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validity of slave marriages in Maryland. The most recent reference to this matter, it is believed, is to be found in the decision in the case of the Minor of James Cofield (15 P.D., 386,387), wherein it is stated (February, 1905)--

In both those States, Maryland and Louisiana, and also in Tennessee (Nathan Yerwood, 13 P.D.,140), slave marriages have been held to be legal and valid and their issue legitimate, and both the widows and the children, as well as the parents, of such marriages, are held to be pensionable.

The legality of slave marriages in Maryland, herein referred to as an apparently settled matter, is also recognized as a decided point in the decision of the Department in the case of Eliza Chase (13 P.D.,49,52), wherein occurs the following statement:

Special legislation has been enacted regarding marriages between colored persons. In 1867 the legislature passed the following act, found in section 13, chapter 62, of the Code of Public General Laws (Maryland):

"All marriages made and celebrated in this State prior to March 22, 1867, by and between colored people are hereby confirmed and made valid, to every intent and purpose, from the time of the celebration of such marriages, respectively; and every such marriage shall be held and taken by all the courts of this State to be good and sufficient in law, to all intents and purposes, provided that in every case the parties claiming to have been married by a competent person shall, by sufficient proof before some justice of the peace, establish the fact of having been so married, a certificate of which shall be filed with the clerk of the circuit court of the county in which said marriage was celebrated, or the court of common pleas of Baltimore City, and be preserved with the register of marriage licenses in the office of said clerk."

The Department, in the case of Samuel Tuttle (11 P.D.,278), has held that the failure to comply with that portion of this act which requires certain proof and the record of a certificate thereof does not operate to defeat the purpose of this act.

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