

# A VICTIM TO THE SEAL OF CONFESSION.

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A TRUE STORY.

By REV. JOSEPH SPILLMAN, S. J.

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## CHAPTER XXIII.

### An Unexpected Visitor.

In the meantime Father Montmoulin and the trial that excited so much interest in Aix, were well nigh forgotten. Events success each other so rapidly now-a-days, and in three years' time so much happens, that a nine days' wonder is soon over and gone. Even the anti-clerical journals seemed to have consigned to oblivion the scandalous occurrence at Ste. Victoire.

On a cold stormy evening in February, 1891, the solicitor Meunier was working by lamplight in his office at a law suit concerning some right of way, a tedious and tiresome litigation, which he had to bring into Court a few days later. After a glance at the window, against which the wind was driving a shower of snow and frozen rain, the solicitor was just putting together his papers preparatory to leaving off work, when the office boy entered and announced that a stranger wanted to see him on urgent business.

"A stranger at this time and in this weather!" Meunier exclaimed in surprise. "What is his name?"

"He would not tell his name, Sir," the boy replied. Then he added "If I were you Sir, I would not let him in. He is fairly well-dressed, but there is something so strange and wild in his manner."

Mr. Meunier lighted a cigarette, and stood for a minute irresolute, without answering. Then he decided that it would be best to see the man.

"Show him in," he said to the servant, "but do you stay within call, in case I should want you." Then he stationed himself on the hearthrug, with his back to the fire, awaiting his visitor.

The stranger entered in an evident state of excitement. As he advanced into the room, and the light fell upon his countenance, the solicitor started involuntarily.

"I believe you are the lawyer who defended the priest of Ste. Victoire, in the law courts three years ago, are you not?" the stranger inquired, as he stood twisting about a grey felt hat nervously in his hands.

"I am, Sir, at your service. And I fancy I know who you are, although as far as I am aware, I have never seen you before," Mr. Meunier replied.

"I daresay you do. The sabre cut across my face makes me a marked man. Yes, I am the sacristan Loser, whom you vainly endeavored to trace."

The solicitor did not utter a syllable. He looked at the pale, agitated face of the man before him, and saw from the working of his features the force of the struggle that was going on within his breast. He guessed that he had come with the purpose of making a confession. For a few minutes not a sound was heard but the crackling of the logs, the ticking of the clock, and the rattling of the hail upon the window panes. At length Meunier broke the silence. "You wish to tell me something, Mr. Loser, I think," he said gravely.

"Yes, that is what I have come all the way from Valparaiso in South America. And now that I am here, I cannot bring myself to say it." The man stopped short, and wiped the perspiration from his temples. "Then in a hoarse voice he jerked out the words: 'The priest is innocent. It was I that did it.'"

It cost him an immense effort to utter these words; as soon as the strain was removed, he burst into convulsive sobs. Mr. Meunier pushed a chair towards him, and Loser dropped into it utterly broken down; it was a long time before he could recover himself sufficiently to answer the questions addressed to him. In fact the solicitor felt some doubt as to whether he was in his right mind.

"Have you come over from South America with the purpose of making this confession? What was the motive that induced you to do so?" he inquired.

"To make reparation, to make atonement," groaned Loser. "It leaves me no peace!"

The solicitor thought of the terrible fate into which he had been unable to avert from the innocent priest, and the members of his family, merely through his inability to trace this man, who now sat before him, and who, as it appeared to him, had done his very utmost to cast the guilt of his bloody crime on one who was blameless. His heart swelled with just indignation. Then again he could not resist a feeling of sincere compassion for the wretched criminal, tormented by the stings of conscience, who declared himself desirous to make all the reparation in his power. These two feelings struggled for the mastery within his breast. At length he said, not unkindly, but with an accent of reproach: "Unfortunately, you come rather late with your self-confession. How will you atone for all the misery that you have brought upon the unhappy Father Montmoulin and his aged mother?"

Loser sprang to his feet and wrung his hands. "Good God!" he exclaimed, "is not that what I say to myself by day and by night! I have pity on me, Sir. I know that I cannot undo the past, but I can expiate my crime by laying my head upon the block."

Compassion got the upper hand in the solicitor's mind. He stretched

out his hand to his visitor, and said: "Pardon me, I did not mean to wound you. Besides, you can make satisfaction in what is most important. Father Montmoulin was not executed, thank God! As far as I know, he is still alive in New Caledonia. His mother and sister are also both living. And the terrible scandal that the whole affair caused by the shame attaching to Father Montmoulin's name will be removed by your confession. If only you could have resolved to do this act of justice sooner, when the innocent man was undergoing his trial!"

