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Orations against Athenogenes and Philipp



THE ORATIONS OF
HYPERIDES

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HYPERIDES

THE ORATIONS AGAINST
ATHENOGENES AND PHILIPPIDES

EDITED WITH A TRANSLATION BY

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LONDON

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CONTENTS



	PAGE
INTRODUCTION	vii

TEXT—

ORATION AGAINST ATHENOGENES	i
ORATION AGAINST PHILIPPIDES	47

INTRODUCTION

§ 1. THE object of this volume is to make available for readers in an easily accessible form the two most recently recovered orations of Hyperides. Both have already appeared in print, but the oration against Athenogenes is to be found only in the pages of certain French and German periodicals, or accompanied by an expensive facsimile, and the fragment against Philippides only in the same periodicals, or in a volume containing a large quantity of other matter, which a reader may or may not desire to possess, but which is, in any case, of a wholly different nature. The present volume aims at providing a readable text of these latest additions to classical Greek literature in a moderate compass and without heterogeneous additions.

For the principle of appending an English translation to the Greek text no defence should be needed beyond an appeal to the practice of

Prof. Jebb¹ and the precepts of Prof. von Wilamowitz-Moellendorff². It is intended to serve two purposes; it often averts the necessity of an explanatory note, and it may interest some persons who do not care to read the originals. Beyond these objects, the task of translation is, or should be, its own reward to the translator.

§ 2. THE MSS. Like all the recently recovered works of Greek literature, these two orations of Hyperides are contained in papyrus manuscripts. First in importance and first in order of discovery, though not first in publication, is the oration against Athenogenes. The papyrus containing this speech was brought to France by a dealer in 1888, and was acquired for the Louvre by M. Eugène Revillout, the well-known Egyptologist and director of the Louvre Museum. To M. Revillout is due the identification, the main restoration, and the first publication of the precious contents of the MS. In 1889 M. Revillout an-

¹ *Sophocles, with critical notes, commentary, and translation in English prose*, by R. C. Jebb, Litt.D., &c.

² In the *Vorwort*, entitled '*Was ist übersetzen*,' to *Euripides Hippolytos*, griechisch und deutsch von Ulrich von Wilamowitz-Moellendorff.

nounced his discovery in a memoir read before the Académie des Belles Lettres, and he also communicated a description of the contents, with a sample of the text, to the *Revue des Etudes Grecques*. A much fuller analysis, interspersed with the complete Greek text as read and restored by M. Revillout, appeared in the *Revue Egyptologique* in the course of 1891 and 1892. In the summer of the latter year M. Henri Weil published a revised text¹, partly based on personal inspection of the MS. and a fresh transcript made by M. Theodor Reinach. Finally (if the contradiction in terms may be permitted) M. Revillout's formal *editio princeps* appeared early in the present year². This volume contains an excellent reproduction of the original MS. by photogravure, accompanied by the editor's text, revised from that previously published in the *Revue Egyptologique* with the help of a large number of suggestions offered by Prof. H. Diels and a few by Prof. F. Blass.

¹ *Revue des Etudes Grecques*, v. 157-188.

² *Corpus Papyrorum Aegypti*, tome iii; *Papyrus Grecs du Louvre*, &c., publiés par Eugène Revillout: 1er fasc., *Le Plaidoyer d'Hypéride contre Athénogène* (Paris, E. Leroux).

The papyrus containing this oration has a special value as being the oldest MS. of a classical Greek work as yet extant, with the exception of Mr. Flinders Petrie's comparatively small fragments of the *Phaedo* and the *Antiope*. On the *verso* or back of the papyrus (and consequently of later date than the oration inscribed on the *recto*) are written some accounts in demotic, which M. Revilout states to be of the Ptolemaic period. Whether their date can be more precisely defined he has not yet told us; but it is clear already that the MS. of the oration cannot be placed lower than the end of the second century B.C. Palaeographical considerations confirm this view, and the MS. may be assigned with confidence to the century just named, and probably to the second half of it. The hand in which it is written, as may be seen from the specimen given in the frontispiece to this volume, is a firm, well-formed uncial of medium size. No exact parallel to it can be named, but it somewhat resembles the MS. of Philodemus *περὶ σημείων*, found among the Herculaneum papyri, the date of which is probably in the first century B.C.¹ The

¹ See *Palaeographical Society*, 1st series, plate 151.

text, so far as it is preserved, is contained in seventeen columns, each about $3\frac{1}{2}$ inches broad, and thus considerably wider than those hitherto found in prose MSS. of early date. Each column contains twenty-eight lines. Pauses in the sense are indicated, as usual, by *paragraphi* in the margin and blank intervals in the text. Corrections are not numerous, but some have been made by the first hand and some by a later corrector. The orthography is generally good. The beginning of the speech is lost, probably to the extent of two or three columns. The five columns which follow are almost intact, but from the sixth onwards the bottom of the papyrus has suffered from friction, and the mutilations become progressively more serious, though the general course of the argument is clear throughout. The actual end of the speech is not preserved, but it is evident that a few more lines would have brought it to a conclusion. The whole speech, when intact, probably occupied about twenty columns, forming a roll of about 7 feet in length and 9 inches in height, which (allowing for the difference in the widths of their respective columns) would make it slightly longer than the only oration of Hyperides at present

extant in a complete form, the defence of Euxenippus. So far as can be judged in the absence of any other authority for the speech, the text is of a good character. Obvious blunders are rare, and blunders which are not obvious we are for the most part in no position to discover or correct. But the mutilated condition of much of the papyrus leaves only too much scope for conjectural supplements.↓

The MS. of the oration against Philippides, like those of all the other extant works of Hyperides, with the single exception of that just described, is in the British Museum. It was acquired in 1890, and was published in the summer of the following year in a volume containing several other texts and collations, notably the *editio princeps* of Herodas¹. The MS., when complete, contained the oration of Hyperides against Philippides and (in a different hand) the third epistle of Demosthenes. Unfortunately the papyrus, which is of a very fine and delicate description, has suffered

¹ *Classical Texts from Papyri in the British Museum*, edited by F. G. Kenyon; published by order of the Trustees (1891). The Hyperides occupies pp. 42–55, and a facsimile of part of the original MS. is prefixed. Part of the following description of the MS. is reproduced from this volume.

severely, and the greater part of the oration is lost. Only nine narrow columns, containing the conclusion, are preserved in a state approaching completeness, and there are detached fragments belonging to at least six preceding columns, but in a condition which makes continuous restoration impossible. The continuous portion of the papyrus measures 1 ft. $7\frac{1}{4}$ in. in length, and $9\frac{1}{4}$ in. in height. There is a margin of about $1\frac{1}{2}$ in. at the top, and nearly 2 in. at the bottom, and the columns are separated by a space of about a quarter of an inch. The columns are very narrow, measuring barely $1\frac{3}{4}$ in. in breadth, and contain from sixteen to nineteen (generally seventeen) letters in each line. There are from twenty-six to twenty-eight lines in a column. The columns lean greatly to the right, as is often the case in early papyri. The writing is a small and very neat uncial, with some general resemblance to that of the principal papyrus of Hyperides (that containing the speech against Demosthenes and the defences of Lycophron and Euxenippus), but smaller and more delicate. Ligatures between the letters are frequent, and the strokes composing them are quite as strongly marked as those of

the letters themselves, which sometimes causes difficulties in decipherment. As with the French papyrus, the nearest parallel to the writing here employed is to be found in some of the Herculaneum papyri, most of which probably belong to the first century B. C. The present MS. may be assigned to the early part of that century, or possibly to the end of the second. The *paragraphus* (sometimes straight and sometimes semi-circular) is employed to indicate pauses in the sense, together with slight blank intervals in the text. The characters 7 and = are used to fill up superfluous spaces at the end of a line. Corrections are rare, but in two cases they are in a different hand, perhaps that of the person who wrote the epistle of Demosthenes on the same papyrus. The text appears to be in a good condition. Since the appearance of the *editio princeps* the text has been given by M. Weil in the *Revue des Etudes Grecques* (vol. v, pp. 1-6, 1 a-4 a), and by Prof. Blass in Fleckeisen's *Fachbücher für classische Philologie* (1892, hft. 2, pp. 97-105). Prof. Blass has also examined the original papyrus, and the results of his investigation, which relate chiefly to the detached frag-

ments, have appeared in the same periodical (1892, hft. 8).

§ 3. THE ORATION AGAINST ATHENOGENES. The recovery of the speech against Athenogenes is especially welcome, because there is excellent reason to believe that in it we have a thoroughly characteristic specimen of that class of oratory in which Hyperides especially excelled. The author of the treatise *De Sublimitate* (who, be he Longinus or Dionysius or another, was certainly one of the best critics of antiquity) couples it with the defence of Phryne as an example of a manner in which Hyperides was superior even to Demosthenes¹. As an advocate in a social *cause célèbre*, or in any matter which required light and delicate handling, Hyperides was unequalled; and we are now in a far better position than formerly to judge of the character of his genius. The *Lycophron*, the *Demosthenes*, and the *Philippides* are too much mutilated to afford us any fair test of style; the

¹ C. 34, § 3 ὁ δὲ Δημοσθένης . . . ἔνθα μὲν γελοῖος εἶναι βιάζεται καὶ ἄστεϊος, οὐ γέλωτα κινεῖ μᾶλλον ἢ καταγελάται, ὅταν δὲ ἐγγίξῃ θέλη τῷ ἐπίχαρις εἶναι, τότε πλέον ἀφίσταται. τό γέ τοι περὶ Φρύνης ἢ Ἀθηνογένους λογίδιον ἐπιχειρήσας γράφειν ἔτι μᾶλλον ἂν ὕπερείδην συνέστησεν.

Funeral Oration belongs to a formal and conventional type of rhetoric, and does not represent the speaker's natural manner; the *Euxenippus*, though preserved intact, is never quoted by extant authors of antiquity, and may therefore be assumed to have acquired comparatively little fame. But the *Athenogenes*, as has just been shown, was recognized by the ancients as a typical speech, and enough of it has been preserved to enable us to estimate its character.

The argument is as follows. Hyperides' client, whose name does not appear, desired to obtain possession of a boy-slave, who, with his father Midas and his brother, was the property of an Egyptian resident in Athens, named Athenogenes. Midas was employed by Athenogenes as manager of a perfumery, one of three such shops of which the latter was the owner; and his two sons appear to have assisted him in his work. The plaintiff, a young man whose father was still alive¹, was not an habitual resident in Athens, but cultivated an estate in the country. His original proposal to Athenogenes was to purchase the liberty of the

¹ This seems to be deducible from col. xii. l. 2; ἔδωκεν would hardly be used of a property acquired by bequest or inheritance.

boy in question. Athenogenes entertained this suggestion at first, but subsequently (according to the plaintiff's story, which was, however, traversed by the defendant on this point) sent the boy to say that he could not be separated from his brother and father, and that if he bought one he must buy all. To this the plaintiff assented; whereupon (as it appears, though the mutilation of the papyrus makes the exact course of the transaction doubtful) Athenogenes, presuming on the eagerness of the would-be purchaser, developed a considerable reluctance to sell. With the view, evidently, of raising his price, he held back from concluding any bargain, while at the same time he employed a woman, named Antigona, a person of many attractions but more than doubtful antecedents, to lure the young man further into the snare. Antigona acted as go-between, stimulating his anxiety on the one hand, while she pretended to intercede in his favour with Athenogenes, and the plaintiff alleges that he fell a complete victim to her wiles. At any rate, he agreed to buy the freedom of the three slaves for a sum of forty minas; and Antigona professed to have won an unwilling consent

from Athenogenes. The two principals then met to conclude the bargain ; when Athenogenes, out of sheer consideration, as he declared, for the young man's interests, suddenly suggested that, instead of paying for the freedom of the three slaves, he should buy them right out, whereby he would have fuller control over them at the time and could give them their liberty whenever he chose. Purchasing the slaves would carry with it any liabilities Midas might have incurred in connexion with the perfumery ; but these debts, Athenogenes affirmed, were trifling, and would be more than covered by the value of the stock in the concern. The proposed change of plan had some advantages and no visible disadvantages, since the business of the perfumery, according to Athenogenes' representations, could be closed at a profit ; and the plaintiff accepted it. Athenogenes, with a promptness which afterwards appeared suspicious, produced a draft agreement already drawn up ; it was read over in due form, witnessed and sealed, and the bargain was complete. Then came the *dénouement*. No sooner had the plaintiff acquired the perfumery than creditors sprang up on all sides, of whose existence no word had hitherto

been breathed; and in a very short time he discovered that he was liable for debts amounting to five talents, in addition to the forty minas which he had already paid. Such a sum meant ruin. Accordingly he took counsel with his friends, and, after failing to obtain satisfaction by a personal interview with Athenogenes, brought the present action against him.

The plaintiff's difficulty lay in the fact that he had no ground in law to stand upon. An express law enacted that contracts made in due form should be held valid; and there was no doubt that the plaintiff had deliberately entered into the contract which he now wished to repudiate. His only chance lay in securing a skilful advocate, who might persuade the dicasts to place equity before law. Accordingly he engaged the services of Hyperides, who composed two speeches for him. The first, in which the case was opened, would be the most important, and it is that which has been preserved to us; the second, as we see from the similar pairs of speeches by Demosthenes, would be only a reply. The exact form of the action is doubtful, as the speaker quotes no explicit law upon which he rests his case. A passage in Harpo-

cration¹ might seem to imply that it was a *δίκη βουλεύσεως*, but although the proceedings of Atheno-
genes might be classed as conspiracy in our sense of the word, they are too far from the legitimate meaning of *βούλευσις* in Athenian law to make this theory acceptable. More probably it was, as Blass has also argued, a *δίκη βλάβης*, a very comprehensive class of cases of which no complete definition was probably given, and in which the orator was consequently more at liberty to rest his plea on general considerations of equity. Such is the case here. Hyperides cannot deny the existence of the law asserting the validity of formal contracts; but he endeavours to evade it by quoting analogies in other laws which recognized certain forms of deception as invalidating the acts or agreements founded upon them. In this way he gives a certain colour of law to his plea; but the real strength of his case rested not on law but on equity, and the skill of the advocate is shown in

¹ Βουλεύσεως' ἐγκλήματος ὄνομα ἐπὶ δυοῖν ταπτόμενον πραγμάτων· τὸ μὲν γὰρ ἔστιν ὅταν ἐξ ἐπιβουλῆς τις τινὶ κατασκευάσῃ θάνατον, . . . τὸ δ' ἕτερον ὅταν ἐγγεγραμμένος ὡς ὀφείλων τῷ δημοσίῳ αὐτὸς δικάζηται τινὶ ὡς οὐ δικαίως αὐτὸν ἐγγεγραφότι . . . Ὑπερίδης δ' ἐν τῷ κατ' Ἀθηνογένους α' ἐπὶ ἐνέδρας καὶ ἐπιβουλῆς τῆς εἰς χρήματα ἰδίως κέχρηται τῷ ὀνόματι (Harp. s. v. βουλεύσεως).

the boldness with which he carries off the weak side of his case, while laying full stress on the substantial fraud which, on the plaintiff's statement of the facts, had unquestionably been committed by Athenogenes. Finally, in accordance with the recognized practice in Athenian courts, extraneous evidence as to the character and antecedents of the defendant was offered, and this gives Hyperides an opportunity for declamation against Athenogenes as having deserted Athens just before the battle of Chaeronea, and for public acts of a very questionable nature during his subsequent residence in Troezen.

The date of the speech is fixed within fairly narrow limits by a passage near the end (col. xv, ll. 16-20), in which the speaker reminds his hearers that when they conferred their citizenship on certain exiles from Troezen, they were repaying the service which the Troezenians had done to them 'more than 150 years before,' by receiving a large number of the Athenian fugitives during Xerxes' occupation of Attica. The 'more than 150 years' must, in the natural interpretation of the sentence, be reckoned from the date of the reception of the exiles, which must consequently have taken place

not earlier than B.C. 329. It is not spoken of as an event of immediately recent occurrence ; hence the earliest possible date for the speech is B.C. 328, and it may probably have been a year or two later. The *terminus ante quem* is B.C. 323, the date of the outbreak of the Lamian war, after which it may safely be assumed that Hyperides would not have been able to undertake such a case as this. The oration consequently falls into the same period in the life of Hyperides as the defence of Euxenippus. The style, as almost invariably with Hyperides, is singularly bright and simple. The narrative is direct, easy, and vivid, the argumentation remarkably clear and lucid. Hyperides possessed the rare gift of a perfectly unstrained style, in which art has achieved the appearance of entirely unstudied ease. It is not 'the great style,' but it is one most effective in the proper place, and one which is very rarely acquired. It is the manner of Lysias, with a more elaborate art ; and having this speech, with the others to illustrate and amplify it, we can adequately realize the special characteristics which made Hyperides the most effective forensic orator of his day.

