε[.]...[.]ι[.]...[.]α[.]...[.]καλ[ο]ύ[μ]εν[ος] ὁ τόπος λ[.]κ[.]...[.]ἐργάσιμος [.]αρ[.]...
 [.]...[.]α[.]...[.]ο[.]...⁹...[.]ε[τ][.]...⁷...[.]ὁ δρυμ[ὸ]ς[.]λ[.]...[.]ε[.]...⁶...[.]κ[.]...[.]ε[.]...[.]ε[.]...[.]ν[.]νισυ
 δρα[χ.]ΔΔΔ ηλ[.]...⁶...[.]υριτου[.]...[.]ονι[.]...[.]κλοη[.]...[.]αο[.]...[.]χ[.]...[.]α[.]...[.]η[.]...[.]ι
 175 ηκε[.]...[.]ηνε[.]...[.]αω[.]...[.]ν[.]...[.]οι[.]...[.]ολ[.]...[.]ητοις [.]ει[.]...[.]ορ[.]...[.]ο[.]...[.]ι[.]...[.]ρη[.]...[.]α[.]...
 [.]εια[.]...[.]τ[.]...[.]ο[.]...[.]ουπαρ[.]...[.]καὶ τὸ ε[.]βου[.]ολ[.]...[.]λ[.]...⁶...[.]ο[.]...⁹...[.]ον[.]...[.]ο[.]...
 [.]...[.]ιο[.]...[.]ιοπ[.]...⁷...[.]ητ[.]...[.]ε[.]...⁶...[.]α[.]...[.]κ[.]...[.]ε[.]...[.]δων[.]...[.]ο[.]...¹³...[.]...
 [.]...[.]οτα καὶ [.]...[.]αο[.]...⁸...[.]ο[.]...[.]σα[.]...¹²...[.]οιτε[.]...[.]τ[.]...[.]ι[.]...[.]μοι[.]...[.]ο
 [.]...⁶...[.]λλο[.]...[.]ο[.]...[.]τουλ[.]...[.]τ[.]...[.]ι[.]...⁸...[.]καλου[μ]έ[ν]ου[.]...[.]τα[.]...[.]ο
 180 [.]πο[.]...⁸...[.]λ[.]...[.]ητρια [.]...²⁶...[.]ο[.]...[.]ν[.]...[.]ιτα
 ν[.]...¹²...[.]τ[.]...[.]ι τῶι γε[.]...[.]γο[.]...[.]ιο[.]...¹⁴...[.]ε[.]...[.]γειτονία ἧς τ
 [.]να[.]...¹⁴...[.]επη[.]...[.]ουγειω[.]...²⁷...[.]ιε
 [.]τηι[.]...¹⁵...[.]λ[.]...[.]ργ[.]...[.]ο[.]...[.]εμ[.]...⁸...[.]α[.]...¹³...[.]...
 [.]...¹³...[.]ἀπράτων [.]...¹⁰...[.]ολ[.]...¹⁶...[.]λν[.]...⁷...[.]...
 185 ινον[.]...⁸...[.]τ[.]...⁷...[.]τε[.]...¹⁷...[.]ρι[.]...[.]τ[.]...¹⁰...[.]...
 ασα[.]...⁵⁴...[.]...
 α[.]...⁴⁹...[.]λι[.]...[.]

vacat

The details of the affair recorded in this inscription are irretrievably lost because of the destruction of so much of the inscribed face. The stele was long exposed to moisture and gases during its re-use as the cover for a manhole, and this has resulted in the flaking away of much of the surface of the inscribed face and the loss of many letters and whole lines. What is as bad, the deleterious elements have worked their destructive effects over the entire inscribed surface in such a way as to distort those letters that remain often beyond recognition or to give them the appearance of quite different letters. Neither different kinds of lighting nor water and charcoal can help to undo the distortions, and a squeeze cannot be made of the fragile surface. Nevertheless, many hours of direct confrontation with the stone, plus frequent reference to the excellent series of photographs made by Alison Frantz just after it was found, have led to a text. A partial text made by C. N. Edmonson in 1957 has also been helpful. That printed here should be regarded as provisional. Many letters not printed are lurking on the stone, concealed by the various deformations and transformations. It is hoped that others may bring to bear fresher objectivity in attempting to recover some of those letters.

The dotting and capitalization of uncertain letters as well as a general epigraphical commentary have been dispensed with. The reader should be advised that many of the readings are uncertain. They are more in the nature of impressions than true readings. It seemed worthwhile to print them so that others might know what I thought was in each letter space where a letter seemed well enough preserved to be discerned. When a reading is clear this is the exception rather than the rule. Such exceptions will be noted in the following discussion.

The inscription is very probably a joint tribal decree of Aigeis and Aiantis. That tribal matters are under consideration is indicated by the clear reading Αἰγειδῶν καὶ Αἰαντιδῶν in line 10. Lines 3–4 with [δεδ]όχθαι and line 18 with [ἐδ]οξεν compel classification of the inscription as a decree. To my eyes the traces in line 4 do not support the tempting restoration ταῖς φυλ[αῖ]ς. What I see in the 16th stoichos appears to be a tau preserving both strokes in a deformed manner. I would rule out sigma. On the other hand, in lines 4–5 [ἐν δυοῖν στήλαι]ς λιθίνα[ις] is an attractive supplement. If it is correct, we have the copy set up by Aiantis. The stele was found in the area believed to be the κοινόν of Aiantis,³ and originally it probably stood there. It was later incorporated into the same early Hellenistic water system as I 3244, I 3394, and I 3625 but in a different place.⁴ Although the exact context of all four stelai was very disturbed, it appears that they had a similar history: erection in the κοινόν of Aiantis, overturning during the pillage of 86 B.C., and re-use in repair work to the water system soon after. It was this re-use which paradoxically saved I 6793 but caused it such irreparable damage.

Although phylai sometimes acted in pairs,⁵ a decree passed jointly by two phylai is unparalleled. D. M. Lewis reminds me, however, of a passage in Hypereides, iv (*In Defense of Euxenippos*, 16) which reveals an incident in which two phylai did act together. The passage also very likely furnishes the correct setting for the interaction of Aigeis and Aiantis recorded in the Agora inscription. We learn from this passage that when control of Oropos reverted to Athens in 338, the Athenian people gave it to the phylai which were formed into pairs to receive and manage it: αἱ φύλαι σύνδυο γενόμεναι τὰ ὄρη τὰ ἐν Ὠρωπῷ διείλοντο, τοῦ δήμου αὐταῖς δόντος. Akamantis and Hippothontis are mentioned in the oration as the pair over whose allotted land a dispute has arisen. It has often been held that all of Oropos was divided between Akamantis and Hippothontis,⁶ but the Greek of Hypereides is unambiguous. All the phylai shared in the distribution. Since our inscription is almost certainly to be associated with Oropos, we may conclude that the affair which it describes involved the phylai of another pairing, Aigeis and Aiantis, formed to manage a portion of Oropian land.

The case for assuming that our document relates to Oropos rests primarily on readings in line 10. Initially I saw a triangular letter in the 25th stoichos. Subsequently I became uncertain of this because the diagonal strokes seemed too short and curved compared with the diagonals of alphas, deltas, and lambdas clearly preserved elsewhere on the stone. I finally thought of an omega, deformed to a stage midway between its curved shape and the straight strokes of a triangular letter. In my penultimate text I printed no letter in the space because of these uncertainties, but after being shown the very probable historical setting of

³ See U. Kron, *Die zehn attischen Phylenheroen*, Berlin 1976, pp. 173–174.

⁴ For the finding of these stelai, see W. S. Ferguson, "The Salaminiot of Heptaphylai and Sounion," *Hesperia* 7, 1938 (pp. 1–74), p. 1; Wycherley (footnote 1 above), p. 92.

