

v. *United States*, 4 C. of C. R. 142; *Moore v. The United State of Maryland*, 47 Md. 467, 28 Am. R. 483; and *Langford v. United States*, 101 U. S. R. 341). Moreover, the officer answers for his own acts and omissions only and not for those of his subordinates. (Story on Agency, s. 319; *Cotton v. Lane*, 1 Ld. Rayd. 646; *Whitefield v. Le Despencer*, 2 Cowp. 754; *Dunlop v. Monroe*, 7 Cranch, 242; *Wiggins v. Hathaway*, 6 Barb. 632; *Brissac v. Lawrence*, 2 Blatch. 121, 124).

In answer to the suggestion that the Postmaster-General is a carrier of letters and liable for the loss of bank notes stolen therefrom by a sorter in the Post office, Lord Mansfield in giving judgment in *Whitfield v. Le Despencer* (2 Cowp. 764) says that "the Post office is a branch of revenue, and a branch of police, created by Act of Parliament. As a branch of revenue, there are great receipts, but there is likewise a great surplus of benefit and advantage to the public, arising from the fund. As a branch of police it puts the whole correspondence of the kingdom (for the exceptions are very trifling) under Government, and entrusts the management and direction of it to the Crown, and officers appointed by the Crown. There is no analogy, therefore, between the case of the postmaster and a common carrier..... (p. 765). As to an action on the case lying against the party really offending, there can be no doubt of it; for whoever does an act by which another person receives an injury, is liable in an action for the injury sustained. If the man who receives a penny to carry the letters to the Post office loses any of them he is answerable; so is the sorter in the business of his department. So is the Postmaster for any fault of his own..... (p. 766), but he is like all other public officers, such as the Lords Commissioners of the Treasury, the Commissioners of the Customs and Excise, the Auditors of the Exchequer, etc., who were never thought liable for any negligence or misconduct of the inferior officers in their several departments."

The principle of the immunity of the state from liability for wrongs committed by its officers is well illustrated in the opinions of the Supreme Court of the United States in a number of cases to which reference has already been made.

Mr. Justice Story in delivering the opinion of the court in the case of *United States v. Kirkpatrick* (9 Wheaton, 735) says that "The general principle is that laches is not imputable to the Government; and this maxim is founded, not in the notion of