

Book XII.  
Title L (LI).

Concerning the public post, and the haulage on highways and by-ways.  
(De cursu public angariis et parangariis.)

Headnote.

The principal founder of the imperial post or transportation system was Augustus. The scheme was not, of course, entirely original with him, since some system of communication between various places is bound to develop in any nation in which any sort of civilization, even though crude, has arisen. But Augustus developed and enlarged what he found. Imitating to some extent at least the post system of Persia and a system adopted by Caesar in connection with his military campaigns, he employed young men as runners, stationed at intervals along the many splendid military and other roads in the empire. Later he also employed vehicles and animals, stationed, too, at regular intervals along these highways. The system so founded was enlarged from time to time until it existed along all of the imperial highways and connected nearly every part of the empire. Recourse should be had to a map of imperial Rome to understand its system of highways along which the post system was established. To illustrate: One road led from Rome southward along the western shore of southern Italy, through Capua, Paestum to Tregium in the foot of the Italian peninsula, a distance of 450 Roman miles, then across into Sicily, which was everywhere traversed by splendid roads and from the posts of which ships could sail and arrive in Carthage in 24 hours. A road led from Carthage westward along the northern coast of Africa through Numidia and Mauritania to the pillars of Hercules, from which point an easy crossing was made into Spain. Another main road led from Carthage eastward to Alexandria in Egypt. Another of the principal roads carried travelers from Rome through Capua to Brundisium, from which a crossing by sea to Dyrrhachium in the Balkan peninsula was effected in one and one-half days. From the latter place a main road led through Heraclea, Edessa, Pella, Thessalonica to Byzantium, the later Constantinople, and thence into Asia Minor, through Antioch, Sidon, Tyrus, Ascalon, Gaza, Pelusium and Alexandria, connecting with the highway westward to Carthage. Other roads led into Greece, and through various portions of Asia, the Balkan peninsula, France, Spain, England and the part of Germany occupied by the Romans. A man could travel from the Caledonian wall in southern Scotland to Jerusalem on a Roman highway and by sea, as follows: To York, 222 Roman miles; from there to London 227 miles; from there to Sandwich 67 miles; thence by boat to Boulogne 45 miles; from there on the highway to Rheims 174 miles; to Lyon 330 miles; to Milan 324 miles; to Rome 426 miles; to Brundisium 330 miles; thence by boat to Dyrrhachium 40 miles; thence to Constantinople 711; thence to Ancyra, now Angora, 283 miles; and thence to Jerusalem 168 miles, a total of 4080 miles. Without attempting to go into greater details, suffice it to say that some authorities have estimated that the main highways connecting the various portions of the Roman empire occupied a total distance of approximately 51000 miles, though that estimate is thought by others to be too high. Hudemann at 209 in his Geschichte des Rom. Postwesens.

The post system was intended for political rather than commercial purposes. It was generally used by the emperor when he traveled through the provinces, by

Ambassadors of foreign princes and by Roman ambassadors to foreign nations. It was employed by the innumerable members in the imperial service who were sent out to inspect and watch the roads and bridges along which the post was established, the stations along the route and the horses, mules, asses and oxen used in connection therewith and to see that the regulations made in connection with the post were obeyed. Messengers of imperial and other official dispatches to the various officials in the empire, inspectors, equalizers and appraisers of taxes, secret service men to watch the conduct of citizens, were granted the gratuitous use of the system. The taxes, including gold, silver and products in kind, and all other provisions destined for official purposes, were transported to the imperial treasuries and other places on the wagons of the post, drawn by animals, accompanied by three slaves and two or three other men as caretakers. So, too, in later times at least use was made of the post to transport soldiers from one place to another, to carry the wives and children of soldiers to their husbands and to take those of the soldiers who had served their allotted time back home. In a word, the post was used to subserve every purpose of transportation connected with imperial needs.

#### Horses, wagons, etc.

The post was divided into the fast (*velox*) and the slow (*clabularis*). The former was intended for the purpose of carrying officials and their baggage over the road, using horses, mules and asses either to ride on or which drew the carriages of lighter make. The slow post was used when speed was not essential and was mainly intended to carry soldiers on furlough, and freight, and the wagons used for that purpose were generally drawn by oxen, 3, 4 and as high as 8 in number. The term *angaria* came to be used as synonymous with the slow post, (*Hudemann* 157). The slow post was abolished by Leo in portions of the East. C. 12.50.22. The horses used by the imperial messengers in connection with the fast post were called *veredi*, the persons using them *veredarii*. A second horse, called *parhippus* to carry extra baggage was often used by the messengers.

