

(3)

May 14, 1903, he married Amanda Hopkins, at Baltimore, Maryland (S.E.Rep.,p.27), who is the wife "Mary A." mentioned in the record of the soldier's death (B.J.8).

The public records of Baltimore, Maryland, show the issuance of a marriage license on October 4, 1884, for the marriage of John Handy and Frances Barnes, which record is supposed to refer to the claimant and the "Isaac" Handy with whom she lived for a time and to whom she alleges a marriage by ceremony at that place. A child, George, was born to the claimant in 1873, and its paternity is in doubt, though it is alleged soldier was his father, a conclusion hardly warranted by the evidence. The soldier, it is believed, visited the claimant at various times subsequent to his service, but it does not appear that he lived matrimonially with her at any time after freedom.

In view of the facts above stated, you request an opinion as to whether the claimant may be accepted as the legal widow of the soldier.

The question of the validity of the claimant's marriage to the soldier, conformably to the provisions of section 2 of the act of August 7, 1882, will have to be determined according to the law of Maryland, the place where the parties resided at the time of marriage and at the time when the right to pension, if any, accrued.

The Department has, on several occasions, passed upon the

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