⁵ For references, see P. J. Rhodes, *A Commentary on the Aristotelian Athenaion Politeia*, Oxford 1981, p. 582.

⁶ For example, by J. G. Frazer, *Pausanias's Description of Greece* II, London 1898, p. 463; J. Wiesner, *RE*, s.v. Oropos, col. 1174.

the inscription by Professor Lewis, I began looking for mention of Oropos.⁷ That is when I resuscitated my previous reading of omega in the 25th stoichos, since the restoration which builds on it fits the space exactly.⁸

There are further indications in the text that Oropos is a satisfactory provenance for the subject matter. Line 142 ends probably with ὁ[δὸ]ν [εἰ]ς τὴν Βοιωτί[αν]. A road to Boiotia makes good sense in Oropos. Such terms as ὕλη (lines 101, 142, 171), δρυμός (line 173), and αὐλών (line 82, restored in line 79) also fit well in Oropos.

The loss of so much of the inscribed face makes it difficult to determine specifically what the inscription is about. Because of the frequent occurrence of the verb ἀμφισβητέω and less often μισθόω (lines 108, 138, 139), along with mention of rents (lines 138, 174), and encroachments (ὑπερβαίνω, line 104; ἐπεργάζομαι,⁹ lines 114, 115), I tend to believe that the document records the settlement of disputes which arose between the two phylai over certain leases of their Oropian land. As part of the settlement a complete review was made of the status of all the Aigeis-Aiantis land, probably by a board of arbitrators or the 50 Horistai mentioned by Hyperides. As it turned out, much of the land was not in dispute (ἀναμφισβήτητος, *passim*). The exercise was useful nevertheless because it produced a survey which distinguished those parcels which were disputed from those which were not and named the men connected with the former.

Alternatively, Aigeis and Aiantis may be working in unison, and the disputes may be with a third party or more. We shall never know for certain, unless by some happy miracle the Aigeis copy of the inscription is one day found, because statements on the nature of the dispute and its resolution were recorded in the first part of the document where the loss of text is greatest.

What indications there are for dating the inscription accord well with the chronology of circumstances at Oropos outlined above. Epigraphically, with its compact grid of small letters the stele finds a suitable home in the third quarter of the 4th century.¹⁰ The layout and arrangement of the text also invite favorable comparison with poletai inscriptions of that period. With regard to prosopography the one known individual named in the inscription was active at this time. This is Pherekrates of Kollytos (lines 100, 102), a member of the Boule in 341/0.¹¹ No success is obtained when we examine the text for an archon date. Sometimes tribal decrees are introduced by an archon date (e.g. *IG* II², 1140, 1160), and the preserved letters in line 2 tempt us to look for one here. The line could begin with the

⁷ It is no longer inadmissible to read "Oropos" in an official Athenian document of the 4th century. On the terminology, see D. M. Lewis, "Dedications of Phialai at Athens," *Hesperia* 37, 1968 (pp. 368–380), pp. 373–374.

⁸ In 1957 Edmonson read omega in the same space. The omega of the following article looks even more triangular, and so its appearance has to be explained by a similar process of deformation. The omegas of the tribal names, in an area where the surface is less damaged, are normally shaped.

⁹ On this term, see H. Lattermann, "ΕΠΕΡΓΑΖΕΣΘΑΙ und Verwandtes," *AM* 34, 1909, pp. 363–368, esp. 364–366.

¹⁰ Cf., for example, *IG* II², 244 and 333, both illustrated in J. Kirchner, *Imagines inscriptionum atticarum*, 2nd ed., G. Klaffenbach, ed., Berlin 1948, pl. 29, nos. 62 and 63.

