

A.B.

E. B. Jr.

EXX

U. S. LAW
JUL 5 1895
P. RECEIVED. B.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, JUN 29 1895

Claim of	)	Docket No. 25,313.
	)	
Alice Barker,	)	
	)	
as widow of	)	
	)	
Adam Barker,	)	Rejection affirmed.
	)	
Co. F, 30 U. S. Inf.	)	
	)	
No. 556,156.	)	

Claim of widow under third section of act of June 27th, 1890.

< Section 4705 R. S. is not applicable to a claim under the third section of the act of June 27th, 1890.

A marriage contracted in the state of Maryland where the parties resided per verba de presenti, or per verba de futuro cum copula, that is, marriage by agreement, merely, between the parties even when followed by cohabitation and by public acknowledgment of the marital relation, but without any celebration or ceremony, is not lawful marriage there. To constitute lawful marriage there, some religious ceremony must be superadded to the civil contract (Denison V. Denison 35 Md. 361.)

There having been ^{until} in this case no lawful marriage between claimant and soldier after the passage of the act of June 27th, 1890, she has no right to pension under the third section thereof as his widow. >