#### Stations.

Stations, sometimes called *stationes* or *mansiones*, were established along the main highways used by the post. These stations were generally established in principal cities, a day's travel apart. They were provided with places where the men and animals could eat, rest and sleep and where a change of animals was made; special palaces for the stay of the emperors were often found here. Between these stations were smaller establishments called *mutationes*, where the animals, particularly those used in connection with the slow post, could be changed. Forty and often more horses were found at the principal station for the use of the post, while 20 horses ordinarily sufficed for the intermediate stations, and each place, of course, was provided with the necessary food supplies and servants, including wagon repairers, veterinarians, mule drivers (*muliones*), stable men and others. *Hudemann* 69, 121, 127.

#### Officials of the Post.

The post was originally under the supervision of the praetorian prefects, with the right granted from time to time to presidents and other officials to issue a limited number of passes per annum. The regulations were frequently changed. Ultimately the supervision was given to the Master of Offices with the so-called *regerendarius* as the

active official in charge, although passes were issued also by the praetorian prefect and by the emperor and by governors to those who transported taxes. C. 12.50.9. Each station had its own superintendent, generally, it seems, as already stated, consisting of a curial chosen for the position, although that position was during certain periods occupied by ex-provincial apparitors or by men who bid for the position. The person occupying this position was known as *manceps*, or procurator of the public post. Hudemann 68; C. 12.50.14. 4 Pauly-Wissowa 1858. This superintendent was under the general control of the governor of the province. Under him was the station master (*stationarius*) in charge of the duty to procure animals. And we find further, at each station a veterinarian, muleteer, wagon repairer and other servants, as already mentioned. Prosecutores were persons who accompanied a shipment of gold or other imperial property. *Bastagarii* appear to have been people connected with such transportation and who, perhaps, had the immediate supervision thereof. Hudemann 79, 80; C. 11.8.4 and note.

#### By-ways.

Heretofore only the post roads proper have been considered. These, however, did not, as might be expected, traverse all portions of the country which, however, were crossed by by-ways or cross or side roads. Soldiers frequently came from these outlying districts and imperial officials often found it necessary to go to them. Light as well as heavy transportation to and from them was necessary. No post-stations were found here and horses (*paraveredi*) for officials and wagons and animals for transportation of freight and of soldiers (*parangeriae*) were furnished by the provincials, through the *decurions*, which, of course, made traveling somewhat slower. The terms *paraveredi* and *parangariae* indicate horses on the one hand, and animals and wagons for slow transportation on the other, on the side or cross streets instead of the main highways used by the post. The use of the slow post was entirely abolished by Leo. C. 12.51.22, at least in some portions of the empire. Hudemann 162; 4 Pauly-Wissowa 1856. A similar tendency may be noted along the by-ways. Note to C. 12.50.19.

#### Liturgies connected with post system.

The subject of liturgies generally is considered at C. 10.32 and subsequent titles, and see especially headnotes to C. 10.32, 42 and 48.

Some of the emperors like Nerva, Hadrian, Marcus Aurelius and Severus defrayed the expenses of maintaining the public post out of the public treasury, but generally, after that time, the burden fell on the municipalities and provincials through which the main highways ran, the personal liturgies, except those of low character, falling generally on the *decurions* as in other cases. The burden was great, for the number of travelers who were entitled to use the post was great, some of them having merely a pass to be transported by it, while others had free passage as well as the right to stop at and be supplied with provisions at the various stations. Hudemann 112. For many years, the free use of the post was extended to many private individuals, like bishops going to synods, past-officials and others. Attempts were made from time to time alleviate this condition. The duration during which a traveler could stay at the stations was limited (C. 12.51.1), and the use of the post was strictly confined to imperial needs. The system did not exist for the benefit of private individuals.