"Indeed, it never occurred to me at the moment that the suspicion of murder would fall on Father Montmoulin," Loser replied. "I was on board ship, on the way to Buenos Ayres, while the case was being tried here. Besides I thought for certain, that he would at any rate, when it came to that, say that he had seen me, or even that I had been to confession to him; in fact I believed it most likely that he would not consider the seal of confession binding on him in regard to a penitent who had sought safety in flight. And for the matter of that, I persuaded myself that what the clergy preached about the secrecy of the confession was all idle talk, and confession itself only invented by them as a means of obtaining influence. I had read so much of that sort of thing in bad books and infidel papers. That is what I thought then, and I blamed myself for having been such a fool as to go to confession in the first access of terror and agitation produced by the fatal deed of which I was guilty."

"Then it was as Father Regent and I surmised. Father Montmoulin was made a victim of the seal of confession!" Mr. Meunier exclaimed.

"Yes, he was a victim to the seal of confession," Loser replied in a sorrowful tone. "It was the knowledge of that fact that brought me to a better mind, and made me resolve to offer reparation and make amends for my crime. I will tell you how it came about." Then Loser began a lengthy narrative, to which the lawyer listened with ever increasing interest. He told how he had made good his escape, taking his passage on board a vessel bound for Buenos Ayres. On arriving at the port, he was sorely afraid of being recognized by the scar on his face, and arrested by the police; for he had little doubt that Father Montmoulin would, either directly or indirectly, have indicated him to the authorities as the probable murderer. But to his astonishment no one said a word to him, and he at once joined a party of Italian emigrants, who were going across the Pampas to the silver-mines of Potosi in Bolivia. Phenomenal luck attended him; the funds wherewith he started were multiplied ten-fold, but no accession of wealth brought peace and content to his mind. After journeying to and fro he crossed the Andes, and purchased a hacienda near Valparaiso; for he felt satisfied that his crime, of which he had heard nothing more, was long ago passed out of mind, and thus he could under an assumed name, enjoy the proceeds of his theft without dread of a sword hanging over him. He was however mistaken; the blood he had shed cried aloud for vengeance, and gave him no rest. Nothing afforded him any pleasure; not the fine estate, charmingly situated with a view of the beautiful bay of Valparaiso, and the snow-crowned summits of the Andes, nor the splendid horses reared on his pastures, nor the money his manager brought in to him, nor the large dividends he received on the sums he had invested in the salt-petre mines of Atacama—in none of these things could he take real pleasure. After a time, he betought himself of a plan whereby he could learn the truth concerning the consequences of his crime, in order, as he told himself, to set his mind at rest once for all.

Accordingly he wrote under a false name to a well-known house of business in Aix, ordering a box of the dried plums for which Provence is famous, to be sent out to him, at the same time requesting that copies of the "Provence Gazette" for the last three years might be enclosed in the chest, and charged for with the goods. He wished, he wrote, while enjoying the delicious fruits of his native country in a distant land, to

revive many happy memories of the past, and learn what had occurred during his three years of exile. The merchant to whom he addressed the letter was pleased to comply with the request, as he believed he was doing a kindness to a fellow-countryman on the other side of the Atlantic.

"Two days before Christmas," Loser went on, "the case arrived. I locked myself into my room with the bundle of old newspapers and soon looked out the date of the momentous 20th February. In the next number there was the first report of the murder at Ste. Victoire, and the arrest of the parish priest. I laid down the paper in consternation. In the following issues column after column was filled with mockery and abuse of the zealous pastor of Ste. Victoire, the chief grounds of suspicion against him were enumerated. The arrest of his mother and sister was also mentioned. Presently I came upon the most important part of the proceedings, the trial—it occupied twelve closely printed columns—with trembling eagerness I looked for the verdict—there it was. Condemned to death! My head swam; my senses seemed to desert me.

You cannot conceive Sir, how this sentence cut me to the quick. I do not know how long I paced up and down the room before I could collect myself sufficiently to read through the trial. Midnight struck before I laid the paper down. So it was actually true; Father Montmoulin had not uttered a syllable that might reveal what I confessed to him, he had not so much as let it be known that I had been to confession to him, nay, he did not even own to having seen me that night! And all this because in his excessive conscientiousness, he feared lest he should in the slightest degree violate his duty as a priest. It appeared to me that he never attempted in any way to shift the suspicion from his own shoulders to mine. He kept silence, although his silence entailed ignominy and death on himself the cruellest grief of his mother, and would be the occasion of terrible scandal to untold numbers! All this forced itself on me, as I read through the long account of the legal proceedings. When I had finished, I felt positively crushed with shame and remorse; I cried bitterly.

