

“Les Affaires de Madame Nikareta: a sui generis model for legal, financial, and institutional practices in the Hellenistic Boeotian Confederacy?”

Orchomenos: repayment to Nikareta of Thespia. 223 BC.

IG VII 3172. L. Migeotte, *L’Emprunt public dans les cités grecques*, 1984, n° 13

A. The story of Nikareta in chronological order

Eight engraved documents in 178 lines, the content of which is summarised here (the documents are numbered according to the order in which they were engraved, an order which does not reflect the chronology of operations).

Nikareta, married to a citizen of Thespiai in Boeotia, has lent money to the city of Orchomenos and seeks to recover it. As she cannot get her money back, she files protests (doc. 4), i.e. complaints that the repayment date has been missed and that the money has not been paid back. But as this has no effect, she concludes an agreement (*homologa*, doc. 7) with the Orchomenians about the reimbursement by the city and the future conclusion of an enforceable contract (*syngraphe/syngraphos*, doc. 6) to ensure payment. But once again the deadline for payment is not met and N. decides to go to Orchomenos herself to enforce her debtors, i.e. to demand repayment under the legal provisions. At this point, the city issues a decree to order the repayment (doc. 3). Despite this, for the third time, the deadline is missed. However, one month and 11 days after the deadline, the magistrates of Orchomenos go to Thespiai to proceed with the reimbursement, which is proved by the payment slip made through the bank of Pistokles in Thespiai (*diagraphē*, doc. 8). This allows the cancellation of the protests (doc. 5) and gives rise to a new decree ordering the engraving of the file (doc. 2), the whole being headed by a general title (doc. 1).

B. Texts

IV (Protests)

- Ξενοκρίτω, Ἀλαλκομενίω Νικαρέτα Θέωνος τᾶς πό-
λιος Ἐρχομενίων κῆ τῷ ἐγγύω Θίωνος Συννόμω· τὰπ-
164 πάματα μούρη ὀγδοεῖκοντα πέντε δίου<ο> ὀβολίω
κῆ τῷ τεθμίω φίστωρ Ἀριστόνικος Πραξιτέλιος.
Λιουκίσκω, Θιουίω· τὸ συνάλλαγμα· Νικαρέτα Θίω-
νος τᾶς πόλιος Ἐρχομενίων κῆ τῷ ἐγγούω Θίωνος
168 Συννόμω τὰππάματα δισχεῖλι πεντακάτη
κῆ τῷ τεθμίω φίστωρ ὁ αὐτός. Λιουκίσκω, Ὁμολοίω·
[τ]δ συνάλλαγμα· Νικαρέτα Θίωνος τᾶς πόλι[ος]
Ἐρχομενίων κῆ τῷ ἐγγούω Θίωνος Συννόμω τὰπ-
172 πάματα πετρακισχεῖλι κῆ τῷ τεθμίω φίστωρ
ὁ αὐτός. χρόνος ὁ αὐτός· Νικαρέτα Θίωνος τᾶς πόλιος
[Ἐ]ρχομενίων κῆ τῷ ἐγγούω Θίωνος Συννόμω τὰππά-
ματα χεῖλι κῆ τῷ τεθμίω φίστωρ ὁ αὐτός. Λιουκίσκ[ω],
176 [Θε]λουθίω τὸ συνάλλαγμα·

“Under Xenokritos, Alalkomenios; Nikareta daughter of Theon against the city of Orchomenos and her guarantor Thion son of Synnomos; the sum in recovery: 10,085 drachmas 2 obols, and witness to the act: Aristonikos son of Praxiteles.

Under Lioukiskos, the obligation of the month Thiouios; Nikareta daughter of Thion against the city of Orchomenos and her guarantor Thion son of Sounnomos; the sum in recovery: 2,500 drachmas, and witness to the act: the same.

Under Lioukiskos, the obligation of the month Homoloios; Nikareta daughter of Thion against the city of Orchomenos and her guarantor Thion son of Sounnomos; the sum in recovery: 4,000 drachmas, and witness to the act: the same.

Same date; Nikareta daughter of Thion against the city of Orchomenos and her guarantor Thion son of Sounnomos; the sum in recovery: 1,000 drachmas, and witness to the act: the same.

Under Lioukiskos, the obligation of the month Theilouthios; [Nikareta daughter of Thion against the city of Orchomenos and her guarantor Thion son of Sounnomos; the sum in recovery: 1.247 drachmas 4 obols, and witness of the act: the same]”.

V (Radiation of protests)

- 178 διαγράψῃ τὰς οὐπερ[α]-
[μ]ερίας τὰς Νικαρέτας ἐν Θεισπιῆς τὰς κατὰ τὰς
[π]όλιος· τῶν τεθμοφυλάκων γραμματεὺς Σά[ων].

“The protests of Nikareta, in Thespiiai, against the city were struck out; secretary of the *thesmophylakes*: Saon”.

VI (Contract)

- ἑδάνεισεν Νικαρέτα Θέωνος
Θεσπική, παρόντος αὐτῇ κυ-
ρίου τοῦ ἀνδρὸς Δεξίππου Ε[ὺ]-
4 νομίδου, Καφισοδώρῳ Δι[ο]-
νυσίου, Φιλομήλῳ Φίλωνος,
Ἀθανοδώρῳ Ἴππωνος, Πο[λυ]-
κρίτῳ Θάροπος, καὶ ἐγγύοις
8 εἰς ἔκτεισιν τοῦ δανείου,
Μνάσῳν Μέκγαο, Τελεσίας
Μέκγαο, <Ε>λασίπῳι Ξενοτί-
μου, Εὐάρει Εὐχώρου, Περι-
12 λάῳι Ἀναξίωνος, Διονυσο-
δώρῳ Καφισοδώρου, Κωμί-
ναι Τελεσίπῳι, Ὀνασίμῳι
Θεογεΐτονος, Καφισοδώρῳ
16 Δαματρίχῳ, Νικοκλεῖ Ἀθα-
νοδώρου Ὀρχομενίοις, ἀργυ-
ρίου δραχμὰς μυρίας ὀκτα-
κισχειλίας ὀκτακοσίας τρι-
20 ἄκοντα τρεῖς ἄτοκον ἐχ Θεσ-
πιῶν εἰς τὰ Παμβοιωτία τὰ ἐ-
π’ Ὀνασίμου ἄρχοντος Βοιωτοῖ[ς].
ἀποδότωσαν δὲ τὸ δάνειον
24 οἱ δανεισάμενοι ἢ οἱ ἐγγυ-
οι Νικαρέται ἐν τοῖς Πανβοι-
ωτίοις πρὸ τῆς θυσίας ἐν ἡμέ-
ραις τρισίν. ἐὰν δὲ μὴ ἀποδῶσ[ι],
28 πραχθήσονται κατὰ τὸν νό-
μον· ἢ δὲ πρᾶξις ἔστω ἕκ τε
αὐτῶν τῶν δανεισαμένων
καὶ ἐκ τῶν ἐγγύων, καὶ ἐξ ἐνδ[ς]
32 καὶ ἐκ πλειόνων καὶ ἐκ πάν-
των, καὶ ἐκ τῶν ὑπαρχόντων
αὐτοῖς, πραττούσῃ ὃν ἂν τρό-
πον βούληται. ἢ δὲ συγγραφὴ
36 κυρία ἔστω κἂν ἄλλος ἐπι-
φέρῃ ὑπὲρ Νικαρέτας. μάρ-
τυρες· Ἀριστογεΐτων Ἀρμο-
ξένου, Ἰθιούδικος Ἀθανάιο,
40 Φιφιάδας Τιμοκλείος, Φαρ-
σάλιος Εὐδίκου, Καλλέας Λυ-
σιφάντου, Θεόφεστος Θεοδώ-
ρου, Εὐξενίδας Φιλώνδου
44 Θεσπιεῖς. ἃ σούγγραφος
παρ Φιφιάδαν Τιμοκλείος.

“Nikareta daughter of Thion, of Thespiiai, in the presence of her husband Dexippos son of Eunomidas, as *kyrios*, lent to Kaphisodōros son of Dionysios, to Philomelos son of Philon, to Athanodōros son of Hippon, to Polykritos son of

Tharops, and to the guarantors for the full repayment of the loan, Mnason son of Mekgas, Telesias son of Mekgas, Lasippos son of Xenotimos, Euares son of Euchôros, Perilaos son of Anaxion, Dionysodôros son of Kaphisodôros, Kôminas son of Telesippos, Onasimos son of Theogeiton, Kaphisodôros son of Damatrichos, Nikokles son of Athanodôros, Orchomenians, 18,833 drachmas of silver, without interest, from Thespiai, till the Pamboiôtia, under Onasimos, archon for the Boeotians. Let the borrowers or guarantors repay the loan to Nikareta, during the Pamboiôtia, within three days before the sacrifice; if they do not repay, they shall be executed in accordance with the law; let the execution be made on the borrowers themselves and on the guarantors, on one, on several, and on all, and on their property, in any way she pleases; let the contract be valid even if another brings it in the name of Nikareta.

Witnesses: Aristogeiton son of Harmoxenos, Ithioudikos son of Athanias, Viphidas son of Timokles, Pharsalios son of Eudikos, Kalleas son of Lysiphantos, Theophestos son of Theodôros, Euxenidas son of Philondas, Thespians. The contract is with Viphidas son of Timokles”.

VII (Agreement)

Ὀνασίμῳ ἄρχοντος Βοιωτοῖ[ς],
 μεινὸς Πανάμῳ, ὁμολογᾷ
 48 Νικαρέτῃ Θίωνος Θεισπικῇ,
 παριόντος Νικαρέτῃ Δεξιπ-
 πῳ Εὐνομίδαο τῷ ἀνδρὸς Θε[ι]-
 σπιείος, κῇ τῇ πόλιν Ἐρχομεν[ί]-
 52 ων· παρεῖαν οὐπὲρ τὰς πόλ[ι]-
 ος πολέμαρχοι Καφισόδω-
 ρος Διωνουσίου, Φιλόμειλος
 Φίλωνος, Ἀθανόδωρος Ἴππω-
 56 νος· ἀποδόμεν τὰν πόλιν Ἐρ-
 χομενίων Νικαρέτῃ Θίωνος,
 ὃ ἐπίθωσαν οὐπὲρ τὰν οὐπε-
 ραμεριάων τὰν ἐπὶ Ξενοκρί-
 60 τῳ ἄρχοντος ἐν Θεισπιῆς, ἀρ-
 γουρίῳ δραχμὰς μουρίας ὀκτ[α]-
 κισχειλίας ὀκτακατίας τρ[ι]ά-
 κοντα τρίς, ἔσχατον Ὀνασ[ί]-
 64 μῳ ἄρχοντος ἐν τῷ Ἀλαλ[κο]-
 μενίοι μεινί· σούγγραφον δὲ
 γράψασθῃ τῷ ἀργουρίῳ τὼς
 {τὼς} πολέμαρχος Ἐρχομενίων
 68 κῇ ἐγγούως, ὥς κα δοκιμάδδε[ι]
 Νικαρέτα, κῇ θέσθῃ μεσέγγ[υ]-
 ον παρ Φιφιάδαν Τιμοκλείος
 Θεισπιεῖα. ἐπὶ δέ κα κομίττε[ι]-
 72 τη Νικαρέτα τὸ ἀργούριον
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 παρ τὰς πόλιος, ἐσλιανάτω Νικαρέτα τὰς οὐπερ-
 αμερίας ἃς ἔχει κατ τὰς πόλιος, τὰς ἐπὶ Ξενοκρίτῳ
 76 ἄρχοντος ἐν Θεισπιῆς πάσας, κῇ τὰν σούγγραφον ἀπο-
 δότῳ Φιφιάδας τοῖς πολέμαρχος κῇ τοῖ ταμίη κῇ τοῖς
 ἐγγούοις. ἡ δέ κα μεῖ ἀποδώει ἅ πόλις Νικαρέτῃ τὸ ἀρ-
 γούριον ἐν τῷ γεγραμμένῳ χρόνῳ, τὰς μουρίας κῇ ὀκτ[α]-
 80 κισχειλίας ὀκτακατίας τριάκοντα τρίς, ἀποδότῳ
 τὰν σούγγραφον κῇ τὰς οὐπεραμερίας τὰς κατ τὰς
 πόλιος ἅπαν τὸ ἀργούριον τὸ ἐν τῷ ὁμολό[γ]ῳ γεγραμ-
 μένον· <ἡ δέ κα> ἐν τῷ χρόνῳ τῷ γεγραμμένῳ μεῖ ἐθέλει κ[ο]<μ>ίδδ[ε]-
 84 σθῇ Νικαρέτ[τ]α τὸ ἀργούριον, ἀποδότῳ Φιφιάδας τὰν
 σούγγραφον τοῖς πολέμαρχοις κῇ τοῖ ταμίη κῇ τοῖς
 ἐγγούοις, κῇ ποταποπισάτω Νικαρέτα τῇ πόλιν Ἐρχο-
 μενίων κῇ τοῖς πολέμαρχοις κῇ τοῖ ταμίη κῇ τοῖς ἐγ-
 γούοις ἀργουρίῳ δραχμὰς πεντακισμουρίας, κῇ τῇ
 88 οὐπεραμερίῃ ἄκουρῳ νῦ ἐνθῶ. Ἰστορες Ἀριστογί-
 των Ἀρμοξένῳ, Ἰθούδικος Ἀθανάιο, Φιφιάδας Τιμο[κλεί]-

