

The famous law which granted imperial power to Vespasian, known as the *lex de imperio Vespasiani*, was made public by Cola di Rienzo in 1347. The text, incised on a bronze tablet which today is preserved in the Capitoline Museum, is clearly not complete (see M. Crawford, *Roman Statutes*, 1996). What survives is important enough and has received much scholarly attention. The intriguing possibility exists that Cola and his contemporaries were able to see more of the law. The anonymous Chronicler of the life of Cola di Rienzo describes the presentation of the *lex* to the people and summarizes its content, and in his account, written in the vernacular “romanesco” dialect ca 1358, several clauses appear which cannot be found in the surviving text. Some scholars believe that the Chronicler in fact has preserved for us something of the lost sections of the *lex*.

This paper is concerned with a phrase that reads, in medieval Italian, *anco potessi guastare lietti de fiumi e trasmutarli altrove* (“likewise that he could block beds of rivers and move them elsewhere”, Crawford 1996). The most common interpretation of this passage suggests that this refers to the authority of Rome’s *curatores alvei et riparum Tiberis* to carry out *terminatio*, i.e. the division between public and private land along the banks of the Tiber. For various reasons this seems to be too narrow a view. In my paper I will argue that the phrase in reality gives the emperor the power to carry out major public works including changing the flow of rivers, an activity which obviously also has an impact on land use and agriculture.

Roman juridical thought considered (navigable) rivers and their banks to be public property, and thus there would have been a rationale for granting the emperor particular authority in this regard. We also know that several large projects relating to rivers were carried out, and others were discussed, such as Caesar’s plan for a diversion of the Tiber, the debate under Tiberius about changing the course of the Clanis and the flow of the Nar and the Tiber, Claudius’ recently identified channels at the mouth of the Tiber, and Domitian’s change of the flow of the Volturnus. Some of these projects date to before Vespasian, but the *lex* may have repeated an authority already granted to previous emperors, as it frequently does. Thanks to the medieval Chronicler of Cola di Rienzo’s life we may be able better to identify the interest the emperors had in large scale management of water resources in Italy, while it also may allow us to see the “constitutional” foundation for imperial activities in this field.