

VI.—Transportation in Augustan Egypt

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Among the papyri acquired by the New York University Library in 1923, there is an Augustan document, interesting in itself, but especially significant for the larger issues it raises in regard to transportation in Roman Egypt.¹ P. NYU Inv. No. XVIII 47 is a petition for recovery of damages addressed to the chief of police by the employer of a donkey-driver who was engaged in transportation on the imperial estate of Livia and Germanicus in the Fayum. As a supplement to our fragmentary knowledge of private enterprise and of transportation facilities on imperial estates, this document involves two problems of ancient transportation: 1) the place of the private operator in transportation and 2) the meaning of two important transport-terms — *φόρετρον* and *ὀνηλατικόν*.²

In December, 4 A.D., the petitioner Callistratus had hired a donkey-driver on a one-year contract. After the employee had served only a portion of his term, it was discovered that he had committed a theft, neglected the animals in his care, and caused the death of one donkey. The text at this point is broken, but it seems to indicate that a report of the death had been registered with the chief of police. The petitioner alleges that, although the driver had returned the rest of the animals in September, he had failed to return their equipment. This breach of contract and the forced idleness of the animals precipitated the present petition in which the plaintiff is requesting legal action to secure compensation

¹ These papyri are part of a cooperative purchase from Egyptian dealers arranged by the late Professor Francis W. Kelsey, in which New York University joined Columbia, Michigan, and the British Museum. Since the documents of this group were dispersed among the members of the syndicate, it is reasonable to assume that papyri belonging to the same archives are to be found in the collections of the different purchasers. The fair number of documents with Augustan dates listed in the original inventory record may indicate an Augustan archive to which the present petition may be assigned.

² A full analysis of these two problems and a reexamination of other related documents in the light of the NYU petition is reserved for special consideration in the Commentary (see below page 89).

for the dead donkey, for the time lost by the other donkeys through lack of equipment, and for the equipment itself.

The date of this document can be determined with relative exactness. It appears likely that the proceedings between the two men were technically encompassed in two petitions, one immediately following the death of the donkey, and the present petition. This petition, though not dated, was submitted sometime between the recovery of the animals in September and the termination of the contract in December, 5 A.D.

The papyrus, complete in breadth and height, was originally folded four times, as is evidenced by the evenly-spaced creases which are still visible. Breaks in the text occur along these creases with the largest lacunae on the central fold. The intricate style of the semi-cursive script, which consists of short, relatively thick strokes in black ink, and the flourishes at the foot of the text lend a decorative effect. All indications point to the studied hand of a professional scribe.

P. NYU Inv. No. XVIII 47

Fayum

26 × 7.2 cm.

5 A.D.

- Ἀγτειβιάδῃ [ἐπι]στάτῃ φυλ(ακιτῶν)
 π[αρ]ὰ Καλλι[στρά]του τοῦ Κ[αλλι-
 στρά]του τοῦ προ[ε]στῶ[τος]
 [..]την[. . οὐσί]ας Διβίας [καὶ
 5 Γερμαν[ικοῦ Καί]σαρος. τ[ὸ]
 Χοιᾶχ τοῦ [διελη]λυθότος
 λδ (ἔτους) [Καί]σαρος προσείλη[φα
 Π[ε] ± 10]νιος ὀνηλάτην
 [καὶ προστάτην (?) τ]ῶν ὀνικῶν
 10 [κτηνῶν μου. τούτ]οις δὲ διὰ τῇ[s
 [θερείας παραμ]εῖναι μέχρι
 τοῦ Χοι[ᾶχ τοῦ λ]ε (ἔτους) Καίσαρος
 {ω} καὶ ἐκ[τ]ελ[ε]ῖν [σ]ύνπαντα
 ὅσα καθήκει ὀνηλάτῃ ὁ [σ]η-
 15 μαινόμενος συγγνοὺς ἦν.
 τὸν τε χειμ[ῶ]να τοῦ λδ (ἔτους)
 Καίσαρος ἀνατ[ρο]φείας καὶ τῇν
 θερείαν παραμείνας [ἦν]
 ἀφαρπάσας ἐκ τῶν φορ[έ]τρων

- 20 τὰ ὑποκείμενα ὀνηλατικά,
τοῦ καλῶς ἔχοντος κατα-
γνούς. τὸ μὲν πρῶτον ἐξα-
μελήσας τῶν ὄνων κατη-
σθενήκασιν καὶ τραυματίσας
- 25 ἀπο[λώλεκεν] ὄνο[ν] μ[ου] ἄξιον
ἀργ[υρίου] (δραχμῶν) [±18
τὸν ρ[± 12]ν [κ]αὶ εἰς[α-
γαγῶ[ν ± 11]τατην
ἐπεδ[.]δνον προπε-
- 30 πτω[.]του δὲ κατα-
γνο[.].s τὰ λοιπά μου
κτη[ν]η . . .]τακται ἔτι ἀπὸ
Θω[θ μηνός] τοῦ λε (έτους)
Καίσαρ[ος . . .]ν μου σάκκουs
- 35 τρε[ῖς(?)] . . μὴ πα[ραδούς] μοι
μήτε τὰς σαγ[α]s μὴδὲ τὰ λοι-
πὰ ἀργαλλεῖα τ[ῶ]ν ὄνων καὶ
ἐκ τοῦ τοιούτ[ου] οἱ ὄνοι μου ἀργοὶ
καθεστήκασιν. διὸ ἐπιδίδω-
- 40 μί σοι τὸ ὑπό[μ]νημα ὅπως
ἀσφαλίσάμεν[ος] τὸν ἐγκαλοῦ-
μενον ἑξαπο[σ]τείλῃς ἐφ' οὓς
καθήκει καὶ ἐπ' [α]ὐτῶν ἐπαναγ-
κασθῇ ἐκτεῖ[σ]αί μοι τὴν τοῦ
- 45 ὄνου τειμὴν [κ]αὶ τὰς τῶν
ὄνων ἀργίας καὶ τοὺς σάκκουs
καὶ τὰς σαγὰς καὶ τὰ ἀργαλλεῖα
ἤτοι[. . .]τυχεῖν ὧν προσ-
ῆκει.