The liturgies mentioned were personal or patrimonial. General superintendents of the station, whose duty it was to see that buildings were constructed or repaired, and that the necessary animals and supplies for men and animals was at hand, were generally taken from among the curials, though not always. C. 12.50.1.14. C. 10.43.1 mentions a curator to see that freight was moved. He too, was taken from the curials. D. 50.4.18.4 mentions that the overseeing of carriages was a personal liturgy. That was true also with attendance on the loads that were hauled. D. 50.4.18.3. C. 12.46.1. Such attendance was of considerable importance at times, for instance, when gold was transported. Such duties as these -- to see, in general, that freight was moved -- seem to have been imposed on curials as personal liturgies, though that was not always true, as already seen by the provision at C. 12.50.14. And Gothofredus on C. Th. 12.8.1, says that attendants on shipments of gold were either curials or officials from the office of the ministers of finance.

Liturgies of a low character could not be imposed on curials. Many of the services (*operae*) connected with the post must have belonged to that class, such as the actual driving of oxen. Plebeians in the country could not be called on to perform such services. C. 11.48.1; C. 11.55.1. Recourse for such work was, accordingly, to be had to other persons, and it is not unlikely that regular guilds existed in cities for such purpose, who were, as thought by some, under the direction of the curials. Kuhn 80. We find mention of a guild driving horses. C. Th. 11.10.1 and comments of Gothofredus thereon. Perhaps the freight-haulers mentioned in C. 11.8.4 were of that class.

Other liturgies connected with the public post were patrimonial, that is to say, they were a charge on lands generally, except where an exemption was granted as detailed in headnote C. 10.48. Animals, carriages and wagons were required, roads were to be kept up and stations with its outbuildings were necessary to be constructed and maintained. Whether everything connected with these requirements were charged as liturgies against the lands is nowhere clearly expressed, but may be inferred. General expressions that the public post was to be maintained are found in C. Th. 6.29.5; C. Th. 8.5.16. That no one was exempt from helping to construct and repair highways has already been stated at headnote C. 10.42. D. 50.4.18.21 states that to furnish horses for by-ways and highways and mules and transportation of freight belonged to the patrimonial liturgies. The construction of buildings and the furnishing of at least a part of the horses for the public post was expressly imposed on provincials by C. 12.50.7, and C. 12.50.19 states that feed and money were furnished by them.

The duty to furnish transportation and horses for officials on the by-ways has already been mentioned. Altogether the burdens on tax payers in connection with the subjects here mentioned must have been great. See on the subject in general Hudemann, Gesc. d. R. Postwesens (wholly devoted to the public post). Abbott & Johnson, Munic. Adm. 355, 499; Humbert, Les Finances, etc. at various places; Gothofredus on C. Th. 8.5; Boak, Master of Offices 74, -80. Soon after 400 A.D. it was permitted to pay money instead of furnishing animals, and that too seems to have become customary somewhat later as to furnishing feed. In fact the practice had not been altogether uniform previously. 4 Pauly-Wissowa 1855.

12.50.1. Emperor Constantine to Titianus.

The horses assigned to the public post, shall not be struck by sticks or cudgels, but only by whips. Punishment will be inflicted on the person who does otherwise.

Given May 14 (316).

C. Th. 8.5.2.

12.50.2. The same Emperor to Acyndinum, Praetorian Prefect.

The president and comptrollers (rationales) and others whom the state furnishes with food supplies (salaries) and with fodder for live stock, for that purpose shall be denied the use of horses furnished by provincials for use on the by-ways (paraveredi). And no one shall have the right of traveling by any other road than that used by the public post, excepting, forsooth, Your Sublimity, who has the right to the public post and to travel on it wherever the occasion may demand.

Published February 15 (326).

C. Th. 8.5.3.

Note.

The persons here mentioned had their own horses, and were, therefore, forbidden to use the horses furnished for other uses, namely, for the by-ways. These officials and others, too, were forbidden to travel on a road other than that of the public post. This meant merely that they should travel on the regular route. It did not forbid travel on the by-ways by those for whom that was necessary.

12.50.3. Emperor Constantius to Taurus, Praetorian Prefect.

The passports on the public post must be demanded from all, and neither the governors or the custodians of the public post, must let anyone pass, before inspecting the contents (serium) of the passport. 1. If anyone thinks of resisting this, and is found to travel without a passport, or has attempted to use the public post beyond the time specified in the passport, he shall be detained whenever discovered, and if he is a man of rank, his name shall be reported to Your Prudence and to the illustrious count and master of offices. But punishment shall be immediately visited upon all others, who, in your judgment, considering their position and grade of service, may be punished there.

