

Abstract

This paper is dealing with tractatus *De alveo* of the main representative of the medieval Italian school of commentators, Bartolus de Saxoferrato. His text, is part of the works dealing with legal questions connected with changes of a river bed called Tyberiadis, is about abandoned riverbed. Content of this work is comprised of an analysis of the tractatus in the context of legal sources mentioned in it, such as Digests, Code, Institutions of Iustinian, Novellae, Clamentinae, Glossa ordinaria and work of Azo, and work of other commentators like Baldus de Ubaldis, Iason de Mayno or Alessandro Tartagni. Even though, the name of Bartolus's work is tractatus, it is comprised of a commentary of Dig. 41.1.7.5–6 (Gaius lib. 2 re. cott. sive aur.), where the author is dealing with its words or their connections. Especially, words „*incipit*” and „*amissa propria forma*“ led him to considerations very distant to the main topic of the tractatus, which has a philosophical connotations, that are consequent upon adoption of the antique philosophy by the medieval one.

Key words: commentators, Bartolus de Saxoferrato, abandoned riverbed.