CHAP. III.
Before Draco’s time.

Now, the form of the old government before the time of Draco was of this kind. Officers of state were appointed on the basis of merit and wealth, and at first remained in office for life, but afterwards for a period of ten years. And the greatest and earliest of the officers of state were the king, and commander-in-chief, and archon; and earliest of these was the office of king, for this was established at the beginning; next followed that of commander-in-chief, owing to some of the kings proving unwary, and it was for this reason that they sent for Ion when the need arose; and last (of the three) was the archonship—for most authorities say it was established in the time of Medon, but some in the time of Acastus; and they adduce as evidence the fact that the nine archons swear to exercise their office just as they did in the time of Acastus—as the Codride having retired in the time of his kingship . . . Now, which of the two accounts is correct is of little importance, but there is no doubt of the fact having actually occurred in these times: and that it was the last of these offices that was established, there is further evidence . . . that the archon administers just like the king and the commander-in-chief, but . . . for which reason it is only recently that the office has become important, its dignity having been increased by the privileges that have been added to it. Thesmothetēs were appointed many years afterwards, being elected to their offices from the first for a year, for the purpose of recording the enactments in writing, and preserving them against the trial of such as transgressed the law; for which reason it was the sole office that was not established for more than a year. So far, therefore, these take precedence of others. The nine archons did not all live together, but the king occupied what is now called the Boukolium, near the Prytaneum (in confirmation of which even to this day the marriage of the king’s wife with Dionysus takes place here), and the archon resides in the Prytaneum, and the commander-in-chief in the Epilyceum. This was formerly called the Polemarchēum, but from the time that Epilycus, when polemarch, rebuilt and furnished it, it was called Epilyceum: and the Thesmothetēs occupied the Thesmothetēum. But in the time of Solon they all lived together in the Thesmothetēum. And they had power to decide lawsuits finally, and not as now merely to hold a preliminary inquiry. Such, then, were the arrangements in respect of the officers of state. The duty of the council of the Areopagītēs was to jealously guard the laws, and it administered most of the affairs of state, and those the most important, both by punishing and fining all offenders with authority; for the election of the archons was on the basis of merit and wealth, and of them the Areopagītēs were composed; this is the reason why it is the only office that continues to be held for life up to the present time.

CHAP. IV.
Draco’s laws.

Now, this is a sketch of the first form of government. And after this, at no long interval, when Aristocles was archon, Draco made his laws; and this constitution was as follows. Share in the government was assigned to those who provided themselves with arms; and they chose for the nine archons and the treasurers such as were possessed of property to the value of not less than ten minae free of all encumbrances, and for the other minor offices such as provided themselves with arms, and for generals and commanders of cavalry such as could show property of not less than a hundred minae free of all encumbrances, and children born in lawful wedlock above ten years of age; these were to be the presidents of the council and generals and commanders of cavalry . . . up to the time of the audit of their accounts . . . and receiving from the same rating as the generals and commanders of cavalry. The Council was to consist of four hundred and one, selected by lot from the whole body of citizens; such as were over thirty years of age were to obtain this and the other offices by lot, and the same man was not to hold office twice before all had had their turn; and then appointment was to be made afresh by lot. If any member of the Council, when there was a sitting of the Council or Assembly, was absent from the meeting, he had to pay a fine, the Pentakosiomédimos (the possessor of land which produced five hundred medimni yearly) three drachmæ, the Knight two, and the Zeugitēs (those who possessed a team of oxen) one. And the council of Areopagus was the guardian of the laws, and jealously watched the magistrates to see that they administered their offices according to the laws. And an injured party had the right of bringing his indictment before the council of the Areopagītēs, on showing in contravention of what law he had sustained his injury. (But all this was of no avail, because) the lower classes were bound on the security of their persons, as has been said, and the land was in the hands of a few.