

The New Law of Epicrates (354/3) about the Athenian Mint

Edward M. Harris (Durham and Edinburgh)

Lines 1-3

Ἐπὶ Δ[ι]οτίμο ἄρχοντος, ἐπὶ τῆς Ἀντιοχίδος, ἐβδόμηι τῆς πρ[υ]-
τανείας, ἧι Προκλε[ί]δης Ἀναχάρσιδος Ἀφιδναῖος ἐγ[ρ]-
αμμάτευε: *vacat*

New Procedure for Enacting Laws (*nomoi*) as Opposed to Decrees (*psephismata*) after 403

The Assembly did not lose the power to enact laws in 403 BCE. The new procedure contained eight steps.

1) A preliminary vote in the Assembly to hear new proposals (Dem. 24.25 with *IG II² 140*; *II³ 320* and 445 and *Hesperia 2022*, p. with Harris forthcoming). 2) All new proposals had to be placed in front of the monument of Eponymous Heroes so that everyone could read them (Dem. 24.25; 20.94). 3) The secretary was to read out all proposals submitted at every meeting of the Assembly until *nomothetai* were appointed (Dem. 20.94). 4) During the third meeting of the Assembly after the preliminary vote, the people were to discuss the selection of *nomothetai* and pass a decree appointing them (Dem. 24.25; Dem. 20.92). 5) *Synegoroi* were to be elected to defend any laws to be repealed before the new laws could be enacted (Dem. 24.36; Dem. 20.146). 6) Any laws contrary to the new proposals for laws had to be repealed by a public action against inappropriate laws (Dem. 24.34-5; Dem. 20.93). 7) If the person who proposed a new law did not follow these rules, anyone who wished could bring a public action against him on a charge of enacting an inexpedient law. 8) The new law was approved by the *nomothetai*, which was the name given to the meeting of the Assembly convened to enact laws (for the identity of the *nomothetai* see Aeschin. 3.39-40; Dem. 20.93-94; *Lex Seg. s.v. nomothetai* and Harris with Esu 2021: 95-100 with references to earlier scholarship). The documents inserted into the text at Dem. 24.20-23 and 33 are forgeries and do not contain reliable information. See Canevaro 2013: 80-103, Canevaro 2018, and Canevaro 2020.

Nomoi preserved on Stone

- 1) Law of Nicophon on Silver Coinage (375/4) - *SEG 26:72*; Agora I 7180.
- 2) Law of Agyrrhios about Two Taxes on Grain (374/3) - *SEG 36: 146*; Agora I 7557.
- 3) Law of Epicrates about the Mint (354/3) - Agora I 7495.
- 4) Law about Eleusinian First-Fruits (353/2) - *IG II² 140*.
- 5) Law about Rebuilding Walls of the Piraeus (ca. 337) - *IG II³.1 429*, lines 1–45.
- 6) Law of Eucrates about Tyranny (337/6) - *IG II³.1 320*.
- 7 and 8) Two laws about cult (335) - *IG II³.1 445*.
- 9) Law about the Lesser Panathenaia (335-30) - *IG II³.1 447a*.
- 10) Law about the Sanctuary at Brauron - partially published - *SEG 52: 104*.

Key Events in the 350s

- 357 Revolt of Allies Byzantium, Chios, and Rhodes with the encouragement of Mausolus
- 356 Leptines passes a law abolishing tax-exemptions as a way to increase revenues.
Perianders reorganises the system of funding the trierarchy.
Androtion and Satyrus elected to collect arrears of the *eisphora* (though possible earlier)
- 355 Athenian defeat at Embata; short of funds, the Athenians are forced to make peace.

Structure of the Law: 1) exchange of coins (8-9), 2) charge for exchange, mint, religious procession (9-12), 3) publication clause (12-15), 4) new coins given to private individuals, overseers order slaves to work (15-22), 5) measure about purifying metal, silver ore, and private buildings (22-32).

Lines 4-7

Text of Richardson

Ἐπικράτης εἶπεν ἀγαθῇ τύχῃ τ[οῦ] δήμου ὅπως ἂν τῶι τε Ἡφαίστῳ καὶ τῇ Ἀ[θ]- 4
 ηνάαι τῇ Ἡφαιστ[ία -2-3-] ἀπιστάται . . . [- 2- 3 -] αὶ γίνωνται εἰς τὰ ἱερά, καὶ εἰ[ς]
 τὴν [δ]ιοίκησιν [ὡς πλεῖσ]τα χρήματα γίγνη[τ]αὶ ἐκ τοῦ ἀργυροκοπίου, καὶ νόμισμ- 6
 [α] - - - - ΤΟΝ [κ]αὶ [- -] Λ[- -] ΣΤ[.] Ν κατεργάζη[τ]α[ι] ἐμ πόλει,

