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(the maiden name of the claimant Agnes), while the marriage certificate gives it as Annie E. Moore. There is no doubt that the woman was identical with the claimant Annie. Just what the soldier's idea was in having the name of his first wife inserted in the license can only be conjectured, but his evident purpose was to mislead any person who might be interested in looking up the record, and the probability is that he thought the record could not be used against him in case he was charged with bigamy. He lived with Annie until his death, but had no children by her, and she is now dead.

The places of residence of the soldier and Agnes from the time of their separation until the soldier's death are well known, and it is definitely shown that they were never divorced. The soldier's marriage to Annie in 1880 was therefore void, and there was no time thereafter when he could have contracted a legal marriage with her. It necessarily follows that Agnes is entitled to recognition as his widow.

It appears that the soldier owned some property in Calvert County, Maryland, and died intestate, and Agnes, on March 1, 1921, filed a bill asking for the sale and division of said property. The court granted her petition and the property has been sold and Agnes has been given a widow's share of the personal property. The proceeds of the real estate have not yet been divided, but she will undoubtedly be allowed a widow's share of that also.

Respectfully,

J. P. Willey

Law Clerk.

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