50

εὐτ[ύχει]

App. Crit. 19. Pap. φορ[.]τρω" 37. ἀργαλλεῖα (cf. 47)

TRANSLATION

To Antibiades, chief of police, from Callistratus, son of Callistratus, the superintendent of . . . estate of Livia and Germanicus Caesar. In Choiak of the past thirty-fourth year of Caesar, I hired Pe—, son of . . ., as donkey-driver and overseer (?) of my donkeys. The aforementioned agreed to remain in charge of them through the summer until Choiak of the thirty-fifth year of Caesar and to fulfill all the other

duties customarily required of a donkey-driver. After he had been provided with board (?) throughout the winter of the thirty-fourth year of Caesar and had served during the summer, he stole from the freight-collections the donkey-driver-reserve, disregarding the right course. In the first place, since he completely neglected the donkeys, they became sick, and injuring a donkey of mine worth . . . drachmas, he killed it. . . . [And bringing him before the chief of police submitted that the donkey had fallen headlong (?)] but disregarding this (?) . . . the rest of my animals . . . ever since the month of Thoth of the thirty-fifth year of Caesar . . . my three (?) sacks and neither has he given back to me the saddle-bags nor the rest of the harness of the donkeys, and as a result of this my donkeys have been idle. Wherefore I present the petition to you in order that, having arrested the defendant, you may remand him to the proper officials, and he be compelled by them to reimburse me for the cost of the donkey, for the time lost by the donkeys, and for the sacks, saddle-bags, and harness, or else suffer the penalties he deserves.

Farewell

NOTES³

1. 'Αγτειβιάδη = 'Αντιβιάδη. For the ἐπιστάτης φυλακιδῶν see Wilcken, *APF* 3 (1906) 233, *Gr.* 413, and Lavigne, "Epistates van het Dorp" (*Studia Hellenistica* III) 20 ff. Other documents which attest the activity of the chief of police as the official largely responsible for law and order in the nome, at least until 42 A.D., are the series of petitions from Euhermeria (*PRyl.* 2.124-152); *PLond.* 2.354, page 164, 3.895 and 1218, pp. 130-131; *PTeb.* 2.476; *PPrincet.* 2.23.

3-4. The extensive damage to the text at this point gives rise to a problem which is crucial to the interpretation of the whole piece (see Commentary A below, p. 89). The letters *tau* and *eta* seem certain, and the *nu* is highly probable. The number of letters before the *tau* is doubtful, anywhere from one to three. Perhaps the best restoration paleographically is προε[στῶτ[os] [κ]την[ῶν οὐσί]ας Διβίας κτλ., but this reading would yield a title which appears to be unique to the present document. Another objection to this restoration may arise from the absence of the definite article before οὐσίας, which, though rare, does find a parallel in *PRyl.* 2.140 (36 A.D.): παρὰ Αἰνίου: γεωργ[οῦ] γεωργούντος δέ μου καὶ οὐσίας 'Αντωνίας Δρούσου. However, since προεστῶς generally occurs in the papyri as the title belonging to the superintendents of imperial estates, it may be safer to restore a phrase equivalent in meaning to the more common formulae, e.g., τι-νων (or τῶν) τῆς [οὐσίας] τῆς Διβίας [καὶ τοῦ] κτλ. (cf. *BGU* 1.181.4).

4-5. The Empress Livia and her grandson Germanicus are known to have owned estates in the Fayum (cf. Wilcken *APF* 1 [1901] 154). Rostovtzeff in *Social and Economic History of the Roman Empire* (Oxford 1926) 267 (henceforth abbreviated *Soc. Ec. Hist.*) cites an estate jointly or successively owned by Livia and Germanicus, and still another very

³ The editor is indebted to the *TAPA* readers for their helpful criticisms and suggestions.

large one owned by Germanicus alone. Another definite reference to a joint estate, other than the present one, occurs in *PLond.* 2.445 (14–15 A.D.). Here a γεωργός των ἐδαφῶν Ἰουλίας Σεβαστῆς καὶ Γερμανικοῦ Καίσαρος addresses a petition to the chief of police of the Arsinoite nome. The appearance of the same estate in the petitions from Euhemeria must be accepted with caution, for the editors based their identification of the estate Ἰουλίας Σεβαστῆς (*PRyl.* 2.126) with Γερμανικιανή (*PRyl.* 2.134) on an earlier assumption of Rostovtzeff (*Studien Zur Geschichte Des Römischen Kolonates* [APF, Beiheft I, Leipzig and Berlin 1910] 121–122). If the hypothesis was correct, the fact that the tenant farmer in *PLond.* 2.445 came from the village Bacchias in the Heracleides meris and the petitioners in the Ryland papyri were from Euhemeria in the Themistes meris points to a location of the estate in the Arsinoite nome. This would be in accord with Rostovtzeff's thesis (*Kolonat* 127, 129) that the ousiae were complexes of fundi which were spread over different merides, but there is no reason to suppose that the estate of Livia and Germanicus did not form a topographical unit.

Rostovtzeff's evidence on the distribution of the imperial ousiae has been augmented by the group of petitions from Euhemeria (*PRyl.* 2.124–152), which shows the importance of these estates in the life of the region during the early decades of the first century of our era. For ousiae in general, see Rostovtzeff *Kolonat* 119–129 and *Soc. Ec. Hist.* 573.

6–7. The contract began immediately after the flood season (roughly August 1 to November 30) in Choiak, the first month of winter, 4 A.D. Cf. note to 16–18 below.

8. Π[ε]±10]νιος: the name and patronymic of the donkey-driver.

9. The restoration of προστάτην is in keeping with the original terms of the contract, presumably recounted in lines 11–14 (see note below). Another possibility is ἐπιμελεῖσθαι, but the verb προσλαμβάνω does not seem to be used with the infinitive.

9–10. With προστάτην τῶν ὀνικῶν κτηνῶν μου cf. *PRyl.* 2.183, a receipt for hay issued in 16 A.D. by Ἀνχορίνφης Ἡρακλείδου προστάτης ἰδίων ὄνων Ἀπολλωνίου τοῦ Ἀλεξάνδρου(ν) ἐπισπουδαστοῦ, whom the editors designate "superintendent of the private-donkeys of Apollonius, son of Alexander, transport-master." *PRyl.* 2.183A is another receipt of the same type sent to the same person about one month later by Πτολεμαῖος Λεωνίδου προστάτης ὀνηλασίου ὄνων Ἀπολλωνίου τοῦ Ἀλεξάνδ(ρου), the superintendent of the driving-stable of asses of Apollonius, son of Alexander. If the restoration of προστάτην in the NYU petition is correct, then the status of the employee donkey-driver is analogous to the subordinates of Apollonius; Callistratus, who engaged the driver and apparently collected φόρετρα (line 19) for transport jobs, may as overseer of the estate have been concerned with private transport, although it is not unlikely that he shared in the transport of government taxes as well, and his position may have been similar to that of Apollonius, except that the latter in an official capacity as supervisor of state-transport probably operated on a much larger scale.

τῶν ὀνικῶν κτηνῶν (9–10) occurs in *BGU* 3.912.24.