Text of Harris and Psoma

Ἐπικράτης εἶπεν ἀγαθῇ τύχῃ τ[οῦ] δήμου ὅπως ἂν τῶι τε Ἡφαίστῳ καὶ τῇ Ἀ[θ]- 4
 ηνάαι τῇ Ἡφαιστ[ία παρ] ἀπιστάται[ς δαπάν]αὶ γίνωνται εἰς τὰ ἱερά, καὶ εἰ[ς]
 τὴν [δ]ιοίκησιν [ὡς πλεῖσ]τα χρήματα γίγνη[τ]αὶ ἐκ τοῦ ἀργυροκοπίου, καὶ νόμισμ- 6
 [α πλεῖσ]τον [κ]αὶ [κά]λλ[λι]στ[ο]ν κατεργάζη[τ]α[ι] τῇ πόλει,

Line 5: [μὴ παρ] ἀπιστάταις ἔκδε[ι]αί Matthaίου ; [παρ] ἀπιστάται[ς δαπάν]αί Harris

Line 7: [πλεῖσ]τον [κ]αὶ [κά]λλ[λι]στ[ο]ν κατεργάζη[τ]α[ι] [τ]ῇ πόλει Psoma

Translation: Epicrates proposed: for the good fortune of the people, so that for Hephaestus and Athena Hephaestaea there be as much money as possible from the overseers for the rites and for the general budget from the mint and so that the most and most beautiful coinage be produced.

Parallels cited by Matthaίου

Thuc. 1.99: αἰτίαι δὲ ἄλλαι τε ἦσαν τῶν ἀποστάσεων καὶ μέγισται αἰ τῶν φόρων καὶ νεῶν ἔκδεται καὶ λιποστράτιον εἶ τῷ ἐγένετο.

Translation: There were other causes for revolts and the greatest were arrears of tribute and ships and failure serve (on expeditions).

Harrocratation ε 18: Ὑπερείδης ἐν τῷ κατὰ Πασιλέους: ἐάν δέ τις ἔκδεια γένηται ἤγουν ἐάν δέ τις ἐνδεήσῃ τοῦ προὔπαρχοντος ἀργυρίου.

Translation: Hyperides in *Against Pasicles*: “If there is any deficit,” that is, if anyone fell short of the money previously held. (trans. Sosin)

Photius *Etym. Magn.* ε 361: ἔκδεια: ἡ κεχρεωστημένη λοιπάς. ἔκδεια γὰρ ἐστὶ τὸ μέρος καταβαλεῖν ὃν ὀφείλει τις μὴ πάντα. ἐνδεια δὲ τὸ μηδὲν ὅλως καταβαλεῖν. ἢ ἔκδεια μὲν ἐστὶ τὸ ἔχοντά τινα μὴ καταβαλεῖν, ἐνδεια δὲ τὸ μηδὲν ἔχειν, ὡς εἶναι τὸ μὲν ἔκσούσιον, τὸ δὲ ἀκούσιον.

Translation: *ekdeia*: The remainder outstanding: for to pay a part of what a person owes, and not all, is *ekdeia*, but to pay nothing at all is *endeia*. Or, for someone not to pay, though he has [it], is *ekdeia*, whereas not to have anything is *endeia*, so that the one is willing, the other unwilling. (trans. Sosin)

Dem. 32.30: νῦν δὲ κοινωσάμενοι τὸ πρᾶγμα, ὁ μὲν διὰ σοῦ τὴν γεγонуῖαν ἔκδειαν οὐκ ἀποδώσειν ἡμῖν οἶεται, σὺ δ’ ἐκείνου κατηγορῶν τῶν ἡμετέρων κύριος γενήσεσθαι.

Translation: But as it is, you have made common cause: he thinks that through your help he will escape paying us the deficiency that has come about, and through accusing him, hope to get control of my property. (trans. Murray)

Dem. *Ep.* 1.14-15: καὶ τοῦθ’ ὅπως μὴ ψεύσεται, μηδ’ ἐξηπατησθαι μηδὲ πεισθῆναι παρακρουσθεὶς φήσας ἀναδύσεται. ὡς τὴν ἔκδειαν ὃν ἂν ἐλλίπηθ’ ὑμεῖς, οὐχ εὐρήσετε τοὺς ἀναπληρώσοντας.

Translation: And see to it that he does not break this pledge or shirk his responsibility, saying that he was deceived or misled and overpersuaded, because you will never find others to make good the lack of those qualities in which you yourselves shall fall short. (Trans. Dewitt and Dewitt)

Reasons Against the Restoration of Matthaïou

1. There are not enough spaces to restore [μὴ παρ]ὰ - Richardson makes it clear that there are only 2-3 spaces after Ἡφαιστ[ῆ]α.
2. The term ἔκδεια is found in passages in which one person or group must pay money to another group and fails to pay, which results in arrears. If the aim of the law had been to reduce arrears from those who owed money, it would have ordered officials to collect money from those who owed it. For such a measure see Dem. 22.60ff., where the phrase is χρήματ' εἰσπράττειν, which cannot be found in the law of Epicrates. The law however is concerned with increasing revenues by providing a new services and collecting fees. The aim is not to reduce failures to pay or deficits but to provide new sources of revenue.
3. The letters Matthaïou claims to see are not visible on the stone.

Parallels for the Restoration δαπάναι

Xenophon *Oec.* 7.35: ὅπως μὴ ἢ εἰς τὸν ἐνιαυτὸν κειμένη δαπάνη εἰς τὸν μῆνα δαπανᾶται.

Translation: “take care that the amount for expenditure stored up for a year is not spent in a month.”

