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The Commissioner of Pensions,

Sir:

This claim under the third section of the act of June 27th, 1890, was rejected March 19th, 1895, on the ground that the soldier did not marry the claimant until after the passage of the said act. The appeal contends that the parties contracted marriage by mutual agreement followed by cohabitation and public acknowledgment of each other as husband and wife long prior to the passage of said act and, furthermore, that their marriage has been proven as provided by section 4705 Revised Statutes.

Concerning the latter contention it is enough to show that section 4705 is not applicable to the case. That section prescribes what shall be the evidence of marriage in cases of "The widows of colored and Indian soldiers and sailors who have died, or shall hereafter die, by reason of wounds or injuries received, or casualty received, or disease contracted, in the military or naval service of the United States, and in the line of duty". To bring the question of marriage under the provisions of that section it must be

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