

“ extraordinary prerogative, but upon a great public policy. The Government can transact its business only through its agents, and its fiscal operations are so various, and its agencies so numerous and scattered, that the utmost vigilance would not save the public from the most serious losses if the doctrine of laches can be applied to its transactions.”

This case was approved and followed in *Dox v. Postmaster-General*, 1 Peters, 318. In *Nichols v. United States*, 7 Wall. 126, Mr. Justice Davis, who delivered the opinion of the court, states the rule and the reason therefor as follows:—“ The immunity of the United States from suit is one of the main elements to be considered in determining the merits of this controversy. Every government has an inherent right to protect itself against suits. and if, in the liberality of legislation, they are permitted, it is only on such terms and conditions as are prescribed by statute. The principle is fundamental, applies to every sovereign power, and but for the protection which it affords, the Government would be unable to perform the various duties for which it was created. It would be impossible for it to collect revenue for its support, without infinite embarrassments and delays, if it was subject to civil process the same as a private person.”

In the opinion of the court delivered by Mr. Justice Miller in *United States v. Gibbons* (8 Wallace, 274) we find the following:

“ No government has ever held itself liable to individuals for the misfeasance, laches or unauthorized exercise of power by its officers and agents. In the language of Judge Story (Story on Agency, s. 319) it does not undertake to guarantee to any person the fidelity of any of the officers or agents whom it employs, since that would involve it in all its operations in endless embarrassments and difficulties and losses, which would be subversive of the public interests.’ (P. 275.) The general principle which we have already stated as applicable to all governments, forbids, on a policy imposed by necessity, that they should hold themselves liable for unauthorized wrongs inflicted by their officers on the citizen, though occurring while engaged in the discharge of official duties.”

The same judge, delivering the opinion of the court in a later case, in which a question as to the jurisdiction of the Court of Claims was involved, said (*Langford v. United States*, 101 U. S. R. 345):—

“ While Congress might be willing to subject the Government to the judicial enforcement of valid contracts, which could only