

NOTE AND COMMENT.

Our esteemed contemporary, the Providence Visitor, in a recent issue published the following article:—

"The question of a priest's right to refuse to tell in a court of law what he said or heard in the confessional has come up again, this time in the Province of Quebec. A certain physician was charged by a certain lady with criminal assault. The lady declared that in the confessional she exposed the matter to a certain Father Rochon and was advised by him to prosecute her assailant. The defence called on the priest to give a denial to the plaintiff's story, but this he declined to do, on the ground that he is not bound by law to divulge the secrets of the confessional. The judge ruled that no such immunity is guaranteed to priests by the law of Canada and the court was adjourned to give the priest a chance to reconsider his resolve. If the facts are as alleged the priest is in a painful position. But he must obey God rather than man, unless the lady gives him permission to speak about the affair. In the meantime it seems odd that Canadian law refuses to take account of professional secrecy. That is the point at issue.

As the locality in which the above case arose is not mentioned, it is impossible to verify the statement. It would surprise us very much had any such question arisen. Our courts have pronounced so emphatically on the subject that it is almost incredible that any judge should have given such a decision as that referred to. In the case of Ouellet vs. Scotte, which came before the Superior Court of this Province about two years ago, Hon. Mr. Justice Curran presiding, the Rev. Father Dubuc refused to answer a question on the ground that his conversation with the person interested was confidential as he had spoken to him in his quality of spiritual adviser. Let it be noted, this was not a question of the confessional.

The learned judge in a very elaborate judgment of which we give only the principal features said:—

"The witness invokes Article 275 of the Civil Code of Procedure which has reference to the privilege of a witness. It enacts as follows: 'He cannot be compelled to declare what has been revealed to him confidentially, in his professional character, as a religious or legal adviser, or as an officer of state when public policy is concerned.'

It appears to me there can be only one construction placed on the above mentioned article. Religious advisers whether they be priests, parsons or rabbies, who receive from those who consult them, in their religious capacity, statements made in confidence, cannot be compelled to divulge in the witness box, the subject or nature of such confidence. In this case the witness has sworn, that the whole conversation he had with the defendant was under the seal of professional secrecy, as his religious adviser. I hold that he is not bound to answer. Taylor on evidence, referring to the effect of the rule in England, which exempts the legal adviser, says, 'The rigid enforcement of this rule, no doubt, occasionally operates to the exclusion of truth; but if any law reformer feels inclined to condemn it on this ground, he may be reminded of the language of the late Knight Bruce, L.J., who observed, 'Truth like all other good things, may be loved unwisely—may be pursued too keenly—may cost too much and surely the meanness and mischief of prying into a man's confidential consultations, with his legal adviser; the general evil of infusing reserve and discrimination, uneasiness, suspicion and fear into those communications, which must take place, are too great a price to pay for truth itself.' As with the Province of Quebec our law covers the religious as well as the legal adviser the foregoing remarks apply to clergymen as well as to the legal profession. This subject has been treated in the same spirit by many English, French and American authorities. I direct special attention to the judgment of the Court of Cassation, rendered in December, 1891, which lays down the law of France on this subject in the following words: 'Seeing that ministers of legally recognized religions are bound to preserve secret all revelations made to them in the exercise of their functions; that so far as regards Catholic priests, no distinction can be made between confidences made in the confessional or those made outside of that sacrament, that the circumstances that such confidences should have been made, outside of the confessional, cannot change the nature of the secret of which they are the depositaries if such secrets have been confided to them in the exercise of their functions and that the obligation of secrecy is of public order.'

The judgment of Mr. Justice Curran was not appealed, but has been accepted as the true interpretation of the law. Since that judgment, however, a similar judgment has been rendered by the Court of Appeals of this Province. Mr. Justice Hale speaking for the unanimous Court. If any such ruling as that alleged to have been given by our contemporary has been given, there is no doubt but that it shall be reversed either in Review or before the Court of Appeals.

