INSCRIPTIONS AND HISTORY OF THESSALY
NEW EVIDENCE

Proceedings of the
International Symposium in honor of Professor
CHRISTIAN HABICHT

ΑΝΑΤΥΠΟ

ΒΟΛΟΣ 2006
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A Senatus Consultum from Demetrias

Stele of grayish local marble broken at right and bottom; the remaining left part corresponds approximately to 1/3 (?) of the total width of the stele. The upper side preserves traces of faded anathyrosis, which is possibly related to the stone’s second use. The upper left corner is flaked away. The upper edge is broken away diagonally. 21 lines of inscribed text are preserved (figs. 1–3).

The stele was found on November 21, 2001 in Demetrias (north sector), built in a Roman house that was excavated in A. Mastoras’ plot. It is deposited in the Anaktoron of Demetrias (inv. no. BE 41351)1. Height (preserved) 0.47 m; width (preserved) 0.322 m; thickness 0.08 m. Letter height: 0.012–0.015 m. Interlinear space: 0.005–0.006 m.

terminus post quem 168

1. The editors examined the stone a number of times between November 2004 and March 2006. They were joined by Eleni Kourinou on 20.1.06 and Bruno Helly on March 2006. On 9.4.2006, on the occasion of the Colloquium, the editors were fortunate to examine the inscription along with Christian Habicht, Steven Tracy, † Peter Derow, A. P. Matthaiou and Eleni Kourinou. We are grateful to all of them as well as to Babis Intzesiloglou, Yannis Lолос, Voula Bardani, Maria Stamatopoulou and Nikos Papazarkadas. Peter Derow passed away on December 9.
ΕΦΟΡΕΙΑ ΑΡΧΑΙΟΤΗΤΩΝ ΜΑΓΝΗΣΙΑΣ

10 Ἀν ἐκ τῶν δημοσίων πραγμάτων πείτε τῇ ἱδίᾳ φαίνεται ἕδοξεν;
Περὶ δὲν ΑΝΑ[ ]ΑΙΟΣ[ ]
γιός ἐποίησατο ὑπὲρ Μ[ ]
πράγματος οὐ[ν] οὐ[τος ἕδοξεν;
κεδονία ἐπικείμενον [?]

15 στῆ νακάτ
"Ωςαύτους περὶ δὲν λόγο[雅] ἐποίησατο
βασιλικής ὑπὲρ τούτων; - -
περὶ τούτου τοῦ πράγματος; οὕτως ἕδοσ;
"Ωςαύτους; περὶ δὲν λόγο[雅] ἐποίησατο
περὶ [οὐ]τής ἱδίας βασιλικῆς;
"Ωςαύτους; περὶ δὲν λόγο[雅] ἐποίησατο
περὶ τούτου τοῦ πράγματος; οὕτως ἕδοσ;

Epigraphical Notes

Line 1: Of the dotted gamma only half of the vertical is preserved. Given the certain restoration of the ethnic, the beginning of the line must have projected to the left by one letter.

Line 2: Only one letter seems to be missing. The lower horizontal of the dotted epsilon is preserved. We suggest [παρε?ῗγ]νοῦτο.

Line 3: Only one letter seems to be missing, of which the tip of a slanting stroke (possibly an apex) is visible.

Line 5: The beginning of the line projects to the left by one letter. Half the dotted pi survives.

Line 6: Rho is scarcely legible.

Line 8: Lambda is faint.

Line 9: All dotted letters are faint. Last trace is the bottom left corner of a letter, hence the dotted sigma.

Line 10: Dotted letters are somewhat faint, but legible. Last trace is the vertical of the dotted rho. The restoration ἐκ τῶν δημοσίων πραγμάτων καὶ τῇ ἱδίᾳ πίστεως φαίνεται, is equally possible.

Line 11: The beginning of the line projects to the left by one letter. Dotted alpha is faint. After NA it is possible, albeit not certain, to read the following: a vertical, ι, 2–3, ΚΡ, or Φ (?). That is ΑΝΑ[ι] (ι, 2–3 ΚΡΑΙΟΣ[- ‾]). Last legible
letter is I, or ꞏ, followed by a trace that seems to be the tip of the left diagonal of A
or Λ, that is ΓΑ, or ΓΛ (?)

