

every different session of the courts of justice, or occasion on which they are summoned. Such uncertain and, if I may so say, unidentical tribunals can never be supposed to aspire to a domination over their country-men, and therefore can never become objects of suspicion or jealousy to the other members of the community. There remain therefore only the two other great powers in the state, the legislative and executive, which may be supposed to inspire their possessors with designs against the common liberty. Now the possessors of these two powers, (who, we have before observed, ought to be perfectly distinct from each other,) may naturally be supposed to be sometimes at variance with each other. And therefore it will be convenient that there should be some person, or some body of men, in the state, who may be able to mediate between them, and prevent them from making encroachments on the powers they, each respectively, possess. Now this is a province which the body of nobles above-mentioned, (to whom we have already assigned a distinct share of the legislative authority,) will be singularly well qualified, and also naturally inclined, to undertake. And this will be an additional advantage.

Of the utility of the body of nobles in preserving the balance of power between the executive magistrates and the body of the representatives of the people.