The Dublin Nation and other prominent Irish journals are now attaching considerable importance to Mr. C. R. Devlin's mission in Ireland. It will be remembered that, at the outset, Mr. Devlin was assailed on all sides and from certain hostile quarters in Canada, misrepresentations of the object of his mission were forwarded to the Irish press with the intention of injuring him in public opinion. It was not surprising therefore to learn that he had a hard battle to face in undoing the injustice done to Canada at the hands of calumniators who placed personal animosity above national interest. Many of Mr. Devlin's admirers thought his a hopeless task, and while they deeply sympathized with him because of the persecutions and humiliations which he encountered, found themselves, nevertheless, wishing for his early return. Mr. Devlin in continuing the struggle under such circumstances proved himself a worthy champion, and his speedy triumph over an antagonistic public opinion proved his ability. His present status and the receptions with which he is everywhere being greeted proved Mr. Devlin's ability, and show that public opinion in Ireland, true to tradition, is generous, kindly, and ever ready to grant that measure and spirit of fair play to others which it contends it has itself been deprived of for centuries. Mr. Devlin while vindicating the honor of Canada, propounding its national importance and increasing its Continental popularity has won a warm corner at last in the hearts of his Irish compatriots, who now universally pay him that tribute which the dignity of a kindly heart and disciplined intellect invites.

NOTES FROM THE OFFICIAL GAZETTE.

The "Syndics Apostoliques des Peres Franciscains de l'Observance" of Montreal, will make an application at the next session of the Legislature of the Province of Quebec to pass a bill amending the law incorporating them in changing their corporate name and with relations to their powers.

The "Fraternity of the Third Order of Saint Francis d'Assise" of Montreal, will make an application at the next session of the Legislature of the Province of Quebec to pass a bill amending the law incorporating it, and that the amendments demanded relate to the civil reconstruction of the said Third Order, to the creation of a Superior Council, to the incorporation of each fraternity, to the finances and powers of each corporation, and generally to all that concern the organization, rights, duties and the administration of the incorporation of said Third Order or of the fraternities.

Notice is given that an application will be made to the Legislature of the Province of Quebec, at its next session, by the Rev. Gregory O'Brien, B.A., Rev. I. T. Kavanagh, B.A., John C. Coffee, Louis J. Cotter, Rev. Owen B. Devlin, L.L.B., Rev. Gregory Fere, M.B.M.R.C., of Montreal, for an act to incorporate the "Loyola College," for educational purposes with powers to grant degrees in arts, and with its corporate seat in the city of Montreal.

Notice has been given by Francis Joseph Arend, of the city of New York, in the State of New York, one of the United States of America, manager; John Selkirk Clune, merchant; William Carey, machinist; Charles William Schmale, agent; Michael Joseph Francis Quinn, advocate; Joseph Ward, merchant, all of the city of Montreal, that they will apply to the Lieutenant Governor in Council at the expiration of one month for a charter of incorporation under "The Joint Stock Companies' Incorporation Act," of a company to be known as "The Delaval Manufacturing Company."

The objects for which incorporation is sought are:—

To lease, purchase, manufacture, sell, rent, let and generally trade in centrifugal machinery, cream separators, cream and butter making implements, and all kinds of creamery and dairy apparatus, implements supplies, and produce, including patent rights and patent right privileges for

any of the same, with full power to acquire such property, real and personal, as may be deemed advantageous or desirable for the business of the company.

To acquire by purchase or otherwise, or undertake the whole or any part of the business, good will or property of any person, firm or company carrying on business which this company is authorized to carry on or possess.

The chief place of business of the company is to be at the city of Montreal, in the district of Montreal.

The amount of the capital stock of the company is to be \$10,000, divided into shares of the value of \$50 each.

Francis Joseph Arend, John Selkirk Clune, William Carey, Charles William Schmale and Michael Joseph Francis Quinn are to be the first or provisional directors.

