

2, Chief, Bd. Rev.

The case has been specially examined and the material facts elicited thereby may be briefly summarized as follows:

The claimant and soldier, both free persons, were married in Baltimore, Maryland, sometime in 1860, by the Rev. Nathaniel Peck, and thereafter lived and cohabited together as husband and wife, one child being the issue of their relation, until sometime in 1868, when they separated, the claimant going to New Orleans, Louisiana, where she maintained an adulterous relation with one Shelton for two years, when she left him.

May 17, 1877, the soldier, without obtaining a divorce from claimant, was married in Baltimore, Maryland, to Mary G. Martin, and they maintained bona fide marital relations until his death which occurred, March 9, 1895, no children having been born of said marriage, and her claim for pension, under the Act of June 27, 1890, Orig. No. 617,413, as his widow, was rejected January 18, 1896, on the ground that he had a former wife living from whom he was not divorced, as shown by a special examination of the case, said former wife being the claimant in the case at bar.

It is further shown that claimant has not remarried nor lived or cohabited with any man since the soldier's death in 1895.

In view of these facts the question is presented as to whether it is possible for claimant to prove a valid legal marriage to the soldier.