

give security in the same manner and in the same sums, and whose duties and authority, compensation and emoluments, shall in every respect be the same, in relation to the lands to be disposed of in said district, as are or may be provided by law in relation to the registers and receivers of public money in the several offices established for the sale of the public lands.

Registers, &c.
at Little Rock
and Washing-
ton to transfer
documents, &c.

SEC. 3. *And be it further enacted*, That it shall be the duty of the registers and receivers for the districts of land subject to sale at Little Rock and Washington, in the State aforesaid, under the direction of the Commissioner of the General Land Office, to transfer to the register and receiver for the district hereby created all the proper evidences, documents, records, and township plats, in relation to lands heretofore sold or subject to sale at those offices, respectively, which fall within the limits of the district hereby created.

Act to take ef-
fect in 3 months.

SEC. 4. *And be it further enacted*, That this act shall take effect and be in force from and after the expiration of three calendar months from the date of the passing hereof.

APPROVED, February 20, 1845.

STATUTE II.

Feb. 26, 1845.

Act of Feb.
20, 1845, ch. 5.

Circuit court
causes in district
court for west-
ern dist. trans-
ferred to circuit
court for eastern
district.

CHAP. XIX.—*An Act supplementary to "An act to repeal an act for the better organization of the district court of the United States within the State of Louisiana," and for other purposes, approved February thirteenth, one thousand eight hundred and forty-five.* (a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the causes now pending in the district court of the United States for the western district of the State of Louisiana, which appropriately belong to the circuit court jurisdiction, shall be transferred to the circuit court of the United States for the eastern district of Louisiana, there to be proceeded in according to law, and in the same manner, as if they had originated in that court; and the causes which belong to the jurisdiction of the district court shall be and remain in the district court for the eastern district court, to be proceeded in according to law, and in the same manner as if they had originated therein.

APPROVED, February 26, 1845.

STATUTE II.

Feb. 26, 1845.

In matters of
contract and
tort, dist. courts
to have the
same jurisdic-
tion upon the
lakes as on the
high seas.
Act of Sept.
24, 1789, ch. 20.

CHAP. XX.—*An Act extending the jurisdiction of the district courts to certain cases, upon the lakes and navigable waters connecting the same.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district courts of the United States shall have, possess, and exercise, the same jurisdiction in matters of contract and tort, arising in, upon, or concerning, steamboats and other vessels of twenty tons burden and upwards, enrolled and licensed for the coasting trade, and at the time employed in business of commerce and navigation between ports and places in different States and Territories upon the lakes and navigable waters connecting said lakes, as is now possessed and exercised by the said courts in cases of the like steamboats and other vessels employed in navigation and commerce upon the high seas, or tide waters, within the admiralty and maritime jurisdiction of the United States; and in all suits brought in such courts in all such matters of contract or tort, the remedies, and the forms of process, and the modes of proceeding, shall be the same as are or may be used by such courts in cases of admiralty and maritime jurisdiction; and the maritime law of the United States, so far as the same is or may be applicable thereto, shall constitute the rule of decision in such suits, in the same manner, and to the same ex-

Modes of pro-
ceeding, &c.

Decisions, how
to be made.

(a) See notes of the acts relating to the District Court of Louisiana, vol. 3, 774.

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.
Feb. 26, 1845.

CHAP. XXII.—*An Act explanatory of an act entitled "An act making appropriations 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 contained in the second section of the act entitled "An act making appropriations 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 maintained 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.

Construction of 2d section of act 3d March 1839, ch. 82, sec. 2, relative to duties paid under protest.

APPROVED, February 26, 1845.

STATUTE II.
Feb. 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 Carolina 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 sufficient for a road one mile in length, and also all the machinery connected therewith, or which is necessary for the use and working thereof, under such regulations as the Secretary of the Treasury may prescribe.

Sec. Treas. to prescribe the regulations of importation.

APPROVED, February 26, 1845.

STATUTE II.
Feb. 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

Act of July 4, 1836, ch. 355.

(a) See notes to the act of March 3, 1839, chap. 82, ante, p. 349.