IG II² 1011, line 35: ποιησάμενος τὴν εἰς τὰς θυσίας δαπάνην ἐκ τῶν ἰδίων

Translation: Having made the payment of expenses for the sacrifices from his own funds.

IG II² 968, lines 54–5: συνετέλ[εσε δὲ τὰ Παναθηναία] ἐπιφανῶς [καὶ καλῶς τήν] τ[ε] δαπάνην ἅπασα[ν

Translation: He carried out the Panathenaia splendidly and well and the entire expenditure.

lines 38–9]ησεν ἀξίω[ς τῆς χειροτ]ονίας πᾶσαν δαπάνη[ν

Translation: He spent all the money for expenses in a manner worthy of his election.

Parallels for the Restorations in Line 7 [πλεῖστον] καὶ [κάλλιστον] καταργάζη[ται] τ[ῆ] πόλει. See Thphr. *HP*

4.6.5: Καὶ ἐν Κρήτῃ δὲ φύεται (sc. τὸ πράσον) πρὸς τῇ γῆ ἐπὶ τῶν πετρῶν πλεῖστον καὶ κάλλιστον ᾧ βάπτουσιν οὐ μόνον τὰς ταινίας ἀλλὰ καὶ ἔρια καὶ ἱμάτια. Cf. *ibid.* 9.16.4: Τὸ δ' ἀκόντιον γίνεται μὲν καὶ ἐν Κρήτῃ καὶ ἐν Ζακύνθῳ, πλεῖστον δὲ καὶ ἄριστον ἐν Ἡρακλείᾳ τῇ ἐν Πόντῳ.

The Forged Document at Dem. 24.27

ἐπὶ τῆς Πανδιονίδος πρώτης, ἐνδεκάτῃ τῆς πρυτανείας, Ἐπικράτης εἶπεν, ὅπως ἂν τὰ ἱερὰ θύηται καὶ ἡ διοίκησις ἱκανὴ γένηται καὶ εἴ τινος ἐνδεῖ πρὸς τὰ Παναθηναία διοικηθῆ, τοὺς πρυτάνεις τοὺς τῆς Πανδιονίδος καθίσει νομοθέτας αὔριον. τοὺς δὲ νομοθέτας εἶναι ἓνα καὶ χιλίους ἐκ τῶν ὁμομοκότων συννομοθετεῖν δὲ καὶ τὴν βουλήν.
Translation: During the first prytany of Pandionis, on the eleventh day of the prytany, Epicrates proposed: in order that the sacrifices may be offered, the funds for them may be sufficient, and if anything is needed for the Panathenaea funds may be provided, the πρυτάνεις from Pandionis should have the νομοθέται meet tomorrow, there should be 1,001 νομοθέται from those who have sworn the oath, and they should pass laws in conjunction with the Council. (trans. M. Canevaro)

Evidence against Authenticity - see Canevaro 2013: 105-113 (not cited by Matthaïou 2022)

- 1) The *nomothetai* were not one thousand and one men selected from those who had sworn the judicial oath, but a special meeting of the Assembly called to ratify laws. See Harris with Esu 2021: 95-100 with sources and references to earlier scholarship.
- 2) The prescript lacks the standard elements; there is no mention of the archon, the secretary, the chairman of the πρόεδροι, and the enactment formula.
- 3) The word διοίκησις is used for the budget of a festival, a meaning it never has in the Classical period when the term always refers to the general budget.
- 4) The document states that the Council will join in legislating (συννομοθετεῖν), but the power to enact law belonged to the νομοθέται alone in the fourth century (see above).
- 5) The document uses terms never found in decrees of the fourth century (εἴ τινος ἐνδεῖ and διοικηθῆ) and uses an expression for ‘tomorrow’ (αὔριον) never found in Athenian decrees (the standard form is ἐξ αὔριον)
- 6) The tribe Pandionis, which is stated to hold the first prytany in the document, could not have held the first prytany in 353/2 when the speech was delivered and when the decree was passed.

The Meaning of *Katallattein*

Lines 8-10

[το]ὺ[ς κ]αταλ<λ>άττοντ[ας τ]ὸ ἀ[ρ]γύριον [- - - - -] ἐν τῇ ἀγορᾷ καταλ<λ>άτ[τ]ειν
ὅπου .A.[.]

— — — — — N — — — — — [κ]α[τ]ὰ τὸν [ν]όμον. ὅπόσον δ' ἂν καταλλαξε[ί-
ωσι]ν

καταλλάξε[ω]ς Richardson; καταλλαξε[ί]ωσι]ν Matthaiou

Plutarch *Aratus* 18.2: ἦσαν ἐν Κορίνθῳ τέσσαρες ἀδελφοὶ Σύροι τὸ γένος, ὧν εἷς ὄνομα Διοκλῆς ἐν τῷ φρουρίῳ μισθοφορῶν διέτριβεν. οἱ δὲ τρεῖς κλέψαντες βασιλικὸν χρυσίον ἤλθον εἰς Σικυῶνα πρὸς Αἰγίαν τινὰ τραπεζίτην, ὃν διὰ τὴν ἐργασίαν ὁ Ἄρατος ἐχρῆτο. καὶ μέρος μὲν εὐθὺς διέθεντο τοῦ χρυσοῦ, τὸ δὲ λοιπὸν εἰς αὐτῶν Ἐργίνος ἐπιφοιτῶν ἡσυχῇ κατήλλαττεν. Translation: There were in Corinth four brothers, Syrians by race, one of whom, Diodes by name, was serving as a mercenary soldier in the citadel. The other three, after stealing some gold plate of the king's, came to Aegias, a banker in Sicyon with whom Aratus did business. A portion of the gold they disposed of to him at once, but the remainder was being quietly exchanged by one of them, Erginus, in frequent visits.