11–14. The terminology of these lines suggests a paramone contract, for which see Westermann's "Paramone" (*JJurPap* 2.127 ff.). The unlimited scope of the duties ἐκ[τ]ελ[ε]ῖν [σ]ύνπαντα ὅσα καθήκει ὀνηλάτη — cited in lines 13–14 presumably as a prescription of the original contract — is in accord with the general-service requirements considered by Westermann to be essential to the paramone as a labor contract. However, H. C. Youtie has since demonstrated that such general-service requirements are not limited to paramone contracts, but are also found in the work contract (*locatio operarum*) without loan, the apprentice contract, etc. (Cf. "The Heidelberg Festival Papyrus," *Studies in Roman Econ. and Soc. History in Honor of A. C. Johnson* [Princeton 1951] 205.) Furthermore, since nothing in the present petition indicates a service contract with loan, it must be assumed that we are dealing with the case of an ordinary work contract.

For a similar agreement in which the work was to be general oversight of a herd of pigs, cf. E. P. Wegener, *Some Oxford Papyri*, No. 10, pp. 38–48, line 19: ποιῶν πάντα ὅσα καθήκει τῷ βόσκῳ.

One item in the NYU petition is foreign to the usual formula and causes considerable difficulty. The common construction is the joining of the infinitive παραμένειν with the participle, e.g., *BGU* 4.1126.9–10: παραμένειν . . . ἐπιτελοῦσαν κτλ. Here παραμένειν (line 11) . . . ω καὶ ἐκτελεῖν (13) is clear enough in meaning, but syntactically presents a problem. It may be that the peculiar omega at the beginning of line 13 is to be construed as a temporal dative (i.e., ᾧ for ἐν ᾧ: cf. Mayser 2.2 page 296.98c), and the καὶ in conjunction with the infinitive ἐκτελεῖν may represent the accessory function of the usual participle. Thus the hired-man would be reported to have agreed (συνγνοῦς ἦν) to remain in service (παραμένειν) through the summer until Choiak, in which period (ᾧ) he agreed also (καὶ) to perform (ἐκτελεῖν) all the other duties customarily required of a donkey-driver. However, since no parallel for the adverbial use of simple ᾧ can be cited, it may be preferable to read <ἐφ'> ᾧ or {ω}, cancelling omega as a blunder.

The more normal construction is found in *POxy.* 14.1647.13 ff.; ἐπὶ χρόνον ἔτη τέσσαρα ἀπὸ τοῦ Τῦβι ἐφ' ᾧ θρέψιν καὶ ἱματεῖν τὴν παῖδα καὶ παρέξασθαι αὐτήν . . . ἐκτελοῦσαν πάντα κτλ. (for a period of four years for which period, etc.). Note the occurrence of ἐκτελεῖν as in the NYU papyrus, in place of the usual ποιεῖν or ἐπιτελεῖν.

11. The lacuna has been restored on the analogy of line 18.

12. It is clear that the contract was to run for a year.

15. Such periphrastic forms as συνγνοῦς ἦν are not uncommon in vulgar Greek. (With συνγνοῦς = συγγνοῦς cf. 13. σύνπαντα = σύμπαντα and 41. ἐγκαλούμενον = ἐγκαλούμενον.)

16–18. The rush season for transportation in Egypt was in the summer, since the harvest of different crops occurred intermittently throughout the summer period (Schnebel *Die Landwirtschaft im Hellenistischen Aegypten* I [Munich 1925] 162–167). At that time the volume of transport was at its greatest, as donkey-drivers were busy carting grain to the threshing floors (cf. *PCol.* 2, page 104) and to the granaries, public

or private, in addition to their regular runs. Yet there must have been some hauling of produce in the winter, since, according to Schnebel (147–149), the cultivation of crops fell into three periods, winter culture, summer culture, and Nile or late-summer culture. Moreover, the third and fourth century ostraca from Karanis show that donkey caravans were active all winter long transporting tribute from the village granaries to the Nile boats (cf. *Ostr. Oslo.*, *Ostr. Mich.*, and *TAPA* 81 [1950] 100). In the case of the NYU petition, the fact that the driver was hired at the beginning of the winter during the slow season presents no problem, since the original terms of his contract (13–14) imply that his duties included general care of the animals, and if the restoration of *προστάτην* in line 9 is correct, he was hired as overseer of the animals to be in complete charge of Callistratus' business, a position which would entail winter service as well.

In line 17 the meaning of *ἀνατραφείς* raises a question. The sense which would be natural here — “provide with food allowances” — is not attested in the very few references listed by Preisigke, where the special meaning of “rear a child” is regarded as the only usage. Yet the analogy *ἀνατροφή* = *Lebensunterhalt* (Preisigke) supports the meaning adopted here. (Cf. *τρέφειν καὶ ἱματίζειν* [“feed and clothe”] in paramone contracts: *POxy.* 14.1647 cited above; *BGU* 6.1647.14; *PFouad* 1.37.) The petitioner Callistratus, in view of the alleged negligence of the employee (see lines 22–25 below), may retrospectively be seeking to emphasize the ingratitude of the driver by referring to his receipt of “support and rations” during the slow winter season, and in *ἀνατραφείς* may imply that he did not earn his keep. However, because of the problems raised by this reading, it has been suggested that *ἀνα<σ>τραφείς* sc. *περὶ τοὺς ὄρους* be read.

18. For the restoration of *ῆν*, cf. the periphrastic *συνγνοὺς ῆν* at the end of line 15. If the restoration is not correct, then the sentence consists of coordinate participles with *ἀφαρπάσας* carrying the force of a main verb.

18–20. It may be inferred from the sequence in which the events are recorded that the theft occurred during the summer service and was discovered at the end of the season (roughly July 31) at least before Thoth (cf. line 33). It should be noted, however, that the petitioner is not requesting indemnification for the theft (44–48), and perhaps the donkey-driver's withdrawal of the *ὀνηλατικά* should not be labelled “theft.” The papyrus is sufficiently and perhaps most easily explained if the story is reconstructed as follows: Callistratus had a troop of donkeys for which he hired a driver in Choiak. The employee exercised complete control over the donkeys, took them out on business trips, and collected the charges (*φόρετρα*). The papyrus does not tell us whether the driver drew regular wages, but the whole document is perhaps best understood if it is assumed that he was hired by Callistratus on a commission basis. In any case, it seems that a percentage of these charges or a specified amount was fixed (*ὑποκείμενα* 20) for the driver's fees (*ὀνηλατικά*). Remaining with the donkeys through the winter and the summer, the driver then departed, taking with him the *ονηλατικά*. Since Callistratus does

not demand that these be recovered (see 44–48) but nevertheless leaves no doubt that the driver's appropriation of them was illegal, it may be inferred that the contract which governed the relations of Callistratus and his driver specified that the division of the *phoretra* was to be made at the conclusion of the period covered by the contract and with the joint approval of the two. If the driver was entitled to the *onêlatika* as his own earnings, then Callistratus knew that they were not recoverable at law, and his allusion to the driver's violation of the agreement by his premature withdrawal of the *onêlatika* was made only to strengthen his present accusation.

