

northern district of Alabama, in either of said divisions, against a single defendant, or where all the defendants reside in the same division of said district, shall be brought in the division in which the defendant or defendants reside; but if there are two or more defendants, residing in different divisions, such suit may be brought in either division; and all mesne and final process, subject to the provisions of this act, issued in either of said divisions, may be served and executed in either or both of the divisions.

SEC. 5. That all civil suits and proceedings now pending in the circuit or district courts in said State shall not be affected by this act.

Civil suits pending.

SEC. 6. That this act shall be in force from the first day of January, eighteen hundred and eighty-five; and all laws and parts of laws in conflict with this act are hereby repealed.

Act to take effect Jan. 1, 1885.

Approved, May second, 1884.

CHAP. 39.—An act to change the name of the Marsh National Bank of Lincoln, Nebraska, to that of the Capital National Bank of Lincoln, and to increase the capital stock of the First National Bank of Nashville Tennessee.

May 3, 1884.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of the Marsh National Bank of Lincoln, Nebraska, a corporation transacting business in Lincoln, Lancaster County, and State of Nebraska, shall be changed to the Capital National Bank of Lincoln, whenever the board of directors of the Marsh National Bank of Lincoln shall accept the new name by resolution of the said board, and cause a copy of said resolution, duly authenticated, to be filed with the Comptroller of the Currency: *Provided,* That such acceptance be made within six months after the passage of this act, and that all the expenses incident to such change, including engraving, shall be borne and paid by said bank.

Marsh National Bank, Lincoln, Nebr.

New name.

Proviso.

SEC. 2. That the debts, dividends, liabilities, rights, privileges, and powers of the said Marsh National Bank of Lincoln shall devolve upon and inure to the said Capital National Bank of Lincoln whenever such change of name is effected.

Liabilities, etc., to follow change.

SEC. 3. That nothing in this act contained shall be so construed as in any manner to release the Marsh National Bank from any liability, or affect any action or proceeding in law in which said bank may be or become a party or interested.

Not to release liability.

SEC. 4. *Be it further enacted* That the First National Bank of Nashville located in the city of Nashville, in the State of Tennessee, is hereby authorized to increase its capital stock, in accordance with existing laws to any sum not exceeding one million of dollars notwithstanding the limits heretofore fixed in its original articles of association and determined by the Comptroller of the Currency; and the Comptroller of the Currency is hereby authorized to fix the limit of increase of the capital stock of the First National Bank of Nashville Tennessee at one million of dollars.

First National Bank, Nashville, Tenn., authorized to increase its capital stock.

Limit of increase.

Approved, May 3d, 1884.

CHAP. 43.—An act donating a part of the abandoned military reservation at Fort Smith, Arkansas, to the city of Fort Smith, for the use and benefit of the free public schools thereof, and for other purposes.

May 13, 1884.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the abandoned military reservation at Fort Smith, Arkansas, as is occupied by Garrison avenue of the city of Fort Smith, and by the wharf of said city, be, and the same is hereby, donated to said city, to be used by it for the purposes of an avenue and wharf. That an amount of said reservation not

Donation of portion of Fort Smith military reservation, Ark., to city of Fort Smith. Avenue and wharf.

Public buildings,
park.

exceeding nine acres, to be selected by the city on such part of said reservation as is hereby granted as it may desire, be, and the same is hereby, granted to said city, to be used by it for the erection of public buildings and county court-house for the Fort Smith district of Sebastian County, Arkansas, thereon, and for a public park. That all the remainder of said military reservation, except the streets, alleys, and avenues hereinafter mentioned, and except the national cemetery and one hundred feet around the walls of the same, and except, further, all the ground included within the exterior line of the walls of the fort, together with all of said walls and thirty feet around said walls, and except, further, so much ground as may be selected by the Secretary of the Treasury for public buildings, be, and the same is hereby, granted to said city of Fort Smith, to be held in trust by said city for the use and benefit of the free public schools of the single school-district of Fort Smith and to be applied to the benefit of all children of school age without distinction of race.

Free public
schools.

Lands, how di-
vided.

SEC. 2. That the said city shall, as soon as may be after the passage of this act, cause the said reservation hereby granted to be divided into lots and blocks corresponding as near as possible with the plat of said city; that all streets, alleys, and avenues laid out on such part of said reservation as is hereby granted be, and the same are hereby, granted to said city, to be held by it as streets, alleys, and avenues for the use of the public: *Provided*, That the said city shall lay off, and for all time keep in repair, a street or avenue sixty feet in width leading to the front gate of the national cemetery, and a street or avenue from Garrison avenue, of such width as the Secretary of the Treasury may direct, to the entrance of said fort fronting on said Garrison avenue; and if the said city shall fail to so lay off and keep in repair the said streets or avenues, the nine acres of ground hereby granted to her shall revert to the United States. That the said city shall, within ten years from the date of the passage of this act, cause all that part of said reservation granted by this act to it in trust for the use of the free public schools of the single school-district of Fort Smith to be sold in single lots, at public sale, for cash, to the highest bidder, the city, when such sale is made and the purchase-price paid, to make a deed to the purchaser for the same; and as soon, and from time to time, as the purchase-price is paid, the same shall be paid to the treasurer of the school board of the single school-district of Fort Smith, to be used by said board in the erection of school-houses and for the pay of teachers and the maintenance of the free public schools in said district.

Proviso.

Sale of land au-
thorized.

SEC. 3. That all persons having fractional lots fronting on Garrison avenue, in said city of Fort Smith, and extending back to the north-eastern boundary-line of said military reservation, shall have the right to purchase, at private sale, of said city, within two years from the date of the passage of this act, so much of said reservation as shall be necessary to extend their respective fractional lots back to a distance of one hundred and forty feet, so that said lots will be one hundred and forty feet in depth, at the rate per square foot that the lot on the reservation nearest to each respective lot may sell for; and the said city, on the payment of the purchase-money, shall make the purchasers a deed therefor.

Erection of
school houses, pay
of teachers, etc.

Owners of lots
granted the right
to purchase, etc.

Secretary of In-
terior to issue pat-
ents, etc.

SEC. 4. That the Secretary of the Interior shall, as soon as possible after the passage of this act, issue to the city of Fort Smith a patent for all said reservation hereby granted to it for its own use and benefit, and also a separate patent for all of said reservation hereby granted to it in trust for the use and benefit of the free public schools of the single school-district of Fort Smith; and said last-named patent shall recite that the lands so granted are held in trust by said city for the use and benefit of said school-district.

Approved, May 13, 1884.