[Arist.] *Oec.* 2.2.1346b24–6: τῶν τε νομισμάτων τὴν καταλλαγὴν ἀπέδοντο μιᾷ τραπεζίῃ, ἐτέρῳ δὲ οὐκ ἦν οὐθενὶ οὔτε ἀποδόσθαι ἐτέρῳ οὔτε πρίασθαι παρ' ἐτέρου: εἰ δὲ μή, στέρησις ἦν.

Translation: The right of changing money was given to a single bank, whose owner was given a monopoly on the sale and purchase of coin, under penalty of confiscation.

Dem. 19.114 τὸ χρυσίον καταλλαττόμενος φανερώς ἐπὶ ταῖς τραπεζαῖς, οὐκ ἔνι δήπου τοῦτον εἰπεῖν ὡς οὐκ εἴληφε, τὸν αὐτὸν ὁμολογῶντα καὶ δεικνύοντα.

Translation: he (Philocrates, who was accused of treason) was openly exchanging gold coins at the banks, he assuredly cannot deny that he has taken money after that admission and display.

Plato *Phaedo* 69a-b: ὥσπερ νομίσματα, ἀλλ' ἢ ἐκεῖνο μόνον τὸ νόμισμα ὀρθόν, ἀντὶ οὗ δεῖ πάντα ταῦτα καταλλάττεσθαι, φρόνησις, καὶ τούτου μὲν πάντα καὶ μετὰ τούτου ὠνούμενά τε καὶ πιπρασκόμενα

Translation: as if they were coins, but the only right coinage, for which all those things [69b] must be exchanged and by means of and with which all these things are to be bought and sold . . .

Dem. 50.30: οὕτω γάρ μοι ἀκριβῶς ἐγγράπτο, ὥστ' οὐ μόνον αὐτά μοι τὰναλώματα ἐγγράπτο, καὶ ὅποι ἀνηλώθη καὶ ὃ τι ποιοῦντων, καὶ ἡ τιμὴ τίς ἦν καὶ νόμισμα ποδαπόν, καὶ ὅπόσου ἢ καταλλαγὴ ἦν τῷ ἀργυρίῳ, ἵν' εἴη ἀκριβῶς ἐξελέγξαι με τῷ διαδόχῳ, εἴ τι ἡγοῖτο ψευδὸς αὐτῷ λογίζεσθαι.

Translation: I had written down not only the disbursements themselves, but also the objects for which the money had been spent, the nature of the service rendered, what the price was, in the coinage of what country the payment was made, and what the loss in exchange was, in order that I might be able to give convincing proof to my successor, if he thought any false entries were being made against him.

Diphilos fr. 67 [K-A] = Athen. VI.225A: ἔπειτ' ἐὰν τὰργύριον αὐτῷ καταβάλης, | ἐπράξαιτ' Αἰγινάϊον. ἂν δ' αὐτὸν δέη | κέρματ' ἀποδοῦναι, προσαπέδωκεν Ἀττικά. | κατ' ἀμφοτέρω δὲ τὴν καταλλαγὴν ἔχει.

Translation: Then if you pay him the money, he collects on the Aeginetan standard. If he has to give you change back, he gives it back in Attic coinage. In both ways, he makes money on the exchange (or makes a profit on the exchange rate).

Cf. Euphron fr. 3 [K-A] = Athen. 503a

IG IV² 103 (Epidaurus, S IV BCE), lines 121-126: Αἰγινάϊου XXHHH- καταλλαγὰ τούτῳ H- Ἀργολικοῦ HHH (. . .) Πανάμου πρατ[ο]μηνία Λααρχίδα Αἰγινάϊου XXHHH-, τούτῳ ἐγένετο καταλλαγὰ H=-, Ἀργολικοῦ HHH.

Lines 15-20

Richardson's Text

16 ὕς ἰδι[ώ]τας κομ[ί]ζεσθαι ----- ca. 22 -----ον κατὰ τὸν ἀρχαῖον νόμον· [ὄ]-
 πως δ' ἄ[ν] ὡς [τ]άχιστα [.]O----- [τ]ὸ [ἀρ]γύριον τὸ [ἐπί]σημον οἱ ἰδιώται, ἐπαναγκαζό[ν]-
 των οἱ ἐπιστ[ά]τα[ι] τοῦ[ς] δημοσ[ί]ους [τ]οὺς ἐν τῷ ἰ ἀργυ[ρ]οκοπίῳ ὅσαι ἡμέραι ἐ<ρ>γάξεσθ[α]-
 20 οἱ εἰσενεγκόν[τ]ες [.] ἀργύριον ἔνδον ἕως ἂν ἀπολάβωσι[ν]