§ 4. THE ORATION AGAINST PHILIPPIDES. The prosecution of Philippides is one of those speeches, personal in form but public in their real character, of which the orations of Aeschines and Demosthenes *on the Crown* are the great example. Like them, it arose out of the hostility between the pro-Macedonian and anti-Macedonian parties at Athens. In form the case was a *γραφὴ παρανόμων*, and the circumstances which occasioned it may be gathered from the contents even of the small fragment of the speech which has survived. Philippides had proposed a vote of thanks in honour of a certain body of *πρόεδροι*, for the way in which they had executed their duties as presidents at the sittings of the Ecclesia. As each group of *πρόεδροι* only served for seven days, in the course of which only one sitting of the Ecclesia would normally take place, this vote necessarily referred to some specific action on their part; and it is clear from ll. 75-78 what this was. A proposal had been made to pass a vote of honour (the exact nature of which, so far as it is recoverable from the context, is explained below), and there was some irregularity in the way in which this proposal had been brought forward. The *πρόεδροι* should,

in strict law, have refused to put the motion to the vote; but they decided to ignore the technical point, and the motion was put and carried. Philippides subsequently proposed to vote a crown to the *πρόεδροι* 'for their upright and legal action'; and it is this proposal which Hyperides meets with his *γραφὴ παρανόμων*. The real point at issue is consequently the policy involved in the original vote of honour which the *πρόεδροι* allowed to be proposed; and the nature of this vote is tolerably clear. It was a vote of honour to the King of Macedon, to the party of whose supporters Philippides belonged; and it was passed by the Athenian Ecclesia under sharp compulsion (ll. 75-78). Hyperides does not deny the stress of this compulsion; he would even appear to admit that the *πρόεδροι* could not have acted otherwise than they did; but he maintains that this is no ground for voting them an especial compliment (ll. 78-81). To pass such a vote, now that the original compulsion was removed, would make the Ecclesia a voluntary agent in an act of subservience to Macedon; to secure its rejection would be to inflict a check on the pro-Macedonian party. The general nature of the circumstances

is clear, then; the only doubt is as to the exact occasion on which the Ecclesia was thus compelled to pass a vote in honour of the king of Macedon. In ll. 111, 112 is a clear allusion to the death of Philip (*ἐν μὲν σῶμα ἀθάνατον ὑπέληφας ἔσεσθαι*), and Köhler¹ consequently assigns the original vote of honour to the time when Alexander, shortly after his accession, marched into Greece and was recognized as Philip's successor. Weil² and Blass³, with better reason, refer it to a vote passed by the Athenians in honour of Philip shortly before his death; for it is clear from the passage just quoted that Hyperides was able to represent Philippides, at the time of the original proposal, as thinking of the 'one individual' as immortal, a taunt which would be extremely inappropriate if the proposal had been made just after the unexpected catastrophe of Philip's murder. It is probable, then, that the original proposal was made between the peace of Demades (end of B.C. 338) and the spring of B.C. 336; and the speech of Hyperides may

¹ *Sitzungsberichte der königlich preussischen Akademie*, xliii (1891).

² *Revue des Etudes Grecques*, 1892, pp. 2-4.

³ *Jahrbücher für class. Philologie*, 1892, hft. 2, p. 97.

have been delivered either, as Köhler thinks, in the winter of B.C. 336-335, shortly after Alexander's departure from his first visit to Greece, or, which is less probable, on the ground of the absence of any allusion to intermediate events, after the beginning of his expedition against Persia.

The identification of Hyperides as the author of the speech rests primarily on the fact that he is known to have composed an oration against Philippides, from which Athenaeus quotes a jest upon the personal appearance of his opponent. This passage is not found in the fragment of the speech now recovered; but this is not surprising, since it would necessarily have occurred in an earlier part of it. The style of the speech, however, as well as the political sentiments expressed in it, supports the attribution to Hyperides, and there is certainly no other orator to whom it can with equal right be assigned. Only the conclusion of the oration is preserved. In the first sentences of the fragment the orator is attacking the whole Macedonian party generally, from which he passes to a special animadversion on Democrates of Aphidna, who was perhaps going to support Philippides on this occasion. Then, in l. 46, he

begins his final summary of the case, and the rest is peroration.

§ 5. THE TEXT. The text of the speech against Athenogenes is naturally based on the transcripts of Revillout and Weil, but it has been checked throughout by a careful study of the facsimile. It has not been possible for me to examine the original papyrus, and, although the facsimile is good, there are not a few doubtful passages in which it obviously must be less clear than the original. When, therefore, MM. Revillout and Weil (or his colleague, M. Reinach) agree as to the reading of the MS. in such a passage, I have rarely felt justified in rejecting their reading; but where they differ I have been free to adopt the reading which seemed most probable in the facsimile. In one respect, however, the facsimile is as good as the original, namely in showing the space occupied by lacunae. In several passages the earlier editors, especially M. Weil, seem to have miscalculated the number of letters admissible in a supplement. It is not always possible, when the lacuna is of considerable extent, to be certain of the exact number of letters admissible; but

I have endeavoured to calculate it as nearly as may be, and not to neglect this consideration in suggesting conjectural supplements. How far such supplements are legitimate in editing a mutilated text is a matter on which opinions may differ. Small restorations, affecting only parts of words, must of course be made, and in many cases present little difficulty; but with larger lacunae the case is different. On the whole the soundest principle appears to be that where the conjecture of a few words restores continuity to a considerable passage, the restitution should be made, though the exact wording must often be regarded as only tentative; but it does not seem advisable to restore large passages from mere conjecture, aided by only a few surviving letters of the original. This is a tampering with the record, analogous to the practice of supplying missing limbs to a mutilated statue; and some recent discoveries have shown how vain it is to hope that modern conjecture can really restore a text with success on any but the smallest scale. In the present case the smaller and most necessary restorations have been made by M. Revillout, generally with skill and success; and to him (not

forgetting the assistance rendered by Professor Diels) and to M. Weil—the first editor and the first reviser respectively of the newly-discovered text—all future students of the speech must remain indebted. In the longer lacunae more than one reconstruction is often possible; but I have tried to avoid proposing fresh alternatives merely for the sake of asserting independence. For the revision of the proof-sheets of this edition the text recently published by Blass¹ has also been available, and it need hardly be said that it has been very useful, sometimes as confirming opinions already arrived at, sometimes as suggesting views which had not previously presented themselves.

Of the text of the speech against Philippides less need be said. The original papyrus is, for the most part, either so perfect as not to need restoration, or so hopelessly mutilated as to defy it; consequently, except in a few passages, there is little for the editor to do but to reproduce the text before him. For the doubtful passages the editions of Weil and Blass, referred to above (p. xiv), have been available in addition to the *editio*

¹ In Fleckeisen's *Jahrbücher für classische Philologie*, 1893, hft. 3, pp. 145-161.

princeps. In relation to the detached fragments, in particular, Professor Blass' work has been most useful. Thanks to his minute study of them, partly at first hand and partly from a transcript of them, he has been able to effect several combinations which are unquestionably correct. They are now printed in full for the first time.

In both speeches the lines of the original MSS. have been preserved, and the *paragraphi* are indicated between the beginnings of lines as in the originals. Where the MS. has preserved the *ascript*, it is so printed in the text; where it is omitted in the MS., it is printed subscript.

Finally I wish to express my sincere gratitude to my friend the Rev. A. H. Cruickshank, Fellow of New College, Oxford, and assistant-master at Harrow School, for his kindness in revising the proof-sheets of this edition.

F. G. K.

August 5, 1893.

LIST OF ABBREVIATIONS.

In the ORATION AGAINST ATHENOGENES :

R = Revillout, *editio princeps* (in *Corpus Papyrorum Aegypti*).

D = Diels (*ap.* Revillout).

W = Weil (*Revue des Etudes Grecques*, 1892).

B = Blass (Fleckeisen's *Jahrbücher*, 1893).

K = Kenyon.

Supplements not assigned to other authors may be assumed to be due to the *editio princeps*.

In the ORATION AGAINST PHILIPPIDES :

K¹ = Kenyon, *editio princeps* (in *Classical Texts*).

W = Weil (*Revue des Etudes Grecques*, 1892).

B = Blass (Fleckeisen's *Jahrbücher*, 1892, hft. 2).

B² = Blass (*ib.* hft. 8).

*THE ORATION AGAINST
ATHENOGENES*

ΥΠΕΡΕΙΔΟΥ

ΚΑΤ' ΑΘΗΝΟΓΕΝΟΥΣ

- Col. 1.] *Εἰπόντος δέ μου πρὸς αὐτὴν τά τε*
[ἄλλα πά]ντα, καὶ ὅτι μοι Ἀθηνογένους χαλε-
[πὸς] εἶη καὶ οὐδὲν ἐθέλοι τῶν μετρίων
[συγ]χωρεῖν, τοῦτον μὲν ἔφη αἰεὶ τοιοῦτον
5 [εἶν]αι, ἐμὲ δ' ἐκέλευε θαρρεῖν· αὐτὴ γάρ μοι
[πά]ντα συναγωνιεῖσθαι. καὶ ταῦτ' ἔλεγεν
[σπο]νδάζουσα τε τῷ ἥθει ὥς ἔνι μάλιστα
[καί] ὁμνύουσα τοὺς μεγίστους ὅρκους, ἥ μὴν
[με]τ' εὐνοίας τῆς ἐμῆς λέγειν καὶ ἐπὶ
10 [πάσῃ]ς ἀληθείας· ὥστ' ἐμέ, ὦ ἄνδρες δικα-
[σταί, εἰρ]ήσεται γὰρ πρὸς ὑμᾶς τάληθές, ταῦ-
[τα π]επιῖσθαι. οὕτως, ὥς ἔοικεν, ἐξίστησιν
[ἡμῶν τὴν] φύσιν ἔρως προσλαβὼν γυναι-
[κὸς ποικιλί]αν. ἐκείνη γοῦν φενακίζουσα
15 [τὰ μάται]α ταῦτα προσπεριέκοψε[ν α]ὐτῇ
[δῆθεν] εἰς παιδίσκην τριακοσίας δραχμὰς

COL. 1. 2. ἄλλα πάντα] πραχθέντα R, W, πεπραγμένα D, B.
3. εἰη MS. 10. πάσης R. 13. ἡμῶν τὴν D, W, ἡμῶν κατὰ R,
ἀνθρώπου B. 14. ποικιλίαν] καρδίαν R, αἰμυλίαν W. Littera
ante -ίαν proxima λ, δ, vel α videtur fuisse. 15. τὰ μάταια]
ἅπαντα R, D, B, cum hiatu, πάντα W, quae spatio vix sufficiunt.
16. δῆθεν] δῶρον W, ὥς δὴ cum hiatu D, R, μέ τι B. Post παιδίσκην

HYPERIDES

AGAINST ATHENOGENES

[The beginning of the speech is lost. The orator is in the middle of his narrative.]

WHEN I told her the whole story and complained how hard Athenogenes was to deal with, and how he refused to make even the most reasonable concessions, she answered that he was always like that, and told me to be of good heart, as she would co-operate with me in everything. This she said in the most earnest manner possible, and confirmed her words with the most solemn oaths that she was entirely devoted to my interests and was telling me the simple truth. And so, gentlemen,—I will hide nothing from you—I was persuaded. Great indeed, as experience shows, is the power of love to beguile our reason, when it is reinforced by a woman's wiles! Certain it is that by her plausible cajolements she managed to pocket for herself three hundred drachmas, professedly to buy a slave girl,

- [εὖν]οίας ἔνεκα. ἴσως μὲν οὖν, ὧ ἄνδρες δι-
 [καστα]ί, οὐ[δ]ὲν [οὕτω] θαυμαστόν με ὑπὸ Ἀν-
 [τιγόν]α[s] τὸν τρόπον τοῦτον παιδαγω-
 20 [γῆθῇ]να[ι], γυναι[κ]ὸς ἡ δεινοτάτη μὲν
 [τῶν ἐ]ταιρῶν, ὥς φασιν, ἐφ' ἡλι[κί]ας ἐγένε-
 [το, διατ]ε[τ]έλεκε δὲ πορνοβοσκοῦσα

..... εν

..... οἶκον τοῦ Χολλίδου ου

- 25 νω ὄντα ἀνέ[θ]ηκεν. καίτοι
 [εἰ καθ' ἐ]αυτὴν οὔσα τοιαῦτα διεπράτ-
 [τετο, τί οἶεσθ'] αὐτὴν νῦν ἐπι[τελ]εῖν, προσ-
 [λαβοῦσαν συ]ναγωνιστ[ὴν Ἀθη]νογέννην,

- Col. 2.] ἄνθρωπον λογογράφον τε καὶ ἀγοραῖον,
 τὸ δὲ μέγιστον, Αἰγύπτιον; τέλος δ' οὖν,
 ἵνα μὴ μακρολογῶ, μεταπεμψαμέν[η]
 με πάλιν ὕστερον εἶπεν ὅτι πολ[λὸν]ς λό-
 5 γους ἀναλώσασα πρὸς [τ]ὸν Ἀθηνο[γέ]νην
 μόλις εἴη συμπεπεικ[υ]ῖα αὐτὸν ἀπο[λ]ῦσαι

spatium linquitur, unde colligendum verba eis παιδίσκην
 parenthesin esse. 17. εὐνοίας R, W. 18. οὐδὲν οὕτω] οὐδενί

ἔσται R, quod spatio nimium videtur, οὐδὲν ἔσται D, οὐδὲν ἔστι
 W, B. 22. διατετέλεκε W, B, quod reliquiis in ectypo magis

convenit, [ἐξ]απο[λὼ]λεκε R, συναπολώλεκε D. 24, 25. εὐ-
 | δαίμονα οὐ]τω B, sed εν non recte legi videtur. ἀνέθηκεν R, W,

ἀνείρηκεν (= ἀνήρηκεν) B, fortasse recte. 26. εἰ W, ἥτις B.
 27. τί οἶεσθ' K, τί οἶεσθε B, τί χρή W. ἐπιτελεῖν W, νυνεὶ

ποιεῖν B. προσ | λαβοῦσαν K, B, προσ | δοκᾶν ἔχουσαν W, spatio
 nimium, αὐτῆς (?) νῦν ἐπα[ρ]εῖν πρὸς | τουτονὶ τόν D.

COL. 2. 3. μεταπεμψαμένη] supra lineam additur γάρ, per erro-
 α

rem; retinet autem B.

5. αναλωσσα MS

6. ειη MS.

just as an acknowledgement of her goodwill towards me. And, when one comes to think of it, gentlemen, perhaps there is nothing so marvellous in my being thus twisted round the finger of Antigona, considering that in her youth she was held to be the most accomplished courtesan of the day, and that since her retirement she has been continually practising as a procuress. . . .

[*The orator here quoted a signal instance of the profits made or the mischief done by her in this profession, but the passage is mutilated.*]

heck!

If, then, she achieved so much by her own unassisted efforts, what might she not reasonably be expected to accomplish in the present case, with Athenogenes as her partner, a professional attorney by trade, and, what is more, an Egyptian?

Well, to cut the story short, she sent for me again a little later and said that by a great expenditure of words she had with difficulty persuaded

- μοι τόν τε Μίδαν κα[ὶ τ]οὺς υἱεῖς ἀμ[φ]οτέ-
 ρους τετταράκοντα μνῶν, καὶ ἐκέλευέ με
 τὴν ταχίστην πορίζειν τὸ ἀργύριο[ν], πρὶν
 10 μεταδόξαι τι Ἀθηνογ[έ]νει. συναγαγὼν
 ὃ ἐγὼ πανταχόθεν καὶ τοὺς φ[ί]λους ἐνο-
 χλήσας καὶ θεῖς ἐπὶ [τῇ]ν τρ[ά]πεζαν [τ]ὰς
 τετταράκοντα μνᾶς [ῆ]κον [ώ]ς τὴν
 Ἀντιγόναν· κάκει[ν]η σ[υ]νήγαγεν [ῆ]μᾶς
 15 [εἰ]ς τὸ αὐτό, ἐμέ τε καὶ Ἀθηνογ[έ]νην, κα[ὶ]
 διή[λλ]αξε, καὶ παρεκελεύσατ[ο το]ῦ λοιποῦ
 εἶποιεν ἀλλήλους. καὶ ἔγωγ' ἔφην ταῦ-
 τα ποιήσκειν, καὶ [ὁ] Ἀθη[ν]ογένης οὕτοσιν ὑ-
 πολαβὼν εἶπε[ν ὅ]τι τ[ῶν] πεπρα[γ]μέν[ων]
 20 δ[εῖ] με χάριν ἔχειν Ἀντ[ι]γ[ό]ναι· καὶ νῦν, ἔφη,
 ταύτης ἕνεκα ἤδη σοι ἐνδεί[ξ]ομαι ὅσα
 [σε ἀ]γα[θὰ] ποιήσω. σὺ μὲ[ν γάρ], ἔφη, [τὸ]
 ἀργύριον
 ἐπ' ἐλευθερίᾳ κατα[β]άλ[λει]ς τ[οῦ] Μίδου καὶ
 τῶν παίδων, ἐγὼ δέ σοι ἀποδώ[σ]ομαι αὐ-
 25 τοὺς ὧν ἡ καὶ πράσε[ι], ἵνα ἀ[λλ]ων μὲν μη-
 δεῖς [σ]ε [ἐ]νοχ[λ]ῇ[ι μη]δὲ διαφ[θ]ε[ί]ρη[ι] τὸν Μ[ί]-

13. ὡς] *ws eis* MS., *eis* del. R. 14. *συνήγαγεν* R, W. 16. τοῦ
 λοιποῦ R, W, [στᾶσ']α ὁμοῦ D, fortasse recte, litteris non bene
 conservatis. 17. ἔγωγ' ἐγὼ τ' B. 18. καὶ [δ] R, καὶ W, B,
spatium neglecto. 22. ποιήσωι MS. γὰρ ἔφη τό D, R, B, ὡς
 ὀφλῶν W. 23. καταβάλ[λει]ς D, R, B, κατάβαλ[λ]ε W. τοῦ
 W, B, τῇ D, R. 25. ἄλλων] πρώτων D, R, B, τῶ[ι]ν W. 26.
 σε om. W, sed spatium supplementum flagitat. παρενοχλήι B.