The trustees of the parish of Saint-Eugene Jesus du Coteau Saint-Louis will apply to the Quebec Legislature at its next session, to obtain an authorization to levy an assessment on the Catholic freeholders of the parish, together with certain privileges such as the ratification of their election as trustees, and the power to negotiate loans, pursuant to the resolutions of the freeholders, dated December, 11th, 1898.

OUR LOCAL SOCIETIES.

Branch 26, C. A. A. one of the strongest in the city held its annual meeting for the installation of officers for the year a few days ago. After some routine business the order of installation was taken up. The retiring president, M. Eagan, vacated the chair, and was replaced by Grand Deputy, J. J. Costigan. The meeting was then declared in open order, and the friends and members and non-members of the association were admitted. The installation ceremonies were conducted by the following:—Grand, Councillor, T. J. Finn; President, C. O'Brien, Branch 54; Chancellors, P. Reynolds, A. D. McGillis, M. Sharkey, J. H. Feeley, J. W. Nicholson, and M. Eagan. At the conclusion of the installation Deputy Costigan, in the name of the Grand President complimented the retiring president of the branch, Chancellor M. Eagan on the prosperity which had attended it under his guidance; he also congratulated the new president, Brother D. J. McGillis, on his selection to the dignity. An informal social meeting was then held during which Chancellor Joseph E. Morrison delivered a most interesting address on the Association, its aims, objects and costs of membership. Short addresses of interest were also made by Brothers Costigan, Reynolds, Feeley, Eagan, Finn, Sharkey, and others. There was also given during the evening, a select programme of vocal and instrumental music, in which the following took part:—We Mrs. J. H. Maiden, J. Walsh, J. M. Kennedy, J. Bennett, J. Hogan, J. J. McGaffrey, J. E. Shaw, J. S. Ward, and others.

Branch 26 will hold its annual "At Home" at Beaman's Hall, on the evening of Wednesday, the 18th of January.

The Provincial High Court officers of the Catholic Order of Foresters have had a busy time in the country within the last few days. Even Montreal officers were called out to assist the newly-elected officers. The installing officers were Bro. A. A. Guilbault, Provincial High Chief Ranger; Bro. Cleophas, Provincial High Vice Chief Ranger; Bro. F. N. Bilodeau, Provincial High Secretary, and Bro. J. P. Jackson, Provincial High Treasurer, and on Saturday the officers of Court St. Andre, Sutton, and Court St. Bernard, Waterloo, were installed, the latter publicly, and after the installation a banquet was tendered to the High Court Officers, when a very pleasant evening was spent. The ladies also were present, and considerable enthusiasm was manifested when the Rev. Father P. D. Darche, one of the most popular priests in the Eastern Townships, was presented with the second prize—\$25 in gold—for getting the most new members into the Order during the past year. He succeeded in getting in seventy-five members.

At a regular monthly meeting of the above Society the following officers were elected for the ensuing year:—

Spiritual Director, Rev. Father Flynn; President, Mr. John Killheather; Vice-President, John Hagan; Sec. James Brady; Treas., M. J. Ryan; Coll. Treas., Thomas Ward; Ass. Coll. Treas., Wm. Hewlett; Grand Marshall, M. Guigan; Executive Committee: Andrew Cullinan, Thomas Moore, L. Noon, W. Cullen, J. Riley, J. McDermott, T. Crane, J. Butler, W. Waugh, A. Thompson, C. Shanahan.

Before the close of the meeting, the secretary Mr. James Brady, in a feeling speech, proposed a resolution of condolence with the family of the late Anthony Cregan, an old member of the Society, who died recently.

CATHOLIC YOUNG MEN'S PARISH CHAMPIONSHIPS.

The usual competition held during the season, between the Catholic young men's societies of Montreal is now going on. The following schedule has been arranged, and the struggle for supremacy has aroused keen interest in the circles of the followers of each organization.

