

A VICTIM TO THE SEAL OF CONFESSION.

A TRUE STORY.

By REV. JOSEPH SPILLMAN, S. J.

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CHAPTER XVII. IN COURT.

The eventful day came at last. Long before the doors opened, an eager crowd thronged the square before the Court of Justice and filled the adjacent streets. The mob swayed impatiently, each individual being anxious to get in first and secure a good place in the gallery. "It is no use pushing," the doorman said to them. "The doors will not be opened until eight o'clock, and then only persons who have tickets will be admitted. Two hundred tickets have been issued, and that is about as many as the gallery holds."

"Tickets?" ejaculated one of the crowd, "what have we got a republic for! Is there no Liberty, equality, fraternity over the sea? We are all equal in the eyes of the law. I shall complain to the chief judge."

"You are welcome to do that, my good fellow. But we have more than sober folk in court, and you are already the worse for drink."

"See how these insolent officials trample on the rights of the people!" angrily retorted the tipsy one.

"You be quiet," said a neighbor. "For the police will run you in as soon for being disorderly. There is no equality now in France, do you think if you or I put a knife into an old woman's back, we would have received tickets to witness the trial? There is no chance to get in."

"Here we will be equal to the other door, where the judges and witnesses go in, and tell them a bit of our mind about the reverend prisoner."

"So saying the two friends were round to the principal entrance, where already witnesses, members of the jury, or officials of the Court were beginning to arrive."

When the Mayor of Ste. Victoire was recognized he met with quite an ovation for his sagacity in laying his hand on the door of the bloody deed. After him came a party of elegantly dressed men, and the old white-haired priest of La Grange, with some of the Seminary professors, and other ecclesiastics. The mob received them very differently: hisses and groans and even words of abuse were heard, for the accusation under which one of the number lay, emboldened the irreligious and angrily to manifest openly their hatred of the servants of God. Indignant at their reception, the aged pastor of La Grange stopped, and turning round on the topmost step of the flight that led to the door, said:

"Is it usual to insult the clergy in this manner in Aix?"

Almost at the same moment the presiding judge drove up in his carriage. The people cheered him, but one voice called out to him not to let the priest off with a whole skin. The judge looked coldly at the rabble, and said: "Silence! It is not for French citizens to anticipate the decisions of justice and abuse either witnesses or the representatives of the law. I shall have a military cordon placed round the Court, if I hear any more of these disturbances."

This speech had a quieting effect on the crowd, but it was whispered by some that the judge had gone over to the party of the clericals. Others said, no, he only spoke as he did to show that he favored no party. Then the public prosecutor made his appearance; he, too, was received with cheers. Not so Mr. Mounier, the counsel for the defence, he carried a large portfolio under his arm, and was hissed by the bystanders, one of whom made him bow down with his face to the ground, and another who had just spit on him, said: "Take care, you shall get locked up."

"Yes," replied the solicitor, "any one who fears the consequences of insulting a gentleman in public, had better mind his manners."

In consequence of this procedure on Mr. Mounier's part, the rest of the witnesses and jurymen were allowed to pass without remark. But when the prisoner with the prisoner came in sight, the uproar was tremendous. Father Montmoulin, in the narrow, closely-shut compartment where he sat, heard above the rattling of the wheels, upon the stone-paved street, the furious cries of the people, desirous to see him delivered over to the executioner. The Van drove through the gates into an inner courtyard, the gates being instantly shut, so that the priest was not seen when he alighted, and was conducted into the building between two constables; otherwise there would have been many amongst the on-lookers, who would have felt deep sympathy with him, as with words of prayer on his lips, he went to meet his fate.

The excitement had not yet subsided when Mr. Lenoir with his wife and two children, and the girl who made their way up to the court. The baker, Charles and Julia, and the barmaid joined the other witnesses while Mrs. Lenoir, thanks to a ticket Mr. Mounier had given her, was admitted to the gallery. There she deftly eluded her way to the front so as to obtain a good view of the court, and apologized to a gentleman on the part of her short stature, and the fact that her husband and foster children had to give evidence. With a smile the gentleman

allowed himself to be dislodged from his place by the bustling little woman.

