

In another case, a mechanic's lien had been filed against the defendant, under a statute requiring proof of service of notice to be filed of record in Court within 30 days thereafter, failing which the lien would be of no validity. The lien was filed on *July 7th*, and the only entry on the Court records as to the filing of the required proof of notice, was a *rubber stamp* endorsement by the prothonotary on the back of the paper filed, stating that it was filed *Aug. 18th*. Thereafter a rule was taken to strike off the lien, as the record shewed the notice to have been filed too late. Upon an answer being filed, testimony was taken shewing the belief of the prothonotary that the paper was actually filed *July 18th*, the stamped date being a mistake; there was also evidence from a document expert shewing that the movable date on the rubber stamp had accidentally slipped, or been turned, from its correct position, so that the type faces of "July" had gotten just beyond the marking field, and "Aug." had just entered it, thus making the date read "Aug.," which was out of alignment with the rest of the stamped date. Defendant urged that the Court could not contradict its own records by such extraneous evidence, but the appellate Court held that the record should be corrected to shew the true date, and that the rule should be discharged. Of course, if the stamped date had been due to *other than accident or mistake*,—e.g., if done intentionally and knowingly by the prothonotary—the plaintiff would have been bound thereby, and would have been relegated to an action against the official, as his only remedy.

Most of the litigated date questions arise from the *fraudulent* misdating of papers, and while the writer has had legions of such cases in his hands as an examiner of questioned documents, yet comparatively few of them get into the reports on these points, because there is seldom an appeal taken. Many of these unreported cases included notarial certificates to affidavits shewn to have been fraudulently dated and thereupon set aside; others included certificates of acknowledgments that were fraudulently dated, and therefore also put into the discard; still others included fraudulent accounts, and title evidences, in bankruptcy and insurance cases. The following reported cases are representative of the various forms of controversy arising however: