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minute and did not want to let him use the cup that others used. His gun, too, looked some ^{like} out of place.

The soldier was an interesting fellow and worked whenever he was able to work and it was generally believed that he died from overwork.

He was working on up to the day of his death and I think I saw him on the day he died. I saw him every day.

He was digging out a foundation for a house at that time on this street and died before he finished the job.

I do not know the date of his death, but I do know that claimant has remained his widow and a hard working woman she is, too, and further that she has 4 or 5 children whom I regard as being the children of the soldier who are still living with her and are being cared for by her.

I have heard this statement read and understood it.

John E. Benner

Deponent.

Sworn to and subscribed before me this 18 day of September 1889, and I certify that the contents were fully made known to deponent before signing.

My father

Special Examiner.