92 [ο]ς, Φαρσάλιος Εὐδίκω, Καλλέας Λιουσιφάντω, Θιόφει-
τος Θιοδώρω, Εὐξενίδας Φιλώνδαο Θεισπιεῖς {ι}ς τὸ ὁμό-
λογον παρ Θιόφειστον Θιοδώρω Θεισπιεῖα.

“Onasimos being archon for the Boeotians, in the month Panamos, agreement between Nikareta daughter of Thion, of Thespiiai, in the presence of her husband Dexippos son of Eunomidas, of Thespiiai, and the city of Orchomenos; present in the name of the city were the polemarchs Kaphisodôros son of Dionousios, Philomeilos son of Philon, Athanodôros son of Hippon. Let the city of Orchomenos reimburse Nikareta daughter of Thion for what she was persuaded to accept concerning the protests made under the archon Xenokritos at Thespiiai, 18,833 drachmas of silver, at the latest under archon Onasimos, in the month Alalkomenios; that the polemarchs of Orchomenos and guarantors agreed upon by Nikareta draw up a contract for this money and deposit it in sequestration with Viphidas son of Timokles, of Thespiiai. When Nikareta receives this money from the city, let Nikareta cancel the protests she has against the city, all made under the archon Xenokritos at Thespiiai, and Viphidas return the contract to the polemarchs, the treasurer and the guarantors; if the city does not repay the money to Nikareta at the appointed time, the 18,833 drachmas, let her return the contract and the protests against the city, (for) all the money written in the agreement; if Nikareta does not want to recover the money at the appointed time, let Viphidas return the contract to the polemarchs, the treasurer and the guarantors, let Nikareta furthermore pay to the city of Orchomenos, to the polemarchs, to the treasurer and to the guarantors 50,000 drachmas of silver, and let the protests therefore be void.
Witnesses: Aristogiton son of Harmoxenos, Ithoudikos son of Athanias, Viphidas son of Timokles, Pharsalios son of Eudikos, Kalleas son of Liousiphantos, Thiopheistos son of Thiodôros, Euxenidas son of Philôndas, Thespians; the agreement is with Thiopheistos son of Theodôros, of Thespies”.

VIII. (Payment)

διαγραφὰ

96 Νικαρέτη διὰ τραπέδδας τὰς Πιστοκλείος ἐν Θεισπι-
ῆς· Ἐπιτέλιος ἄρχοντος ἐν Θεισπιῆς, μεινὸς Ἀλαλκομε-
νίῳ δευτέρῳ ἡμέρη ἑνακηδεκάτη, ἐπὶ τὰς Πιστοκλείος
100 τραπέδδας Νικαρέτη παρεγράφει παρ Πολιουκρίτῳ Θάρο-
πος Ἐρχομενίῳ ταμίαο οὐπὲρ τὰς πόλιος τὸ συνχωρει-
θὲν τὰν οὐπεραμεριάων τὰν ἐπὶ Ξενοκρίτῳ ἄρχοντος,
παριόντος πολεμάρχῳ Ἀθανοδώρῳ Ἴππωνος Ἐρχομενί[ω],
ἀργουρίῳ δραχμῇ μούρηι ὀκτακισχέιλη ὀκτακάτη τριά-
κοντα τρίς.

“Payment to Nikareta through the bank of Pistokles in Thespiiai; Epiteles being archon at Thespiiai, in the second month Alalkomenios, on the eleventh day, at the bank of Pistokles, was credited to Nikareta, from Polioukritos son of Tharops, of Orchomenos, treasurer, in the name of the city, the agreed amount of the protests deposited under the archon Xenokritos, in the presence of the polemarch Athanodôros son of Hippon, of Orchomenos, 18,833 drachmas of silver”.