

Order.

254 U. S.

STATE OF OKLAHOMA *v.* STATE OF TEXAS,
UNITED STATES, INTERVENER.

IN EQUITY.

No. 23. Original. Motion for order on receiver submitted November 15, 1920.—Order entered December 6, 1920.

Order directing receiver to return certain lands, etc.

UPON CONSIDERATION of the motion of the General Oil Company filed herein November 15, 1920, for an order authorizing Frederic A. Delano, Esq., Receiver herein, to return to said company certain lands claimed under patents from the State of Texas, and the consent of T. P. Roberts and R. S. Allen, owners of patented lands, filed on the date last mentioned, and the response of the Receiver to said motion filed November 20, 1920.

IT IS ORDERED that said Receiver do return to said General Oil Company one certain well known by Receiver's number one hundred and seventy-six (176), which lies south of the south edge of the sand bed of the Red River as it was on the first day of April, 1920, (marked generally by the border line of vegetation along the edge of the flood plain), together with the land appurtenant thereto lying to the south of the south edge of the sand bed of said river, and the structures, equipment, and material pertaining to said well, and the net proceeds of the production thereof that have come to the hands of said Receiver, less operating expenses and reservations, upon terms that said General Oil Company comply with the provisions contained in the order of this Court made June 7, 1920, respecting the return of certain lands lying south of the south edge of the sand bed of said river which were on the first day of April, 1920, in the possession of persons claim-

280.

Syllabus.

ing under patents from the State of Texas, and not included in the river bed lands as in said order defined.

IT IS FURTHER ORDERED that except as herein above granted the motion of said General Oil Company for the return of lands, filed November 15, 1920, be, and it is hereby, denied.

UNITED STATES *v.* WHEELER ET AL.

ERROR TO THE DISTRICT COURT OF THE UNITED STATES FOR
THE DISTRICT OF ARIZONA.

No. 68. Argued April 28, 1920.—Decided December 13, 1920.

1. In all the States, from the beginning down to the establishment of the Articles of Confederation, the citizens possessed the right, inherent in citizens of all free governments, peacefully to dwell within the limits of their respective States, to move at will from place to place therein, and to have free ingress thereto and egress therefrom. A consequent authority resided in the States to forbid and punish violations of this right. P. 293.
2. Uniformity of this right was secured by the Articles of Confederation, not by lodging power in Congress to deal with the subject, but by subjecting the continued state power to the limitation that it should not be used to discriminate, Art. IV providing that the free inhabitants of each State, with certain exceptions, should be entitled to all the privileges and immunities of free citizens in the several States, and that the people of each State should have free ingress and regress to and from any other State. P. 294.
3. The Constitution, by Art. IV, § 2, plainly intended to preserve and enforce this limitation imposed upon the several States by Art. IV of the Articles of Confederation, and in so doing necessarily assumed that the States possessed the authority to protect the right of free residence, ingress and regress as a part of their reserved power. *Id.*
4. The Constitution does not guarantee this right against wrongful interference by individuals, but only against discriminatory action by States. P. 297. *Crandall v. Nevada*, 6 Wall. 35, distinguished.