¹¹ J. Kirchner, *Prosopographia Attica*, Berlin 1901–1903, no. 14196.

normal formula: [ἐ]πὶ Ο[. . .]ι[. . .]᾿[ρχοντ[os-]]. The first preserved letter looks circular, but damage to the surface could have deformed a rectangular letter into a circular shape. The reading of the third preserved letter as circular looks more secure. Both iotas also seem certain. The purported nu of ᾿ρχοντος certainly looks like an upsilon, while the tau is just a vertical hasta in the center of its stoichos with the area above its top end damaged. Allowing for distortions we could come up with the formula but no satisfactory supplement. [ἐ]πὶ Φ[ρασ]ι[κλείδου ᾿]ρχοντ[os] (371/0) fits the traces best but is too early, while [ἐ]πὶ Φ[ρυν]ί[χου. . .]᾿[ρχοντ[os] (337/6) requires an abbreviated demotic, which is unacceptable. Further weakening the possibility of Phrynichos' archonship is the consideration that the points of disagreement between Aigeis and Aiantis or between them and a third party would not have been likely to have come to a head so soon after they received part of Oropos as to occasion the long, involved business which led to this lengthy inscription. The dispute was no doubt in the making for some time, and so we should assign the inscription to some years after the Athenian takeover of Oropos. It is best, therefore, to give up the effort to find an archon date in line 2 and be content with the other indications of a date for the inscription in the third quarter of the 4th century.

The other individuals named in the inscription are previously unknown. The most interesting among them is Hybrias (lines 139, 140). The name is not otherwise attested in Attica, although Hybristes is.¹² The preserved letters of his name are clear in both lines. The same certainty does not extend to his demotic. The nu consists of a vertical hasta at the left side of the letter space with a possible diagonal to right from its upper end.

Several certain demotics are preserved, and all but two belong to the contending phylai: from Aigeis there are Ikarieus (line 97), Kollyteus (lines 100, 108), possibly Otryneus (line 140), and Philaides (line 156); from Aiantis the only readable demotic is Rhamnousios (lines 90–91). The exceptions are Hybades, restored in line 97, and Anaphlystios, restored in lines 75 and 81. The former seems the only possibility there as the upsilon is certain, while other restorations could perhaps be found to exclude the latter. If the restorations are correct, we could suggest, with caution, that they provide us with another pairing of phylai, Leontis and Antiochis, who received land in Oropos. Demesmen of Hybadaï and Anaphlystos may have been named because they were serving as representatives of their own tribal interests when those interests became affected in some manner by the Aigeis-Aiantis affair. The contexts in which Leontid and Antiochid demotics occur are too fragmentary to permit any further speculation.

The inscription contains a number of new phrases and rare or unique place names which contribute to the difficulties of reading and interpretation. The phrase τόπος ἐργάσιμος, for example, occurs repeatedly. It is unique as a description of real property in Attica, occurring neither in the Attic Stelai, where numerous terms for types of real property are found, nor in any literary or other epigraphic sources on Attic land.¹³ Place names,

¹² *Ibid.*, no. 13897.

¹³ Many of the sources are treated by M. I. Finley, *Studies in Land and Credit in Ancient Athens, 500–200 B.C. The Horos Inscriptions*, New Brunswick, N.J. 1951. For the Attic Stelai, see W. K. Pritchett, "The Attic Stelai, II," *Hesperia* 25, 1956 (pp. 178–317), pp. 261–269.

mostly fragmentary and unique, abound, making the completion of many lacunae impossible. Only one of the places is known, Leukopyra in line 95. Hesychios (*s.v.*) defines it as a deme of Antiochis, and the demotic is attested six times among ephebic rosters and possibly once in a prytany list of that phyle.¹⁴ None of these citations is earlier than the middle of the 2nd century after Christ, and so the mention in the new Agora inscription is the earliest by several centuries. It gives us a second example of a late Roman deme with a Classical pedigree, the other being Kykala.¹⁵ The reading is certain as all but two of the letters of the name are clearly legible. The context, as so often in this text, is not so clear. We do not know the status of the place in the 4th century B.C., a tiny deme or merely a locality.¹⁶