Athenogenes to release Midas and his two sons for forty minas; and she urged me to have the money ready as soon as possible, before he should change his mind. Accordingly, by dint of pestering my friends to assist me and scraping money together from all possible quarters, I raised the forty minas, and having deposited them in the bank, I went to inform Antigona. Thereupon she arranged a meeting between Athenogenes and myself and brought us to terms, exhorting us to behave as friends for the future. I said I would do so; whereat Athenogenes answered that I had to thank Antigona for the turn affairs had taken, adding 'Now see what a service I will do you for her sake. You are paying down this money to purchase the liberty of Midas and his sons. Instead of that, I will sell them formally to you as your own property. Then no outsider will be able to trouble you or get at Midas to your

- δαν, [μηδ'] αὐ[τ]οί [σοι] ἐγχειρῶσι [πο]νηρε[ύε]-
 σθαι μηδὲν διὰ τὸν φό[βον]. τ]δ δὲ μ[έ]-
 Col. 3.] γιστον, νῦν μὲν ἂν δόξειαν δι' ἐμὲ γεγο-
 νέναι ἐλεύθεροι, ἐὰν δὲ πριάμενος σὺ ὦνῃ
 καὶ πράσει εἴθ' ὕστερον, ὅτε ἂν σοι δοκῇ,
 [ἀ]φῆις αὐτοὺς ἐλευθέρους, διπλασίαν ἔξου-
 5 σὶν σοι τὴν χάριν. ὅσον μέντοι ὀφείλουσιν
 ἀ[ρ]γύριον, μύρου τέ τινος τιμ[ῇ]ν Παγκάλωι
 [κα]ὶ Προκλεῖ καὶ εἴ τι ἄλλο κατέθετό τις ἐπὶ
 τὸ μυροπώλιον τῶν προσφοι[τ]όντων, οἱ-
 α γίγνεται, ταῦτα, ἔφη, σὺ ἀναδέξῃ· ἔ-
 10 στιν δὲ μικρὰ κομιδῇ καὶ πολλῶι πλείω
 φορτία ἐστὶν τούτων ἐν τῷ ἐργαστηρίωι,
 μύρον καὶ ἀλάβαστροι καὶ ζμύρνα, καὶ ἄλ-
 λ' ἄττα ὀνόματα λέγων, ὅθεν πάντα ταῦ-
 [τ]α δ[ια]λυθ]ήσεται[ι] ραϊδίως. ἦν δέ, ὦ ἄνδρες
 15 δικασ[τ]αί, ὥς ἔοι[κ]εν, ἐνταῦθα ἡ ἐ[πι]βουλή
 καὶ τὸ π[λά]σμα τ[ὸ] μέγα. εἰ μὲν γὰρ[ρ] ἐπ' ἐλευ-
 θερίαι καταβάλ[λ]οιμι αὐτῶν τὸ ἀργύριον
 τοῦτο μόνον ἀπ[ώ]λλουον δ' δοίην αὐτῷι,
 ἀ[λλ'] οὐδὲν δειν[ὸν] ἔπα[σχ]ον· εἰ δὲ πριαίμην

26, 27. μί | das MS. εἴτ' αὐτοὶ μή B. σοι] ἀμ' D, R, δὴ W.
 πονηρεύε | σθαι W, B, ἐγχειρῶσι[ν θ]ηρεύε | σθαι D, R. 28.
 φό[βον σου] τ]δ W, φό[βον] τοῦτ]ο R, fortasse nimium; spatium
 post φόβον aliquantum vacuum relictum esse verisimile est.

COL. 3. 5. MS. primo χαραν, sed correctum, i superscripto.
 9. γεινεται MS. εφη MS. 14. διαλυθήσεται W, B, διοικήσεις
 R. 15. επιβουλη MS.

disadvantage, and they themselves will not try to play tricks with you, for fear of the consequences. Moreover, best of all, according to your former plan they would suppose that it was I that gave them their freedom ; whereas if you buy them and then, after a time, whenever it suits you, give them their liberty, they will feel that they owe you a double debt of gratitude. As for any debts ' (he added) ' that they may have contracted, such as the price of some unguents which they got from Pancalus and Procles, or any of the usual deposits invested by customers of the shop, you may as well take them over. They are very trifling, and there are stores in the work-shop,'—unguents, he said, and alabaster scent-boxes and myrrh, and sundry other objects which he named—' which will be more than enough to enable you to discharge them easily.' Now, here, gentlemen, as it turned out, was the trick, the essence of the whole artifice. If I merely paid him down the price required in order to purchase their freedom, then I should simply lose the sum that I might have paid him, which would not have been an irretrievable disaster. But if I bought them right out,

- 20 [ὦ]νῆι καὶ πράσει, ὁμολογήσας αὐτῷ τὰ
 χρέα ἀναδέξασθαι, ὥς οὐδενὸς ἄξια ὄντα,
 [διὰ] τὸ μὴ π[ρο]ειδέναι, ἐπάξειν [μ]οι ἔμελλεν
 ὕστερον τοὺς χρ[ήσ]τας καὶ τοὺς πληρω-
 τὰς τῶν ἐράνων ἐν ὁμολογίαι λαβών· δ-
 25 περ ἐποίη[σ]εν. ὥς γὰρ εἰπόντος αὐτοῦ
 ταῦτα ἐγὼ προσω[μολό]γησα, εὐθὺς ἐκ τῶν
 γονάτω[ν λ]αβὼν [τῶ]ν αὐτοῦ γραμματ[εῖ]-
 ον [ἥδη προγ]εγραμ[μ]ένον ἀνεγίνωσκ[εν].
 Col. 4.] ἦσαν δὲ αὗται συνθῆκαι πρὸς ἐμέ· ὧν ἐ-
 γὼ ἀναγινωσκομένων μὲν ἤκουον, ἔ-
 σπευδον μέντοι ἐφ' ὃ ἦκον τοῦτο διοικῆ-
 [σ]ασθαι, καὶ σημαίνεται τὰς συν[θ]ήκας εὐ-
 5 θὺς ἐν τῇ [αὐ]τ[ῇ] οἰκίᾳ ἵνα μηδε[ῖς] τῶν εὐ
 φρονούντων [ἀκ]ούσαι τὰ ἐγγεγραμμένα,
 προσεγγράψας μετ' ἐμοῦ Νίκωνα τὸν Κη-
 φισία. ἐλθόντες δ' ἐπὶ τὸ μυροπῶλιον τὸ
 μὲν γραμματε[ῖ]ον τιθέμεθα παρὰ Λυσι-
 10 κλεί Λευκονοιεῖ, τὰς δὲ τετταράκοντα
 μνᾶς ἐγὼ κα[τ]αβαλὼν τὴν ὥνῃν ἐποιη-
 σάμην. τούτου δὲ γενομένου προσήε-
 σάν μοι οἱ χρῆσται οἷς ὠφείλετο [π]αρὰ τῷ

21. οὐδενός] ουθενος MS. 27. γραμματεῖον] MS. πραγματ. . . | ον,
 corr. D. 28. ἥδη] δὴ D, R, τι W, τι τὸ ἐγγεγραμμένον B.
 ἀνεγίνωσκεν] ανεγινωσκεν MS., et similia semper.

Col. 4. 7, 8. κηφισα MS., corr. B. 10. λευκονοει MS., in
 inscriptionibus autem antiquioribus Λευκονοιεύς saepius invenitur.

by a formal purchase, and accepted the responsibility for their debts, believing them, in my ignorance, to be inconsiderable, then he meant presently to bring all the creditors and depositors¹ down upon me, and catch me in the net of my agreement. This is precisely what happened. The moment that I assented to his proposition, he produced a tablet from his lap, which he had there, all ready and written out, and read aloud its contents, which were the contract to be made with me. I admit that I did indeed *hear* its terms as he read them, but I was in a hurry to accomplish the business for which I had come; and so he seals the contract then and there in the house, in order that no friend of mine might hear its contents. The name conjoined with mine as surety was that of Nikon of Cephisia. Then we came to the shop and deposited the tablet with Lysicles of Leuconoë; I paid over the forty minas, and the purchase was complete.

No sooner was the transaction accomplished than the creditors to whom Midas owed money

¹ *Lit.* the contributors of *eranoi*, i. e. friends who had privately advanced money, which was to be repaid by stated instalments.

[Μ]ῖδαι καὶ οἱ πληρωταὶ τῶν ἐράν[ω]ν καὶ δι-
 15 [ε]λέγοντό μοι· [κ]αὶ ἐν τρισὶν μη[σ]ὶν ἅπαν-
 [τα] τὰ χρέα φαν[ε]ρὰ ἐγεγόνει, ὥστ' εἶναι μοι
 [σὺ]ν τοῖς ἐράνο[ι]ς, ὅπερ καὶ ἀρτίως εἶπον, πε-
 [ρὶ π]έντε [τ]άλαντα. ὥς δ' ἡισθόμην οὗ ἦν κ[α]-
 κοῦ, τότε ἤδη τοὺς φίλους [κ]αὶ τοὺς οἰκείους
 20 συνήγαγον καὶ τὰ ἀντίγραφα τῶν συνθηκ[ῶν]
 ἀνεγινώσκομεν· ἐν αὐτῇ ἐγγράπτο μὲν
 τὸ τοῦ Παγκάλου [κ]αὶ τοῦ Πολυκλέους ὀνο-
 μα [δ]ιαρρήδην, καὶ ὅτι μύ[ρ]ων τιμαὶ ὠφείλον-
 το, ἃ ἦν βραχέα τε καὶ ἐξῆν αὐτοῖς εἰπεῖν
 25 ὅτι τὸ μύρον ἄξιον εἴη τοῦ ἀργυρίου τὸ ἐν
 τ[ῶ]ι ἐ[ρ]γαστηρίῳ, τὰ δὲ πολλὰ τῶν χρεῶν
 κα[ὶ τ]ὰ μέγιστα οὐκ ἐν[ε]γγράπτο ἐ[π]' ὀνο-
 Col. 5.] μάτων, ἀλλ' ἐν προσθήκης μέρει ὥς οὐ-
 δὲν ὄντα, 'καὶ εἴ τωι ἄλλωι ὀφείλει τι Μίδας.'
 καὶ τῶν ἐράνων εἰς μὲν οὖν, Δικαιοκράτης,
 ἐνεγγράπτο, οὗ ἦσαν λοιπαὶ τρεῖς φοραί·
 5 οὗτος μὲν ἐπὶ τοῦ Δικαιοκράτους ὀνόμα-
 τος [ἦ]ν γεγραμμένος, οἱ δ' ἄλλοι, ἐφ' οἷς
 εἰλήφει πάντα ὁ Μίδας, νεοσύλλογοι δ' ἦ
 σαν, τοὺτους δ' οὐκ ἐνέγραψεν ἐν ταῖς
 συνθήκαις, ἀλλ' ἀπεκρύψατο. βουλευομέ-

COL. 5. 3. Δικαιοκράτης seclutit W. ὄν pro οὖν B. 6. εφηοις MS.

and the depositors who had contributed the share capital, came and entered into communication with me, and in the course of three months the sum total of my indebtedness was revealed to me. It amounted in all, including the sums due to the depositors, to five talents, as I said just now.

When I knew the extent of my calamity, I did what I should have done earlier; I summoned my friends and relations, and we read aloud the copy of the contract. In it the name of Pancalus and Polycles¹ was expressly mentioned, with the statement that the price of certain unguents was due to them,—small amounts, which it might legitimately be said were covered by the value of the stores in the warehouse; most of the debts, however, including all the greater ones, had not been mentioned in detail, but it was merely added, as though it were an afterthought, ‘and any other debts that Midas may have incurred.’ Similarly with the deposits. One single individual, Dicaeocrates, was mentioned by name, to whom three instalments were still due. This liability was duly entered under the name of Dicaeocrates, but the other deposits, on which Midas had received practically the whole capital, and the obligations on which were freshly incurred, these he did not mention in the agreement, but kept the transactions perfectly secret.

¹ In col. 8. l. 7, the name is given as Procles. There is nothing to show which is the right form. The form of the phrase shows that Pancalus and Polycles (or Procles) constituted a single firm.

- 10 νοις δ' ἡμῖν ἔδοξεν πορεύεσθαι πρὸς τοῦ-
 τ[ο]ν καὶ διαλέγεσθαι. καὶ κ[ατα]λαβόν[τ]ες
 αὐτὸν πρὸς τοῖς μυροπωλίοις ἡρ[ωτῶ]μεν
 εἰ οὐχ αἰσχύνοιτο ψευδόμενος κα[ὶ ἐν]εδρεύ-
 σας ἡμᾶς ταῖς συνθήκαις, οὐ προειπὼν τὰ
 15 χρ[έα]. ὁ δ' ἀπεκρίνατ[ο] ἡμῖν ὥς οὔτε τὰ
 χρέα γινώσκοι ἂ λέγομεν, οὔτε προσέχοι ἡ-
 μ[ῖν] τὸν νοῦν, γραμματεῖόν τ' εἶη αὐτῷ
 κε[ίμ]ενον πρὸς ἐμὲ περὶ τοῦ[τ]ων. πολλ[ῶν]
 δ' ἄ[νθ]ρώπων σ[υλλ]εγομένων καὶ ἐπακου-
 20 ὄν[τ]ων τοῦ πρά[γ]ματος, διὰ [τὸ ἐ]ν τῇ ἀγο-
 ρᾷ [τ]οὺς λόγους γίνεσθαι[ι, κ]αὶ κα[τατ]εμνόν-
 τ[ω]ν αὐτόν, κελυόν[τ]ω[ν] δ' [ἀπάγ]ειν ὥς
 ἀνδραποδι[σ]τή[ν], τοῦτο μὲ[ν] οὐκ οἶόμε-
 θα δεῖν ποιεῖν προ[σκαλού]μεθα δὲ αὐ-
 25 τὸν εἰς ὑμᾶς κατὰ [τὸν νό]μον. πρῶτον
 μὲν οὖν ὑμῖν τὰς σ[υνθή]κας ἀναγνώ-
 σεται· [ἐξ αὐτῶ]ν γὰρ τ[ῶν γ]εγρα[μμένων]
 Col. 6.] μαθήσεσθε τὴν ἐπιβουλὴν αὐτοῦ τοῦ-
 του. λέγε τὰς συνθήκας.

11. καί MS. ηαι, sed correxit ipse scriba.

16. προέχοι MS., προσέχοι ἡ | μ[ῖν] B, προσσχοίη | μοι R, W, quae reliquiis minus apta videntur.

21. καὶ additum supra lineam. 22. ἀπάγειν B, W, R. 23. τοῦτο μὲν B, W, [θόρυβο]ν D, R. οἶόμεθα] ὠιδόμεθα coni. W, B. 24. προσκαλούμεθα Reinach, W, προσεγκαλούμεθα R, προσκαλεσάμεθα B. 26. υμειν MS. 27. ἐξ αὐτῶν R.

After we had taken counsel together, we decided to proceed to Athenogenes and talk over the matter with him. We found him near the perfumers' shops, and we asked him whether he was not ashamed of his lies and of the trap which he had laid for us in the contract by not mentioning the debts. He replied that he knew nothing of the debts of which we spoke, and that he couldn't be troubled to listen to us, adding that he had in his possession an agreement with me which settled the matter. Our discussion was carried on in the Agora, and a large crowd assembled which, after listening to the affair, began to cry him down, and encouraged us to arrest him as a kidnapper and hale him off to justice. However we thought that this was hardly admissible, and accordingly we took out a summons against him in the ordinary legal way, to appear for justice before your court.

In the first place, therefore, the contract shall be read to you. From the text of that you will learn the craft of our friend here. Read the contract.

ΣΤΥΝΘΗΚΑΙ.

- τὰ μὲν τ[οίν]υν πεπραγμένα, ὧ ἄνδρες δι-
 5 κασταί, καθ' ἐν ἑκαστον ἀκηκόατε. ἐρεῖ
 δὲ πρὸς ὑμᾶς αὐτίκα μάλα Ἀθηνογένης
 ὥς ὁ νόμος λέγει, ὅσα ἂν ἕτερος ἐτέρῳ
 ὁμολογήσῃ κύρ[ια] εἶναι. τά γε δίκαια, ὧ βέλ-
 τιστε· τὰ δὲ μὴ τούναντίον ἀπαγορεύει
 10 μὴ κύρια εἶναι. ἐξ αὐτῶν δέ σοι τῶν νό-
 μων ἐγὼ φανερώτερον ποιήσω. καὶ γὰρ
 οὕτω με διατέθεικας καὶ περίφοβον πε-
 ποίηκας μὴ ἀπόλωμα[ι ὑ]πό σου καὶ τῆς
 δεινότητος τῆς σῆς, ὧ[σ]τε τοὺς τε νό-
 15 μους ἐξετάζειν καὶ μελετᾶν νύκτα
 καὶ ἡμέραν, πάρεργα τᾶλ[λα π]άντα ποι-
 ησάμενον. ὁ μὲν τοίνυν εἰ[ς] νόμος κε-
 λεύ[ει] ἀψευδεῖν ἐ[ν] τῇ ἀ[γορᾷ], πάντων,
 οἷμα[ι, π]αρά[γγελ]μα κάλ[λιστο]ν παραγ-
 20 γέλλων· σὺ [δὲ ψε]υσάμενο[ς ἐν] μέσῃ τῇ
 ἀγορᾷ συν[θήκα]ς κατ' ἐμ[οῦ ἔθ]ου. ἐπεὶ ἐ-

COL. 6. 5. ἐν secunda manus, ον prima.

11. ποιησωι MS.

18. ἀγορᾷ R, ex Harp. s.v. κατὰ τὴν ἀγορὰν ἀψευδεῖν, ubi laudantur verba ὁ μὲν τοίνυν... ἀγορᾷ ex prima oratione in Athenogenem. 18, 19. suppl. B, qui docet frustulum papyri in ectypo aliquantum loco suo amotum esse; [πρὸ πάντων, οἷμα[ι π]αρά[νο]με[ῖς, τῇ]ν Ἀν[τι-γόν]α]ν R, [ἐπὶ] πάντων, οἷμα[ι π]αρα... μ... ἀλ[ηθεύειν] W. 20, 21. hic quoque B sequor, quippe qui rectius spatia observaverit; συ[μ-ψευ]σάμενο[ς δὲ καὶ ἐν] μ. τ. α. συν[τάξας] κατ' ἐμ[οῦ ἐψεύδ]ου (hoc, ut videtur, spatio nimium) R, σ. δ. ψ. [δόλους τ' ἐν] (spatio nimium) μ. τ. α. συν[τάξας] κατ' ἐμ[οῦ ἐφήν]ου (et hoc nimium) W.

[*The contract is read by the Clerk.*]

Gentlemen, you have now heard the whole story in all its details. Possibly, however, Athenogenes will plead, when his turn comes, that the law declares all agreements between man and man to be binding¹. *Just* agreements, my dear sir. Unjust ones, on the contrary, it declares shall not be binding. I will make this clearer to you from the actual words of the laws. You need not be surprised at my acquaintance with them. You have brought me to such a pass and have filled me with such a fear of being ruined by you and your cleverness that I make it my first and main duty to search and study the laws night and day.

Now one law forbids falsehood in the marketplace², and a very excellent injunction it is, in my opinion; yet you have, in open market, concluded a contract with me to my detriment by means of falsehoods. For if you can show that you told

¹ Cf. Demosth. 47 (*in Euerg. et Mnes.*). § 77 ἀνάγνωθί μοι τὸν νόμον . . . ὃς κελεύει κύρια εἶναι ὃ τι ἂν ἕτερος ἑτέρῳ ὁμολογήσῃ.

² Cf. Demosth. 20 (*contra Leptin.*). § 9 κατὰ τὴν ἀγορὰν ἀψευδεῖν νόμον γεγράφθαι. Harpocration (see crit. note) quotes the actual words of Hyperides, and quotes them as occurring in the first speech against Athenogenes. He adds, on the authority of Theophrastus, that the enforcement of the law was the duty of the *goranomi*. Cf. Aristotle, *Ἀθ. πολ.* 51, ll. 2-4.

- ἂν δ[είξις προει]πὼν ἐμ[οὶ τοὺς τ]ε ἐράνους
 [καὶ τὰ χρέα, ἣ ἐγγράψας ταῖς συν]θήκαι[s] ὅ-
 σους [ἡῦρον ὄντας, οὐκέτ' ἐγκαλ]ῶ σοι ἀλ-
 25 λ' ὁ[μ]ολογ[ῶ ἀδικεῖν. ἔστι δὲ περὶ τ]αῦτα ἔ-
 [τερο]ς νόμο[s] πρὸς πάντας ὅσοι ὁμολογοῦν]-
 Col. 7.] τες ἀλλήλοις συμβάλλουσιν, ὅταν τις
 πωλῇ ἀνδράποδον προλέγειν ἂν τι ἔχη
 ἀρρώστημα, εἰ δὲ μή, ἀναγωγὴ τούτου ἐ-
 στί. καίτοι ὅπου τὰ παρὰ τῆς τύχης νοσή-
 5 [μα]τα ἂν μὴ δηλώσῃ τις πωλῶν οἰκέτ[ην]
 ἀνάγειν ἔξεστι, πῶς τά γε παρὰ σοῦ ἀδι-
 κήματα συσκευασθέντα οὐκ ἀναδε-
 κτέον σοί ἐστιν; ἀλλὰ μὴν τὸ μὲν ἐπί-
 ληπτον ἀνδράποδον οὐ προσαπολλύ
 10 εἰ τοῦ πριαμένου τὴν οὐσίαν, ὁ δὲ Μίδας,
 ὃν σύ μοι ἀπέδου, κ[α]ὶ τὴν τῶν φίλων τῶν
 ἐμῶν ἀπολώλεκ[ε]. σκέψαι δέ, ὦ Ἀθηνόγε-
 νες, μὴ μόνον [πε]ρὶ τῶν οἰκετῶν, ἀλλὰ
 καὶ περὶ τῶν ἐλευθέρων σωματῶν ὃν
 15 τρόπον οἱ νόμοι ἔχουσιν. οἴσθα γὰρ δήπου

22. δείξις W, B, δηλεύσις R. ἐμ[οὶ τοῦ]s R, W, B, quod spatio non sufficit. 23. καὶ τοὺς χρηστὰς ἐν ταῖς σαῖς R, W; eadem B, omisso σαῖς. 24. ὄντας K. ἐγκαλῶ ἀντιλέγω B, οὐ μάχομαι ἐγὼ R. 25. ἀδικεῖν K, ὀφείλειν B. ἔστι δὲ περὶ ταῦτα K, παρὰ δὲ ταῦτα D, ἄλλα δὲ τοιαῦτα W, μετὰ δὲ ταῦτα B. 26. πρὸς πάντας ὅσοι K, κελεύει περὶ ὧν W, D, ἔστι περὶ ὧν B. ὁμολογοῦντες R, W.

Col. 7. 5. δηλωσις MS.

8. ἐπιληπτον MS.

me beforehand of all the loans and debts, or that you mentioned in the contract the full amount of them, as I have since found it to be, I will abandon the prosecution and confess that I have done you an injustice.

There is, however, also a second law bearing on this point, which relates to bargains between individuals by verbal agreements. It provides that 'when a party sells a slave, he shall declare beforehand if he has any blemish; if he omit to do so, he shall be compelled to make restitution.' If, then, the vendor of a slave can be compelled to make restitution because he has omitted to mention some chance infirmity, is it possible that you should be free to refuse responsibility for the fraudulent bargain which you have deliberately devised? Moreover, an epileptic slave does not involve in ruin all the rest of his owner's property, whereas Midas, whom you sold to me, has ruined not me alone but even my friends as well.

And now, Athenogenes, proceed to consider how the law stands, not only with respect to slaves, but also concerning free men. Even

- καὶ σὺ καὶ ἄλλοι πάντες ὅτι οἱ ἐκ τῶν ἐγγυ-
 ητῶν γυναικῶν πα[ίδ]ες οὗτοι γνήσιοί
 εἰς[ι]ν. ἀλ[λὰ] μὴ[ν οὐκ ἄ]πέ[χρ]ησε τῷ νο-
 μοθ[έτηι] τὸ ἐγγ[υηθῆ]ναι τὴν γυναῖκα
- 20 ὑπὸ [τοῦ πατ]ρὸς [ἡ τοῦ ἀδ]ελφοῦ, ἀλλ' ἔγρα-
 ψε δι[αρρή]δην ἐν [τῷ νόμ]ωι, [ἐ]άν ἐγγυή-
 σῃ τ[ις ἐπὶ δικαίοις δάμαρτα] ἐκ ταύτης
 εἶν[αι παῖδας γνησίους, ἀλλ' οὐ]κ ἐάν τις
 ψευ[σάμενος μὴ ἐπὶ δικαίοις ἐγγ]υήσῃ·
- 25 ἀλ[λ'] οὕτως ὁ νόμος τὰς μὲν δι[ικαίας ἐγγύ]-
 ας κ[υρίας, τὰς δὲ μὴ δικαίας ἀκύρους] καθί-
 στη[σιν. ἔτι δὲ καὶ ὁ περὶ] τῶ[ν] διαθη-
 Col. 8.] κῶν νόμος] παρ[α]πλήσιος τούτοις ἐστίν·
 κελεύει[ν γὰρ ἐξεῖν]αι τὰ ἑαυτοῦ [δια]τίθε-
 σθα[ὶ ὥς ἂν] τις βούληται πλὴν [ἡ γήρως]
 εἶνε[κεν] ἡ νόσου ἡ μανιῶν ἡ γυ[ναικὶ] πει-
 5 θόμ[ενο]ν ἡ [ὑπὸ] δεσμοῦ ἡ ὑ[π'] ἄλλης ἀνάγ]-
 κης κ[ατ]αληφθ[έντ]α. ὅπου δὲ οὐδὲ [περὶ] τῶν
18. suppl. R, ἀλλὰ μὴ τοῦτ' W. [α]πέ[χρ]ησε MS. 20.
 suppl. R. 21-23. suppl. R ex Dem. 46. 18, ubi lex laudatur.
 21. ἐάν W, ἦν ἂν R, B, ex Dem. ; spatium huic sufficit, sed ante
 verba legis locus vacuus relinqui potest. 23. εἶν[αι] W, παῖδ[as]
 R legit, uterque ex papyro; in ectypo indicia magis eiv favent.
 ἀλλ' W, καὶ δὴ D, R, καὶ B. 24. μὴ ἐπὶ δικαίοις] παρὰ τὰ δίκαια
 R, [ὥς αὐτοῦ θυγατέρα] ἐ. | ἄλ[λοθεν οὐσαν B. 25, 26. ἀλλὰ τὰς
 μὲν δι[ικαίας ἐγγύ] | ας κ[υρίας τὰς δὲ μὴ δικαίας ἀκύρους] καθί |
 στη[σιν ὁ νόμος] B. ἀλ[λὰ τότε τοὺς τε παῖδας νόθους] καὶ ἄς ἐγγύ
 | ας ἡ[γγύησεν ἀκύρους πάσας ταύτας] R. 27. ἐπὶ δέ B, R.
 COL. 8. 2. γὰρ ἐξεῖναι B, R, W. Qu. [γὰρ τὸν ἄπ]αι[δα].
 5. ἡ ὑ[πὸ τινος ἄ.] W, ἡ [τινος ἄ.] R, ἡ ὑ[πὸ ἄ.] B.

you, I suppose, know that children born of a lawfully betrothed wife are legitimate. The lawgiver, however, was not content with merely providing that a wife should be betrothed by her father or brother, in order to establish legitimacy. On the contrary, he expressly enacts that 'if a man shall give a woman in betrothal *justly and equitably*, the children born of such marriage shall be legitimate,¹' but not if he betroths her on false representations and inequitable terms. Thus the law makes just betrothals valid and unjust ones it declares invalid.

Again, the law relating to testaments is of a similar nature. It enacts that a man may dispose of his own property as he pleases, 'provided that he be not disqualified by old age or disease or insanity, or be influenced by a woman's persuasions, and that he be not in bonds or under any other constraint².' In circum-

¹ This portion of the law is quoted by Demosthenes, *Or.* 46 (*in Steph.* ii). § 18 ἦν ἂν ἐγγυήσῃ ἐπὶ δίκαιοις δάμαρτα εἶναι ἢ πατὴρ ἢ ἀδελφὸς δημοπάτωρ ἢ πάππος ὁ πρὸς πατρός, ἐκ ταύτης εἶναι παῖδας γνησίους.

² Quoted also by Demosthenes in the same speech, § 14 ὅσοι μὴ ἐπεποίητο . . . τὰ ἑαυτοῦ διαθέσθαι εἶναι, ὅπως ἂν ἐθέλῃ, ἂν μὴ παῖδες ὦσι γνήσιοι ἄρρενες, ἂν μὴ μανιῶν ἢ γήρως ἢ φαρμάκων ἢ νόσου ἔνεκεν, ἢ γυναικὶ πειθόμενος, ἢ ὑπὸ τούτων του παρανοῶν, ἢ ὑπ' ἀνάγκης ἢ ὑπὸ δεσμοῦ καταληφθεῖς. Cf. Isaeus, 6. § 10; Aristotle, *Ἀθ. πολ.* 35. 1. 19.

- αὐτοῦ ἰδίων αἱ [ἐγγύα]ι καὶ αἱ διαθῆκαι κύρι-
αί εἰσιν, πῶς Ἀθηνογ[έ]νει γε κα[τὰ τῶ]ν ἐ-
μῶν συνθεμέν[ωι τ]οιαῦτα δεῖ [κύρι]α εἶ-
10 ναι; καὶ ἐὰν μέν τι[ς εἰ]ς [δι]οίκ[ησι]ν τ[ῶ]ν αὐ-
τοῦ [γυ]ναι[κί] πειθόμενος διαθήκα[ς γρά]φη[ι],
ἄκυροι ἔσο[ντα]ι, εἰ δ' ἐγὼ τῇ Ἀθηνογ[έ]νο[υ]ς
ἐταίραι ἐπ[εῖσ]θην, προσαπολωλέναι [με] δεῖ,
ὅς ἔχω μ[εγίσ]την βοήθειαν τὴν ἐν τῷ
15 νόμῳ γεγραμμένην, ἀνα[γ]κασθεὶς ὑ-
πὸ τ[ο]ύτων ταῦτα συνθέσθαι; εἴτα [σὺ] ταῖς
συνθ[ήκ]αις ἰσ[χυρί]ζηι ἅς ἐνεδρεύσαντές
με σὺ κ[αὶ] ἡ ἐ[ταίρα σ]ο[υ] ἐσ]ημήνασθε, καὶ ὑ-
[πὲρ ὧν διώκω νῦν βου]λεύσεως ὑμᾶ[ς]; πε[ρ]-
20 [σθεὶς γὰρ εὖνου]ς εἶναι, ἐπὶ τούτοις προσ-
[εδεξάμην ἃ ἐλέγε]τε. καὶ οὐ[χ ἰκ]ανὸν σοι
[ἦν τὰς τετταράκοντα μ]νᾶς εἰληφέναι
[τὰς ὑπὲρ τῶν δούλων, ἀλ]λὰ κα[ὶ] πέντε τά-
[λानτα προσαφείλου] με ὥσπερ [ὑ]πο . . .

7. ἐγγύαι R, αἱ [μὴ δ]ίκαιαι B, spatio vix satis. 8. κατὰ
τῶν] καὶ περὶ τῶν R, W, B, spatio fortasse nimium. 10, 11.
suppl. R. 11. γράφει R, W, γράψι D, B. 12. ἔσο[νται]
ῥτ]ε R, W. εγωί MS. 13. με W, B, οὐ D, R. 14. μεγίστην W,
B, μίαν τὴν R (spatio non satis), μόνον τὴν D. 18. ἐταίρα σου D,
R, W. 18-21. καὶ ὑ | πὸ τῆς ὑμετέρας βου]λεύσεως, ὑμᾶς οἷό |
μενος ἀξιολύστου]ς εἶναι, ἐπὶ τούτοις προσεδεξάμην ἃ ἐβουλεύσα]τε
R, plerumque D secutus; καὶ ὑ | πὸ γυναικείας] β[ου]λεύσεως, ὑμᾶς
[π]ε[ρ] | σθεὶς εὖνου]ς εἶναι, ἐπὶ τούτοις προσ | ἡκάμην οἷς ἠθέλε]τε
W, spatio non semper recte aestimato. 22. ἦν] ἔδοξεν R, spatio
nimium; cetera R. 23. τὰς κ.τ.λ.] ὑπὲρ τοῦ μυροπωλίου R.
24. ἐβούλου συληθῆναι R, quod nimium videtur; ἀπεστηρήκατε W.

stances, then, in which marriages and testaments relating solely to a man's own property are invalidated, how can it be right to maintain the validity of such an agreement as I have described, which was drawn up by Athenogenes in order to steal property belonging to me?

Can it be right that the disposition of one's property by will should be nullified if it is made under the persuasions of a woman, while if I am persuaded by Athenogenes' mistress and am entrapped by them into making this agreement, I am thereby to be ruined, in spite of the express support which is given me by the law? Can you actually dare to rest your case on the contract of which you and your mistress procured the signature by fraud, which is also the very ground on which I am now charging you with conspiracy, since my belief in your good faith induced me to accept the conditions which you proposed? You are not content with having got the forty minas which I paid for the slaves, but you must needs plunder me of five talents in addition, plucking me

25 κατ]ε[ι]λημμένον
 s οὐκ ἡδύν[ατο]
 Μίδαυ αδ
 σθεντα α . . .

Col. 9.] σ ια εἰς τὰ ἐν ἀγο[ρ]ᾷ ἀτρε[μα]
 δὴ [ἐγὼ ἐν τρισὶ] μῆσιν ἅπαντα τὰ χρέα καὶ
 τ[οὺς ἐράνο]υς ἐπυθόμην, οὗτ[ος] δέ, ὁ ἐκ τρι-
 [γο]νίας [ὦν] μυροπώλης, καθ[ήμε]νος δ' ἐν
 5 [τῇ] ἀγο[ρᾷ] ὅσ]αι ἡμέραι, τρία [δὲ μυ]ροπώλι-
 α κεκτ[ημένος ἤδη], λόγους δὲ κατ[ὰ] μῆνα
 λαμβάν[ων, οὐκ ἦ]ιδει τὰ χρέα. ἀλλ' ἐν μὲν
 τοῖς ἄλλοις οὐκ [ίδι]ώτης ἐστίν, πρὸς δὲ τὸν
 οἰκέτην αὐτ[ίκα] ἐ[υ]ήθης ἐγένετο, καὶ τι-
 10 να μὲν τῶν χρ[εῶ]ν, ὡς ἔοικεν, ἦιδει, τὰ δὲ
 φησιν οὐκ εἰδέν[αι, ὅσ]α μὴ βούλεται. ὁ δὲ τοι-
 οὔτο[s, οἶμαι,] λόγος, ὧ ἄνδρες δ[ικασ]ταί, οὐ-
 [κ ἀπολόγημ]ά ἐστιν, ἀλλ' ὁμολόγημα ὡς οὐδ' εἶ-
 [χεν οὐδὲν ὑγιὲς εὐ]ρεῖν. ὅταν γὰρ φῇ μὴ εἰδέν[αι]
 15 [ἅπαντα] τὰ ὀφειλόμενα, οὐκ ἔστιν αὐτῷ δῆ-

25. ὥσπερ ὑπο[χεί | ριον ἐν ποδοστράβη κατ]ειλημμένον R, ex Harpocrate, qui s. v. ποδοστράβη verbum in hac oratione inveniri dicit. 28. ἀ[λλ' ᾗ γε] | σ[πουδῇ οὐδεμ]ία R; litterae σ et α dubiae sunt.

COL. 9. 2-8. suppl. R. 2. δὴ ἐγὼ R, δ' ἔχων B. 9. αὐτίκα W, αὐτός R, αὐτόν D, οὕτως B. 11. εἰδέναι] ηἰδεῖναι MS., correctum pr. manu. 12. οἶμαι] αὐτοῦ R, W, B. 13. ἀπολόγημα Reinach, W, ἀπολογία R, B. 13, 14. εἶχεν οὐδὲν ὑγιὲς W, εἶπεν οὐδ' ἔμελλεν εἶρεῖν B. εὐρεῖν D, εἰπεῖν W. 15. ἅπαντα R, W.

like a bird taken in a snare. [To this end you have the face to say that you could not inform me of the amount of the debts which Midas had contracted, because you had not the time to ascertain it. Why, gentlemen, I, who brought absolute inexperience]¹ into the management of commercial matters, had not the slightest difficulty in learning the whole amount of the debts and the loans within three months; but he, with an hereditary experience of three generations in the business of a perfumery,—he, who was at his place in the market every day of his life,—he, who owned three shops and had his accounts made up every month,—he, forsooth, was not aware of the debts! He is no fool in other matters, but in his dealings with his slave it appears he at once became a mere idiot, knowing of some of the debts, while others, he says, he did not know of,—those, I take it, which he did not want to know of. Such a contention, gentlemen, is not a defence but an admission that he has no sound defence to offer. If he states that he was not aware of the debts, it is plain that he

¹ The MS. is imperfect here, but the sense can be supplied by conjecture, aided by the words of the original which remain.

- που [ἄμα] εἰπεῖν ὥς προεῖπέ μοι περὶ τῶν χρε-
 [ῶν· ὅσα δ' ο]ὔ[κ ἤ]κουσα παρὰ τοῦ πωλοῦντος [ταῦ]-
 τ[ά γ' οὐ δίκαιός] εἰμι διαλύειν. ὅτι μὲν οὖν ἤ-
 [δεις, ὦ 'Αθηνό]γενες, ὀφείλοντα Μ[ίδαν] τ[ὰ]
 20 [πολλὰ ταῦτα] οἶμαι πᾶσιν εἶναι δῆλ[ον ἔκ]
 [τε ἄλλων πολλ]ῶν καὶ ἐκ τοῦ αἰτεῖν
 μου ἐγγυητ[ή]ν ε
 τ]ὰ χρέα ὄντα ἱκανῶ[ν
 νο. οὐ μὲν δὴ ἐγὼ
 25 γωι σοῦ του
 s καὶ οὐκ εἰδ[έναι]
 νος καὶ τῶι
 τ]ουτονὶ τὸν [εἰ]
 Col. 10.] [δὲ] σὺ μὲν διὰ τὸ μὴ εἰδέναί μὴ προεῖπας
 [μοι] πάντα τὰ χρέα, ἐγὼ δὲ ὅσα σου ἤκουσα
 τα[ῦ]τα μόνον οἰόμενος εἶναι τὰς συνθή-
 κας ἐθέμην, πότερος δίκαι[ός] εστιν ἐκτεί-
 5 [σαι], ὁ ὕσ[τ]ερος πριάμεν[ος] ἢ ὁ [π]άλαι κεκτη-
 μένος ὅς' ἐδανείζετο; ἐγὼ μὲν γὰρ οἶο-
 μαι σέ. εἰ δ' ἄρ' ἀντιλέγομεν περὶ τούτου,
 διαιτητῆς ἡμῖν γενέσθω ὁ νόμος, ὃν οὐ-
 [χ] οἱ ἐρῶντ[ε]ς οὐδ' οἱ ἐπιβουλεύοντες τοῖς

16. ἄμα B, W, δῆπουθεν D, R. 17. suppl. R. 18. ταῦτ'
 οὐ δίκαιος B, D, R, ταῦτα πῶς δίκαιος W. 19, 20. πολ | λὰ καὶ
 μεγάλα R, χρήματα B. 20. δηλ[ότα | τον ἔκ τε τῶν ἄλλ]ων R,
 δῆλον ἐξ | ἔ. τε πολλῶν B.

COL. 10. 6. ὅς' litterae dubiae; ὅς R, ὅς' W, ὅ[τ'] B.

cannot at the same time plead that he told me all about them; and it is palpably unjust to require me to discharge debts of the existence of which the vendor never informed me.

Well, then, Athenogenes, I think it is tolerably plain on many grounds that you knew of Midas' debts, and not the least from the fact that you demanded

[*The rest of the column is hopelessly mutilated.*]

If, however, you did not inform me of the total amount of the debts simply because you did not know it yourself, and I entered into the contract under the belief that what I had heard from you was the full sum of them, which of us ought in fairness to be liable for them,—I who purchased the property after their contraction, or you who originally received the sums borrowed? In my opinion, it should be you; but if we differ on this point, let the law be our arbiter. The law was not made either by infatuated lovers or by men engaged in conspiracy against their neighbours' property,

- 10 [ἀλλ]οτρίοις ἔθεσαν, ἀλλ' ὁ δημοτικώτα-
 [τος] Σόλων· ὃς εἰδὼς ὅτι πολλαὶ ὤναι
 [γίγνον]ται ἐν τῇ πόλει ἔθηκε νόμον δίκαι-
 [ον, ὥς] παρὰ πάντων ὁμολογεῖται, τὰς ζη-
 [μίας ἄς ἂν] ἐργάσωνται οἱ οἰκέται καὶ τὰ ἄ-
 15 [ναλώμ]ατα διαλύειν τὸν δεσπότην παρ' ὧι
 [ἂν ἐργάσ]ωνται οἱ οἰκέται. εἰκότως· καὶ γὰρ
 [ἐάν τι ἀγ]αθὸν πράξει ἢ ἐργ[ασί]αν εὐρ[ο]ο[ῦ]-
 [σαν ἔχη, το]ῦ [κ]εκτημένου αὐτὸν γ[ίγ]νετ[αι].
 [σὺ δὲ τὸν ν]όμον ἀφείς περὶ συνθ[ηκῶν]
 20 [παραβαιν]ομένων διαλέγῃ. καὶ ὁ [μὲν . .
 ο δικαίως ἔγραφεν ψηφ
 οἶεται δεῖν κυριω[τέρως εἶναι]
 τ]ὰς ἀδίκους συνθ[ήκας
 τ]ῶν νόμων καὶ π καὶ
 25 αἰτω τε πατ η
 ηδείοι σελ
 εθελ
 δ]ωρεα

10, 11. δημοτικώτα | τος ὢν W, sed spatium vetat. 11. ὤναι] ἡδοναί MS., sed correctum prima, ut videtur, manu. 12. γίγνονται B, W, ψεύδονται D, R. 14. ἄς ἂν B, W, ἐάν R. ἀναλώματα R, ἀμαρτήματα W, B. 15. παρ' ἐν MS., corr. sec. manu. 16. ἂν ἐργάσωνται W, B, ἂν ἐργάζονται R. 17. εὐροούσαν D, R, W, εὐρ[η] ὁ ο[ἰ] | κέτης B. 18. ἔχη] θῆι D, R, ὁ δοῦλος W, spatio nimium. 19. σὺ δὲ τόν] τοῦτο. Ὀν D, R. 20. παραβαινομένων D, ἐπιβουλεσμένων R, ἀντιλεγομένων B. 24, 25. καὶ . . . η in fragmento papyri parvo scribuntur, cuius locus nescio an dubius sit.

but by the most public-spirited of statesmen, Solon. Solon, knowing that sales of property are common in the city, enacted a law—and one universally admitted to be just—to the effect that fines and expenditures incurred by slaves should be discharged by the master for whom they work. And this is only reasonable ; for if a slave effect a good stroke of business or establish a flourishing industry, it is his master who reaps the profit of it. You, however, pass over the law in silence, and are eloquent about the iniquity of breaking contracts. Whereas Solon held that a law was more valid than a temporary ordinance, however just that ordinance might be, you demand that a fraudulent contract should outweigh all laws and all justice alike¹.

[I am told, however, that the defendant has another plea in reserve, and will argue that I brought all this mischief on my own head, by disregarding his advice. He will declare that he offered to let me take the two boys],

¹ The extant remains show sufficiently that this is the general sense of the sentence, but the exact restitution of the original must remain doubtful. Professor Diels and M. Weil concur as to the sense, but differ as to the words.

- Col. 11.] κε . . [τὸ]ν δὲ Μίδα^ν κελεύει^ν μ[ε] ἐ[ᾶ]ν αὐτῶι
καὶ [μ]ῇ ὠνεῖσθαι· ἐμὲ δ' οὐκ ἐθέλειν ἀλλὰ βού-
λεσθαι πάντας πρίασθαι. καὶ ταῦτα κα[ὶ]
πρὸς ὑμᾶς αὐτόν φασιν μέ[λλ]ει(ν) λέγειν, ἵνα
5 δὴ δοκοίῃ μέτριος εἶναι, ὥσ[περ] πρὸς ἡλιθί-
ους τινὰς διαλεξόμενος καὶ οὐκ αἰσθησο-
μένους τὴν τούτου ἀναίδ[εια]ν. τὸ δὲ γε-
νόμεον δεῖ ὑμᾶς ἀ[κ]οῦσ[αι] φαν[η]σέτα[ι]
[γὰρ] ἀκόλουθον ὃν τῇ ἀλλῇ [α]ὐτῶν ἐπιβ[ου]-
10 [λῇ]. τὸν μὲν γὰρ παῖδα, ὃν π[ερ] ἀρ[τί]ως εἶπο[ν],
[ἔπε]μπέ μοι λέγοντα ὅτι οὐκ [ἐμοῖ] εἴη ἄ[ν], ἄν
[μὴ ὦν] ὦμαι αὐτοῦ τὸν πα[τέ]ρα [κ]αὶ τὸν [ἀ]-
[δελφ]όν. ἥδη δ' ἐμοῦ ὠμολ[ογη]κότος [ἀντ']
[αὐτῶν κα]ταθήσειν, τριῶν ὄν[των], τὸ ἀ[ργύ]-
15 [ριον, προ]σελθὼν ὁ Ἀθηνο[γέ]νης πρό[ς] τι-
[νας τῶν] φίλων τῶν ἐμῶν [ἐ]βού[λ]ε[το γε]-
[νόμενος ἐ]πικρατῆς πράγματα ἔχειν [ἔμε]
... . λα[βόντι] τὸν παῖδα [τ]ῆς ε

COL. 11. 1. κελεύειν R, κελεύο[ι] W, B. 4. μέλλειν W.

11. ἐμοῖ D, R, ἂν ἐμός W, spatio nimium, MS. εἴη cum parte litterae α, ut videtur. εἴη ἵ[να] D, R, εἴη [ἄν] W, [ἄν τι] εἴη μ[οι], ἄν B. 12. μὴ W, ἄμα D. ἄ | δελφόν W, υἱ | ὃν αὐτόν D. 13. ἀντ' αὐ | τῶν W, τῶν παί | δων R, versui priori nimium tribuentes; αὐ | τῶν B. 14. ὄντων K, B, ὄμ[οῦ πᾶ]ν R, ὄμ[οῦ ὅσ]ον W. 15. Post πρὸς addit W ἐνίοις, sed spatium recusat. 16. ἐβούλετο D, ἐπεβούλευσε R, spatio minus aptum. γενόμενος] ὥς ὦν D, R; B tentat '[εἰ] βούλε[ται]', | ἔφη, 'Ε]πικρατῆς πράγματα ἔχειν' 18. [ἄ]π[ήν]τησε R, sed neque π nec τ in ectypo exstat, neque tot litteris spatium sufficit.

but that he urged me to leave Midas to him and not to buy him: I, however, he says, refused and insisted upon buying all three. And this, they say, he intends to plead before a court such as the present! His object, of course, is to assume the appearance of fair dealing, but he must have forgotten that he will not be addressing an audience of fools, but one quite capable of seeing through his shameless effrontery. Let me tell you the actual facts, and you will see that they are of a piece with the rest of the conduct of himself and his confederate. He sent the boy, whom I mentioned just now, to me, to say that he could not be mine unless I bought his father and his brother as well as himself. I had actually assented to this and promised to pay the price for all three of them, when Athenogenes, thinking that he now had the upper hand and wishing me to have as much trouble as possible, came to some of my friends¹

¹ Blass tentatively proposes here a reading which, if accepted, would give us the name of the plaintiff of the action: 'Athenogenes came to some of my friends and said, "if Epicrates wishes to have trouble"' The restoration would in any case be too doubtful to serve as the sound basis of any deduction; but a more serious objection is that Athenogenes could hardly represent the plaintiff as doing anything which would involve him in trouble, and take the strong step of asking his friends to interfere, when he had just accepted the terms proposed by himself. Blass' suggestion, then, cannot command assent.

- τὴν μὲν συκοφα[ντίαν]
 20 ἐ]ποιεῖτο τῷ δὲ λ
 ἀ]δικημάτων κα
 ἐπ]ίστευσα [ώ]ς ε
 τὸ]ν μὲν παῖδα δι
 ν οὐκ ἤθελον
 25 οὖν τετ[ταράκοντα
 [μῶς] πέν]τε τάλα[ντα]

[Desunt versus duo.]

- Col. 12.] [οὔτε μυροπώλη]ς εἰμὶ οὔτ' ἄλλην τέχνην ἐ-
 [μελέτησα, ἀλ]λ' ἅπερ ὁ πατήρ μοι [ἐ]δωκεν
 ηἱτη γεωργῶ, τ[ῷ] δὲ τοῦ[του]
 [δόλωι εἰς τὴν] ὠνὴν ἐνεσείσθη[ν]. πότερα
 5 [γὰρ εἰκός ἐσ]τιν, ὦ Ἀθηνόγενες, ἐμὲ τῆς σῆ[ς]
 [τέχνης ἐπιθ]υμῆσαι, ἧς οὐ[δα]μῇ ἐμπει-
 [ρος ἦν, ἥ σε καὶ τ]ὴν ἐταίραν τοῖς [ἐ]μοῖς ἐπι-
 [βουλευσαι]; ἐγὼ μὲν γὰρ οἶομαι ὑμᾶς. δι-
 [ὰ ταῦτ', ὦ ἄνδρες] δικασταί, ἐμοὶ μὲν ἀνει-
 10 μὴν ἔχω θῆναι
 καὶ ἀτυχῆσαι τῶ

25, 26. suppl. D.

COL. 12. 1. οὔτε D; fortasse οὔτε | γάρ. μυροπώλης R. 1, 2.
 ἐ | μελέτησα] ἐμεμαθήκειν R, ἔχω ἀγοραῖαν W, ἐργάζομαι B. 3.
 τ[ῷ] τῇ R, ὑπ[ὸ] B. 4. δόλωι] ἐταίραι R. 5. γὰρ εἰκός
 B, νῆ Δία εἰκός W, πιθανώτερα R. 6. τέχνης W, B, ἐργασίας
 R; cetera (ll. 6-8) diverse R W, B. 9, 10. ἂν εἰ | κότες
 συγγνώμην ἔχοι[τε] B.

