tent, and with the same equities, as it now does in cases of admiralty
and maritime jurisdiction; saving, however, to the parties the right of
trial by jury of all facts put in issue in such suits, where either party
shall require it; and saving also to the parties the right of a concurrent
remedy at the common law, where it is competent to give it, and any
concurrent remedy which may be given by the State laws, where such
steamer or other vessel is employed in such business of commerce and
navigation.

Approved, February 26, 1845.

Statute II.

Chap. XXII.—An Act explanatory of an act entitled "An act making appro-
priations for the civil and diplomatic expenses of Government for the
year one thousand eight hundred and thirty-nine," (a)

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That nothing con-
tained in the second section of the act entitled "An act making appro-
priations for the civil and diplomatic expenses of Government for the
year one thousand eight hundred and thirty-nine," approved on the third
day of March, one thousand eight hundred and thirty-nine, shall take
away, or be construed to take away or impair, the right of any person
or persons who have paid or shall hereafter pay money, as and for duties,
under protest, to any collector of the customs, or other person acting as
such, in order to obtain goods, wares, or merchandise, imported by him
or them, or on his or their account, which duties are not authorized or
payable in part or in whole by law, to maintain any action at law against
such collector, or other person acting as such, to ascertain and try the
legality and validity of such demand and payment of duties, and to have
a right to a trial by jury, touching the same, according to the due course
of law. Nor shall any thing contained in the second section of the act
aforesaid be construed to authorize the Secretary of the Treasury to
refund any duties paid under protest; nor shall any action be main-
tained against any collector, to recover the amount of duties so paid
under protest, unless the said protest was made in writing, and signed
by the claimant, at or before the payment of said duties, setting forth
distinctly and specifically the grounds of objection to the payment
thereof.

Approved, February 26, 1845.

Chap. XXIV.—An Act to authorize the South Carolina Railroad Company to
import certain pipes and machinery free of duty.

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That the South Caro-
lina Railroad Company be, and hereby is, authorized to import into the
United States, without payment of duties thereon, all such pipes as have
been or may be invented or used for the application of the atmospheric
pressure as a propelling power on railroads, not to exceed what is suffi-
cient for a road one mile in length, and also all the machinery connect-
ed therewith, or which is necessary for the use and working thereof,
under such regulations as the Secretary of the Treasury may prescribe.

Approved, February 26, 1845.

Chap. XXV.—An Act to amend an act entitled "An act to carry into effect, in the
States of Alabama and Mississippi, the existing compacts with those States with
regard to the five per cent. fund and the school reservations."

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That so much of the

(a) See notes to the act of March 3, 1839, chap. 82, ante, p. 340.