The opening game of the series between St. Ann's Society and the Y. I. L. & B. A. was held on Monday evening when the former won. They are jubilant over the victory and are now anxiously looking forward to the next encounter with St. Mary's Young Men the champions of last year's series.

DATE.	HALL.	SCHEDULE OF GAMES.
Jan. 9.	St. Ann's.	Y. I. L. & B. A. Billiards, Pool and Checkers.
Jan. 13.	St. Ann's.	St. Mary's, Pool and Checkers.
Jan. 16.	Y. I. L. & B. A.	St. Mary's, Billiards, Pool and Checkers.
Jan. 20.	Y. I. L. & B. A.	St. Ann's, Pool and Checkers.
Jan. 23.	St. Mary's.	St. Ann's, Billiards, Pool and Checkers.
Jan. 27.	St. Mary's.	Y. I. L. & B. A., Pool, Whist.
Jan. 30.	St. Ann's.	Y. I. L. & B. A., Pool, Whist.
Feb. 3.	St. Ann's.	St. Mary's, Billiards, Pool and Checkers.
Feb. 6.	Y. I. L. & B. A.	St. Mary's, Billiards, Pool and Checkers.
Feb. 10.	Y. I. L. & B. A.	St. Ann's, Billiards, Pool, Whist.
Feb. 13.	St. Mary's.	Y. I. L. & B. A., Pool, Whist.
Feb. 17.	St. Mary's.	Y. I. L. & B. A., Billiards, Pool and Checkers.

REGULATIONS.

Billiards—Five points to each winner, two competitors, 100-point game four balls.

Whist—Ten points a game, two pairs of two to compete, five points to each winning pair.

Euche—Ten points a game, two pairs of two to compete, five points to each winning pair.

Checkers—Two competitors from each society, but three games in five, five points to each winning party.

Pool—Five points to each winner, two to compete, 75 ball game, pyramid.

OBITUARY.

Master Charles A. O'Brien.

It is with the deepest regret that we have to announce this week the death of Master Charles Alexander O'Brien, younger son of Mr. John O'Brien, which occurred in this city on January 5th. By this sad event not only has the pride and joy of a loving father's heart been suddenly taken away, but a young life of much promise and of whom great expectations were anticipated, has also been blotted out.

At the time of his death the deceased was only fifteen years of age and during his short life his career in school was somewhat phenomenal for one so young. He was, for six years, a most diligent pupil of St. Patrick's Christian Brothers' School, and passed through the various grades with such great success and merit. Two years ago, a scholarship in Mount St. Louis College, being head of the first class for general proficiency. While in Mount St. Louis undergoing a scientific course he was equally successful. He was also an active member of St. Patrick's Catechism class, and competed successfully twice for the special prize given annually for competition amongst the senior members of the class. Charlie was the favorite of everyone that knew him, and was loved by all his classmates and companions for his amiable ways and gentle and lively disposition. His sweet smile and cheering presence will be greatly missed.

The funeral, which was very largely attended, took place on Sunday afternoon from his father's residence, 213 City Hall Ave. The former pupils of St. Patrick's School, who had previously assembled and resolved to attend the funeral in a body, were present in large numbers. The St. Patrick's schoolboys, under the direction of Bro. James, headed the cortege and were followed by those of Mount St. Louis College, under Bro. Jerome. The chief mourners were the father and brother of the deceased. Then came the other relations and many sympathizing friends of the family.

While the "True Witness" begs to extend its most fervent sympathy to the bereaved father and other relations in this their hour of sorrow and trial, it is a consoling thought that God, who is All-wise and Omniscient, has taken Charlie to Himself, before his white robe of innocence has been sullied by the snares and pitfalls that today beset the path of youth. —R. L. P.

ST. PATRICK'S T. A. & B. SOCIETY.

The regular monthly meeting of the St. Patrick's Total Abstinence and Benevolent Society was held Sunday afternoon, Jan. 8th.

The meeting opened with the usual religious instruction in the church, given by the Rev. Pres., Rev. J. A. McCallen, S.S. This being the first meeting after the election of officers, the names of the officers were announced by the Rev. President, after which they entered upon their respective duties, at the business meeting held immediately after. The short instruction given by the Rev. President in the cause of temperance was not without its good fruit, as quite a number received the pledge of total abstinence and joined the society.

At the business meeting of the society held immediately after in the hall, quite a large amount of business was transacted. A committee was appointed to ascertain ways and means Society, which occurs in the month of February. The officers of the Society were greatly satisfied by the large attendance at this meeting, and the keen interest shown by the members in all matters brought up before them.

The Society has again adopted its old custom of holding its monthly meeting on the second Sunday of the month, instead of the second Tuesday, and judging from the attendance on Sunday the change has been for the best.

The following are the officers for coming year:—

Rev. president, J. A. McCallen, S. S.; 1st vice-president, Mr. Jas. Walsh, re-elected; 2nd vice-president, Mr. J. J. Costigan, secretary, Mr. W. J. Doyle, re-elected; assistant secretary, Mr. J. J. McCallen, re-elected; treasurer, Mr. J. H. Kelly, re-elected; financial secretary, Mr. J. Howard, re-elected; marshal, Mr. Jas. Milroy, re-elected; assistant marshal, Mr. P. Dunn, Committee of Management:—Mr. R. P. Reddy, chairman; Messrs. M. Sharkey, re-elected; P. Doyle, J. J. Bolster, P. Friend, J. Blanchfield, re-elected; W. J. Alty, W. P. Costigan, re-elected; J. Rooney, T. Harper, M. Bureau, T. Easton.

BRIEF NOTES OF NEWS.

The funeral of the late Rev. Jean Rembach, professor of sciences, at the Novitiate of the Immaculate Conception of the Society of Jesus, took place on Monday.

Rev. Father Renaud, rector of the Immaculate Conception, officiated. The remains were transferred to the vault in the cemetery of the Order.

At last agitation for making New York a city of health and magnificence has begun, says the New York Herald.

The Architectural League has appointed a committee and held a meeting to hear the problems discussed by eminent architects of the town. Their work in making the Columbian Exposition buildings at Chicago the wonder of all visitors has put them in the first rank of the world's architects.

Their views ought to carry weight in considering any problem of municipal street improvements and building reform.

The plan proposed at the Architectural League by George B. Post is daring, brilliant, and comprehensive. He would begin in darkest New York, on the site of the old swamp where the Tombs Prison and Criminal Court building now stand.

With grading and terraces he would obtain an elevation on which to erect a new city hall, with other necessary municipal buildings grouped around it, all looking down on the city.

Chicago, Ill., Saturday.—A local paper says:—

"The dream of George M. Pullman's life has been shattered, says a Chicago journal. The fenced in model town of Pullman is to become a free community. The anomaly of a city within a city is at an end. The Pullman Palace Car Company has accepted the decision of the Supreme Court of Illinois sustaining the contention of Attorney General M. T. Maloney. The Pullman Company has instructed its attorneys to close the suit. The terms of the decree are now being prepared. The decree will divorce the great corporation from everything save the business for which it was incorporated.

This will end, as a feudal institution, the town of Pullman, its churches and schools, its hotel, its magnificent arcade hall, the market house, the public library and two thousand residences, will be sold to the highest bidder. The Pullman, Iron and Steel Co. will be reorganized. The brick works will pass from the control of the company.

The streets of Pullman will be given over to the authorities of the city of Chicago, and the waterworks will also pass into the control of the city. Pullman will cease to be a hedged in municipality. Its property will no longer figure on the assessor's books as "250 acres with the improvements thereon." In the scheme of disposing of the vast and multiplied interests of the company, that the Supreme Court has declared must be abandoned, preference will be given to the employees to purchase the homes which they now occupy.

The report comes from Albany that an application has been made to the State Board of Charities for its approval of the incorporation of the Catholic Home Bureau for Dependent Children. This institution proposes to conduct its operations in the city of New York, but will likewise operate elsewhere in the State.

