

Order.

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plain of such assessments as unconstitutional. *Farncomb v. Denver*, 252 U. S. 7, 11.

The judgment of the Supreme Court of Colorado was plainly right; and as the questions presented do not require further argument, the alternative motion of the defendants in error is granted, and the judgment is

*Affirmed.*

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STATE OF OKLAHOMA *v.* STATE OF TEXAS.

UNITED STATES, INTERVENER.

No. 18, Original. Order entered June 11, 1923.

Order providing for release of certain lands from the receivership herein, upon stated conditions.

On consideration of the motion of the United States for a release from the existing receivership of the following described lands lying on the north side of the medial line of Red River, that is to say:

(1) Lot 4 of Section 34 in Township 4 South of Range 14 West embraced in Allotment No. 3385, Comanche, 1910, to Day Tah-Too-Ah-Ni-Pah;

(2) Lot 1 of Section 33 in Township 4 South of Range 14 West embraced in Allotment No. 3303, Kiowa, 1910, to Ray Do-Yah;

(3) Lot 6 of Section 5 in Township 5 South of Range 14 West embraced in Allotment No. 3293, Kiowa, 1910, to Maggie Turtle Mountain Reid; and

(4) Lot 5 of Section 5 and Lot 3 of Section 8 in Township 5 South of Range 14 West embraced in Allotment No. 3413, Comanche, 1910, to Robert To-Quothy,

It is ordered as to each of these tracts that the same, including so much of the bed of Red River as lies in front thereof and north of the medial line of the river, be released from the receivership, and the possession be sur-

rendered by the receiver, upon fulfillment as to such tract of the following conditions, and not otherwise:

(a) The execution and presentation to the receiver of satisfactory agreements, approved by the Secretary of the Interior, establishing the side lines, from the surveyed upland on the north bank to such medial line, between such tract and the adjoining tracts on either side; and

(b) The payment to the receiver of such sum or balance as may at the time be owing to the receiver on account of oil wells (whether productive or otherwise) drilled or completed on such tract and within such side lines under the supervision or administration of the receiver,—such sum or balance to include all expenditures and advancements of the receiver, whether for materials, labor, receivership expenses or otherwise, in respect of such wells.