Given at Milan June 24 (357).

C. Th. 8.5.8 and 22.

Note.

Passports were called evectioes; also tractoriae were letters to provide food (C. 12.51.1). No one could use the public post without them. A portion of the imperial messengers called curiosi were detailed to inspect all passports. C. 12.22.2. Most officials could be sued, or prosecuted for a crime, only before their superior. C. 3.13.7 and note. That is the reason for the last provisions in this law.

12.50.4. Emperor Julian Mamertinus, Praetorian Prefect.

If a person, who uses one or two public post horses -- which alone the passport authorizes to use -- makes use of another or a third horse contrary to what is proper, such horse is and should be considered an extra horse (parhippus). But is should not make any difference, or be considered a crime, whether the imperial messenger adds a horse on the

journey for himself, or for his mule-keeper, provided he does not exceed the authority of the passport.<sup>1</sup>

Given August 28 (362).

Note.

'anne mulionis itineris subjugando' is unintelligible. Gothofredus restores it: 'anne mulionis itineri subjungat (sc. veredum).' The mule-keepers were slaves, stationed at the various stations along the public post, to look after the mules and wagons. Such keeper was called hippocomus, when applied to horses -- a groom.

12.50.5. Emperors Valentinian and Valens to Symmachus, Corrector of Lucani and Britain.

If anyone, of whatever rank or service, travels by the public post and turns off from the main road, proper punishment shall be visited upon him.

Given at Milan March 25 (365).

C. Th. 8.5.25.

12.50.6. The same Emperors and Gratian to Ampelius, Prefect of the City.

Our Serenity has granted the use of the public post to the members of the Senate whenever it is necessary for them to come to us, provided they have been called by us, or when they depart after they have paid their respects to Our Clemency. If anyone, therefore, by unpermissible indiscretion, presumes hereafter to use the public post contrary to law, he will incur the displeasure of Our Clemency.

Given at Treves December 11 (371).

C. Th. 8.5.32 and 54.

12. 50. 7. The same Emperor to Hesperus, Praetorian Prefect.

A fourth of the post horses shall be replaced in the provinces. It is, moreover, unreasonable that the stables should be built at public expense since we think that they can be constructed more quickly at the expense of the provincials in whose territory they are situated. That is more advantageous to the treasury, as well as to those to whom we have granted the right of manure in the stables as compensation.

Given at Treves February 27 (377).

C. Th. 8.5.34.

Note.

Cujacius says that meant that a fourth of all the horses should be replaced every year, which would mean that all of them were to be replaced every four years. See also 4 Pauly-Wissowa 1854. The imperial government furnished horses at times. 4 Pauly-Wissowa 1853. Rostovzeff, in his Social and Econ. Hist. of Roman Empire, in note 38, page 593, shows that horses and draft animals were taken and supplied from the imperial domains and were state property. The inscription which he cites is from the third century and is not conclusive as to other times. On page 338 of the same work Rostovzeff in summing up the liturgies in connection with the public post says: "The basis of the system remained as it did for centuries in Russia, the compulsory service of the population which lived near the roads; and even if the cursus publicus was managed by

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<sup>1</sup> Blume penciled in the text as given here and placed a question mark in the margin.

the state, the transmission of goods and the provision of means of transport for the armies were certainly based wholly on compulsory work." It appears from the instant law that even stables were built by the provincials.

12.50.8. Emperors Valens, Gratian and Valentinian to Ausonius, Praetorian Prefect.

In order that regularity may exist in connection with traveling, ten post horses shall be sent each day from each direction, and a penalty of five pounds of gold will be visited upon those who fail to comply with this statute.

Given at Treves April 20 (378).

C. Th. 8.5.35.

Note.

This law refers to the fast or passenger post. Judged by present-day standards, the number of horses permitted to be sent out from the stations was small.