Presently I turned to the newspapers again, in order to read the end of the matter. There were endless articles about the trial, and a great deal that was uncomplimentary was said of you, Sir, as the counsel for the defence, and the failure of your attempt to exculpate your client by suggesting that he was probably plagued to secrecy by the obligations of the confessional, as had been recently the case with a priest in Poland. And after all you were correct in your surmise! Other articles followed, making up to serve the ends of the anti-clerical party, casting contempt on the Church and her ministers. Finally in turning over the pages these words in large type caught my eye:

The Ste. Victoire tragedy. Pardon of the murderer.

For a moment I breathed freely; but alas! on looking further I saw that the pardon only meant that a sentence of death was commuted to transportation for life. A description followed of the conduct of the prisoner, who had to exchange his priestly cassock for a convict's jacket, and of his embarkation on board the Durance for his life-long exile. I read it through to the end. By the time I had finished day was breaking, and I heard the cocks crowing in the grey dawn. I resolved to act promptly. I selected the newspapers which gave an account of the trial and the pardon, and folding them up carefully, I put them in an envelope and slipped them into the breast pocket of my coat. Then I took two thousand gold pesetas out of my cash-box, called the manager, as soon as I heard him stirring, gave him my orders, and without losing a moment mounted my horse and rode over to the Jesuit's House in Valparaiso. I asked for the rector, who I knew understood French, and to him I acknowledged my crime, begging him to assist me in expiating it. He entered into my feelings most kindly and compassionately; he helped me to examine my conscience and prepared me to make a general confession of my past life. This took a long time, but it brought ease to my conscience, and the hope of forgiveness; and this hope in the mercy of God encouraged me to persevere in my determination to do all within my power to make amends for my dreadful crime. The priest of course made me promise to spare no effort to get the unjust sentence reversed, and the innocent prisoner liberated, and his name cleared; to restore the stolen money, and make compensation as far as possible to the relatives of the priest for all they had suffered. Above all the sad scandal that had been given must be removed. Not until I made a formal deposition in writing concerning the murder of Ste. Victoire, and signed it in the presence of a notary, did he give me absolution. Immediately after Christmas, which I passed in the House of the Fathers, I made my will, disposing of my property in case of my death, and started on my home, choosing the overland route as the quickest and safest. I reached Buenos Ayres just in time to catch the steamer which was leaving for Bordeaux. Yesterday we landed, and I came straight here by train; my first inquiry was for your residence, Sir, as I had seen your name as the counsel for the unhappy priest. So here I am, ready to make amends and atonement to the utmost of my power."

Mr. Meunier had listened with rapt attention to this lengthy narrative. At its close, he pressed Loser's hand and said: "In spite of your past errors, I cannot help respecting you for what you have done. I regard you now as my client, and I assure you your confession will be safe with me. You did well to come to me first of all. We will certainly have all amends made as far as possible, but more need not be done

than is necessary. You shake your head? Just hear me out. It will be quite easy to make restitution of the stolen money and compensate the Montmoulin family for the pecuniary loss they have sustained, you have only to write a cheque on the Valparaiso bank and leave it in my hands. A reversal of the sentence can also be obtained, by means of which Father Montmoulin will regain his liberty, and be acquitted of all stain on his character, without your appearing in Court in person. You simply have to sign a confession of your crime, which I will draw up. As a precaution I will have your signature attested by two witnesses, but they need know nothing of the contents of the document to which you append your name. As soon as that is done, you can return to Chili, by the next steamer, sell your estate and go off to North America or to Australia under an assumed name. I will see that you have time to get clear off, out of the reach of the law before your deposition is laid before the authorities. The case will then be tried again, and the second hearing is certain to result in Father Montmoulin's acquittal."

Loser smiled sadly, as he answered: "My confessor in Valparaiso said just the same to me. He expressly told me that I was by no means bound to give myself up to justice at the risk of being sentenced to death. It would be quite enough if I consented that my declaration, witnessed by the notary, were sent in to the judge. Father Montmoulin acted most generously towards me, though he was only fulfilling the obligations of his office. And then I thought the blood of the poor defenceless old lady, which I shed in such a brutal way, called for a more complete expiation of my crime. Besides, would not my personal evidence, given in public, do far more more to obtain the acquittal of the prisoner who was so unjustly condemned, and by making a greater impression, contribute more to reinstate him in public opinion, than any written confession could do? I said all this to my confessor, and he agreed with me. Therefore I begged him to keep my deposition and in case I should repent of my resolution, or any accident should happen to me, after a fixed time to forward it to Aix. Then I set out on my journey hither."

"Have you ever since that time repented of your resolution?" the solicitor inquired.

"I cannot deny that I have wavered several times. But reading the trial over again always confirmed me in the determination I had taken."