Line 12: Dotted letters are faint. Last trace belongs to a half dotted mu.
Line 13: The outline of dotted omicron is hardly visible.
Line 16: The beginning of the line projects to the left by one letter. Dotted
omega is faint.
Line 18: The two upper horizontals of xi are preserved.
Line 19: Assuming that our restoration is tenable and judging from the position
of the dotted sigma in relation to that in line 16, the beginning of the line must have
projected by one letter to the left. Of the dotted sigma its upper left corner is
preserved.
Line 20: Half of the dotted omicron is preserved. Of the dotted pi only its
outline is discernible. Dotted alpha preserves its angle.
Line 21: The top angle of a triangular letter is preserved: Α, Λ, or Δ.

Commentary
The faded anathyrosis on the upper side of the stone might imply the existence (?) of
a superimposed stone, which would have contained the prescript. Lines 5, 11, 16
certainly, lines 1, 19 possibly, and the vacat of line 15 strongly suggest that the
surviving part preserves five stipulations of a larger resolution. Unfortunately, we do
not know the size of the missing text at the broken bottom part of the stone, nor is the
original line length certain, although line 10 might give us a fairly good indication.

The repetition of certain formulaic phrases, the style and the preserved content
suggest that we have here a settlement, and more specifically a senatus consultum,
that was obviously issued in a period when Demetrias was not under Macedonian
domination (see below under “Dating”). The following recurring phrases are
particularly telling: περὶ τοῦ τοῦ πράγματος (lines 5–6, 8–9, 12–13, 19–20),
λόγους ἐπιστέφωσο (lines 11–12, 16, 19), ὀρκωτός (lines 16, 19), and, last but not
least, ἐκ τῶν δημοσίων πρὸς ἡμῖν πιστεύσῃ τῇ ἴδιᾳ φανεροί (line 10).
The phrase καὶ τὴν διάνοιαν πρόσχημα (line 7), as well as the repetitive
occurrences of the verb ἐδόξασεν (fully or partly preserved in lines 3, 17–18, and very
plausibly restored in lines 10, 13, 20) strengthen this identification further. Overall,
the language employed has parallels only in senatus consulta. However, the
absence of the ubiquitous prescript, which would have recorded the administrative
authorities of Demetrias as well as the Roman senators involved in the settlement,

2. See R. K. Sherk, Roman Documents from the Greek East. Senatus Consulta and Epistulae
and which would have helped us date the inscription, remains a serious problem. The only logical explanation for its absence is that the surviving inscription does not include the beginning of the original text, which should then have been inscribed on the missing stone that was set atop (see below).

The first stipulation covers lines 1–4. Were we to accept that the prepositional phrase in line 1 refers to a place (ἐν τῷ τόπῳ, e.g., ἐν Μακεδονίᾳ; cf. lines 13–14)\(^3\), combined with the possible restoration of the verb as παρέδωκαν\(^4\), then it would appear that a settlement is decreed in favour of the Magnesians mentioned\(^5\). In reality, as the contrasting pronouns τούτως (line 2)\(^6\), and ἐκείνους (line 3) demonstrate, the first stipulation concerns two clearly distinct groups of people. The fact that they are given precedence in the decree shows that the initial settlement concerned primarily them. Τούτως obviously refers to the Magnesians οἶνως, whereas ἐκείνους refers to some “others” (again, Magnesians?), who cannot be identified on the basis of the extant evidence: the identification of the latter would have been made either in the defective lines, or in the upper (now lost) part of the text. An attractive possibility is that the ending -ον at the beginning of line 3 belongs to an infinitive, a subject of the verb ἔδωκα (e.g., διδόσα, δοῦναι, ἀποδόσα, or something similar), with ταύτα (e.g. χώρα) and τούτως (i.e. the Magnesians) being the direct and indirect objects of the infinitive respectively. We opt for the restoration τε[π], which, self-evidently, is not the only one. Equally possible is, for instance, a partitive genitive, e.g. τι[ῶν]. The particle τε, if our restoration is correct, indicates that something additional is anticipated for the “others” (ἐκείνους) — Magnesians, for example, who did not παρέδωκαν ἐν τῷ τόπῳ, a suggestion strengthened by the phrase ὑποτελή μὴ ἔσθαν of line 4. The predicate adjective ὑποτελή can be understood in two ways: as a neuter plural it could refer back to an assumed subject χώρα, as an accusative of a singular feminine to an assumed subject χώραν\(^7\). Our preference goes to the second option.