Text of Harris and Psoma

16 ὕς ἰδι[ώ]τας κο[μ]ίζεσθαι [εὐθὺς τὸ ἀργύριον τὸ ἐπίσημ]ον κατὰ τὸν ἀρχαῖον νόμον. [ὄ]-
 πως δ' ἄ[ν] ὡς [τ]άχιστα [κ]ομ[ί]ζω[νται τ]ὸ [ἀρ]γύριον τὸ [ἐπί]σημον οἱ ἰδιώται, ἐπαναγκαζό[ν]-
 των οἱ ἐπιστ[ά]τα[ι] τοὺς δημοσ[ί]ους [τ]οὺς ἐν τῷ ἀργυ[ρ]οκοπίῳ ὅσαι ἡμέραι ἐ<ρ>γάξεσθ[α]
 1 τὰ ἔργα ὅσα Π - - - - E - A - - N[- - - - -] ἀργύριον ἔνδον ἕως ἂν ἀπολάβωσι[ν]
 οἱ εἰσενεγκόν[τ]ες[.]

16 [εὐθὺς τὸ ἀργύριον τὸ ἐπίσημ]ον Harris; [καὶ καταλλάττειν ἀργύρι]ον Psoma

Translation: Give to the private individuals and let the private individuals collect the stamped silver immediately in accordance with the ancient law. So that the private individuals collect the stamped silver as quickly as possible, let the overseers (of the silver mint) compel the public slaves in the silver mint to convert coins every day as many as the coinage within until those who have brought (the coins) take them back.

For the sequence of clauses compare *IG I³ 98*, lines 21–6: ταῦτ[α μὲν ἔστω ἐψ]ηφισμένα ὅσης Ἀθηναῖοι [κρατῶσι πᾶσ]ι τοῖς Πυθοφάνος κατὰ τα[ύτ]α· ὅπως δ' ἂν | ταῦτα γίνηται, τοὺς στ[ρατηγ]ὸς τὸς α[ἰ]εὶ στρατηγόντας ἐπιμ[έ]λεσθαι καὶ τ[ῆ]ν βολῆν τὴν αἰεὶ βουλευ[ο]σαν.

The first sentence gives a command: “these orders are to be enacted for all the children of Pythophanes in the area the Athenians rule in the same way.” To indicate how this command is to be implemented, the next sentence starts with a purpose clause (ὅπως δ' ἂν | ταῦτα γίνηται) and gives an order to specific officials, the generals and the Council, to look after the matter.

For a similar sequence of orders see the agreement between the Athenians and the Chalcidians (*IG I³ 40*, lines 40–47). The decree calls for the Athenians and the Chalcidians to swear the oaths for the treaty. The next clause indicates how this will take place and starts with a purpose clause (lines 43–4: *ἡὸπος δ' ἂν τάχιστα γίγνεται*), followed by an order to the generals in the imperative (line 44: *ἐπιμελόσθον ἡοι στρατηγοί*).

PZenon 59021 in two columns; *Select Papyri* II no. 409, Egypt, 258 BC

Ἀπολ[λων]ίωι χαίρειν Δημήτριος./ καλῶς ἔχει εἰ αὐτός τε ἔρρωσαι καὶ / τὰ ἄλλα σοι κατὰ γνώμην ἐστίν./ καὶ ἐγὼ δὲ καθάπερ μοι ἔγραψας/ προσέχειν ποιῶ αὐτὸ καὶ δέδεγμα/ ἐκ χρ(υσίου)/ Μ(υριάδας) ‘Ζ καὶ **κατεργασάμενος** / ἀπέδωκα. ἐδεξάμεθα δ' ἂν καὶ /πολλαπλάσιον, ἀλλὰ καθά σοι καὶ / πρότερον ἔγραψα ὅτι οἱ τε ξένοι/ οἱ εἰσπλέοντες καὶ οἱ ἔμποροι καὶ οἱ ἐγδοχεῖς καὶ ἄλλοι/ φέρουσιν τότε ἐπιχώριον νόμισμα τὸ ἀκριβὲς καὶ / τὰ τρίχρυσσα, ἴνα καινὸν αὐτοῖς γένηται, κατὰ τὸ πρόσταγμα ὃ κε/λεύει ἡμᾶς. λαμβάνειν καὶ. **κ[ατερ]/γάξεσ[θ]αι, Φιλαρέτου** δὲ με οὐκ. ἐ/ὠντος δέχεσθαι, οὐκ ἔχον[τ]ες ἐ[πὶ] / τίνα τὴν ἀναφορὰν. ποιησώ[με]θα./ περὶ τούτων, ἀναγκαζέ[σθ]αι τ[....]τα μὴ δέχεσθαι, οἱ δὲ ἄν/θ[ρω]ποι ἀγανακτοῦσιν οὐ[τ]ε τ[ῶν] / τραπεζῶν οὔτε εἰς τὰ τ[....]τα ἡμῶν δεχομ[ένω]ν οὔτε θυνά/μενοι εἰς τὴν χώραν ἀποστέλλειν / ἐπὶ τὰ φορτία, ἀλλὰ ἀργὸν φάσκουσι/ ἔχειν τὸ χρυσίον καὶ βλάπτεσθαι οὐ/κ ὀλίγα ἔξοθεν μεταπεπεμμένοι / καὶ οὐδ' ἄλλοις ἔχοντες ἐλάσσονος τιμῆς διαθέσθαι εὐχερῶς. / καὶ οἱ κατὰ πόλιν δὲ πάντες τῷ ἀπο/τετριμμένωι χρυσίωι δυσχερῶς χρῶνται. / οὐδεὶς γὰρ τούτων ἔχει οὐ τὴν