[*The rest of the column is mutilated.*]

Now I am no professional perfume-seller, neither have I learnt any other trade. I simply till the land which my father gave me. It was solely by this man's craft that I was entrapped into the sale. Which is more probable on the face of things, Athenogenes,—that I was coveting your business (a business of which I had no sort of experience), or that you and your mistress were plotting to get my money? I certainly think the design was on your side. Therefore, gentlemen, ...

[*The remainder of this column and the whole of the next are either lost or so mutilated as to be unintelligible.*]

..... πεσόντα Ἀθην[ογεν . . .

[Desunt versus fere sedecim.]

- Col. 13.] *ενε* *ντα* ἐμοὶ εἶναι τὰ δὲ τῆς ἀ-
πάτ[ης] *ωι*. καὶ τὸν μὲν Μίδ[αν] τὸν
πολ *ξαι* ὃν ἄκων φησὶν ἀ[πο]λῦσαι
του *ξειν*, τὸν δὲ παῖ[δα ὃν] τότε
 5 *προῖκ*[ά μοι ἔφη] διδόναι, νῦν αὐτ . . [λ]αβεῖν
ἀρ[γ]ύρ[ιον] *ν* . . ἡσ[υ]χίας οὐχ ὦ[σ]τε ἐμὸν
εξ *φ* τῇ ψήφω[ι ἐ]λεύθε-
ρον ἀφ [μέ]ντοι οὐκ [ἀ]ξίωι
προσ *μωθῆνα*[ι ὑ]π' Ἀθη-
 10 *νογέν*[ους] δεινὸ[ν συ]μβαί-
νοι μ[οι, ὦ ἄνδρες δικασ]ταί, εἰ μ *ος*
 *ειο* *ν* ἡμαρτο *δι*
 *κ* *ια* δε *κ* *ου*
 *ιο* *κηκεν* *θε*
 15 *ἀ*]δικήσας *π*
 *τ*]ιμήματι *δ*
 *π* *ται* πο[λ]ιτ
 *νος* ἐγὼ ὅτ

[Desunt versus fere decem.]

Col. 14.] . ὥτατοι τῶν με[τ]οίκων ἀφ

COL. 13. 3. πολ . . .] vel πολ . . . 6. ἡσυχίας W, τῆς ἀξίας D.

COL. 14. 1. ἀπολε | μώτατοι D, R, sed in ectypo littera ante ω magis κ similis videtur; forsan ἀδικώτατοι. Quod sequitur suppl. D ἀφ[ύλακτοι ἐ] | πεσθαι.

[When the next continuous passage is reached, the speaker has quitted the direct issue and is attacking the political conduct of his adversary.]

- . εσθαι. ἐν δὲ τῷ πολέμῳ τῷ πρ[ὸ]ς [Φίλιπ]-
 πον μικρὸν πρὸ τῆς μάχης ἀπέ[λ]ιπ[ε τ]ὴν
 [πό]λιν, καὶ μεθ' ἡμῶν μὲν οὐ συνεστρατεύ-
 5 σ[ατ]ο εἰς Χαιρώνεια[ν], ἐξώκησε δὲ εἰς [Τροι]-
 ζῆνα, παρὰ τὸν ν[ό]μον ὃς κελεύει ἔνδ[ειξιν]
 εἶ[ναι] καὶ ἀπαγωγὴν τοῦ ἐξοικήσαντος [ἐν]
 τῷ πολέμῳ, ἐὰν π[ά]λιν ἐλθῇ. καὶ ταῦτ' ἐποί[-
 ει [τῇ]ν μὲν ἐκείνῳ[ν] πόλιν, ὥς ἔοικε, περιέ[-
 10 σε[σθ]αι ὑπολαμβ[άνω]ν, τῆς δὲ ἡμέ[τέρας θά]-
 να[το]ν καταγνο[ύς]. καὶ τὰς θυγα[τέρας οὐκ ἡγ]-
 γύη[σε] παρ' ὑμῖν οὐδὲ . . . ναι ἐκθρέψα[ι
 ἐξέδωκ[εν] α ε πάλιν η
 . . . ἐργασόμε[νος ἐπ]εὶ εἰρήνη γέ[γονεν],
 15 τ[αὐτ]α γὰρ ὑμ ασιν οἱ χρῆσ
 υτοι πο τῇ εἰρή[νῃ]
 πω ἐν τοῖς κινδύνοις]
 μὲν ἐ[ν] Πλατα[ιαῖς] . .
 δῆσαντες ο
 20 'Αθη]νογ[έν] . . π

3. ἀπέλιπε] ἀπέδ[ρα] B. 5. ἐξώκησε] MS. ἐξοικ- prius, sed correctum manu prima. 6. ἐνδειξιν R, W. 9, 10. περιέ | σεσθαι W, B, περιποιή | σεσθαι D, R. 10, 11. θά | νατον καταγνοῦς K, B; [πεφευγέ | ναι (spatio nimium) [τῇ]ν κατάγνω- [σιν] R, [δεῖν θά | να[το]ν καταγνώ[ναι] W. Cf. Hyper. *contra Philippiidem*, ll. 112-114. 11, 12. suppl. W, θυγα[τέρας] | ἡγγύα οὐχ ὑμῖν D, R, quod ectypo minus convenit; [ἀς ἐ | ξῆ[ν] παρ' ὑμῖν ἐγδ[ιδό]ναι B, quod valde dubium est.

Further, at the time of the war against Philip he left the city shortly before the battle, and instead of marching out with us to Chaeronea, he migrated to Troezen. By so doing he broke the law which enacts that if a man migrates from the city during time of war, he shall be liable to impeachment and summary arrest whenever he returns¹. His action shows that he had made up his mind that that city would escape peril, while he laid ours under sentence of death; and he corroborated this by not marrying his daughters here in Athens, but giving them to husbands in Troezen.

¹ The speech of Lycurgus against Leocrates is entirely taken up with this same subject, the desertion of Athens at the time of the battle of Chaeronea; but Lycurgus makes no reference to this law. On the contrary he implies (cc. 8-10) that there was no express law on the subject, but that after the battle the Ecclesia passed a psephism (ch. 53) *ἐνόχους εἶναι τῇ προδοσίᾳ τοὺς φεύγοντας τὸν ὑπὲρ τῆς πατρίδος κίνδυνον*. This, however, cannot be what Hyperides is speaking of, for (1) he twice calls it (here and in col. 16. l. 3) a *νόμος*, not a *ψήφισμα*, (2) the present *κελεύει* shows that it was a law still in force, not a temporary decree for a special crisis, (3) it must have been in force before the battle of Chaeronea, otherwise Athenogenes could not have transgressed it by leaving Athens when he did. The explanation is that, as appears from col. 16, the law related only to *μέτοικοι*, and as Leocrates was an Athenian citizen he could not be brought under it. The metics were just the class who would be most likely to leave the state in which they were domiciled in time of war, so that a permanent law on the subject may well have been in existence.

..... χεῖν νω
 το νθ

[Desunt versus fere sex.]

[κᾶτα τὰς]

- Col. 15.] κοινὰ[s] τῆς πόλεως συνθήκας παραβάς
 ταῖς ἰδίαις <ταῖς> πρὸς ἐμὲ ἰσχυρίζεται, ὥσπερ ἂν
 τινα πεισθέντα ὡς ὁ τῶν πρὸς ὑμᾶς δικα<ί>-
 ων καταφρονήσας οὗτος ἂν τῶν πρὸς ἐ-
 5 [μὲ ἐ]φρόντιζεν· ὃς οὕτω πονηρός ἐστι
 καὶ πανταχοῦ ὅμοιος ὥστε καὶ εἰς Τροιζῆ-
 [ν]α ἑλθὼν καὶ ποιησαμένων αὐτὸν [Τ]ροι-
 [ζ]ηνίων πολίτην, ὑποπεσῶν Μνησίαν
 [τὸ]ν Ἀργεῖον καὶ ὑπ' ἐκείνου κατασ[τα]θεῖς
 10 [ἄρχω]ν, ἐξέβαλεν τοὺς πολίτας ἐκ τῆς
 [πόλε]ως, ὡς ὑμῖν αὐτοὶ μαρτυρήσουσιν·
 [ἐν]θάδε γὰρ φεύγουσιν. καὶ ὑμεῖς μέν, ὧ ἂν
 δρ[ε]ς δικασταί, ἐκπ[ε]σόντας αὐτοὺς [ὑ]πεδέ-
 [ξ]α[σ]θε καὶ πολίτας ἐποιήσασθε καὶ τῶν ὑ-
 15 μετέρων ἀγαθῶν [π]άντων μετέδοτε, ἀ-
 πομνημονεύσαντες τὴν εὐεργεσ[ί]αν
 [τῇ]ν πρὸς τὸν βάρβαρον δι' ἐτῶν πλε[ιό]νω[ν]
 [ἡ] πε]ντήκοντα κ[αὶ] ἐ[κ]ατόν, καὶ οἰό[μεν]οι

COL. 15. 2. ταῖς] MS. τας, ι fortasse supra scripto. ταῖς post
 ἰδίαις suppl. K ; cf. Plat. *Crito* 54 c τὰς . . . συνθήκας τὰς πρὸς ἡμᾶς
 παραβάς. 5. οὕτω] MS. οὕτωι. 10. ἄρχων R. πολεῖτας MS.
 18. ἡ om. R et W, sed spatium aliquid flagitat. ὁόμενοι MS.

So while he has broken the general covenant which every citizen makes with his state, he lays stress on the private covenant which he made with me, apparently expecting people to believe that a man who is indifferent to justice in his dealings with you would have been careful to observe it in his dealings with me ! Why, so universal and impartial is his want of principle that when he had gone to Troezen, and the people of Troezen had conferred their citizenship upon him, he put himself under the directions of Mnesias of Argos¹, and having been appointed archon by his means expelled the citizens from their own city. They will prove this to you themselves, since they are living here in exile. *You*, gentlemen, gave them an asylum when they were expelled from their country, you gave them your citizenship, you shared with them every privilege that you possess. You remembered the service which they had rendered to you, more than a hundred and fifty years ago, during the war with Persia², and you

¹ Mnaseas of Argos, as Weil and Blass point out, is mentioned by Demosthenes (*de Cor.* § 295) in his list of the betrayers of their respective countries. The name is differently spelt here, but the person is plainly the same.

² When Athens was evacuated in 480 B.C., before the battle of Salamis, the greater part of the population was hospitably received at Troezen, with which town Athens had long-standing connexions by religion as well as by trade (Grote iv. 455).

- [δειν] τοὺς ἐν τοῖς κιν[δ]ύνοις ὑμῖν χ[ρ]ησίμους
 20 [γενο]μέ[ν]ους τούτο[υ]ς ἀτυχοῦν[τας] κου[φ]ισ-
 [θῆναι] ὑφ' ὑμῶν. οὗτος δὲ ὁ μιαρός, [ὁ] ἀφείς
 [ὑμᾶς καὶ] κεῖ ἐγγραφ[εῖ]ς, οὔτε τῆς πολιτείας
 [οὔτε τοῦ πλήθο]υς τῆς πόλεως οὐδέν' [ἐ]τι ἐ-
 [ποιεῖτο λόγ]ον, ἀλ[λ'] οὔτ' ὥς ὡμῶς τοῖς ὑπο-
 25 [δεξαμένοις] αὐτὸν [ἐχρ]ήσατο ὥστε . . . γα
 το ἐν τῇ ἐκκλησίᾳ[ι]
 τατα του

- Col. 16.] ραν δεδιώ[ς] ν . . τ . . τ . . εν. καὶ ταῦ-
 τα ὅτι ἀληθῆ λέ[γω, ἀνα]γνώσεται ὑμῖν πρῶτον
 μὲν τὸν νό[μ]ον [ὅς] οὐκ ἔαι τοὺς μετοίκους
 ἐξοί[κεῖ]ν ἐ[ν τ]ῷ πολέμῳ, ἔπειτα τὴν Τροι-
 5 ζην[ίων] μαρ[τυ]ρίαν, πρὸς δὲ τούτοις τὸ
 τῶν [αὐτῶν] ἐκείνῳ ν ψήφισμα ὃ ἐψηφίσαν-

20. ἀτυχοῦντας] MS. ατυχοντας, ut videtur. [κουφ]ισ[θῆναι] W dubitanter, [ξεν]ισ[θῆναι] Reinach, [χα]ρισ[θῆναι] R, ῥύ[εσθαι] B; in ectypo littera φ satis certa esse videtur. 21. ὁ D, R, ὁ δὲ W. 23. οὔτε τοῦ πλήθους W, οὔτε ἀντικρυς D, οὔτε τῆς εὐνουσ(τά)της B. οὐδέν' ἔτι ἐ | ποιεῖτο λόγον K, οὐδένα πε | φύλαχε νόμον D, οὐδέν πε | φρόντικε πλέον W, οὐδέν ἀπε | δέξατο ἄξιον B. 24. τοῖς] ita quoque W, τοὺς R. 24, 25. ὑπο | δεξαμένοις B, recte ut videtur; τῆς | δεξαμένης W, τῆς | πόλεως ὑφ' ἑαυτὸν ἐποιήσατο R. 28. Desitne versus annon, incertum.

COL. 16. 2. τα ἀληθῆ MS. (non ταληθῆ, ut W), litteris οτι supra scriptis, ut videtur. 3. ὅς] ὅσπερ D, R, W, sed spatium, quod ex versu proximo colligitur, duas tantum litteras poscit. 6. Τροισηνίων αὐτῶν R, Τρ. κοινόν W, utrumque spatio nimium, Τροισηνίων B.

recognized the duty of helping in the hour of their misfortune those who had aided you in the hour of your peril. But this scoundrel, this deserter from Athens who had procured admission as a citizen of Troezen, when once his position was thus secured, cared nothing for either the state or the welfare of the citizens, but behaved with the utmost barbarity towards the city which had granted him its hospitality.

To prove the truth of these assertions, the clerk shall read to you, first, the law which forbids resident aliens to migrate in time of war ; secondly, the evidence of the Troezenians ; and finally the ordinance which these same Troezenians passed

τ[ο τῇ πόλει τῇ ὑμ]ετέραι, δι' ὃ ὑμεῖς αὐτοὺς
[ὑπεδέξασθε] καὶ [π]ολίτας ἐποιήσασθε. ἀνά-
[γνωθι].

10

[NOMΟΣ.] ΜΑΡΤΥΡΙΑ.

[ΨΗΦΙΣΜ]Α.

λα[βέ μοι νῦν καὶ τῇ]ν τοῦ κηδ[εστ]οῦ αὐτοῦ
μ[αρτυρίαν] μεν ουσια ι λα . . .
πα α λειφ[θ]έν[τα
15 αδ ξης παν . ω
π [τῇ]ν 'Αντιγόν[αν
ε μα ετ

[Desunt versus fere decem.]

[ἀκηκόατε

Col. 17.]

μὲν οὖν, ὧ ἄνδρες δικασταί, τὰ ὑπὸ τούτων πρα]-
χθέντα καὶ ὃν [τρ]όπον ἐ[πεβούλευσεν ἐ]-
μοὶ 'Αθηνογένης, καὶ ὥς ὑμῖ[ν] π[ροδότης εὔρη]-
ται. τὸν δὴ καὶ ἰδίᾳ πονηρὸν [καὶ τῆς πόλε]-
ως τὴν σωτηρίαν ἀπελπίσαν[τα, καὶ τὸ κοινὸν]
5 ἐγκαταλιπόντα καὶ παρ' οὗς ἐξ[ώκησεν πολλοὺς]

7. suppl. D. 8. suppl. R.
spatium vix sufficere videtur.

12. κηδ[εστοῦ τ]οῦ R, W, sed

14. πα] vel τια.

COL. 17. 1. ἐπιβεβούλευκεν W, B, ἐπεβεβουλεύκει R.

προδότης R. εὔρηται D.

3. δῆι MS. suppl. D. 4. τὸ

κοινόν] ὑμᾶς R, B, τὴν χώραν W; malim τὴν πατρίδα, sed hoc nimis longum esse videtur.

5. ἐξώκησεν W, ἐξώκει R.

πολλούς] τούτους R, om. B.

in your honour, in return for which you gave them asylum here and conferred your citizenship upon them. Read.

[The law, the evidence, and the ordinance are read.]

Now take the deposition of his own relative.

.

[Half a column is hopelessly mutilated here.]

[You have heard now, gentlemen, the full story of the defendant's misdeeds.] You know in what manner he conspired against me, and how he has been found a traitor against your state; how he despaired of your safety and abandoned the commonweal in the hour of danger; and how he has made homeless many of those to whom he migrated.