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3. We prefer it to an expression of the kind: οἶνως, ἐν τῇ φιλίᾳ τῇ ἡμετέρᾳ..., cf. Sherk, RDGE 2.7–8 [= IG VII 2225. Syll.\(^3\) 646].
5. Is their action related to the Thid Macedonian war? It is an attractive hypothesis, but cannot be confirmed.
6. For a similar expression see Sherk, RDGE 18.94–95: τούτως ὑποτελής τοῦτα... (though τούτα is restored).
7. Perhaps, at a first reading, this is not the expected syntax, that is ὑποτελής, so that it defines the word ἐκείνους; the fragmentary nature of the text, however, precludes any certainty.
The meaning of the adjective must be that of “liable to taxation”\(^8\). Therefore, ἐκεῖνοι (the Magnesians?) become, or wish to become, immune from taxation.

Lines 5–10 contain the second stipulation, which, along with the first one, constitute beyond any doubt the “main part” of the senatus consultum. The presence of a third singular verb and the reference to χώρος βασιλικῆς are noteworthy. The partly preserved clause ἄν τρόπῳ is formulaic; such clauses, however, only appear in honorary decrees (ὅτε τρόπῳ ἐπέβαλεν ἀνδρὶ/ἄσιν καλὸ/οἴς etc.)\(^9\), and, accordingly, we have left this line unrestored. We have already noted the presence of the common prepositional phrase περὶ τοῦ του πράγματος (5–6 and 8–9)\(^10\). Of the verb of the ὑπος-phrase (most probably a final one) in line 6 only its ending ΣΗ (–ση) in the beginning of line 7 is preserved. Since it is clearly connected via the conjunction καὶ to the formulaic phrase διά νομῶν πρόσωπο[ν]\(^11\), we feel confident to transcribe a third singular aorist subjunctive ending, even though the exact restoration (e.g., ποιηση, κελεύση etc.) eludes us\(^12\). In line 8, the term χώρος βασιλικῆς —either the object of the preposition περὶ (?)\(^13\) or, less likely, a partitive genitive— along with the ensuing final (?) clause is clearly one of the “keys” for interpreting this inscription. The same term is repeated in the fourth stipulation (lines 16–18). Undoubtedly, it is synonymous to βασιλικῆ/α γῆ/σία, designating a territory that belonged exclusively to the king of Macedonia\(^14\). The term appears only few times—in ancient literature, all of them germane to our discussion\(^15\). Consequently, the question is whether the term

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8. There are several relevant examples, e.g. see Syll.\(^3\) 480.6 and LSJ s.v.
10. See Sherk, RDGE 2 passim. 9,24, 30–31, 59 [= IG IX 2, 89. Syll.\(^3\) 674. Piccirilli 35. Ager 156, cf. 32 (= Magnetto 31), 79, 154]. See also Sherk, RDGE 5, 7, 10 (= Syll.\(^3\) 664, 679, 688).
12. Initially we had even thought of restorations such as εὐνοο]/ς ἢ vel sim., but N. Papazarakadas drew our attention to the fact that syllabification is strictly observed in the inscription, thus rendering such supplements out of the question.
concerns a region in Macedonia or in Demetrias. In all confidence, we suggest that it refers to a region within the territory of Demetrias. We should bear in mind that Demetrias was an important, albeit peculiar, possession of the Macedonian kingdom: not merely a city, but “Macedonian land” subject to, or controlled by, the king. Corinth, or Chalkis, the ‘fetters of Greece’, had a totally different status. Besides, the existence of a palace in Demetrias signifies the city’s special status. In other words, we assume that the concession of land to the aforementioned Magnesian beneficiaries concerns an area of Demetrias that had previously been a χώρα βασιλική. We are not certain about the exact restoration of line 9; in particular, we are agnostic about the presence of the definite article, since in line 5, and possibly in line 12, the geographical term Μαγνησίας is not preceded by an article. On the basis of the stereotypical phrase ἐκ τῶν δήμων πρ[αγμάτων] in line 10, AN could easily be transcribed as ἀν. Yet, given the absence of an expression similar to καθώς ἡ αὐτῇ (αὐτῷ;?) ἐκ τῶν δήμων πραγμάτων, we chose to leave it in capital letters. If the standard formula for this type of documents was followed (πίστεως τῇ τῆς ἱδίας φαίνεται έδοξεν, or καὶ τῆς ἱδίας πίστεως φαίνεται έδοξεν), then line 10 provides our only good indication of the total width of the inscription.