12.50.9. Emperors Gratian, Valentinian and Theodosius to Florus, Praetorian Prefect.

We deny governors the right to issue passports for the use of the public post. That right is reserved for our majesty, your office, and for the illustrious master of offices; and it is granted by us neither to the prefect of the city, the masters of soldiers, nor to anyone else, except the two officials mentioned. 1. Governors shall grant permission to travel only to those who, in their discretion, are appointed attendants in connection with the transportation of public dues (taxes and rent), and if they violate our orders they will be punished by a fine of 20 pounds of gold, and their staff by a fine of 50 pounds.

Given at Constantinople July 23 (382).

C. Th. 8.5.41.

12.50.10. The same Emperors to Philagrius, Count of the Orient.

Under threat of a heavy punishment to be imposed on both the purchaser and the vendor, we prohibit contracts concerning passports over the public post and trade in public animals.

Published at Berytus; given September 20 (382).

C. Th. 8.5.41.

12.50.11. The same Emperors to Cynegius, Praetorian Prefect.

No person in private station shall make use of the public post, although he shall have received the right to do so.

Given at Constantinople March 2 (384).

C. Th. 8.5.44.

12.50.12. Emperors Valentinian, Theodosius and Arcadius to Cynegius, Praetorian Prefect.

Since provisions for the care of the post horses must be made with equal reason, the saddle and bridle shall not exceed 60 pounds in weight; the saddle bag likewise. And if anyone permits the articles mentioned to exceed the weights fixed in this imperial regulation, his saddle shall be cut to pieces and his saddle bag assigned to the fisc,

excepting herefrom however the golden centenarius<sup>2</sup>, which necessarily must be carried by the grooms in the usual sacks.

Given at Constantinople June 17 (385).

12.50.13. The same Emperors to Florus, Praetorian Prefect.

We do not suffer the grooms (hippocomi) to be vexed by shameful spoliation on the part of those who use the horses of the public post, for some of those who use these horses are said to steal or tear away their cloaks. Such outrage must be stopped by the judges and police (curiosi), and all may know, that if this ordinance shall not be obeyed, the violator must not only pay the damage, but he will also be compelled to suffer infamy and the payment of a fine.

Published at Treves June 17 (390).

C. Th. 8.5.50.

12.50.14. The same Emperors to Potamius, Augustal Prefect.

The maintenance of (exhibitio) the public post must, according to the custom of the places be entrusted either to the curials, provincial apparitors, or those who, under proper guaranty,<sup>3</sup> take it over, at their risk, from the eminent prefecture.

Given at Constantinople July 30 (392).

C. Th. 8.5.51.

Note.

'Exhibitio' of the public post includes the management of a station or stations and required general superintendency thereof and care that it was properly provided with supplies, horses and other necessary things.

12.50.15. Emperors Arcadius and Honorius to Dextrus, Praetorian Prefect.

If anyone undertakes to use more than the permitted number of post horses even merely between two post-stations he shall pay to the fisc fourfold the value of the horses so used above the permitted number.

Given at Milan March 18 (395).

C. Th. 8.5.53.

12.50.16. The same Emperors to Remistheus, Duke of Armenia.

We concede the use of the public post only to those (private persons) who, as delegates of various people hasten to Our Clemency.

Given at Constantinople February 24 (397).

C. Th. 8.5.57.

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<sup>2</sup> [Blume] golden centenarius - auri centenariis - Cujacius and others explained this as an ornament; but it was probably a coin or money. See note, Otto, Schilling and Sentennis, referring to Gothofredus.

<sup>3</sup> Blume put a question mark in the margin here.



12.50.17. The same Emperors to Vincentius, Praetorian Prefect.

No one at the risk of a fine of ten pounds of silver, shall take away any mule-keeper (mulionem) assigned to a post station, either by enticing him or simply by receiving him.

Given at Milan February 18 (398).

C. Th. 8.5.38.

12.50.18. The same Emperors to Messala, Praetorian Prefect.

Public animals are plainly abused by the procurators of the post (mancipes) and their apparitors when feed is held at a high and unjust a price. In order that this may not happen, Your Sublimity must see to it that neither feed will be wanting at the stations, nor that the provincials are burdened beyond what justice demands.

Given November 27 (400).

C. Th. 8.5.60.

Note.