"There is very little doubt that the verdict against you will be wilful murder, and you will be sentenced to death."

"I expect nothing else."

"The most favorable sentence we could look for would condemn you to the hard lot of a convict—penal servitude for life."

"Through my sin Father Montmoulin has had to endure that lot for nearly three years; it is high time that I got his chains taken off, so we will if you please, not delay a single day longer."

"This is then your free, deliberate determination?"

"I had time enough and to spare, to think it all over on the voyage. I beg you not to put my constancy to a fresh and painful trial, nor to postpone Father Montmoulin's release for one hour longer than can be helped."

"You are right. So let it be. My God give you strength to bear the weight of expiation which you have voluntarily taken upon yourself."

Mr. Meunier himself accompanied the repentant to the police station, where he gave himself up to the anxious Commissioner of Police who was on duty at the time. By a curious coincidence, this man happened to be one of the police agents who had gone with the examining magistrate to institute the inquiry at Ste. Victoire, and who had apprehended Father Montmoulin.

"Mr. Superintendent," Meunier said to him, "I am sure that you will treat this gentleman, who has come all the way from South America to deliver himself up to justice, with the utmost leniency that the law allows."

"Let me have the same treatment that the innocent priest had," Loser said, in a voice of quiet resignation.

Meunier took a friendly leave of him, and hastened away to the residence of the president, Mr. Justice Peultier. "It is Wednesday," he said to himself, "so I shall find the Prosecutor Joubert and some other Justices there. I know they meet on this evening every week for a game of cards. There is ten striking! I hope I shall not be too late."

He got there precisely at the right moment. The cards had been thrown down and the friends were about to disperse, when Meunier was announced. The gentlemen, who had risen to depart, looked at each other and at him with questioning surprise. The new-comer apologized for intruding upon the president at so unsuitable an hour; he did so, he said, because he had something of great importance to communicate to them. The other gentlemen would perhaps kindly remain and hear what a singular thing had occurred. He then repeated the story he had just heard from Loser's lips. The lawyers listened with profound and growing interest, as was shown by the attention they

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Loser smiled sadly, as he answered: "My confessor in Valparaiso said just the same to me. He expressly told me that I was by no means bound to give myself up to justice at the risk of being sentenced to death. It would be quite enough if I consented that my declaration, witnessed by the notary, were sent in to the judge. Father Montmoulin acted most generously towards me, though he was only fulfilling the obligations of his office. And then I thought the blood of the poor defenceless old lady, which I shed in such a brutal way, called for a more complete expiation of my crime. Besides, would not my personal evidence, given in public, do far more more to obtain the acquittal of the prisoner who was so unjustly condemned, and by making a greater impression, contribute more to reinstate him in public opinion, than any written confession could do? I said all this to my confessor, and he agreed with me. Therefore I begged him to keep my deposition and in case I should repent of my resolution, or any accident should happen to me, after a fixed time to forward it to Aix. Then I set out on my journey hither."

"Have you ever since that time repented of your resolution?" the solicitor inquired.

"I cannot deny that I have wavered several times. But reading the trial over again always confirmed me in the determination I had taken."

"There is very little doubt that the verdict against you will be wilful murder, and you will be sentenced to death."

"I expect nothing else."

"The most favorable sentence we could look for would condemn you to the hard lot of a convict—penal servitude for life."

"Through my sin Father Montmoulin has had to endure that lot for nearly three years; it is high time that I got his chains taken off, so we will if you please, not delay a single day longer."

"This is then your free, deliberate determination?"

"I had time enough and to spare, to think it all over on the voyage. I beg you not to put my constancy to a fresh and painful trial, nor to postpone Father Montmoulin's release for one hour longer than can be helped."

"You are right. So let it be. My God give you strength to bear the weight of expiation which you have voluntarily taken upon yourself."

Mr. Meunier himself accompanied the repentant to the police station, where he gave himself up to the anxious Commissioner of Police who was on duty at the time. By a curious coincidence, this man happened to be one of the police agents who had gone with the examining magistrate to institute the inquiry at Ste. Victoire, and who had apprehended Father Montmoulin.

"Mr. Superintendent," Meunier said to him, "I am sure that you will treat this gentleman, who has come all the way from South America to deliver himself up to justice, with the utmost leniency that the law allows."

"Let me have the same treatment that the innocent priest had," Loser said, in a voice of quiet resignation.

Meunier took a friendly leave of him, and hastened away to the residence of the president, Mr. Justice Peultier. "It is Wednesday," he said to himself, "so I shall find the Prosecutor Joubert and some other Justices there. I know they meet on this evening every week for a game of cards. There is ten striking! I hope I shall not be too late."

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