However, another interpretation is possible, if it is assumed that the driver was hired to supervise a transportation business which employed a number of drivers. In that case, the defendant may have stolen the salaries of the drivers under his jurisdiction, and it may be that the charge was previously punished by the authorities of the estate or the government.

The restoration of *προστάτην* in line 9 is given further justification by the fact that the driver was in a position to lay his hands on a portion of the collected freight-charges. The driver must have been given complete charge of Callistratus' transportation business, and in this capacity either held the collected *phoretra* or deposited them in a bank. The latter alternative would explain how the driver could conveniently have withdrawn his share and left the rest in safe-keeping for Callistratus. In the case of the transport of government grain, *PCol.* 2.1R4 shows that the payments were often made to the drivers in kind and could be converted into money at a fixed rate. For a general discussion of *φορέτρων* and *ὀνηλατικά* see Commentary B below, p. 95.

21–22. *καταγρούς*: cf. note to lines 30–31 below.

22–24. *ἐξαμελήσας . . . κατησθενήκασι*: note the ungrammatical shift of subject, a carelessness characteristic of vulgar Greek.

25–26. Unfortunately, the amount at which the donkey was valued is not preserved. In the year 7 A.D. (*BGU* 1.189), the price of a donkey was 72 drachmas. Cf. price lists in A. C. Johnson, *Roman Egypt, Economic Survey of Ancient Rome* II (1936) 230–231.

27–30. The text, too mutilated to allow an exact reconstruction of the situation, may refer to a legal proceeding which attended the death of the donkey. The following restoration is therefore illustrative and is offered with much diffidence:

τὸν ὀ[νηλάτην ἔλαβον] (?) [κ]αὶ εἰς[α-
γαγὼν] εἰς τὸν ἐπισ[τ]άτην
ἐπέδ[ειξε] τὸν ὄνον προπε-
πτω[κότα]

An alternative reading is *ἐπέδειξε*, with either the epistates or the driver understood as subject (cf. 22–24 for the writer's tendency to shift the subject).

Another suggestion worth considering is that the driver had lost a donkey on one of his trips and, when bringing in a load (*εἰσαγαγὼν*),

made a declaration to Callistratus (ἐπέδειξε) that the donkey had collapsed (προπεπτωκέναι) on the road.

29–30. προπεπτωκέναι occurs in *PTeb.* 1.66.76 and 78, where certain pastures are described as useless for grazing because the animals had been admitted prematurely. Although the editors of *PTeb.* have not translated the word, the meaning “rush in before” suits their interpretation of the passage. Perhaps this sense may be applied here as “rushed too fast,” but the more literal interpretation of προπίπτειν as “fall forward” suits the context as well, especially in view of τραυματίας, line 24 above.

30–31. The meaning “to disregard” for καταγιγνώσκειν is assumed with some caution; it is based on the analogy of the writer’s previous usage (lines 21–22: τοῦ καλῶς ἔχοντος καταγνούς) which, though not the usual one, is supported by Preisigke’s rendering *geringschätzen* (*Wörterbuch der griech. Papyrusurkunden: PMagd.* 42.4 = *PEnteux.* 83; *PLond.* 2.401.22 = *Mitteis Chrest.* 18). Certainly the noun κατάγνωσις (*PFlor.* 313.5; *POxy.* 1.140.17 = *Wilcken Chrest.* 438) in the sense *Pflichtvernachlässigung* shows the extension of meaning adopted here. If this interpretation is correct, and if δὲ marks the transition to a new sentence (30–34), then two restorations are possible:

1. αὐτοῦ δὲ καταγνόντος (perhaps followed by ὅλως, which has been suggested by a reader).

2. τούτου δὲ καταγνούς, perhaps followed by καὶ δοῦς, with a finite verb appearing later in the sentence.

If, however, καταγιγνώσκειν is to be understood in its more common legal sense (“charge with guilt” or “judge guilty”), and if αὐτοῦ δὲ καταγνούς concluded the previous sentence (27–30), then the meaning is: *he* (sc. the epistates) or *I* submitted that the donkey had fallen, but charged him with the guilt. In view of the insufficient context, the final interpretation must be left open.

30–35. The exact sense of these lines is obscured by bad breaks in the center of the papyrus, but the context makes it clear that the animals were recovered in Thoth (August, 5 A.D.) before the original contract expired, probably as a result of the breach caused by the death of the donkey. The month of Thoth falls after the rush season, but there was evidently still some post-harvest hauling to do, in view of the petitioner’s complaint of the loss of time caused by the lack of equipment (cf. lines 38 and 46).

In line with alternative 2 (see previous note), the following restoration has been suggested:

τού]του δὲ κατα-
 γνοῦ[ς καὶ ἀφε]ῖς τὰ λοιπά μου
 κτή[νη ἀπήλ]λακται ἔτι ἀπὸ
 Θωῦ[θ μηνός] τοῦ λε (ἔτους)
 Καίσαρ[ος λαβώ]ν μου σάκκους
 τρε[ῖς καὶ μὴ πα]ραδούς μοι

46. The exact period of unemployment is not specified, but the redress being sought may have run from September to the end of the contract in December or until the date of the petition.

48. The lacuna may hold two or four letters. Since the compounds of *τυχεῖν*, [*ἐπι*]*τυχεῖν* and [*ἐν*]*τυχεῖν*, raise grave doubts, perhaps the lacuna contained another particle closely allied with *ἦτοι*.

COMMENTARY

A. The evidence for the private operator in transportation.

A study of the case of the petitioner in this papyrus is of interest both for our understanding of transportation facilities on imperial estates and for our meagre knowledge of private enterprise in Roman Egypt.

1. *Limited as our knowledge of the administration of estates is, there is evidence that estate-managers often engaged in private economic enterprises.* The exact title of Callistratus is difficult to recover, for the text is broken at the crucial point (see note to text, lines 3–4). If we limit ourselves to a restoration which adds nothing to the obvious sense of the passage, τοῦ προεστῶτός τινων τῆς οὐσίας κτλ., Callistratus was the proestos of the estate of Livia and Germanicus, a term regularly used of the superintendents of individual ousiae, imperial and private (cf. *PRyl.* 2.145.2 note).⁴

Moreover, if his testimony is taken at face value, Callistratus was the owner of transport-animals (31–32: τὰ λοιπά μου κτήνη; 38: οἱ ὄνοι μου; etc.), employed a donkey-driver (8: ὀνηλάτην; 20: ὀνηλατικά),⁵ and was engaged in commercial transportation (note the allusion to freight-collections in line 19: φορέτρων). Abbott

⁴ The reading προεστῶτ[ος] [κ]τηνῶν, though paleographically sound, is suspect because it is unattested. As a colorless participle of προιστάναι ("to be in charge of"), προεστῶς could refer to any kind of supervision (cf. *PHamb.* 1.35 introd. page 151) and in this context would mean "man in charge of the beasts of burden on the estate," etc. Examples of other uses of the word are: *PCol.* 2.1R4 col. 10.10: προεστῶτες ναυκλήρων Ἀρσινότου; *BGU* 8.II, 3: τοῖς προεστῶσι τῶν νομαρχικῶν ἀσχολημάτων], 1028.8: προεστῶς χαλκίων, 1028.25: προεστῶς κλειδοποιῶν; *POxy.* 12.1450.24: προεστῶτες ἡ καὶ ἐπιμελούμενοι τῶν ἔργων. These references, all of the second and third century A.D., show that προεστῶς, in the first century apparently the special title of estate-agents, was later a title applied widely to high functionaries of professional guilds. In accord with the historic changes and economic reorganization of these centuries, the proestos of the ousia seems to have been superseded by the φροντιστής, the manager of the large domains of patrimonial and imperial lands which had come into the hands of the great landowners. (Cf. references to the correspondence of Heroninus [*PFlor.* 2.118–277] p. 90.)

⁵ The petition is concerned with only one driver, but Callistratus may have employed more. See note to lines 18–20 above.

and Johnson (*Municipal Administration in the Roman Empire* [Princeton 1926] 18), describing the economic organization of large estates,⁶ state that the business affairs of an estate were in the charge of a *conductor* who was responsible for the management of the entire estate, and that part of the land in an estate could be leased by the *conductor* himself and worked directly by him or leased to tenants. (Note the wealthy *conductor* of the *saltus Burunitanus* [CIL 8.10570].) Is it not possible that Callistratus, as manager of an imperial estate, had himself leased a transportation concession on the estate, and that the animals, sacks, and other equipment were his own property? If this hypothesis is true, it is of significance for the validity of Johnson's supposition [*op. cit.* above, note to 25-26(406)] that considerable trade was carried on by private owners of donkeys as well as public drivers, and that private transportation companies leased concessions and operated under government supervision. Moreover, if the large estates transacted the grain business *en gros*, as Rostovtzeff (*Kolonat* 128) maintained, it seems a fair enough inference that Callistratus as manager of the estate had some interest in this enterprise.

However, there is one apparently valid objection to such an interpretation, viz., that *οἱ ὄνοι μου* in the present context is ambiguous and thus the animals may have been the property of the estate. The assumption of Oertel (*Die Liturgie* [Leipzig 1917] 116 note) that the large estates possessed their own animals is perfectly plausible, but, since it was based on the evidence of a single estate (*PFlor.* 2.155 and 271), it deserves reexamination. In one of several letters dealing with transportation written in the third century A.D., Alypius, the owner of an estate, requested Heroninus, his manager (*φροντιστής*), to send *τὰ παρά σοι κτήνη μετὰ τῶν σάκκων* ("the animals you have along with the sacks"). Although there is no *a priori* objection to Oertel's view, the evidence itself is not conclusive enough to prove that the animals were owned by the estate. In another document of the same series (*PFlor.* 2.226), the problem of ownership is raised more articulately. In a letter to Heroninus, Alypius makes two apparently contradictory references in regard to the ownership of the animals: *περὶ τῶν κτηνῶν σου* ("concerning your animals") and *εἰ ἦν σὰ τὰ κτήνη* ("if the animals were yours").

⁶ Although this information is based on inscriptions derived almost completely from Africa, Abbott and Johnson (page 16) observe that the same system probably prevailed in other parts of the empire.

The editors were troubled by this and offered the equally ambiguous interpretation that by κτήνη the writer meant κτήματα. I do not believe that the loose use of σου in reference to the manager should cause difficulty, since the supervision of the whole estate including transportation facilities undoubtedly fell within the province of the φροντιστής. On the other hand, there is nothing here which indicates that the animals belonged to the manager or to the estate.

In this direction two other documents of the same archive may prove instructive. *PFlor.* 2.126 is addressed to Ηρακλη- επι κτην, and a doubtful reading in 246* ascribes the same title to Monimus. *PRyl.* 2.236.18, which also belongs to the Heroninus correspondence, proves the genuine title to be ἐπικτηνίτης. It is perhaps natural to assume (as Oertel did in the case of *PFlor.* 2.155) that these men were employed by the owners of the estate to supervise estate-owned animals. But the context does not exclude the possibility that these men possessed their own animals and leased transportation concessions on Alypius' estate from Heroninus, who as general manager was responsible for all concessionaires under his supervision. Perhaps this theory may be adduced in explanation of the troublesome εἰ ἦν σὰ τὰ κτήνη (226, see above) as pointing to the fact that the animals belonged to private concessionaires known as ἐπικτηνῖται.⁷ In any case, the analogy of these references should be accepted with caution, since the archives of Heroninus may be too late to afford valid evidence for the Augustan period, when private enterprise of the small operator was encouraged.⁸ According to Rostovtzeff (*Soc. Ec. Hist.* 299), all traders and transporters, great and small, in the country were concessionaires of the state,

⁷ So too the σοι in 155 may be explained. According to Amundsen (*Ostr. Oslo.*), the position of the φροντιστής is not yet adequately understood.

In *PRyl.* 2.236.18, the term ἐπικτηνίτης is translated "driver." There is, however, nothing in the context to prove that the ἐπικτηνίτης was only a driver, nor does it indicate whether he was in charge of his own or of estate animals. The letter refers to the delivery of some timber for the magistrate's house to Zosimos ἐπικτηνέλης.

⁸ For the change in the policy of the Roman administration toward free trade and toward private estates, see Rostovtzeff *Soc. Ec. Hist.* 159, 269-70, 536, and *passim*. Cf. Wallace's remark about the results of the economic decline in the third century: (*Taxation in Egypt from Augustus to Diocletian* [Princeton 1938] 95) "just as the domain land began to pass into the large private estates, so animals which had belonged to the government became the property of the great landholders." Cf. also Amundsen's reference (*Ostr. Oslo.*) to the change in the transportation system from the small-scale private enterprise of the second century to the liturgized system of the third.

and most of them were Greek. (Note the name of the petitioner: Callistratus son of Callistratus.)

As far as the NYU document is concerned, there is no doubt that a transportation business was being operated on the estate and that Callistratus, the manager, was personally involved with recovering damages for a dead animal, missing equipment, and for the loss of operation-time. Although the possibility that Callistratus may have been representing the interests of the estate is not to be completely discounted, nevertheless, from the whole tenor and personal tone of the plea and from a literal reading of the petitioner's statements, it is likely that the manager was himself engaged in transport and was seeking to recover damages for himself.

2. *That private transportation enterprise existed in Roman Egypt and prevailed especially in the Augustan era is accepted as an historical fact; but the search for supporting evidence has involved much controversy, and the identification of private transporters in the papyri has led to a succession of views.* The widely discussed Fayum ostraca (*Ostr. Fay.* 24-40) were once hailed as the keystone to our knowledge of large land-transport operators. Preisigke, in a detailed study of this group of receipts and of *Ostr. Fay. Jouguet* 18 (*APF* 3 [1906]), concluded that they were issued by *Spediteure*, land-transporters, named in the receipts, and among them was one Σωδίκης ποιμήν whose identity has long been the object of divergent interpretation.⁹ He held that Sodices not only employed drivers to serve with his own animals, but also used some public and community troops, and that the frequent listing of the owner's name only, without the driver's, indicated that the actual responsibility for the freight resided with the owner. Oertel (*op. cit.* [above page 90] 116) also recognized the possibility of a *Grossunternehmer* for land-transport in Σωδίκης ποιμήν, and Rostovtzeff (*Soc. Ec. Hist.* 624 note 44) ventured the same suggestion. This view of

⁹ The recurrent formula which has caused so much difficulty may be illustrated by # 24 of the Fayum series:

Θησ(αυρού) Θεαδελφ(είας)
γενη(μάτων) ε (ξτους) διὰ κτηνῶν μητροπόλεως
Σωδίκης ποιμήν διὰ Ἀμμωνίου ὀνηλ(άτου)
σάκ(κοι) δ

See also Amundsen *Ostr. Mich.* 1.67-81 and *Ostr. Skeat* I (Youtie, *TAPA* 81 [1950] 101).

the Fayum ostraca has now been discarded in favor of a much simpler interpretation. In his cogent analysis of transportation receipts (*Ostr. Oslo.*), Amundsen maintained that these receipts were issued by officials in charge of the thesauroi and that professional transporters are nowhere indicated in the texts; that, in fact, the men who had been identified as transporters are in several cases known to be cultivators of land, e.g., Σωδίκης ποιμήν; and that the receipts were issued to them by officials for the transportation of their fiscal contributions.

Another document which may be of interest here is a receipt for payment of φόρετρον εἰς Παπνεβτῦνιν διὰ Φίλωνος (*PTeb.* 2.365). Preisigke (*Girowesen im Griechischen Aegypten* [Strassburg 1910] 83) identified Papnebtunis as an operator of a *grosseres Fuhrgeschäft*, through whom the tax-collector had arranged to have the grain-taxes delivered, and Philo as the representative of Papnebtunis (probably one of his drivers). This hypothesis should perhaps be studied side by side with *PRyl.* 2.183 (cited above in note to lines 9–10), for it recalls the ἐπισπουδαστής Apollonius, apparently an official transport-master who was himself an owner of transport troops (cf. ἴδιοι ὄνοι). The Tebtunis interpretation, if it is at all pertinent, suggests that the activity of private transporters extended in some cases to state as well as private contracts. (Cf. also *PLond.* 1.131R col. 14.)

In connection with private transportation, *Ostr. Skeat 2 (TAPA 81 [1950] 102)* is of considerable interest. Youtie, commenting on an order addressed to the secretary of a donkey-drivers' guild, observes that the text conforms to a Fayum type found in *Ostr. Fay.* 14–17 and *Ostr. Mey.* 81, all written in the time of Augustus and Tiberius. Since each of these orders designates a private granary, presumably as the place of delivery, Youtie holds that these orders are much more likely to concern deliveries made by drivers in the regular course of private business than in the transportation of government grain.

3. *The evidence seems to point to a distinct separation between land and water transport.* Any attempt to maintain the existence of land-transporters involves the allied problem of the general organization of overland transport. The traditional conception assigned the control of all transport, both land and water, to the naucleroi. Oertel, who (as previously mentioned) had admitted the possible existence of large-scale land-transporters in such men

as Σωδίκης ποιμήν, was nevertheless led by the strong hold of the conventional theory (which had prevailed since Meyer's discussion of *PHamb.* 1.17) to concede that such land-transporters might still have been under the supervision of naucleroi. Following the general tendency, Rostovtzeff in *APF* 3 ("Kornerhebung und -transport im griechisch-römischen Ägypten" 1906) 223 even went so far as to interpret the Fayum ostraca as receipts made out by ὀνηλάται in the name of their ναύκληροι, but later (*Soc. Ec. Hist.* 624 note 44) retracted this in favor of the view that contracts for land transport were given not to naucleroi, but to independent land-transporters, among whom he placed Sodices (see above, page 92). Amundsen, who has clearly rejected this identification of Sodices, nevertheless also inclines toward the belief that land and water transport were separated.

The most conclusive evidence for the complete separation of land and water transport has come from the Columbia papyri published by Westermann and Keyes (*PCol.* 2.1R4). The excellent commentary of the editors sets forth a definitive account of the data which had previously led to the theory that the naucleroi controlled the transport of government grain. The Columbia receipts show a direct and immediate relationship between the donkey-drivers and the government officials who paid them for the transport work. The editors see "no place for a transport entrepreneur such as the ναύκληροι standing between the state and the land-transporters."¹⁰ The lists of donkey-drivers in *PCol.* 2.1R5 indicate that the transport privilege was distributed fairly equally between those with public animals and those with private.¹¹

The Columbia papyri establish the direct contact of the donkey-drivers with the state authorities, but there seems to be no reason for ruling out the existence of land-transport concessionaires who

¹⁰ Emphatic approval of the position taken by Westermann and Keyes is given by J. Schwartz ("Le Nil et le ravitaillement de Rome," *Bull. Inst. franç. d'arch. orient.* 47 [Cairo 1948] 191, esp. note 1). In a new interpretation of *BGU* 607 (*JEA* 15 [1929] 160-163), Clinton Keyes disputed Oertel's assumption that Didymus was a naucleros whose contract included land transport with the concomitant employment of camel-drivers. On the basis of P. Col. Inv. No. I 7 (col. 3) he interpreted the document as a loan of money made by some person named Didymus to two camel-drivers on the security of wages due them. Kalén in his introduction to *PBerl. Leihg.* 1.2 R (page 84) suggested the same interpretation, apparently independently of Keyes.

¹¹ The editors, noting that all the private donkeys seem to have come from villages of the Themistes division and the public from Polemon division, have raised the question of the significance of the distribution. It will be observed that the ousia on which Callistratus operated was partially located in the Themistes division.

hired drivers to operate their routes and whose function was analogous to that of the *naucloroi* in water transportation. Can it be that the petitioner of the NYU papyrus, in addition to his duties as the manager of an imperial estate, privately operated a land-transport business (on however small a scale) in which he employed the services of donkey-drivers and furnished them with pack-animals to transact the deliveries?¹²

B. The evidence for the meaning of the technical terms φόρετρον and ὀνηλατικόν.

The word *φόρετρον* is common enough in the papyri as a freight term, but there is still some doubt as to its precise meaning. On the other hand, the references to *ὀνηλατικόν* have been very rare and too incomplete to allow definition. Since both terms are met in the NYU papyrus in a context which adds a bit to our knowledge of their meaning, reexamination of the evidence now yields a clearer understanding of their nature.

1. Uses of the word *φόρετρον*.

That the term referred specifically to land freightage seems clear from *POxy.* 3.522, where a distinction is drawn between it and *ναυτικόν* (water freightage).¹³ That it covered all phases of the overland transport of taxes paid in grain is revealed by the different terms recovered from papyri for specialized types of transport-charges. We learn from *PBerl. Leihg.* 1R1.16 of *φορέτρων δραγματηγίας* (charges for hauling the sheaves of grain from farm to threshing-floor) and *σακκηγίας* (charges for carting the sacks of threshed grain to the granaries); a third type has been identified in *PLond.* 2.295

¹² Note that Otto Krüger, in his instructive commentary to a contract for private transport (*PRoss. Georg.* 2.18), similarly recognized the need for an intermediary in water transport between the sender and the shipcaptains. He considered the consignors to be *Grossspediteure* whom he equated with *ναύκληροι*. However, he found the question complicated by the fact that in col. VI the recipients were the *κυβερνήται* themselves and in col. XXII another person is mentioned along with the *κυβερνήτης*. Oertel has suggested that the *kubernētai* were captains who worked under *nauklēroi* (cf. *PLond.* 2.599), but was troubled by the occurrence of *nauklēroi* who piloted their own ships (*POxy.* 3.522) and by the appearance of the two groups as one (*PGiss.* 1.11). It would seem to me that the *nauklēroi* were shipowners who in some cases piloted their own ships; if, however, they engaged in large-scale operations, the *nauklēroi* would enlist subsidiary *kubernētai* to pilot either ships of their own or those of the *nauklēroi*. Perhaps a similar arrangement existed for land transport, wherein men like Callistratus operated land-transport firms and employed donkey-drivers to execute the labor.

¹³ Westermann and Keyes (*PCol.* 2, page 106) recognized the distinction in their division of freightage expenditures into *φόρετρον* and *ναύλον*.

as the charge for *καταγωγή* (carting from the granary to the harbor).¹⁴

However, the form in which it appears most frequently is without a qualifying adjective as the fee paid to the drivers of pack animals, both public and private. Yet, there is reason to believe that ancient terminology drew a distinction between the public and private aspects of transport. The use of *δημόσιος* by the granary scribe in *PLond.* 2.314 refers only to the former, and Kalén (*PBerl. Leihg.* 1.5 page 117) has differentiated between *φόλετρα ὄνων* and *φόλετρα νομαρχείας* in *PSI* 31 (16ff.) as charges for private and state transport respectively. Thus in the literature already published, *φόρετρον* is a general term representing the cost of transporting grain (threshed or unthreshed), by animals on land, in operations either public or private.

2. The distinction between *φόρετρον* and *ὄνηλατικόν*.

The real key to a definitive understanding of *phoretro* may now be offered by the NYU petition which reveals a distinctive relationship between it and a word sometimes associated with it, *onêlatikon*. In previous citations of the latter word, the editors have generally assumed that its meaning was clear. But examination of the passages reveals a striking fact — all but one rest upon editors' expansion of an abbreviated form.¹⁵ Only in *PLond.* 2.314 does the word occur in full: a tenant agrees to pay *τὸ ὄνηλατικὸν φόρετρον* to the village thesaurus.¹⁶ The literal translation of the phrase — the donkey-driver's fee — is no doubt its true meaning. From this, however, nothing about the inherent nature of the *phoretro*

¹⁴ The camel-driver in *PLond.* 2.295 acknowledges receipt of: *φόλετρα ἧς κατῆξα ὑπὸ ἰδίων καμήλων ἀπὸ τῶν τῆς μερίδος θησαυρῶν εἰς τοὺς ἀποδεδειγμένους ὄρους*. This has been classified as *καταγωγή* by Rostovtzeff *APF* 3.203. Surely, as far as the form of delivery is concerned, this belongs to the category of *σακκηγία*, but *σακκηγία* and *καταγωγή* were apparently treated as separate processes with the former specialized to the stage of delivery from threshing-floor to granary and the latter from granary to harbor. Cf. Kalén *PBerl. Leihg.* 1, page 57 and *PCol.* 2, page 132 for discussions of *καταγωγή*.

¹⁵ In *P Bour.* 42.9 and 169, *ονη'* is resolved as *ὄνηλατικὸν φόρετρον* because of the close association with *δραγματηγία*. Cf. *PPrincet.* 2.42.5a where *ονηλ'* is resolved as *ὄνηλάσιον*, with Kase's note that it was evidently a local variant of *φόρετρον* as in *P Bour.*; observe, however, that *ὄνηλατικόν*, not *ὄνηλάσιον*, was the reading given in *P Bour.*

¹⁶ Vitelli suggested that the *φόλετρα ὄνων* of *PSI* 31, discussed above, may be equivalent to *φόλετρα ὄνηλατικά*, the charge of transit to the village thesaurus (cf. *PLond.* 2.314); the contrasting *φόλετρα νομαρχείας* he identified as the cost of transport to the thesaurus of the nome.

is gleaned except the implication that there were other kinds of *phoretra*. Our first clue toward taking our definition a step further is provided by the NYU document. Here *onêlatikon* is neither an equivalent of *phorettron* nor a mere descriptive adjective, but a distinct entity. A donkey-driver, employed by the petitioner, is charged with stealing τὰ ὑποκείμενα ὀνηλατικά ἐκ τῶν φορέτρων. What was this *onêlatikon* which was included in the *phorettron*, and what else did *phorettron* comprise?

In the unfortunate absence of information on private transportation, we are forced to explore the meagre data available on state transportation fees. Wallace (*Taxation* 42) has asserted that the proceeds of the *phoretra* charged by the state for the transport of taxes in grain were used to pay the wages of the granary employees, the hire of the drivers for overland transport, and the cost of lading at the port. On the evidence of *PTeb.* 2.520, Kalén believed that the *phorettron* probably absorbed the charge for σιτομετρικόν (cf. Wallace's "wages of granary employees"). The suggestions of Wallace and Kalén find an analogy in *POxy.* 4.740, where the listing φορετ' ὀνηλ' καὶ σιτολογικόν καὶ σιτομετρικοῦ shows a close relationship between these fees. Although there is really a definite distinction between these different fees, the word *phorettron* may have been used as a generic term for a composite charge consisting of ὀνηλ' (driver's fee),¹⁷ σιτολογικόν (clerical fee of granary scribe),¹⁸ and σιτομετρικόν (fee for weighing and measuring grain).¹⁹ Accordingly, τὸ ὀνηλατικὸν φόρετρον of *PLond.* 2.314 (see above, page 96) may be understood as one specific *phorettron*, sc. the donkey-driver's fee — the only charge the tenant farmer agreed to bear in the transportation of his state taxes.