The object of the society is to establish an agency whereby the inmates of Catholic orphan asylums may be placed in homes.

The certificate is accompanied by two letters of approval, one of which is from Archbishop Corrigan, in which he says:—

"The project of establishing a Catholic home bureau impresses me favorably, and seems likely to accomplish good results. In the first place, it will prevent overcrowding in our institutions, and relieve us of the care of many children who are now dependent upon charity, and will enable them to become self-reliant. It will relieve the tax-payers of the burden of contributing to the support of these children, and will prevent the number of public wards becoming too large.

A mass meeting will be held in New York, on Jan. 22, under the auspices of the Continental League, to protest against the proposed Anglo-Saxon Alliance.

The session of the Quebec Legislature which opened on Thursday promises to be a very interesting one. Several important measures are promised.

JOHN MURPHY & CO.

GREAT January Clearing Sale.

Big Clearing Discounts in all Depts.

Quality Combined With Cheapness

is the secret of the crowds that daily take advantage of the "chances" offering at Our Great January Clearing Sale.

Reductions in Ready-to-Wear Clothing

SILK BLOUSES—The very latest styles. Usual price \$6.50, sale price only \$1.75.

Also SILK CASHMERE and PLAID BLOUSES, from 25 to 50 per cent. off.

FLANNELLETTE BLOUSES—This season's styles, worth 95c, sale price only 50c.

3000 Dollars worth of FLANNELLETTE WEAR including Ladies' Gowns, Chemises, Drawers, and a large assortment of Children's Flannellette Wear, bought at bargain and priced accordingly, with further discounts during sale of 10 and 20 per cent. off respectively.

RIDEDOWN JACKETS—All colours and sizes in stock. Usual price \$1.50, for our cheap sale only \$1.00.

CORSETS—In gird only. Regular value \$1.00. To clear at 40c. Also 10 p.c. off all our Corsets.

WHITEWEAR—American Whitewear, all the best productions from New York, at 20 p.c. off during our sale.

DRESS SKIRTS—All Wool 25 to 50 per cent. off.

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ST. PATRICK'S T. A. & B. SOCIETY.

ESTABLISHED 1811.

Meets on the second Sunday of every month in St. Patrick's Hall, 92 St. Alexander street, immediately after Vespers. Committee of Management meets in same hall the Tuesday following month at 8 p.m. REV. J. A. McCALLEN, Rev. President. JOHN W. ASH, 1st Vice-President; W. P. DOYLE, Secretary. 24 St. Marie street. Delegates to St. Patrick's League: Messrs J. H. Feeley, M. Sharkey, J. H. Kelly.

Clearing Sale

Of Skating and Felt Boots,

In Chocolate and Black, \$1.25 to \$2.00. Worth \$1.50 to \$3.00.

German Felt Slippers and Boots, in all styles, 20c. to \$1.50.

Ladies' Evening Slippers, in White, Black, and Chocolate, 75c to \$3.00.

E. MANSFIELD,

THE SHOEIST,

124 St. Lawrence St.,

Cor. LaGauchetiere Street.

PHONE Main 849.

THE NIGHT SCHOOLS.

The night schools have been resumed for the second term. We would call the attention of parents, guardians, and others to take interest in this matter as there are a large number of young boys working during the day, and who have received only the first rudiments of learning. The following branches are taught each evening:—penmanship, arithmetic, reading, dictation, bookkeeping.

We would like to see a large number of our working boys and young men attend these classes. The following schools are open:—Sarsfield School, Guy Street; Montcalm Street, Champlain Street, and St. Mary's corner Craig and Panet streets. Classes are held four nights each week, Monday, Tuesday, Wednesday and Thursday. The term is for 40 nights and some of the most able teachers in the Catholic circles of this city have charge of the work. The attendance so far has not been commensurate with the importance of these schools considering that they are practically free.