We believe that the third stipulation (lines 11–15) pairs with the fourth one (lines 16–18): in the former λόγους ἐποίησατο concerns Magnesia, whereas in the latter it concerns the χώραν βασιλικήν. The predicate λόγους ἐποίησατο (or -άντο) is extremely common. Unfortunately, line 11 is so badly worn that full decipherment is impossible. In its two other occurrences (lines 16, 19) the prepositional phrase περὶ ἄν is accompanied by the word λόγους, something that does not apply to line 11, where ANAI can be certainly read. It is tempting to assume that the extant traces and the available space conceal a name—the subject of ἐποίησατο—and an ethnic. The sequence of letters ΑΙΝΩΣ, in particular, suggests a nominative ending, either that of a personal name or that of an ethnic,

18. See Sherk, RDGE 2.12–13, 39, 44 and 9.71; Sherk, RDGE 26b.26–27, 26c.7–8 [= IG XII 2, 35]. IC III iv 10.73–74 etc.
19. See Sherk, RDGE 2.38–39, 44.
20. Sherk, RDGE 2, 5, 7, 9, 10 [= Syll. 3 646, 664, 679, 674, 688] etc.
but on its own cannot sustain any secure restoration: e.g., ANAl[(?] Γ]τιος or Γν]αιος; ΓΑ[?] or ΓΛ[?]. Nevertheless, one would expect that some individual, whose name was obviously recorded in line 11, had conveyed the propositions of the Magnesians —λόγους ἔπαιθεστο—, so that a decision could be reached. Similarly to line 11, line 13 has suffered irreparable damage: here again any attempt at restoring it is all but safe, all the more so since the three other occurrences of the noun πρόγματος (lines 6, 9, 20) are of no help. The restoration αὐτού τῶν [ἔδοξεν? 22] is not impossible, but we prefer Christian Habicht’s astute suggestion αὐτού [ἔδοξεν. We assume that [ἔδοξεν is somehow connected both to the dative Μα]κεδονία —which most likely belongs to a prepositional phrase of place (?) 23—and to the participle ἐπικάμουν, but the preserved text does not allow further suggestions. It is probably prudent not to make any plausible yet untenable assumptions, and thus, we will not supplement the exact subject of the participle ἐπικάμουν (τόπον, χώραν are possibilities). We reckon that the ending of a third singular subjunctive is preserved in line 15, hence the lower case transcription. As already mentioned, the vacat marks the end of this particular stipulation.

It is worth noting that the fourth stipulation (lines 16–18) begins with the commonplace adverb of manner ὅσαυτος 24, and continues with the prepositional phrase περὶ ὅν, which, no doubt, looks back to the preceding decisions and stipulations. The expression χώρας] βασιλικὴς appears yet again in this stipulation, although the preserved text does not allow a firm interpretation. It is very likely that the ending of the verb ἔδοξεν is preserved at the beginning of line 18. At first glance, the restoration ὅροι βασιλ[κοί seems preferable to ὅροι βασιλ[κῆς χώρας, because of the absence of a definite article (i.e. one would expect ὅροι τῆς βασιλικῆς χώρας), but, as Sherk has aptly demonstrated, definite articles were often omitted in Greek copies of senatus consulta because of the Roman translators’ unfamiliarity with the concept 25. We feel that both restorations are equally plausible. Be that as it may, ὅροι βασιλ[κοί, or ὅροι βασιλ[κῆς χώρας refers to the earlier demarcation of the land in question, but nothing more specific can be

23. See LSJ s.v. We could not trace any example of ἐπικαμεν followed by the preposition ἐν (in conjunction with the line 1).
24. See Sherk, RDGE 2 passim; 3.9; 7.55.
inferred. Likewise, the fifth stipulation (lines 19–21), the beginning of which should arguably be place in line 19, opens with the word ὠσσαύτως, followed by the same prepositional phrase (i.e. περὶ ὠν), if our supplement is sound. What little is preserved discourages us from any further analysis.

Dating – Conclusion

Although no dating formulas are preserved, the lettering, as well as the overall format of the text, indicate that the inscription dates to the first half of the second century B.C. We note the following: alpha with broken crossbar, theta with a dot instead of a horizontal bar, pi with a short right vertical and a slightly projected horizontal bar, sigma with slightly slanting horizontal bars, beta with a considerably big lower curve. Finally, all letters have small apices. All in all, the letters are similar to those of the inscription from Demetrias published in this volume (67–77) by our colleague Mr Babas Intzesiloglou (dated to 184 B.C.)27, and to the letters of the epistrateutikon diagramma of March 197 B.C.28 Both documents were issued by Philip V. But since dating based on letter form can only be indicative and not conclusive, we will refrain from citing further parallels.

The preserved text, as already mentioned, contains strong evidence that allows us to securely identify it as a senatus consultum. Yet, the absence of a prescript remains a tantalizing problem. To the best of our knowledge, there is no other example of a senatus consultum lacking a prescript, with the resolution itself marking the actual beginning of the text, and with no reference whatsoever to the administrative authorities, the people involved, or the date of the act. This particular omission could only be justified if we assumed that the preserved inscription does not contain the beginning of the text, as we have already mentioned, but that there existed a first part on a superimposed stone, that is now lost. This hypothesis

26. The search of the TLG (inscriptions) yielded no other examples.
could gain some credence from our description of the stone, in which we noted the presence of a faded anathyrosis. At first glance, the hypothesis about the superimposed stone that would have contained the elusive prescript along with the first part of the senatus consultum seems awkward. It was not common for single texts to be cut on two different free-standing stelae. Cases where a single text covered more than one stone are quite different: they occur, for example, when such texts were inscribed on walls of public buildings. What is more, the anathyrosis in question is at best vestigial, and it most likely relates to a second use of the stone. Technical analysis of the stone, as it currently stands, cannot prove the existence of a superimposed member. We are, therefore, left with two viable alternatives: i) the traces from the attachment of an upper stone were erased when the surviving stone was reused, hence the diagonal break on its upper edge; or ii) the whole text had been written on a single stele, which was, subsequently, cut along the upper edge of line 1 of the inscription, in a way that was meant to leave it intact. A last suggestion is that there had never been any prescript, and that the stone preserves the original beginning of the text. However, we have to discount this third hypothesis as far-fetched. Equally unlikely is the assumption that the new text is a summary of a senatus consultum, in which case a prescript would have been unnecessary. In sum, we believe that the technical features of the stone do not enable us to pick out either of the two plausible assumptions made above.

Let us now move to the other important issue, that of the date of the inscription. As is well known, the Macedonians did not control Demetrias in the period between Cynoscephalae (June 197 B.C.) and March 191 B.C., when they recaptured it, before eventually losing it in 168 B.C. post Pydna. Consequently, two are the chronological points which could constitute termini post quos for the inscription, 197 B.C. and 168 B.C. respectively. The lettering arguably makes 168 B.C. a more plausible date than 197 B.C. In addition, we should pose the question whether and when Rome and her victorious generals, Titus Quinctus Flamininus and Leucius Aemilius Paulus respectively, might have proceeded with such an extensive settlement. Taking into account both the historical events and the overall circumstances after 197, we reckon that it would have been too early for Rome to have made such

29. Indeed, all the colleagues who examined the stone agreed that the upper surface does not allow its actual characterization as anathyrosis (fig. 2).
30. We owe this suggestion to our dear colleague † Peter Derow (per ep.).
a decision for Demetrias immediately after Cynoscephalae. We do not think, for
instance, that Rome would have moved so early to settle parts of the former royal
land. Thus, Philip’s collaboration with Rome during the Antiochian war (192–191
B.C.), which effectively resulted in the return of Demetrias to the Macedonian king
in 191 B.C., can hardly be coincidental with regards to the relations between the
two sides. In other words, their relationship had not been irreversibly affected by
some hypothesized radical intervention within a former Macedonian land. Besides,
we should bear in mind that the earliest senatus consultum of those mentioned
above is dated ca. 170 B.C. (Sherk, RDGE 2). On the contrary, things were totally
different after 168 B.C., when Rome aimed, and was perfectly capable, to settle its
possessions having become the absolute master of the situation. The Macedonian
kingdom no longer existed, and the conditions were eventually ripe for Rome to
redefine uninterrupted the status of conquered land, to distribute royal land, to
grant tax exemptions and so on. Moreover, the phrasology of the two last stipula-
tions in particular (lines 16–18 and 19–21) suggests the confirmation of older reso-
lutions, something that excludes a date immediately after 197 B.C. On present evi-
dence, the new senatus consultum from Demetrias should be dated a little bit after
168 B.C.