The *phorettron* is thus a multiple charge when applied to public taxes; it may be considered similarly in private business, although the component elements would be different. Whether Callistratus

¹⁷ φορέτ(ρου) ὀνηλ(ατῶν) is the text reading, but ὀνηλ(ατικοῦ) is equally probable. In either case, the meaning is the same.

¹⁸ Grenfell and Hunt consider the σιτολογικόν a new term for the bakshish of the sitologus. This is clearly the bookkeeper's fee, apparently included by Wallace in his general grouping of granary employees.

¹⁹ To these may be added the σακκοφορικόν (cf. *PGoodsp.* 14.7 and *PFlor.* 75.22), perhaps equivalent to Wallace's "cost of lading," and other subsidiary charges. San Nicolo (*Aeg. Vereins.* [Munich 1913] page 120, note 3) makes the interesting observation that the σακκοφορικόν was the fee paid the σακκοφόροι for carrying sacks and that a corresponding tax was levied for this, the φόρετρον σακκηγίας, which belonged to the δημόσια φόρετρα.

of the NYU petition was engaged in transportation as a concessionaire or as an agent for the imperial estate, the freight-fees were naturally gauged to cover all overhead costs such as upkeep of animals, wages of drivers, rental for lease of concession(?),²⁰ operator's tax (?), and other related coverage. The *phoretra*, whether collected from private patrons or from the state, were presumably turned over to the headquarters of transport on the estate or perhaps deposited in a bank. Callistratus accuses the driver of having removed τὰ ὑποκείμενα ὀνηλατικά from the accumulated collections of *phoretra*.

The simplest interpretation is that the *onêlatika* were the portions of the *phoretra* which were due the driver as fees (see note to lines 18–20 above). The attributive ὑποκείμενα suggests that it was a reserve fund budgeted to this purpose.²¹ With this definition, the restoration and interpretation of the abbreviations in *P Bour.* 42 and *P Princet.* 2.42 (see note 15) are possible. The ὀνηλ' of both papyri may be the substantive ὀνηλατικόν — the donkey-driver's wage.

3. ὀνηλατικόν as a tax.

The term *onêlatikon* appears elsewhere as the name of a tax on donkey-transport. Since this interpretation is a too complex one for the NYU document, only a brief summary of the evidence for the use of the word in this technical sense will be presented here. The matter does, however, merit further and more detailed study, in view of the confusion prevalent in the identification of transport-taxes in general and of the tax *onêlatikon* in particular.

Frequent mention of privately-owned donkeys is found in the papyri, but returns on donkeys and receipts for the tax on donkeys are surprisingly scarce. Wallace (*Taxation* 93) has suggested that the state dispensed with the taxation of the majority of transport-

²⁰ Although no φόρος κτηνῶν (Wallace *Taxation* 78) is attested, such a lease may have been involved here. For the φόρος πλοίων cf. Wilcken *Ostr.* 1.196; *BGU* 2.653; Ἀνωμανῆς οὐσίας; Wallace 308.

²¹ Ὑποκείμενα, most frequently occurring as a substantive, has generally been understood as a term for taxes assessed for the maintenance of public officials. Cf. Martin, *Les Epistrateges* (Geneva 1911) 139 ff.; Wallace *Taxation* 333; Wilcken *Gr.* 215; *BGU* 1.337; *PLond.* 2.347. Biedermann (*Aeg. Verwalt.* [Berlin 1913] 20 note 4) claims that it refers to the wages of officials and not to taxes. It will be noted that as a substantive it is commonly associated with a noun in the dative, e.g., ὑποκει- ἐπιστ' (*PLond.* 2.347.11), and that it has the same underlying meaning adopted above for the NYU papyrus — ear-marked for the epistrategos.

animals to encourage private ownership, reserving the right to requisition the private animals for government transport, when needed. There was one type of tax on donkeys which seems to have been paid by private owners who possessed the animals for *personal* use.²² The *τέλος ὄνηλ'* (read by Wilcken, *Ostr.* 684, as *τέλος ὄνηλατῶν*), paid by a donkey-driver presumably as a professional tax, is perhaps to be identified with the fee for a diploma exacted from private owners who engaged in any kind of *public* transport.²³ A third type of tax, attested for Thebes in Upper Egypt (Wilcken *Ostr.* 392, 395: *ὑπὲρ ὄνηλ'*), was paid by firms engaged in private transport, and the different amounts of the levy (up to 150 dr. a year) suggest that it was based on the number of donkeys employed (cf. Wallace 206) or on the volume of the business. It is difficult to understand why Wilcken resolved this abbreviation (*Ostr.* 392, 395) as *ὑπὲρ ὄνηλασίας*, especially since elsewhere (1054) in reference to the collectors of this same tax he has restored *τελ(ῶναι) ὄνηλ(ατικοῦ) καὶ ἄμαξ(ικοῦ)*. It should be noted that Oertel (*op. cit.* [above page 90] 119) casually accepted the existence of a tax called *ὄνηλατικόν* in a reference to its frequent association with the tax *ἄμαξῶν*.²⁴ Wilcken's hypothesis that these owners of donkeys kept the animals for rent and paid a tax for this rental business is plausible, but a better solution seems to be suggested by a remark which he dropped as an afterthought (I page 273): "Oder hielten sie sich Eseltreiber und zahlten dafür die Steuer?" If Wilcken's and Oertel's resolutions of the abbreviation are correct, a tax known as *onêlatikon* was levied on private persons like the Theban firms (and perhaps Callistratus) for the right to operate a transportation business through employee drivers, and it may be that the rate of the assessment was based on the number of drivers employed.

²² Meyer (*PHamb.* 1.33) remarks that the uniform amount paid for each donkey shows a fixed tax. According to Wallace, the three different names for imposts on donkeys in the Oxyrhynchite, Arsinoite, and Hermopolite nomes represent the same tax, which he prefers to regard as a license fee rather than a property tax.

²³ Meyer and Wallace suggest the equation of the fixed tax on donkeys (cited above) with the fee of 8 dr. paid for a diploma, but Johnson believes that the former was paid by owners who kept animals for personal use, and that a diploma fee was paid when they wished to hire out to others or to engage in public transport. In Wilcken *Ostr.* 684, the sum of 2 dr. 1 ob. may represent a partial payment.

²⁴ The association of this tax with the *ὑπὲρ ἄμαξ'* (Wilcken *Ostr.* 392, 395, 1054) troubled Wilcken, since the donkey is unknown as a draught animal in Egypt. He, therefore, rightly insisted that the donkey-driver-tax and the wagon-tax be considered as distinct. Why can we not assume that the firms engaged in both donkey-transport and wagon deliveries with oxen?