The high, spacious court was lighted by a dome. At the far end, on a raised platform were the tables and chairs of the judges; that of the presiding judge being somewhat higher than the others. Above his seat a large crucifix hung on the wall. Along the wall on the right were the seats appropriated to the jury; on the left was the prisoner's dock, slightly raised above the level of the floor. In front of this the counsel for the defence had his seat, that of the prosecutor being opposite.

The ushers of the Court were still engaged in arranging the benches, and laying books and papers on the judges' table, when Mounier entered in gown and wig, and going up to his desk opened up his portfolio to see that his papers were in order. Every sheet was in its place. He glanced at the clock; five minutes more, just time to collect his thoughts. He looked himself, and fixing his eyes on the crucifix, murmured a few words of prayer. But almost immediately some of his fellow priests came in, and began to talk to him. Then the public prosecutor appeared, and passed to his place, bowing distantly to Mr. Mounier. The latter crossed over and held out his hand to the other, a much younger man, just gave him the tips of his fingers, with a formal acknowledgment of his friendly advances. "If I may be permitted to make one request," he added, "I must beg that you will not spin out this vexatious case to an unnecessary length. I see you have a whole list of witnesses who apparently are called for no other purpose than to testify to the irreproachable antecedents of the accused. This is quite superfluous; I am prepared myself to call special attention to the fact that the reverend gentleman has hitherto enjoyed a blameless reputation. You can strike off half the names on your list."

"I shall certainly do my utmost to avoid lengthening out this vexatious case, as you very justly designate the one on which we are engaged, and I shall perhaps be able to dispense with one or two witnesses. May I on my part proffer a request? It is that you will not allow the charge brought against an individual priest to be regarded in any wise as an aspersion on the priesthood in general, for that would give me much pain."

"Ah, you are thinking of the old saying: *ab uno disce omnes*, by one you may judge of all. If you do not provoke me—but the clock is striking and here comes the judge."

Mr. Mounier regained his seat in all haste while the judges in their robes of office entered by the great folding-doors and solemnly took their places. The jurymen did the same and the chattering in the gallery ceased. Every eye was turned to the door on the left, through which the prisoner was to be brought in. At a sign from the judge it was opened, and Father Montmoulin appeared, conducted by two warders.

Pale and downcast, yet placid and composed in his bearing, he walked across the middle of the room, then he stopped, and raising his eyes, he bowed to the judges. At the same moment he caught sight of the crucifix, and a melancholy smile passed over his countenance. There was the consider whom he needed to whom in his affliction he must continually look. He seemed to hear the Man of Sorrows say to him: "Take up thy cross and follow Me, and involuntarily he laid his hand on his heart and answered: Give me grace, Lord, that I may follow Thee."

The upward glance and the gesture were not unnoticed by Judge or jury. The judge asked himself: "Is it possible that the man is such a hypocrite?" And the prosecutor muttered under his breath loud enough to be heard by the jury: "What an actor the fellow is!" But the general impression made by the unhappy priest on those present was anything but unfavorable.

Meanwhile the prisoner took his stand in the dock, with the warders on either side of him, the jury being opposite. He evidently felt that all eyes were upon him, and a slight flush tinged his cheek. The presiding judge then opened the proceedings

with a few appropriate sentences. A frightful crime had been committed, the murder with robbery of a lady highly esteemed for her charity and good works, and what was yet worse, suspicion pointed to the priest of the parish, her confessor, as the perpetrator of the deed. It was the duty of the administrators of justice to decide, without regard of person, whether the accused was guilty or not guilty. Nothing must be allowed to bias the minds of the jury; it was much to be regretted that this unhappy occurrence had been discussed from the press from the standpoint of politics, and even employed to the furtherance of politics, and even employed to the furtherance of political aims before the guilt of the prisoner had been judicially proved. The interest of justice demanded a total exclusion of anything like party spirit from the law courts; no consideration of person or calling, but only well substantiated facts must have weight. He had been sorry to hear remarks from the people in the streets which could only be justified by abhorrence of the crime and the false, preconceived idea that the prisoner was proved to be guilty. He warned all persons present against any expression of feeling, either of approval or disapproval, as if the least disturbance was made, he would instantly order the gallery to be cleared.