ἀναφο/ρὰν ποιησάμενος καὶ προσθεῖς τι κο/μίζεται ἢ καλὸν χρυσίον ἢ ἀργύριον / ἀντ' αὐτοῦ. νῦν μὲν γὰρ τούτων τοι/ούτων ὄντων ὀρῶ καὶ τὰς τοῦ βασι/λέως προσόδους βλαπτομένας οὐ/κ ὀλίγα. γέγραφα οὖν σοι ταῦτα ἵνα εἰδῆς καὶ ἐάν σοι φαίνεται ἢ τῶν/ βασιλεῖ γράψῃς περὶ τούτων καὶ ἐμοί/ ἐπὶ τίνα τὴν ἀναφορὰν περὶ τούτων / ποιῶμαι. συμφέρειν γὰρ ὑπολαμβάνω / ἐὰ[ν] καὶ ἐκ τῆς ἔξοθεν χώρας χρυσίον / ὅτι. πλεῖστον εἰσάγεται καὶ τὸ νό/μισμα τ[ὸ] τ[ο]ῦ [β]ασιλέως καλὸν καὶ/ καινὸν ἦι διὰ παντός, ἀνηλώματ[ος]/ μηθενὸς γινομένου αὐτῶι. περὶ μὲν/ γὰρ. τινῶν ὡς ἡμῖν/ χρῶνται οὐ καλῶς / εἶχεν γράφειν, ἀλλ' ὡς. ἂν. παραγένῃ ἀ/κούσει[ς].....]γρά/ψον μοι περὶ τούτων ἵνα οὕτω ποιῶ./ ἔρρωσο./ (ἔτους) κη Γορπιαίου ιε/ Verso: Ἀπολλωνίωι./ Δημητρίου

Translation: To Apollonius greeting from Demetrius. If you are in good health and your affairs are satisfactory, it is well. As for me, I am attending to the work as you wrote me to do, and I have received in gold 57000 pieces, which I minted and returned. We might have received many times as much, but as I wrote to you once before, the foreigners who come here by sea and the merchants and middlemen, and others bring both their local money of unalloyed metal and the gold pentadrachms, to be made into new money for them in accordance with the decree which orders us to receive and remind, but as Philaretus does not allow me to accept, not knowing to whom we can appeal on this subject we are compelled not to accept . . . ; and the men grumble because their gold is not accepted either by the banks or by us for. . . . , not are they able to send it into the country to buy goods, but their gold, they say is lying idle and they are suffering no little loss, having sent for it from abroad and being unable to dispose of it easily to other persons even at a reduced price. Again, all the residents in the city find it difficult to make use of their worn gold. For none of them knows to what authority he can refer and on paying something extra receive in exchange either good gold or silver. Now things being as they are at present, I see that the revenues of the king are also suffering no little damage. I have therefore written these remarks to you in order that you may be informed and, if you think fit, write to the king about the matter and tell me to whom I am to refer on this subject. For I take it to be an advantage if as much gold as possible be imported from abroad and the king's coinage be always good and new without any expense falling on him. Now as regards the way in which certain persons are treating me it is as well not to write, but as soon as you arrive you will hear . . . And write to me about these matters that I may act accordingly. Goodbye. (Addressed) To Apollonius. (Docketed) From Demetrius.

PCairo Zenon 59021

Οἱ τε ξένοι, οἱ εἰσπλέοντες, οἱ ἔμποροι, οἱ ἐγδοχεῖς καὶ ἄλλοι
φέρουσι
κατεργασάμενος

νόμισμα καλὸν καὶ καινόν

Law of Epicrates

οἱ ἰδιῶται (15, 17)
εἰσενεγκόντες (20)
κατεργάζηται (8)
ἐργάζεσθαι (18-9)
πλεῖστον καὶ κάλλιστον (7), ἐπίσημον (17)

The Proposal of Kroll - The law concerns the recall of Athenian coinage and its re-minting as the Pi-style coinage

[Aristotle] *Oeconomica* 1347a8-11: Ἰππίας ὁ Ἀθηναῖος τὰ ὑπερέχοντα τῶν ὑπερώων εἰς τὰς δημοσίας ὁδοὺς καὶ τοὺς ἀναβαθμοὺς καὶ τὰ προφράγματα καὶ τὰς θύρας τὰς ἀνοιγομένας ἔξω ἐπώλησεν: ὠνοῦντο οὖν ὧν ἦν τὰ κτήματα, καὶ συνελέγη χρήματα οὕτω συχνά. τό τε νόμισμα τὸ ὄν Ἀθηναίοις ἀδόκιμον ἐποίησε, τάξας δὲ τιμὴν ἐκέλευσε πρὸς αὐτὸν ἀνακομίζειν: συνελθόντων δὲ ἐπὶ τῷ κόψαι ἕτερον χαρακτῆρα, ἐξέδωκε τὸ αὐτὸ ἀργύριον.