The adjectival form *Λευκοπυραῖος* occurs in line 96, again clearly read on the stone. John Traill has provided the best interpretation of this line. It does not contain the personal name Hermaios, as I had initially thought, but a reference to a sanctuary of Hermes Leukopyraios. A similar construction with a good parallel to Traill's interpretation is found in a poletai inscription of the 340's in which mention is made of a sanctuary of Herakles Alexikakos:¹⁷ [τοῦ Ἑρακ]λεῖο τοῦ Ἀλεξικάκου. The form *Λευκοπυραῖος* forces reconsideration of the later demotic, heretofore written *Λευκοπυρεύς*. In none of the examples is the demotic written out in full; the longest abbreviated form terminates with the pi (*IG* II², 2067, line 178). It has been assumed that *Λευκοπυρεύς* was the full form, but based on the present text we may now expand the abbreviations to *Λευκοπυραῖος*.

Two new words in the inscription are of interest. The combination of letters ΕΦΥΛΟΣ, variously preserved, occurs several times (lines 76, 96, 102, 113, and probably 115). This can only be *ἐφυλος*, from *ἐπὶ* + *ὔλη*, a word found only one other time, as D. M. Lewis points out to me. *SEG* III, 117, a tribal decree of Antiochis of 303/2 B.C., concerns itself in part with the same division of Oropian land as the Agora inscription. Its editor, C. Karouzos, read in lines 13–16 . . . αἵρεθεῖς ὑπὸ τ[ὴν] φυλετῶν ἐπὶ τὰ ἐν Ὠρωπῶι ἐ[σ]. . . . *εφυλον νεμηθείσαν ταῖς* [[*φυλαῖς*]]. . . . He cites a suggestion of A. Keramopoulos that the enigmatic combination of letters in line 15 be construed as *ἐφυλος*. The Agora inscription now confirms that suggestion.¹⁸ A sense of “densely wooded” may be given to the word, a descriptive adjective most appropriate for Oropos. The other new word is *ὕλωνης*, “wood-buyer”, in lines 103 and 141. Again what results is a term appropriate for Oropos, whose extensive woods must have seen a great deal of activity by timber merchants.

Even though the Agora inscription apparently confines itself to the specific details of one affair, it seems worthwhile to address some concluding remarks to the broader Oropian milieu, because there is, in my opinion, a conflict between the literary and epigraphical

¹⁴ The references are collected by J. S. Traill, *Hesperia*, Suppl. XIV, *The Political Organization of Attica*, Princeton 1975, pp. 94, 117–118, no. 24.

¹⁵ *Ibid.*, p. 93.

¹⁶ The evidence for Athenian possession of Oropos in the 2nd century after Christ, a necessary concomitant to locating Leukopyra there, is most fully set out by V. Petrakos, *Ὁ Ὠρωπὸς καὶ τὸ ἱερόν τοῦ Ἀμφιαράου*, Athens 1968, p. 43.

¹⁷ B. D. Meritt, “Greek Inscriptions,” *Hesperia* 5, 1936 (pp. 355–441), pp. 393–413, no. 10, lines 108–109.

¹⁸ Skepticism of Keramopoulos' suggestion has been expressed by L. Moretti (*Iscrizioni storiche ellenistiche* I, Florence 1967, p. 16). A. Oikonomides (*Ὑπερεῖδον λόγοι*, Athens 1958, p. 77) accepted it.

sources on Oropos that has been largely overlooked. The Agora inscription cannot be used to help resolve the conflict. Instead, the attempt is made in order that the inscription may be placed in as correct a setting as possible.

Above, the oration of Hypereides was cited in which the Athenian phylai were said to have divided among themselves τὰ ὄρη τὰ ἐν Ὠρωπῷ. Commentators have generally held that this division took place soon after the Athenians repossessed Oropos in 338 and that all of Oropos was included in the division.¹⁹ The topography of the region is consonant with this conclusion, since, except for the spacious coastal plain extending westward from Skala Oropou, it is a district of hills and mountains. Hypereides' expression may be seen as an acknowledgment of this. He lumps all of Oropos together, not bothering to make a fine distinction between mountains and plains because mountains are so prevalent. To his audience the expression was equivalent to "the territory of Oropos."²⁰ The Athenians would also have understood that this did not include the sanctuary of Amphiaraos or its landholdings.²¹

The other side of the coin is an epigraphical source which, if allowed to refer to Oropos, raises difficulties with this seemingly straightforward conclusion drawn from the passage in Hypereides. The inscription is *IG* II², 334 plus *SEG* XVIII, 13, a new, non-joining fragment published by D. M. Lewis.²² The document combines a decree about the organization of the Lesser Panathenaia and a law relating to its financing. The date is between 336 and 330. The financial aspects of both decree and law center upon a place called Nea, which was rented out by the state. The proceeds from the lease were used for the purchase of sacrificial cows for Athena. Lewis related the name Nea to νεῖός or νεός, "the Fallow". Without attempting to locate it he suggested that it was a specific and well-known area of state-owned land. A year later Louis Robert published a study²³ in which he argued for a different interpretation of Nea. He suggested that it was from νέος, then he turned to an attempt to place it on the map. Robert asked what new territory did Athens acquire around the time of the inscription. His answer was Oropos. Recognizing that Hypereides already gives us information on what was done with some Oropian land, Robert drew a distinction²⁴

¹⁹ For example, F. Dürrbach, *L'Orateur Lycurge*, Paris 1890, p. 139; J. O. Burt, *Minor Attic Orators* II, Cambridge, Mass. and London 1954, p. 463. Others mistakenly write that Oropos had five mountains which the Athenian state gave to the five pairs of phylai: G. Colin, *Hypéride, Discours*, Paris 1946, p. 143; V. de Falco, *Iperide, Le orazioni in difesa di Eusseinippo e contro Atenogene*, Naples 1947, pp. 46, 89, note to line 8; A. Oikonomides (footnote 18), p. 43; D. Behrend, *Attische Pachturkunden (Vestigia 12)*, Munich 1970, p. 64, note 66. Colin is alone in suggesting an earlier date for the Oropian division, on insufficient grounds in my opinion. None of the commentators reveals any personal familiarity with Oropos.

²⁰ Similarly Strabo (IX.1.3) defines the extent of ἡ Ἀττικὴ ὄρεινῃ with the words ἀπὸ τῆς Ὠρωπίας ἐπὶ δύσιν παρατείνον μέχρι τῆς Μεγαρίδος. Even though there are plains between Oropos and Megara, Strabo encompasses all in the ὄρεινῃ because of the predominance of mountains.

²¹ For the opposite view, see A. Röhlecke, "Polyeuk wider Euxenipp," *RhM* 78, 1929 (pp. 68–80), pp. 68–69.

²² "Law on the Lesser Panathenaia," *Hesperia* 28, 1959, pp. 239–247.

²³ "Sur une loi d'Athènes relative aux Petites Panathénées," *Hellenica* XI–XII, Paris 1960, pp. 189–203.

²⁴ Writing shortly before Robert's study appeared, F. Gschnitzer (*Abhängige Orte im griechischen Altertum [Zetemata 17]*, Munich 1958, p. 84, note 5) recognized the implications of making or not making the distinction: "Die Landesnatur lässt es einigermaßen fraglich erscheinen, ob das ganze Gebiet von Oropos als ein Komplex von 'Bergen' oder 'Hügeln' aufgefasst werden konnte. Wenn nicht, dann müssen wir annehmen,

between the mountains, which were given to the phylai, and the coastal plain, which in his opinion was retained by the state, named Nea because it was newly acquired (or better, reacquired), and rented out to raise money for sacrifices to Athena. The requirement that Nea have a coastline is bolstered by the fact that the new fragment of the inscription records a *πεντηκοστή ἐν τῇ Νέαι*. Robert contends, against Lewis, that this is a tax on imports and exports. So Nea had a port of entry as well as revenue-producing land. Coastal Oropos qualifies on both counts, with a seaport at Skala Oropou and the fertile plain mentioned above extending west of it.²⁵

