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Opinion of the court.

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We are satisfied that the right claimed by the plaintiffs is one which, under the customs, laws, and decisions of the courts of the Territory, and the act of Congress, should be recognized and protected.

DECREE AFFIRMED.

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ERRATUM.

The reader will please to consider what is below as inserted on page 591, after the last clause of the syllabus of *Murdock v. City of Memphis*, and as paragraph 9 thereof; and also to consider the same thing as inserted in the Index, on page 698, as a paragraph between the paragraphs 2 and 3 of the title "Jurisdiction," now there.

Where an act of Congress calls into operative effect a provision in a deed, in virtue of which provision thus called into effect, a party claims title and right in such a way that, confessedly, but for the act, no suit would lie, the party so claiming claims a "title" and "right" "under" a statute of the United States within the meaning of the act of February 5th, 1867; and if the decision is against the title and right thus set up and claimed, jurisdiction exists here to re-examine.