- ἀναστάτους ποιήσαντα, [τοῦτον ὑποχείριον]
 εἰληφότες οὐ κολάσετε; κ[ἄγωγε, ὦ ἄνδρες]
 [δικασ]ταί, δέομαι ὑμῶν
 με ἐκ[εῖ]νο σκεψαμέ[νους]
 10 τα]ύτηι τῇ δίκῃ
 ν ἐλεεῖν οὐ τὸν
 ἐὰ]ν ἁλῶι οὐδὲν πάσχω[ν
 δε τότε τὰ πα
 δ' ἂν ἀ[πο]φ[ε]ύγῃ μο
 15 υμαι' οὐ γὰρ ἂν δ
 ν οὐδὲ [π]ολλοστ
 ν αιαχ
 ὦ] ἄνδρ[ες δικ]αστ[αί, ...
 ς ἐξ α[ὐτ]ῶν τ

[Desunt versus octo vel minus.]

6. τοῦτον ὑποχείριον] τὸν τοιοῦτόν πως R, τοῦτον κρινόμενον W (ex Hyp. *contra Phil.* l. 180; ibi autem κρινόμενον non per se stat, sed cum verbis τὸ τρίτον coniungitur), τοῦτον ὑμεῖς νῦν B. 7. καὶ ἔγωγε D, R, καὶ ἐγώ B. 11. ἐλεεῖν B, ἐλεεινόν D, ἐλθεῖν R, W. 12. πάσχω[ν] W, D, πάσχε[ιν] B. 14. ἀποφεύγῃ W, ἀποφύγῃ D, B.

Will you not then punish this scoundrel, now that you have him in your power? And for myself, gentlemen, I implore you not to refuse me your protection. Reflect that your decision in this case [is a matter of life or death for me, while an adverse verdict will inflict no very serious loss upon him. . . . Remember, gentlemen, the oath that you have taken and the laws that have been read in your ears, and give sentence against him in accordance with the justice that you have sworn to observe].

Fragmentum quod sequitur in tabula decima ectypi conspicitur. Nescio an in fine columnae duodecimae locandum sit; quam opinionem Blasium quoque probare video.

..... αντησ
 λεκεν αλλο
 τα πέπονθεν
 ν ἀναλωμ
 5
 αλυσιτ
 φειλουσ
 ὅποτ[ε] ἀπέλυσεν
 ὧ ἄνδ]ρες δικασ[ταί, οὐ] δεῖ συ-
 10 [γγνώμην ἔχειν] του
 κατα

In margine recto, vv. 10, 11 opposito, columnae sequentis videntur reliquiae paucae, quarum litterae *ιδια* solae certe legi possunt.

Alia fragmenta duo nil nisi litteras paucissimas servant.

*THE ORATION
AGAINST PHILIPPIDES*

ΥΠΕΡΕΙΔΗΣ

ΚΑΤΑ ΦΙΛΙΠΠΙΔΟΥ

.

- Col. 1.] κατηγορίας ποιοῦνται,
καὶ φανερὸν ποιοῦσιν
ὅτι οὐδὲ τότε φίλοι ὄν-
τες Λακεδαιμονίων ὑ-
5 πὲρ ἐκείνων ἔλεγον,
ἀλλὰ τὴν πόλιν μισοῦν-
τες καὶ τοὺς ἰσχύοντας ἀ-
εἶ] καθ' ὑμῶν θεραπεύ-
οντες. ἐπεὶ δὲ νῦν ἡ
10 ἐκείνων δύναμις εἶ] ς
μι] κρὸν μετέστη, τοῦτο] ν
κο] λακεύειν προεἶλ] ον]-
το]· καὶ Δημοκράτης νῦν]
αὐ] τοῖς ὁ Ἀφιδναῖος ἀεἶ]

COL. 1. 8. MS. *εθεραπευοντες*. 11. MS. *μετεστη. τούτων* ita B ; valde dubito num spatium sufficiat, sed melius nihil habeo.
12. *προείλοντο* B, *προεῖντο*· καὶ δὴ K¹. 13. *νῦν*] ἐν B. 14. *αὐτοῖς*] suppl. B. *ἄε*] ἔστα B.

HYPERIDES

AGAINST PHILIPPIDES

. . . they bring accusations. In this manner they make it plain that when they formerly espoused the cause of Lacedaemon in their speeches, it was from no love for that people that they did so, but merely because they hate Athens and are always ready to truckle to the strongest of your foes for the time being. So when the power of Sparta sank into insignificance they selected Philip as the recipient of their adulation, and Democrates yonder, the man of Aphidna, who is their

- 15 [συγ]καθήμενος κα[ὶ συν]-
 [α]νιστὰς γελωτοπ[οιεῖ]
 [ἐ]πὶ τοῖς τῆς πόλεω[ς ἅ]-
 τυχήμασιν, καὶ λό[γους]
 [ἔν]θ' ὑμῖν μεθ' ἡμέρ[αν κἂν]
 20 [τ]ῇ ἀγορᾷ εἰς ἐσπέρα[ν]
 [συ]νπλ[άσ]σων ὥς ὑμ[ᾶς]
 [ἔρχ]εται. καίτοι, ὦ Δημ[ό]-
 [κρα]τες, μόνωι σοι οὐκ [ἐνι]
 [λέγ]ειν περὶ τοῦ δήμου
 25 [φα]ῦλον οὐδέν· διὰ τί;
 [ὅτι περ]ῶτον μὲν οὐ παρ' ἐ-
 Col. 2.] τέρου σ' ἔδει μαθεῖν ὅτι ὁ
 δῆμος χάριτας ἀποδί-
 δωσιν τοῖς εὐεργέταις,
 30 ἀλλὰ παρὰ σαντοῦ· α[ὕ]τὸς
 γὰρ ὑπὲρ ὧν ἕτερο[ι] εὐ-
 εργέτησαν νῦν τὰς [τ]ι-
 μὰς κομίζει. ἔπε[ι]θ' ὁ-
 τι ἐν νόμῳ γράψας [ὁ] δῆ-

15. κα[ὶ]τα B, ηα . . . K¹. συνανιστάς] malim συναναστὰς.
 16. γελωτοποιεῖν K¹, B. 18-22. Locus incertissimus: λόγ[ος]
 [ἦ]λθ' B², qui primus fragmentum initiis horum versuum adiunxit.
 19. κἂν] ἐν B. ὑμῖν] MS. pr. ημειν, sed ν supra scriptum
 secunda manu. 23, 24. ἐνι λέγειν B². 25. φαῦλον]
 [κα]κόν B² per errorem. 26. πρῶτον μέν] ita recte B. 32.
 MS. τειμας.

companion in their sitting down and a joint-leader in their rising up, makes merry over the disasters of our country. From morn to night, here in the Assembly or yonder in the market-place, he comes to you with his falsely fashioned speeches.

Yet you, Democrates, are precisely the one person who has no right to speak evil of your country; and for these reasons: in the first place, you should know from your own experience that the country rewards its benefactors, without having to be reminded of it by others, since you are yourself at this very moment enjoying privileges in return for benefits which others conferred upon it¹. In the second place, the state by an express

¹ Democrates was a descendant of either Harmodius or Aristogeiton, probably the latter, who appears to have belonged to the same tribe of Aphidna; and as such he received certain privileges, such as perpetual entertainment in the Prytaneum. The privilege mentioned in the next sentence is not elsewhere recorded in extant literature.

- 35 *μος ἀπείπεν μήτε [λέ]-*
γειν ἐξείναι [μηδενί] κα-
κῶς Ἀρμόδι[ον] καὶ Ἀρ[ισ]-
τογείτονα, μήτ' ἄσα[ι ἐ]-
πὶ τὰ κακίονα. ἦ κ[αὶ]
- 40 *δεινόν ἐστίν [ε]ἰ το[ύς]*
μὲν σοὺς προγόνους
[ὁ] δῆμος οὐδὲ μεθυσθέν-
[τ]ι ᾔετο δεῖν ἐξείναι κα-
[κ]ῶς εἰπεῖν, σὺ δὲ νήφω[ν]
- 45 *[τ]ὸν δῆμον κακ[ῶς] λέγεις.*
[βρ]αχέα δ' ἔτι πρὸς [ύ]μᾱς εἰ-
[π]ών, ὦ ἄνδρες δικασταί,
[καὶ] ἀναλογισάμενος, κα-
[ταβ]ήσομαι. γραφὴ πα-
- 50 *[ρα]νόμων ἐστὶν ὑπὲρ*
[ῆς τ]ὴν ψῆφον μέλλετε
[φέρ]ειν. τὸ δὲ ψήφισμα
- Col. 3.] *τὸ κρινόμενον ἔπαινος*
προέδρων. ὅτι δὲ προσ-
- 55 *ἡκει τοὺς προέδρους*

38. ἄσαι ἐπὶ Jebb, Sandys. 39. MS. κακειονα. ἦ B, W, contra MS. 40. εἰ δ[τ]ι B^a. 43. MS. ωετο. 45. MS. λεγεις. 46. Cf. Hyper. *pro Euxen.* col. 48. l. 20, Lycurg. *in Leosth.* § 146. 52. φέρειν Hyper. *l. c.*, οἴσειν K¹, W. 53. MS. κρεινομενον.

written law forbids any one to speak evil of Harmodius and Aristogeiton, or to sing insulting songs about them. Now, is it not scandalous that, while the state holds it wrong to speak evil of your ancestors even under the influence of drink, you should soberly and deliberately speak evil of the state?

Gentlemen, I have but a few more words to say to you by way of recapitulation, and then I will sit down. The issue on which you are about to give your votes is an indictment for proposing an illegal resolution in the Assembly. The resolution thus arraigned is a vote of thanks to the presidential committee. Now, you have heard the laws read, and know that the presidents are bound to

- κατὰ τοὺς νόμους προε-
 δρεύειν, οὗτοι δὲ παρὰ τοὺς νό-
 μους προηδρεύκασιν,
 αὐτῶν τῶν νόμων ἡ-
 60 κούετε ἀναγιγνωσκο-
 μένων. τὸ λοιπὸν ἡ-
 δη ἐστὶν παρ' ὑμῖν· δεί-
 ξετε γὰρ πότερα τοὺς
 παράνομα γράφοντας
 65 τ[ιμω]ρήσεσθε, ἢ τὰς τοῖς
 εὐε[ργέ]ταις ἀποδεδειγμέ-
 νας [τι]μὰς ταύτας δώσε-
 τε [το]ῖς ἐναντία τοῖς νό-
 μοι[s πρ]οεδρεύουσιν, καὶ
 70 ταῦτα ὁμωμοκότες κα-
 τὰ τοὺς νόμους ψηφιεῖς-
 [θ]αι. ἀλλὰ μὴν οὐδ' ἐξα-
 πατηθῆναι ὑμῖν ἔνεσ-
 [τι]ν ὑπὸ τοῦ λόγου αὐ-
 75 τῶν, ἃν φῶσιν ἀναγκαῖ-
 α ε[ἶ]να[ι τῷ] δῆμῳ τὰ πε-
 ρὶ [τ]ῶν ἐπ[αίν]ων ψηφίξουσ-

57. οὗτοι δέ] supra additum. 60. MS. ἀναγιγνωσκομένων.
 62. MS. υμειν. 65. MS. τε[ιμω]ρήσεσθε. 67. δώσετε]
 prius σωσετε, sed in ipso MS. correctum. 73. MS. υμειν. 74.
 λόγου] MS. prius τοτου (?), sed correctum. 77. ἐπαίνων B³,
 fortasse recte : τιμῶν K¹.

exercise their office in accordance with the law, and that these presidents have acted contrary to the law. The matter now rests in your hands. You will show by your votes whether you intend to punish those who propose illegal resolutions, or to grant to those who have illegally abused their position as presidents the honours which are by custom assigned to public benefactors; and you will remember that you are under oath to give your votes in accordance with the law.

Perhaps they will plead that the Assembly passed the votes of honour under compulsion; but you must not be beguiled by so fallacious a plea for

- θα[ι]· το[ὺς γ]ὰρ προέδρους
 Col. 4.] οὐκ ἔνεστιν εἰπεῖν
 80 ὥς ἀνάγκη τις ἦν στεφα-
 νῶσαι. πρὸ[ς δ]ὲ τούτοις
 αὐτὸς ἡμῖν [οὔτ]ος ῥαδί-
 αν πεποίηκ[εν] τὴν γνῶ-
 σιν· ἔγραψεν γ[ὰρ] ὧν ἔνε-
 85 κα ἐστεφάνω[σε]ν τοὺς
 προέδρους, δι[κα]ιοσύνης
 τε τῆς εἰς τὸν δ[ημ]ον τὸν
 Ἀθηναίων κα[ὶ δι]ότι κα-
 τὰ τοὺς νόμο[υς] π[ρο]σηδρεύ-
 90 κασιν. ἐπὶ δ[ὲ τ]αὐτ' ἄγε-
 τ' αὐτὸν ἀπολο[γῃ]σόμε-
 νον, καὶ σύ, ὦ Φ[ιλι]ππίδη,
 δείξας ἀληθῆ εἰ[να]ι τὰ πε-
 ρὶ τῶν προέδρ[ων], ἀ ὑπέ-
 95 θου ἐν τῷ ψηφ[ίσ]ματι ἀ-
 πόφευγε. εἰ δ' ο[ἴει] κορδα-
 κίζων καὶ γελ[ωτ]οποι-
 ῶν, ὅπερ ποι[εῖν] εἴωθας,

79. MS. prius *ὡς εἰπεν*, sed *ὡς* deletum est. 82. *ἡμῖν*
ὑμῖν (contra MS.) Koehler, B, W. 90. δ[ε] δ[ή] B. 94. MS.
α δ ὑπεθου, sed super *δ* punctum (delendi signum) positum esse
 videtur. 98. MS. *εἰωθες*. B et Herwerden punctum post *εἰωθας*
 delent; ita tamen et argumento et rhythmo nocere videntur.

a moment. They cannot say that there was any compulsion to vote a crown of honour to *the presidents*. But, apart from this, the defendant has himself made the question easy for us to decide, by his statement of the grounds on which he bestowed this crown upon them. The words are 'because they have been upright in their dealings with the State, and have administered their office in accordance with the laws.'

That is the issue : now bring him forth to make his defence on it. You, sir, Philippides, prove the truth of your statement about the conduct of the presidents. Justify the assumption upon which your proposal is based, and so secure your acquittal if you can.

Perhaps you think that your customary jests and buffoonery will avail you in the courts also

- ἐπὶ τῶν δικαστ[ηρ]ίων
 100 ἀποφεύγεσθαι, ἐ[ὕθ]ησ
 εἶ. ἢ παρὰ τοῦτω[ν φή]ις
 συγγνώμην ἢ ἔ[λεόν τι]-
 να παρὰ τὸ δίκαι[ον ὑπ]άρ-
 [χ]ειν; πολλοῦ γε δεῖ. οὐ γ]ὰρ
 Col.5.]105 ἀπέθου σαυτῷ εὐνοίαν
 παρὰ τῷ δῆμῳ, ἀλλ' ἐτέ-
 ρωθι, οὐδὲ τοὺς σῶσαί σε
 δυναμένους ᾧου δεῖν
 κολακεύειν, ἀλλὰ τοὺς τῷ
 110 δῆμῳ φοβεροὺς ὄντας.
 καὶ ἐν μὲν σῶμα ἀθάνα-
 τον ὑπ[είλη]φας ἔσεσθαι, πό-
 λεως δὲ τηλικαύτης θάνα-
 τον κατέγνωσ· οὐδ' ἐκείνο
 115 συνιδών, ὅτι τῶν μὲν τυ-
 ράννων οὐδεὶς πώποτε
 τελευτήσας ἀνεβίωσεν,
 πόλεις δὲ πολλὰ ἄρδην ἀν-

101. Post εἶ spatium in MS. indicat novam clausulam incipi. φήις B². 102. ἔλεόν τινα Sandys. 103. ὑπάρχειν B², sed vera lectio adhuc dubia est. 104. πολλοῦ γε δεῖ. οὐ γὰρ Herwerden et Diels. Cf. Rehdantz, *Ind. Dem.* s. v. δέω: πολλοῦ γε δεῖ γὰρ K¹, δεῖν γὰρ B: num spatium litteris ου sufficiat dubitari potest. 112. ὑπείληφας] verbum in papyro prius prave scriptum ita reficitur ut litterae mediae adhuc dubiae restent. 114. MS. ἐκίνο.

and win you an acquittal. If so, you are simple indeed. Do you imagine that there is any store of pity or compassion for you here which may divert the course of justice? Far from it. You have laid up no goodwill towards yourself in the hearts of the people. On the contrary, you never used to think it worth while to devote any blandishments to those in whose hands your salvation is now placed; you reserved them all for the enemies of your country. You were foolish enough to suppose that a single individual's life would last for ever, and you passed sentence of death on a state that has known so long a life as ours. It did not strike you that of all the despots of former days not one has ever returned to life after having once died, while many cities that have been utterly