The supplies for the post-stations came from the taxes paid by the provincials. These taxes were payable in kind or in money. The taxes payable in kind were made general throughout the empire by Diocletian. Gradually, however, the option was given to tax payers -- through there were exceptions -- to pay the tax either in kind or in money. It is apparent from the instant law that the tax had been converted into money-payments, and that the feed for the animals was bought, but at a high price. Because of such high price, the managers of the post-stations stinted in feeding the animals. In order to remedy the situation, the praetorian prefects were directed to fix the price by Nov. 128, c. 1.

12.50.19. The same Emperors and Theodosius to Septimius, Proconsul of Africa.

We have learned that the provincials bring both fodder and pay money as a customary contribution for the horses of the public post and that they are furthermore weighed down by the burden of furnishing horses for the by-ways (paraveredi). The rectors of provinces, therefore, will take care that the public post will never give reason for complaint, and that the occasion for fraud will not compel curials or provincials to furnish animals which they do not owe.

Given at Ravenna March 26 (403).

C. Th. 8.5.64.

Note.

According to this law, all those who gave feed and money for the horses of the public post, as an ordinary contribution, were exempt from also furnishing paraveredi - extra horses used on the by-ways, and not on the main highways.

Assuming that these contributions were part of the regular tax paid by land owners, then, in as much as all land owners paid this tax, the result would be that the use of paraveredi was entirely forbidden, since no persons would be left to furnish them. C. Th. 8.5.6 and 7, rescripts issued by the emperor Constantius, in fact forbade requisitions for such horses entirely. But that some paraveredi were authorized to be used inferentially appears from laws 2 and 23 of this title. The meaning of the instant law appears, accordingly, to be obscure.

The difficulty is not diminished much if we assume that the money above mentioned was not a part of the regular tax, but was a liturgy which was paid instead of

furnishing a horse for the public post. The most that we can say of the instant law is that it was in line with the general tendency to prohibit entirely, or as much as possible, the requisition of paraveredi. The law as it is found in the Theodosian Code is different than the instant law.

12.50.20. The same Emperors to Anthemius, Praetorian Prefect.

No duke, who has once entered his province, and none of his staff shall, thereafter, use the (Fast) public post or the slow post (angariis) for making journeys, but they shall make such journeys with their own beasts of burden. 1. And we ordain by this law that no one of the provincial apparitors (cohortalini) in traveling through his province shall hereafter attempt to use any horse of the public post (veredo) since he knows that it is forbidden by imperial order. 2. If any duke, or (one of his) apparitors or a provincial apparitor shall rashly scorn this order, he must pay a pound of gold for each animal so used.

Given at Constantinople August 4 (407).

C. Th. 8.5.66.

12.50.21. Emperors Theodosius and Valentinian to Cyrus, Praetorian Prefect.

No person, of whatever order or rank, nor the holy church, nor the property of the imperial patrimony, shall be exempt from furnishing transportation on the highways or by-ways (angariorum seu parangarianum) during the time of an expedition. About 440-441.

12.50.22. Emperor Leo to Pusaeus, Praetorian Prefect.

We order that the slow post (cursum clavularem) shall be abolished in the district of the Orient and from those cities of other districts which are mentioned in your report, except when our brave soldiers are on a march - and Our Serenity has directed them to be transported from one place to another and we have given them a passport for the use of animals according to custom - and except that in the collection (convectione) as well as in the transportation of arms, and in connection with the journey of embassies, the post custom shall be maintained, and the rent payable to the owners of animals who are accustomed to lease them out for a price, shall be paid out of the treasury of Your Highness. 1. We order that no judge of whatever rank, except only Your Highness, shall issue passports (tractoriae) for the use of animals for any of the purposes mentioned.

12.50.23. Emperor Anastasius to Armenius, Praetorian Prefect.

We order that no one of any department (schola) or official staff or service or condition traveling through any part of the region of the Orient or returning therefrom, shall on any account whatever travel with more than one horse on the post-roads or by-ways, and then only upon legal passport issued to him, unless he has obtained a special passport of Our Serenity which specifies the number of animals. 1. Excepted herefrom, of course, are those who transport public moneys, since in such case it is proper that, without special authority, as many animals be used as the amount of money transported and its safety demands. 2. Whoever shall in any manner or at any time violate our orders or permit them to be violated shall be punished by a fine of 50 pounds of gold.