Another issue we would like to raise concerns the Koinon of the Magnesians.
Why, that is, is it Rome that carries out this settlement and not the Koinon? The
first Koinon, established around 194 B.C.31, should be excluded a priori. The
second Koinon was a revival of the first at some time after 167 B.C. We believe
that Rome would not have trusted a newly established authority, such as the
Koinon of the Magnesians, successful (?) as it might have been 30 years before, to
undertake the burden of an agreement that was of the utmost importance for the
eternal city. In any case, the new Koinon would not have had the persuasive power
either to impose distributions of quondam royal land, or to do service to some
Magnesians by exempting them from taxation and by promoting any other ar-
rangements, be it favourable or not. We should look for the crux of the decision, as
partly preserved in our inscription, in the short stay of Aemilius Paulus in De-
metrias (spring of 167 B.C.), when a ten-member senatorial embassy arrived from
Rome for the final settlement of the conquered land, and in particular of the
Macedonian kingdom. On similar considerations, we should probably place the

31. Our knowledge of its establishment and organization is defective: see Plb. XVIII 47, 6
(Walbank II 617). Liv. XXXV 31, 11 (Briscie 190–191); cf. XLIII 5. See also J. A. O. Larsen,
actual decision-making and its announcement in the Conference of Amphipolis (mid spring of 167 B.C.)\textsuperscript{32}.

The new senatus consultum BE 41351 from Demetrias preserves the beginning of a resolution; the recipients of the seemingly beneficial resolutions are certain Magnesians, who are designated by virtue of a relative clause, so as to be distinguished from the rest of their co-citizens.

The prepositional phrase \textit{ύπερ Μαγνησίας} twice (lines 5, 12), if not thrice (line 9), the term \textit{χώρας βασιλικῆς} twice (lines 8, 17), and the ὕδροι βασιλικοὶ, or ὕδροι βασιλικῆς χώρας (line 18) provide safe indications that the arrangement concerns a distribution of former Macedonian possessions to the benefit of the Magnesians. The closest parallels are inscriptions Sherk, RDGE nos. 2 and 9, of 170 B.C.\textsuperscript{33}, and 150–147 B.C.\textsuperscript{34} respectively.

The first two stipulations of the new senatus consultum (lines 1–4, and 5–10 respectively) contain the main decisions, the crux of the resolution: certain Magnesians are rewarded for action taken in the near past, possibly with the grant of land, while some others (i.e. ἐκείνοις), possibly fellow-citizens, are also subject to some favorable regulations, with the specific conceded lands being exempted from taxation. Rome passes a resolution \textit{ύπερ Μαγνησίας}, and part (?) of the \textit{χώρας βασιλικῆς} is granted to the Magnesians.

In the third stipulation (lines 11–15) an anonymous ambassador, probably a prominent Magnesian (?) or Roman official (?), introduces proposals, or he may have already done it in the past (λόγους ἐποιήσατο ὕπερ Μαγνησίας), to the effect that the Senate could pass new resolutions, or reaffirm old ones—we should not disregard the break in Macedonian domination over Demetrias between 197–191 B.C. Thus, the three last stipulations abound with formulaic expressions, that are very typical of legal documents such as senatus consulta, since their main objective was to reaffirm earlier decisions.

\textsuperscript{32} See CAH VIII 274 (R. M. Errington).
\textsuperscript{33} See also Sherk, RDGE 1 [= Syll.\textsuperscript{3} 612], a letter of the Consuls and the Senate from the end of 189 B.C.\textsuperscript{34}.

\textsuperscript{34} C. 140 (?) B.C., according to Ager 156.
Fig. 1. The new *Senatus Consultum* from Demetrias (BE 41351)
Fig. 2. The upper side of the stele (BE 41351).

Fig. 3. The left lateral side of the stele (BE 41351).