- αἰρεθεῖσαι πάλιν ἴσχυσαν.
 120 οὐδὲ τὰ ἐπὶ τῶν τριάκον-
 τα ἐλογίσασθε, οὐδ' ὥς
 καὶ τῶν ἐπιστρατευσάν-
 των καὶ τῶν ἔνδοθεν
 συνεπιθεμένων αὐτῇ
 125 περιεγένετο, ἀλλὰ φανε-
 ροὶ ἐγένεσθε καιροφυλα-
 κοῦντες τὴν πόλιν εἴ
 ποτε δοθήσεται ἐξουσί-
 α λέγειν τι ἢ πράττειν κα-
 130 τὰ τοῦ δήμου. εἴτα περὶ
 Col. 6.] καιρῶν αὐτίκα δὴ τολ-
 μήσετε λέγειν τοὺς κα-
 τὰ τῆς πόλεως καιροὺς
 οὐ παραφυλάξαντες, καὶ τὰ παι-
 135 δία ἡκεις ἔχων εἰς τὸ δι-
 καστήριον, καὶ ἀναβιβάσας
 αὐτίκα δὴ ἀξιῶσεις ὑπὸ
 τούτων ἐλεεῖσθαι. ἀλλ' οὐ
 δίκαιον· ὅτε γὰρ ἡ πό-

127. τὴν πόλιν] correctum in MS.; prius ἐν τῇ πολει. Cf. Dem. 23. § 173. 134. οὐ] οἱ W: nescio an <ὥς> οὐ π. scribendum sit. B signum interrogandi post παραφυλάξαντες ponit. MS. prius φυλάξαντες, παρα manu alia additum est.

destroyed have flourished again in newness of strength. You did not reflect how, in the days of the Thirty, our country survived the assaults alike of foreign invaders and of their domestic allies. No, you have been caught red-handed, on the watch for opportunities to inflict injury upon the state, whether by word or by deed. Opportunities indeed! In a few minutes you will be brazenly declaring that you never watched for opportunities of doing harm to the country; and you have brought your children with you into court, and in a few moments you will be calling them up into the box and adjuring the judges to have pity on them. You have no right to pity. When all beside you

- 140 λ[ι]ς ὑπὸ τῶν ἄλλων ᾧ-
κ[τ]εῖρετο διὰ τὰ συμβάν-
τα, τόθ' ὑφ' ὑμῶν ἐξυβρί-
ς[ε]το. καίτοι οὔτοι μὲν
τὴν Ἑλλάδα σφάζειν προ-
145 ἐλόμενοι ἀνάξια τῶν
φρονημάτων ἔπασχον,
σὺ δὲ τὴν πόλιν εἰς τὰς
ἐσχάτας αἰσχύνας ἀδίκως
καθιστὰς νυνὶ δικαίως
150 τιμωρίας τεύξῃ. διὰ τί
γὰρ <ἂν> τούτου φείσασθε; πό-
τερα διότι δημοτικός ἐσ-
τιν; ἀλλὰ ἴστ' αὐτὸν τοῖς μὲν
τυράννοις δουλεύειν προ-
155 ἐλόμενον, τῷ δὲ δήμῳ
προστάττειν ἀξιοῦντα.
ἀλλ' ὅτι χρηστός; ἀλλὰ δις
Col. 7.] αὐτοῦ ἀ[δικί]αν κατέγνω-
τε. ναί, ἀλλὰ χρήσιμος·
160 ἀλλ' εἰ χρήσ[εσ]θε τῷ ὑφ' ὑ-
μῶν ὁμολ[ογ]ομένως
πονηρῷ [κρι]θέντι, ἦ

140. MS. ακτεῖρετο. 150. MS. τιμωρίας. 151. ἂν ins.
Herwerden, B; cf. Jebb ad *Oed. Col.* 170. 158. ἀδικίαν] cf.
Andoc. 1. § 3.

expressed grief for the disasters which befel the country, you exulted over it. The heroes who suffered then experienced a fate unworthy of their deserts, for they were striving to save Hellas ; but you, in the vote that is about to be given, will receive a righteous recompense for having dragged the country through the depths of undeserved disgrace.

Yes, for why should you spare him ? Because he is a democrat ? On the contrary, you know that he has always preferred to serve our despots, and arrogates to himself the right of dictating to the people. Then because he is upright ? Why, you have twice convicted him of dishonesty ! Ah, but he is a useful tool. Well, but if you use as a tool a man whom you have notoriously con-

- κρίνειν κα[κ]ῶς δόξετε
 ἢ πονηρῶν [άν]θρώπων
 165 ἐπιθυμ[εῖν. ο]ύκοῦν οὐ-
 κ ἄξιον τὰ [τούτ]ου ἀδική-
 ματα αὐ[τούς άν]αδέχес-
 θαι, ἀλλὰ [τιμω]ρ[εῖσθαι]
 τὸν ἀδικοῦντα. κα[ὶ ἐάν]
 170 ἄρα λέγῃ τις ἀναβὰς ὥς
 δις ἤλωκεν [πρ]ότερον
 παρανόμων, [κ]αὶ διὰ τοῦ-
 το φῆ δεῖν ὑμᾶς ἀ[π]οψηφί-
 σασθαι, τούναντίον ποι-
 175 εἶτε κατ' ἀμφότερα. πρῶ-
 τον μὲν ὅ[τι ε]ὐτύχημά
 ἐστὶν τὸν ὁμολογουμέ-
 νως τὰ παράνομα γρά-
 φοντα τὸ τρίτον κρινό-
 180 μενον λαβεῖν· οὐ γὰρ
 ὥσπερ ἀγαθοῦ τινὸς φεί-
 δεσθαι προσήκει τού-
 του, ἀλλὰ τὴν ταχίστην
 ἀπηλλάχθαι, ὅς γε [το]ῦ
 185 τρόπου δις ἤδη ἐν ὑμῖν

163. MS. κρῖναι.

167. αὐτούς B, secutus Deinarch. in Dem. § 106.

173. MS. φη.

176. ὅ[τι] ita B, recte ut

videtur: [γὰρ] K¹.

179. MS. κρῖνομενον.

demned as an evil-doer, you will either show that your condemnation was wrong, or that you have a preference for evil-doers. It is not right that you should, of your own whim, acquiesce in this scoundrel's misdeeds. It is your duty to execute justice on the offender. If it should be pleaded that he has already been twice convicted for proposing illegal resolutions, and that consequently you ought to let him off this time, both premiss and conclusion should be turned the other way. In the first place, it is a stroke of good fortune to have got a man, who has admittedly been guilty of proposing illegal resolutions, for the third time in the dock before you ; since there is no reason to spare him, as though he were an honest man, but, on the contrary, there is every reason to rid yourselves as quickly as possible of one who has

- Col. 8.] βάσανον δέδωκεν· ἔ-
 πειτα δέ, ὥσπερ τοῖς τῶν
 ψευδομαρτυρίων δις ἡ-
 λωκόσιν δεδώκατε ὑ-
 190 μείς τὸ τρίτον μὴ μαρ-
 τυρεῖν μηδ' οἷς ἂν παρα-
 γένωνται, ἵνα μηδενὶ
 τῶν πολιτῶν ἢ τὸ ὑμέ-
 τερον πλήθος αἵτιον
 195 [τ]οῦ ἡτιμῶσθαι, ἀλλ' αὐ-
 [τὸς] α[ὕ]τῳ, ἂν μὴ παύη-
 ται τὰ ψευδῇ μαρτυρῶν,
 οὔτω καὶ τοῖς ἡλωκόσι
 παρανόμων ἔξεστιν
 200 μηκέτι γράφειν, εἰ δὲ
 μή, δηλὸν ἐστὶν ὅτι ἰδί-
 ου τινὸς ἔνεκα τοῦτο
 ποιούσιν· ὥστε οὐκ οἴ-
 κτου οἱ τοιοῦτοι ἄξιοί εἰ-
 205 σιν, ἀλλὰ τιμωρίας. ἱ-
 να δὲ μὴ προθέμενος
 πρὸς ἀμφορέα ὕδατος

188. ψευδομαρτυρίων] B citat Plat. *Theaet.* 148 B ἐνοχος τοῖς
 ψευδομαρτυροῖς. 193. MS. πολειτων. 195. MS.
 ητειμωσθαι. 196. MS. αμ μη (a B primo recte lectum). 205.
 MS. τειμωρίας.

twice already given public proof of his iniquity. And, secondly, take the precedent of convictions for perjury. Persons twice convicted of perjury, together with those in whose favour they have given false evidence, are excused from appearing subsequently as witnesses, in order that it may not be said that compulsion by the state has been the cause of any citizen being disfranchised. He must himself take the responsibility for his own disgrace, if he will not cease from bearing false witness.

Similarly, those who have been found guilty of proposing illegal resolutions are perfectly free to abstain from proposing resolutions in the future ; and if they do not so abstain, it is plain that some private interest is the motive of their action, and consequently they do not deserve pity, but punishment.

Now that I may not weary you by speaking at

εἰπεῖν μακρολογῶ,
 ὁ μὲν γραμματεὺς ὑμῖν
 210 ἀναγνώσεται τὴν γρα-
 φὴν πάλιν· ὑμεῖς δὲ
 τῶν τε κατηγορημένων
 Col. 9.] μεμνημένοι καὶ τῶν
 νόμων ἀκούσαντες
 215 ἀναγιγνωσκομένων,
 τά τε δίκαια καὶ τὰ συμφέ-
 ροντα ὑμῖν αὐτοῖς ψη-
 φίζεσθε.

208. εἰπεῖν] correctum in MS. ex δεήσειεν. MS. μακρολογῶι.
 217. MS. υμειν.

undue length, the clerk shall read the indictment to you once again ; and then do you, when your memories have been refreshed as to the charges that have been brought home to the defendant, and when you have heard the words of the laws read aloud in your ears, give a vote in which justice and your own interests shall alike be satisfied.

FRAGMENTS

THE following fragments are the relics of the first part of the oration, which are here completely published for the first time. The combinations into which some of them have been brought are almost entirely due to Professor Blass; and since they have been made it has been possible to determine approximately the order of the columns, by an examination of the lie of the papyrus-fibres. It is evident that there are remains here of six or seven columns; but only in the case of the three which immediately precede the continuous portion of the papyrus are these remains at all considerable. Even here they afford only a slight indication of the course of the argument. The readings of single letters, especially at the beginnings and ends of broken lines, are often doubtful.



FRAGMENTS

(1) From the top of a column.

. . . . ελευθερα πο . . .
 . . [τ]οῖς τυράννοις . . .
 . . . ντα πραττον . . .
 . . . νεις δὲ ὑμεῖν . . .

(2) This fragment is composed of three small pieces, which appear, from the fibres of the papyrus, to belong to one another. The exact interval between the right- and left-hand portions is doubtful. The condition of the papyrus and colour of the ink suggest that it may belong to the same column as the preceding fragment.

. . . . η
 γα
 το
 . . . σμοικατ . . .
 5 . . . ντων ψηφ . . .
 . . . κεινοκ . . .
 . . . πάντα ρον . . .

. . . ν σὺ δὲ . . . ἡμᾶς α . . .
 . . . δικαστ . . . απαιτ . . .
 10 . . . οὐς ἡμῶ[ν] . . παντὸ[ς] . . .
 . . . δικά ηναι . . .
 . . . αλλο ναιχ
 σωτ ισπ . . .
 . . . τι σοι ριτ . . .
 15 . . . ταστ ειμ . . .
 . . . νιασε λειτ
 . . [το]ῦ δήμ[ου]
 . . . ουκ

(3) Top of a column.

. . . τα πρ . . .
 εραυ . .

(4) Top of a column. The proof of the connexion of the two portions depends on the fibres of the papyrus, and is not quite certain. In any case the space between the fragments is doubtful. Blass' combination of the second portion with frag. 6 below is not supported by the appearance of the papyrus-fibres.

συμβαίνει μ . . . ρο . . .
 αμ . . .
 ομ . . .
 οσε . . .

5 και . . .
 ισ . . .

(5) This fragment and the next appear, from the condition of the ink and the papyrus-fibres on the *verso*, to belong to the same column as the preceding fragment. The blank space in l. 4 indicates the beginning of a fresh sentence.

. . . δει χαρι . . .
 . . . οναι Ἀλεξ[ανδρ] . . .
 . . . τελευτη . . .
 . . . ἐγὼ δὲ . . .

(6) Beginnings of lines.

. . ι τοῖς Ἑλλη[σιν . . ἐ]-
 γένετο τὸ γ[ὰρ]
 παρ' ἡμεῖν κα[ὶ τοῖς]
 ἄλλοις πᾶσιν
 5 τῶν δωρεῶ[ν]
 [δ]ικαίως
 . αρ . . . ὑπὸ

(7) The appearance of the ink suggests that this fragment may belong to the same column as the preceding.

. . . ριασε . . .
 . . . τουτο . . .

(8) Top of a column, ends of lines. From this point the sequence of columns, so far as relates to their upper portions, appears to be determinable with fair certainty, by means of the papyrus-fibres.

	. . .	μί ~~α~~ [π]όλει
		. . . μιν
		. . . κηι
		. . . θυ
5		. . . ωι
		. . . νει
		 ν
		. . . σα
		. . . ρωι
10		. . . ας
		. . . ν

(9) Ends of lines, having the appearance of belonging to the lower portion of the same column as the preceding.

	. . . ιν
	. . . ρα
	. . . ας
	. . [ψ]ηφοι
	. . . αν
	. . . ν
	. . . ωι

. . . ε

. . . ην

. . . ν

(10) From the top of the next column. This fragment is composed of seven small pieces of papyrus, and the establishment of their connexion is due to Prof. Blass, as also are most of the restitutions. Blass suggests that this column immediately preceded the continuous portion of the papyrus, but the lie of the papyrus-fibres does not admit of this.

ἐκεῖνος θ
 ἐπεμβαίνουσιν τ[ῶι δῇ]-
 μωι ἐν ταῖς ἀτυχ[ίαις. ἦι]-
 περ καὶ πολὺν μᾶ[λλον ἄξι]-
 5 οἱ εἰσιν μισεῖσθ[αι ὥς]-
 περ γὰρ τὰ σώματ[α πλείσ]-
 τῆς ἐπ[ιμ]ελείας ἐ[ν ταῖς]
 ἀρρωσ[τία]ις [δ]εῖται, οὗ-
 τως καὶ [αἱ] π[ό]λεις πλείσ-
 10 τῆς θερ[απ]εῖ[ας] ἐν ταῖς ἀ-
 τυχήαις δ[έο]ντ[αι]. μόνοις
 [δ]ὲ τούτ[οις] ο
 ν

5. μισεῖσθαι MS.
 μόνος B., per errorem.

6. πλείστης] μεγίστης B.
 12. τούτοις] τούτ[ων] B.

11. μόνοις]

(11) Beginnings of lines, and, from the appearance of the ink, possibly from this column; but it is very uncertain.

μοκα
 λα περ . . .
 ρει φιλι . . .
 τευσατ . . .
 5 τήν χ . . .
 τοῦτο δ [Φί]-
 λιππο . . .
 σατο ἐφ [συμ]-
 μάχους [ἀκρι]-
 10 βῶς γε . .

(12) The exact position of the three minute fragments which follow is doubtful.

. . . ου . . .
 . . . ιν . . .
 . . . του . . .

(13)

. . . ο . . .
 . . . υλο . . .
 . . . οιοι . . .

3. Fortasse Φίλι[ππος], cf. l. 7.

(14)

. . . ο . . .
 . . . υναι . . .
 . . . ομη . . .
 . . . οντ . . .
 . . . ειν . . .

(15) The connexion of the two columns which follow is established through the beginnings of the lines of col. *b* being preserved on the same fragment of papyrus as the ends of the lines of col. *a*. They appear to follow immediately on the column of which the beginning is given in frag. 10, and they certainly immediately precede col. 1 of the continuous portion of the papyrus. They have been reconstructed by Blass from seven separate fragments. The whole length of col. *a* is preserved, with the margins at top and bottom.

Col. *a*. β . . . ν ἑκαστος αὐτῶν
 ὁ μ[ἐ]ν ἐν Θ[ήβ]αις, ὁ δ' ἐν
 Τα[νά]γραι, ὁ [δ'] ἐν τῇ Ἐλευ-
 θε[ρίδι] ατα τῶν
 5 των. η
 . . . κρατησαν
 . . . ον τῇν
 . . . τες. καὶ
 . . . αἰων τα

10	. . . ει του
	. . . χοντες
	. . . ωχεν
	. . . νος
	. . . να
15	. . . s ἐξ
	. . . ουσε
	. . . αυ
	. . . ω
	. . . ειρι
20	. . . ε
	. . . τον
	
	
	. . . κτη . . . υς
25	. . . νειν . . . s
	. . . ου . . . ἀ-

Col. b. παλλα[γέντ]α, ἣ οὐκ εὔχεσ-
 θαι κα[ὶ τ]ᾶλλα πάντα τὰ
 ἐν τῇι [Ἑλ]λάδι ἀνατραπῆ-
 ναι, ὧ[στ' ἀπ]ὸ τῶν ἀναι-
 5 ρουμένων πό[λ]εων ἀπαρ-
 χὰ[s λαμβά]νονσιν. καὶ ὑ-
 μ ει βούλ[ε]σθαι ἐν
 φ[όβωι καὶ κ]ινδύνοις εἶ-

- ν[αι αναδ . . .
 10 μ ουν . . .
 τ γα . . .
 μ ολε . . .
 μ μ . . .
 κα
 15
 β μιν ἤδη ρι . . .
 τ εἰχ . . .
 αἶω α . . .
 σοῦ δ ν ποτερ . . .
 20 μεις
 οiei
 ηγων
 μι αὐτ
 ως πα
 25 οι αὐτω
 νων τ