After the usual preliminary question had been put to the prisoner, the ordinary exhortations addressed to the counsel, and the customary oaths administered to the jury, each one responding to his name, the president admonished the accused to listen to the accusation which was then read aloud by the clerk of the court. It was to the purport that Francis Montmoulin, clerk in holy Orders, parish priest of Ste. Victoire, there present, did on the 20th February of the current year, with intent, feloniously and with purpose of murder, slay the widow Marie Blanchard, aged 65 years, and rob her of the sum of £180.

Although this charge had long since been made known through the public papers, yet the formal reading of it produced a great impression. Some of those present looked with compassion, others with abhorrence, at the accused, who listened with closed eyes, an involuntary shudder running over him at the word murder.

At the close a glance at the crucifix enabled him to regain composure, and to answer the question whether he pleaded guilty or not guilty in a calm clear voice, not guilty.

Then the public prosecutor rose to open the case for the prisoner. He began by expressing his regret that the duties of his official position had him under the obligation of proceeding against the member of a profession which had the strongest claims to respect and veneration. And if the sensibilities of the faithful were deeply wounded he must beg them to cherish no ill will against the individual whose business it was to conduct the prosecution, but let the odium rest upon the criminal, who, oblivious of his sacred calling, had caused so crying a scandal. Not only he himself, but the mayor of Ste. Victoire, and the magistrature whom he involved in the duty of instituting the first judicial inquiry, had with the greatest reluctance admitted the possibility that a member of the priesthood had perpetrated so foul a crime. Only when facts so glaring as to leave no doubt on the matter came to light, was the conviction forced upon them, and upon all the public functionaries who took part in the examination. That the Rev. Mr. Montmoulin was one of the number of priest—no very small number—who were disgraced, their cloth and their class thus belonged to, he entertained no doubt that the result of the trial would be to convince all unprejudiced persons, even those who had the highest opinion of the clergy, of the prisoner's guilt, so weighty was the evidence against him.

"The mere reading of the report of the judicial examination and the facts of the case is in itself sufficient to show that no one could have done the deed," he continued. He then proceeded to relate the course of events with which the reader is already acquainted, how findings reached the mayor that the old lady was missing; how he immediately went to the prisoner, imagining that some accident had occurred; how he found in him a state of unaccountable agitation, which first led the mayor to suspect the existence of some crime, and how reluctantly the priest agreed to the house being searched. And no wonder, for he knew this search must inevitably lead—as the event proved—to the discovery of the murder sooner than he anticipated.

The report of the judicial inquiry was then read slowly and distinctly. Three times the prosecutor interrupted the reader, to direct the attention of the jury to the extraordinary behaviour of the priest in his first interview with the mayor, on the discovery of the corpse of the murdered lady, and the sight of the blood-stained knife. The friends of the accused felt their hearts sink when they heard this overwhelming evidence.

The president then asked the prisoner whether he acknowledged this report to be correct; he answered: "As regards the facts, yes, as regards the explanation of those facts, no."

"Then you allow that the mayor and the gentlemen who accompanied him found you pacing restlessly up and down your room at a late hour? How do you explain that as you professed to be unwell?"

"I had been in bed all the afternoon, and had to say my breviary."

"Those gentlemen all agree in stating that the impression made upon them was that you were not in the least surprised to hear of Mrs. Blanchard's disappearance, and you manner led them to conclude that you were already acquainted with the fate that had befallen her."

"How was that possible, unless you suppose that the criminal acquainted me with it?"

"You evade my question. Did you or did you not know that this crime had been committed?"

"As it is not presumable that

the perpetrator of the deed acquainted me with it, I could only know of it if I had done it myself and again, I repeat I am entirely innocent of it."

Here the prosecutor interposed to bid the jury observe that the accused did not attempt to deny that the tidings brought by the mayor caused him little or no surprise. This, in conjunction with other evidence, confirmed the statement that he himself was the murderer.

The counsel for the defence answered that the circumstances of his client evincing no confusion should rather be taken as a proof of his innocence. But if, as his visitors imagined, though they might easily be mistaken on this point, the news of the unhappy lady's disappearance did in reality cause him no great surprise, "I shall be able," he said, "when the right time comes to clear up this difficulty in the most satisfactory manner. The explanation would take too long now."