In spite of these correspondences and the almost universal acceptance²⁶ of Robert's placement of Nea in Oropos, I am convinced that Nea must be looked for elsewhere. It would not be part of Oropos if the assumption is correct that the Athenian phylai managed all but the sacred land of Oropos at the time that Nea was leased by the state. Furthermore, even if the state did retain control of some Oropian territory after the gift to the phylai, such ground would surely already have a name, one acquired long before. We do not know the ancient name of Robert's candidate for Nea,²⁷ but whatever it was, there is no reason why, after their takeover, the Athenians should have called it by anything other than its original name.

Instead of a section of Oropos, Nea is, I suggest, the island of that name. Our sources inform us that it was in the northern Aegean, between Lemnos and the Hellespont, and that it was sacred to Athena.²⁸ It is generally believed that since antiquity it has submerged because all the existing islands of any size in the northern Aegean are accounted for with other names, leaving none to which the name Nea may be applied. Pliny first cites Nea among a group of islands which suddenly arose out of the sea (hence its name). From this it is easy to understand that it would have been a place with all the structural instability

dass nur der gebirgige oder hügelige Teil unter die Phylen aufgeteilt, über die Ebenen irgendwie anders verfügt worden sei."

²⁵ Just how far westward Oropian territory extended is treated most recently by W. K. Pritchett in a study of the battle of Delion in *Studies in Ancient Greek Topography II (Battlefields)* (University of California Publications in Classical Studies Volume 4), Berkeley and Los Angeles 1969, pp. 24–36.

²⁶ D. M. Lewis (footnote 7 above) is the only scholar I know who has expressed reservations about Robert's identification: p. 374, note 18.

²⁷ It may have always been called simply *ἡ ἐπ' Ἀμφιαράου γῆ*. The expression occurs in *IG II²*, 1672, lines 272–273, recording first fruits to the Eleusinian goddesses. The words have been taken to mean all of Oropos: see D. Whitehead, "Notes on Athenian Demotics," *ZPE* 47, 1982 (pp. 37–42), p. 41. I prefer to restrict them to that land belonging to Amphiaraos. I agree with A. Jardé (*Les céréales dans l'antiquité grecque*, Paris 1925, p. 53, note 1) that the amount of Amphiaraian first fruits for Eleusis requires a larger grain yield than would have been possible from just the god's mountain, but I do not accept his argument that the Athenian phylai made offerings which were grouped with those of the god under the single rubric *ἐκ τῆς ἐπ' Ἀμφιαράου*. I believe that the offerings recorded in *IG II²*, 1672 are from the god alone, and that the coastal plain, whatever its name in antiquity, is the best candidate for the fields which produced them.

²⁸ Pliny, *NH* 11.89: *inter Lemnum et Hellespontum Neae*; Stephanos of Byzantion, s.v. *Νέαι*: *νήσος πηλείου Λήμνου*; *Anthologia Graeca* xv, no. 25, line 25: . . . *Νέαις Θρηκίαις*. Another Plinian reference (*NH* 14.12) cites it in the singular and places it outside the Thermaic Gulf: *Thermaeus (sinus ante se habet) . . . Neam quae Minervae sacra est*. This is usually taken to be the same as Neae.

inherent in volcanically formed land masses. Subsequent volcanic and seismic activity, plus the rise in sea level since antiquity, could have resulted in its disintegration and disappearance. This history could also explain the confusion between the island's singular and plural titles. Either one island formed, then fragmented into two or more pieces before going under, or from the beginning there was one larger island with smaller satellite islands around it. The singular number would then reflect the primacy of the largest member, while the use of the plural acknowledged the group. The Keros or Charos Reef, some ten kilometers east of Lemnos, is most often named as the remnant of Nea,²⁹ and it remains the best candidate. It covers an area of roughly 12 square kilometers at an average depth of four to five fathoms. A trough, 20 meters deep, runs north-south between it and Lemnos. This demonstrates that the reef was never a part of Lemnos but was always separate. That it was once dry land has been proven by some archaeological investigations carried out in 1960, in which fragments of a temple were found on the reef.³⁰

