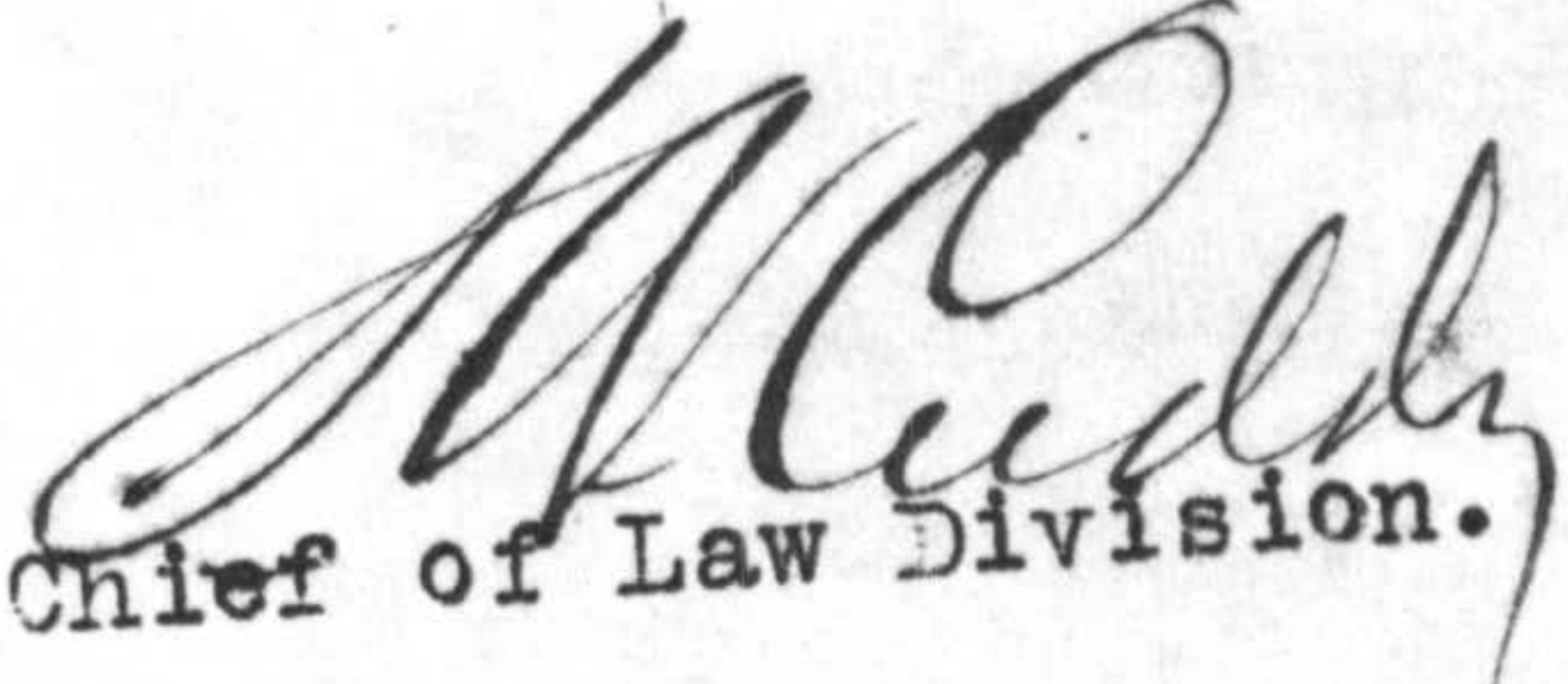


(8)

be conceded, then, that claimant was in a position to marry the soldier.

The above excerpt tends to show that although slave marriages were legal in Maryland, they were not of such binding force as not to be severable at the will of the parties or their owners, and in view of the directness of the decision above quoted, I am persuaded that the slave union of the soldier and claimant, while technically a legal marriage was not of such standing before emancipation as to require a legal dissolution, and inasmuch as the soldier and claimant separated during slavery, such action must be looked upon as of substantially the same force as a divorce and as severing the quasi legal slave bond. It follows, therefore, that the soldier and claimant can not be regarded as having been man and wife at any time subsequent to emancipation, and accordingly upon the death of the soldier the claimant did not become his legal widow, and it is held is not now entitled to recognition as having such status.

Very respectfully,


Chief of Law Division.