The prosecutor declared that he was most anxious to hear his explanation. Perhaps Mr. Mounier's piety, led him to believe that an angel from heaven, or the spirit of the murdered woman, had appeared to the reverend gentleman!

A laugh ran round the gallery, and even the jurymen smiled. The remark of the defence, that this reply was not pertinent, passed unheeded. It was generally thought that the answer made by the accused was anything but satisfactory.

The judge then questioned the accused in respect to his behavior when the proposal to search the house was made, and the "frightened glance" which the mayor alleged he cast upon the door of the room where the body lay, and again his answer was somewhat evasive. He was then asked how it was that he before anyone else saw what was hidden beneath the pall?

"I saw the feet of the murdered lady projecting from it."

"You also took the initiative in protesting your innocence before anyone accused you of the crime?"

"I did so because the mayor treated me as if I was a convicted criminal, though he did not say so in so many words."

An explanation of the spots of blood upon the priest's cassock was then required. The prisoner repeated what he had already said, and on the argument in question being produced in court for examination, an expert pronounced several of the spots to be congealed blood, others being doubtful. The counsel for the defence drew attention to the fact that the stains were all from the knees downwards, which corroborated the statement of his client, whereas had they been occasioned by the blow he was said to have inflicted, they would have been upon the upper part of his cassock and the sleeves. This argument in favor of the prisoner, although the prosecutor attempted to show that he might have thrown his victim down first, and afterwards stumbled over him, but any favorable impression made upon the jury was effaced by the answers the prisoner made regarding the knife and other blood-stained articles found in the kitchen, and now produced in court.

The knife, which he acknowledged to be his, was said exactly to fit the wound that proved fatal to the deceased lady. The marks upon it were human blood, and there was no room for doubt that it was the instrument wherewith the murder was committed. The prisoner could only put forward the supposition that the murderer made use of his knife, and replaced it in the kitchen after the deed, with the object of causing him to be suspected.

He was then asked if he alluded to any individual in particular, and replied that he was not aware that he had any personal enemies. The judge then reproved him for endeavoring to evade his question. "I did not say, you," he said, "whether there was any individual whom you had reason to suspect."

"Without the plainest proof I have no right to accuse anyone of such a deed," Father Montmoulin replied. "Granted that the murderer took your knife with the view of diverting suspicion from himself, it would have been enough if he had only made use of it, and left it as he did. It is probable that he would carry it up to the kitchen, together with the basket and the cloth, exposing himself to the risk of being seen, and hide them there."

"This motive must have been to strengthen the evidence against you." The counsel for the defence here begged the gentlemen of the jury to observe that his client had been entirely honest, and would surely have concealed the blood-stained articles, and not left them in sight of all.

The prosecutor replied that he might have forgotten to conceal them in his agitation, or left them in sight purely purposely, in order that the folly of doing so might arise in the presence of a third person, which he would presently show to have been impossible. The counsel for the defence, asserted himself prepared to show the contrary, and after the production of the candle, the body of the murdered woman the cross-examination of the prisoner was closed, and the judge ordered the witnesses to be called.

During a short pause in the proceedings, whispered comments were freely exchanged in the gallery. The calm, placid demeanor, and gentle responses of the priest prepossessed all the women at least in his favor, and a few of those present could believe him guilty, although the circumstantial evidence, and still more his piety, led them to account for the presence of the blood-stained articles in the kitchen, told strongly against him in the minds of all who were present.

To be continued.

Madame X. said to one of her lady friends: "I saw your husband lift his hat to you yesterday, on Windsor street, before addressing you. It was so nice on his part and a very unusual thing in our days."

"Ah! yes," she answered, "I re-

member having told him to get his hair cut, and he wanted to let me know that he had obeyed me."

"Why are you studying the art of sword fencing," John was asked. "Because I am making for the Peace Conference, and it is always well to provide for emergencies."

Papa—Why doesn't Blanche marry that young idiot? I am tired of his visits. Mamma—Better let things as they are, otherwise he will remain for good."

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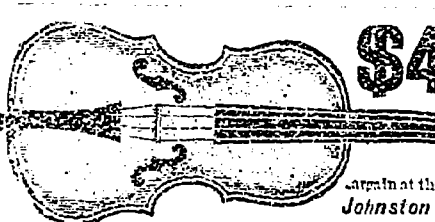
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