Although we are hampered by the absence of a tangible object from being able to say more about the island, I submit that it is better identified as the Nea of *IG-H², 334 + SEG XVIII, 13* than Robert's choice. The island was an independent land form which needed no qualification when it was mentioned. As an island it would have had a port where a *πεντηκοστή* could have been levied. Like its neighbor Lemnos, which is volcanic and fertile, Nea island probably had enough rich land so that it could be profitably rented out. Finally, since the island was sacred to Athena, it is most fitting that the proceeds obtained from leasing the island were used for sacrifices in Athens honoring the goddess, as the inscription directs.

A weak point in this discussion is the lack of any other evidence that in the 4th century Athens controlled Nea island. Athenian control can, however, be made a believable part of the hypothesis. For most of the 4th century Athens was able to keep three island cleruchies, Skyros, Lemnos, and Imbros. If the island of Nea lay between the latter two of these, it is easy to conclude that it too came under Athenian control, the difference being that a cleruchy was not established on its soil. Instead, Athens retained outright possession of Nea. At least at one point in time the Athenians decided to lease the island to generate revenues.³¹

²⁹ Cf. R. Herbst, *RE*, s.v. Nea(i); A. Philippson, *Die griechische Landschaften*, IV, *Das aegaeische Meer und seine Inseln*, Frankfurt 1959, p. 225.

³⁰ I know no other report of these investigations than the very brief mention, probably summarizing a Greek newspaper account, in D. Leekley and R. Noyes, *Archaeological Excavations in the Greek Islands*, Park Ridge, N.J. 1975, p. 13. The belief is there expressed that the temple is that of Apollo on Chryse, another island in the northern Aegean which is unaccounted for. On Chryse, see K. Tümpel, *RE*, s.v. Chryse, cols. 2487-2490.

³¹ An incident related by Herodotos (vii.6.3) may reflect earlier Athenian interest in or control of Nea island. Onomakritos, an Athenian *chresmologos*, was expelled from Athens by Hipparchos for interpolating into the oracles of Musaios a prophecy that "the islands off Lemnos would disappear under the sea." We do not know the motivation behind the fabrication of the prophecy, but if Nea were among the islands forecast to disappear and if Athens had special interest in it, then the break between Hipparchos and Onomakritos, his good friend until then according to Herodotos, is understandable. Nea is taken to be among the doomed islands by W. W. How and J. Wells, *A Commentary on Herodotus II*, Oxford 1912, p. 127. In the record of first-fruit

Whether or not the Nea of *IG* II², 334 + *SEG* XVIII, 13 is the island in the northern Aegean, we may with some confidence delete it from the map of Oropos and let the common interpretation of Hypereides, iv.16 determine our view of that district in the 330's. Excepting the land held by Amphiaraios, Oropos was at the disposal of the Athenian phylai. There is not enough evidence preserved in Agora I 6793 to allow the precise placement of the Aigeis-Aiantis holdings. That and the identification of the other pairs' areas of control remain tasks for the future and new epigraphical and archaeological discoveries.

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offerings to Demeter mentioned earlier, *IG* II², 1672, no contribution from Nea is recorded. Unlike Athens' other possessions, whose offerings are listed, Nea was not a cleruchy, and so possibly no offering was due. It is also possible that there was an offering from Nea, but that it arrived too late to be included. The late offering from Imbros only just made it into the record.



Agora I 6793

MERLE K. LANGDON: AN ATTIC DECREE CONCERNING OROPOS



Agora I 6793, top of stele

MERLE K. LANGDON: AN ATTIC DECREE CONCERNING OROPOS