Translation: Hippias of Athens offered for sale the upper stories that projected over public streets together with flights of steps, railings, and doors that opened outwards. The owners of the buildings bought them, and in this way a large sum of money was collected. He also called in the existing currency, promising to pay the holders at a fixed rate. But when they came to receive the new coins, he reissued old coins.

[Aristotle] *Oeconomica* 1349b27-33: δανεισάμενός τε παρὰ τῶν πολιτῶν χρήματα ἐπ' ἀποδόσει, ὡς ἀπῆτουν αὐτόν, ἐκέλευσεν ἀναφέρειν ὅσον ἔχει τις ἀργύριον πρὸς αὐτόν: εἰ δὲ μή, θάνατον ἔταξε τὸ ἐπιτίμιον. ἀνευχεθέντος δὲ τοῦ ἀργυρίου, ἐπικόψας χαρακτῆρα ἐξέδωκε τὴν δραχμὴν δύο δυναμένην δραχμὰς καὶ τό τε ὀφειλόμενον πρότερον ... ἀνήνεγκαν πρὸς αὐτόν.

Translation: On another occasion he had borrowed money from the citizens, promising to repay it. On their demanding its return, he bade each bring him, under pain of death, whatever silver he possessed. This silver when

brought he coined into drachmae each bearing the face value of two: with these he repaid the <previous> debt and also what had just been brought in.

Polyaenus 6.9.1: Λεύκων χρημάτων δεόμενος ἐκήρυξεν, ὅτι μέλλον κόπτειν ἄλλο νόμισμα καὶ νέοι προσφέρει αὐτῶ τὸ υπάρχον ἐκάστω, ὅπως μετακοπὲν δόκιμον γένοιτο. Οἱ μὲν προσήνεγκαν ὅσον εἶχον, ὁ δὲ ἄλλον χαρακτήρα ἐπιβαλὼν ἐπέγραψε τὸ τίμημα διπλάσιο ἐκάστω νομίσματι, ὥστε τοῦ συλλέγοντος τὸ ἥμισυ κερδάνας οὐδὲν τῶν πολιτῶν ἐζημιώσεν.

Translation: When Leucon needed money, he ordered that he was going to strike new coins and that everyone must bring him the coins they had, so that after being restock they would be approved. They brought him all they had. He struck a new die and engraved a double value on each coin, so he might penalise none of the citizens while making a fifty-percent profit from the coins collected. (trans. Krentz and Wheeler with changes)

The Proposal of Matthaiou

οἱ μνεῖες τοῦ ἐπίσημου ἀργυρίου (στίχ. 14-15, 17) καὶ τοῦ ἀσήμου (bullion) στὸν στίχ. 25 συνιστοῦν ἰσχυρὴ ἔνδειξη ὅτι τὸ κύριο ζήτημα, τουλάχιστον στὸ σωζόμενο τμήμα τοῦ λίθου, ἦταν πιθανότατα ἀνταλλαγὴ ἀσήμου καὶ ἐπισήμου ἀργυρίου.

τὸ ἄσημον ἀργύριον εἰς χεῖρας ἰδιωτῶν ἔπρεπε νὰ ἀνταλλαγῇ στὴν ἀγορὰ (στίχ. 8-9). Ὁ συνδυασμὸς τῶν στίχ. 8-10 ὑποδεικνύει ὅτι ὁ νόμος ὄριζε δύο στάδια ἀνταλλαγῆς (*καταλλαγῆς* exchange). Τὸ πρῶτο ἦταν ἡ ἀνταλλαγὴ ἀσήμου ἀργυρίου στὴν ἀγορὰ, πιθανότατα ἐπὶ τῶν τραπεζῶν (*tables*), ὅπου κατὰ κανόνα ἐγίνοντο οἱ συναλλαγές τοῦ εἴδους. τὸ δεύτερο στάδιο, συμφώνως πρὸς τὸν νόμο, ἦταν ἡ μεταφορὰ ὄσης ποσότητος (*ἀσήμου*) ἀργυρίου θὰ ἤθελαν νὰ ἀνταλλάξουν οἱ συλλέξαντες τὸ ἀργύριον (οἱ *τραπεζῖται* (bankers)); στὸ ἀργυροκόπιον, γιὰ νὰ παραλάβουν νέο νόμισμα ποῦ θὰ ἐκόπτετο ἐκεῖ. Παρατηρητέον ὅτι ἡ μεταφορὰ στὸ ἀργυροκόπιον ὀρίζετο νὰ γίνῃ ἐντὸς συντόμου χρονικοῦ διαστήματος, πρὸ τῆς ἐπομένης πρυτανείας.

Translation: The mentions of (line 14-15, 17) and (bullion) in line 25 are a strong indication that the main issue, at least for the preserved part of the stone, was most certainly the exchange of unminted and minted coinage.

