

The party named "the United States", when it appears as a litigant, therefore, is the executive power or the legislative power, as the case may be.

One of the People is presenting his cause against executive or legislative power, claiming it has invaded his individual rights or immunities in an unconstitutional manner.

The Supreme Court—itsself a branch of government—decides that issue between him and another branch of Government.

It decides whether that branch of Government has over-reached its powers as against him, or whether it has acted within its constitutional powers and it is he who is at fault.

It may not even be a branch of Government whose act is challenged as oppressive. In our complex Governmental organization, any one of a multitude of departments, bureaus or boards may have delegated to it powers which are included under the general term "Executive", so that when we refer to the Executive, we often mean one of these many subordinate agencies.

What, then, does it mean for the Supreme Court to declare an Act of Legislation unconstitutional?

What the Court holds in effect, is this: