

this help to the executor is made quite manifest, by comparing the account in his own hand-writing with that in the hand-writing of the register ; from which there can be no doubt, that the register's draft must have been formed from that in *Hepburn's* hand-writing, and also from *Hepburn's* explanations and additional information.

According to the register's draft, we have then the entry of the 12th of January, 1779, not only re-affirmed, as to date ; but with this additional information, that it was a payment then made in continental money ; and the register, having been assured by the executor, that it was so then received, has correctly applied the scale of depreciation of that year to it ; (z) which conclusively shews, that there could have been no mistake about it as to date. The register's draft also shews, that the executor could have sustained no loss by the depreciation ; because, as he received, so he paid. But the bill of exchange is shewn to have been drawn and sold early in 1776 ; and yet, its existence is not noticed in these accounts until the 8th of April, 1789 ; and then, when it is first brought into view, with all its accumulations of damages and costs, as a charge against the estate, the register excluded it altogether, and most justly ; because the estate not having profited by the sale of the bill in 1776, it clearly could not be charged in 1789, with the amount for which it was drawn, much less with the damages and costs occasioned by its protest.

Hence the fair and necessary conclusion is, that the negotiation of this bill of exchange was conducted as a separate concern of *Samuel C. Hepburn's* own ; and that it was not, in reality, connected in any way with, or taken into any account which he settled and passed as executor. According to this view of the subject, which I am satisfied is the correct one, there is no contradiction or mystery ; all the entries in the accounts, the bill of exchange, and other circumstances, are perfectly reconciled, and stand well with each other.

But it is a rule of sound sense, as well as of law, universally admitted and applicable to all cases, that no one can be allowed to discredit his own testimony ; any more than he can be permitted to contradict himself, or to deny any of his own solemn admissions. To this rule, it is believed, there is no exception. A party may be allowed to urge, that any principle of law whatever is deducible from the facts he produces, but he can in no case be suf-

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(z) May, 1781, ch. 17, s. 2 ; The Chancellor's case, 1 Bland, 635.