

October 4, 1912.

Mr. John Howe Peyton,  
Chief Engineer of Construction,  
Louisville & Nashville Railroad Co.,  
Louisville, Ky.

Dear Sir:-

Mr. E. S. Jouett, General Attorney, has referred to me the enclosed deed from the Duff heirs to the Lexington & Eastern Railway Company, with the request that I examine and give my opinion as to the sufficiency of the acknowledgments and then forward same to you.

Upon examination of the certificates of acknowledgment, I find that the certificate of J. J. Jennings, Notary Public of Wise County, Virginia, to the execution of the deed by R. C. Duff and wife, Martha Duff, is defective in two particulars - (1) the Notary does not show the date of the expiration of his Commission, and (2) he has failed to attach his seal of office. The first of these omissions is perhaps an immaterial defect, but the second one I consider fatal.

It does not seem to be required that the certificate shall so state, but I would have preferred that the certificate recite the fact that Martha Duff is the wife of her co-grantor, R. C. Duff.

I herewith enclose the deed sent me, together with what appears to be a voucher attached thereto.

Very truly yours,

Enc.

SMW/OA