"Daniel Webster, James Otis, and Sir Edward Coke, all pointed out that the mere fact of enactment does not and cannot raise mere statutes to the standing of law. Not everything which may pass under the form of statutory enactment can be considered the Law of the Land."

Sixteenth American Jurisprudence 2d, SS: 256 & 257 (547; & Page 177?)

"The general rule is that an unconstitutional statute, though having the form and name of law, is in reality no law, but is wholly void, and ineffective for any purpose; since unconstitutionality dates from the time of it's enactment, and not merely from the date of the decision so branding it. An unconstitutional law, in legal contemplation, is as inoperative as if it had never been passed. Such a statute leaves the question that it purports to settle just as it would be had the statute not been enacted.

Such an unconstitutional law is void, the general principles follow that it imposes no duties, confers no rights, creates no office, bestows no power or authority to anyone, affords no protection, and justifies no acts preformed under it . . .

A void act cannot be legally consistent with a valid one. An unconstitutional law cannot operate to supersede any existing valid law. Indeed, insofar as a statute runs counter to the fundamental law of the land, it is superseded thereby.

No one is bound to obey an unconstitutional law and no courts are bound to enforce it." . . .

The fact that one acts in reliance on a statute which has theretofore been adjudged unconstitutional does not protect him from civil or criminal responsibility … .

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