The unminted coinage in the hands of private individuals must have been exchanged at the Agora (lines 8-9). The combination in lines 8-9 indicates that the law defined two stages of exchange (*katallages*): the first was exchange of unminted coinage in the Agora, most certainly at the “tables” where regularly exchanges of this type took place; the second stage, according to the law, was the transport of the quantity those who collected the coins (the bankers) would wish to exchange to the mint, in order to get the new coins which would be minted there. It must be noted that the transport to the mint is set out so that it takes place after a short period of time, before the following prytany. (Trans. Harris)

Reasons to Reject this View

- 1) The noun *katallage* and the verb *kattallattein* are used to denote an exchange of the coinage of one community for that of another, not for the exchange of bullion and minted coins.
- 2) The law does not mention bankers or banks in the preserved portions.
- 3) The law deals with exchange taking place at the mint in line 14-19, not with normal exchange in the Agora.
- 4) The law states that the new coins will be given to private individuals in general (line 15: *ιδιώταις*; line 17: *οἱ ιδιώται*), not to bankers.
- 5) The parallel with the papyrus from Ptolemaic Egypt (apparently unknown to Matthaiou) shows that what is exchanged is foreign coins for new Athenian coins, not bullion for minted coins.
- 6) Matthaiou fails to see that the procedure in lines 15-21 is different from that in lines 22-32 and cannot therefore explain the mention of silver ore in line 27 (*ἀργυρῖτις*) and the references to purification of ore (line 26: *καθαίρηται* and line 23: *καθαίρομένου ἀργυρίου*), which are not relevant in the case of silver bullion, which has already been refined.
- 7) Nothing in the preserved sections of the law states that the unminted bullion was in the hands of private individuals.
- 8) There is no evidence for two steps in the process of exchange. The language of the law implies one step.

The Final Clause (lines 22-32)

Provisions about **purifying** (l. 26: καθαίρηται and 23: καθαιρομένου ἀργυρίου. Meaning: purify metal: Pl. *Politicus* 303d-e) **silver ore** (l. 27: ἀργυρίτις) into **un-minted silver bullion** (ll. 23, 25, 26, 31: ἀργύριον and ἀργύριον ἄσημον), in furnaces (l. 28: κάμνοι) at private buildings (ll. 25, 26: ἐν ταῖς ἰδίαις οἰκίαις).

For ἀργυρίτις and the procedure see Xen. *Vect.* 1.5: ἔστι δὲ καὶ γῆ ἢ σπειρομένη μὲν οὐ φέρει καρπὸν, ὀρυττομένη δὲ πολλαπλασίους τρέφει ἢ εἰ σῖτον ἔφερε. καὶ μὴν ὑπάργυρός ἐστι σαφῶς θεία μοῖρα· πολλῶν γοῦν πόλεων παροικουσῶν καὶ κατὰ γῆν καὶ κατὰ θάλατταν εἰς οὐδεμίαν τούτων οὐδὲ μικρὰ φλὲψ **ἀργυρίτιδος** δῆκει.

Plb. 34.9.10 (*ap.* Strabo 3.2.10): τὴν δὲ κατεργασίαν τὴν μὲν ἄλλην ἐῶ – μακρὰ γάρ ἐστι–, τὴν δὲ συρτήν βῶλον τὴν **ἀργυρίτιν** φησι κόπτεσθαι καὶ κοσκίνοις εἰς ὕδωρ διατῶσθαι· κόπτεσθαι δὲ πάλιν τὰς ὑποστάσεις καὶ πάλιν διηθουμένας ἀποχεομένων τῶν ὑδάτων κόπτεσθαι· τὴν δὲ πέμπτην ὑπόστασιν χωνευθεῖσαν, ἀποχυθέντος τοῦ μολίβδου, καθαρὸν τὸν ἄργυρον ἐξάγειν.

Tax on Ore from the Silver Mines in Attica

Suda s.v. ἀγράφου μετάλλου δίκη: οἱ τὰ ἀργύρεια μέταλλα ἐργαζόμενοι ὅπου βούλοιντο καινοῦ ἔργου ἄρξασθαι, φανερόν ἐποιοῦντο τοῖς ἐπ' ἐκείνοις τεταγμένοις ὑπὸ τοῦ δήμου καὶ ἀπεγράφοντο τοῦ τελεῖν ἔνεκα τῷ δήμῳ εἰκοστὴν τετάρτην τοῦ καινοῦ μετάλλου. εἴ τις οὖν ἐδόκει λάθρα ἐργάζεσθαι μέταλλον, τὸν μὴ ἀπογραψάμενον ἐξῆν τῷ βουλομένῳ γράφεσθαι καὶ ἐλέγχειν. Those working the silver mines whenever they wished to start a new project made it clear to those placed in charge of these by the people and registered them for the purpose of paying to the people one twenty-fourth of the (ore from) the new mine.

Harpocration s.v. ἀπονομή: ἡ ἀπόμοιρα ὡς μέρος τι τῶν περιγινομένων ἐκ τῶν μετάλλων λαμβανούσης τῆς πόλεως. Translation: The portion as some part of the products from the mines taken by the city (lit. the city taken) Cf. *Lex metallica dicta* (FIRA 1² no 40): entrepreneurs working the mines to pay half of the extracted ore (*venae*) to the fisc.

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