

THE CONFESSORIAL AND THE WITNESS BOX.

ABSOLUTE INVIOABILITY OF THE SEAL PROMOTES RATHER THAN RETARDS JUSTICE.

The confessional and the witness box is the subject of an interesting discussion now going on in the London press. The question was raised, apropos of the refusal of an Anglican minister to disclose the confession of a woman guilty of theft. On examination the clergyman stood pat and was sentenced to seven days imprisonment for contempt of court.

England is more drastic in this respect than certain of the Commonwealths of this country. The law of several States, including New York, Missouri and Wisconsin, prescribes that "no minister of religion, or priest of any denomination whatever shall be allowed to disclose any confession made to him in his professional character, in the course of the discipline enjoined by the rules and practices of said denomination."

It has been urged that such exemption will work to the prejudice of justice. But nothing can be wider of the mark. The fact that a confessor is privy to the guilt of a penitent adds nothing to the evil done. It would be barbarous and inhuman to deprive an offender of the consolation and counsel to be found in confession. Moreover the chief reason for making a confession at all is the hope of gaining pardon; and this cannot be had without a readiness, on the part of the offender to repair, as far as possible the consequences of the wrong done. Make the confessor liable to disclose the confidences reposed in him and you put an end to confession. The strength of the confession I consist in no small measure in the absolute conviction shared by all who frequent it that there will be no disclosure and that their secret, however appalling, is sacred—as secure as if buried in mid-ocean.

The obligation to secrecy of the Catholic confessor has been well set forth in the present controversy by the Rev. Sidney Smythe. He says:

"Priests of the Catholic church can not, with clear conscience, break the seal of the confessional whether in the witness box or elsewhere, and whether they be asked to tell what they have learnt in the confessional itself, or what they have learnt previously or subsequently but with view to it or as a consequence of it. In short, it is the confessor's duty to keep himself altogether on the safe side, and divulge things which could by any chance enable a clever questioner to infer what had been said in the confessional. This is his duty, and it is our consolation to know that it would be indeed difficult to discover instances where a Catholic priest had failed in his duty. Of the cases cited in the various law reports in two only—the two already referred to, namely, the Dunboyne case and R. v. Hay—was a Catholic priest put to the test, and in both they respectfully and without any blustering refused to speak and submitted to an imprisonment for contempt. In both, it is pleasant to acknowledge, a pretext for releasing them was quickly discovered, and it may be that they forsaw that it would be so.

"Still if the penalty had been that of life long imprisonment or death, they would have been bound in conscience to face it and we may confidently trust, would have done so. Such cases are on record, and though I forgot where to find it there was one during the last century of a Polish priest whose housekeeper was found murdered. The murderer to draw off the scent from himself, had gone at once to the priest, and in a bad confession told him of his crime; on his departure leaving behind him traces which would direct suspicion against the priest. The latter was accordingly convicted and sent into exile in Siberia, whence he only returned many years later, the murderer on his deathbed having publicly acknowledged his own guilt.

"The Catholic priesthood will have the respect, if not the sympathy, of most Englishmen for its fidelity to this conception of duty. But are there not still to be asked, exceptional cases in which he must feel that he really ought to betray the secrets of the penitent culprit? Ought he not, when by so doing he could save an innocent person from an unjust conviction and punish the guilty?

No, not even then. The secret of the confessional according to the doctrine of the Catholic church, is ennobled by a divine law from which neither Judge, nor King, nor Pope has power to dispense; and hence for a confessor to dispense himself from its observance, even to save the innocent, would be to do evil that good might come. Or if it were known that such exceptions could be made, would the guilty be likely to confess their crimes and so no advantage would accrue to the innocent from the priest's liberty to aid them in this manner. On the other hand, the present absolute inviolability of the seal does tend to afford substantial protection to the innocent.

The culprit, whose only inducement to confess to his priest is that he may obtain the divine pardon for a sin of which he has repented, may have arranged things purposely so as to cast suspicion on the innocent. In that case the confessor's duty is to tell him that he has no chance of divine pardon unless he will effectually undo this injustice to another."

There have been martyrs to the seal of the confessional. But the days have happily gone by when priests in civilized communities, are required to speak of things confided in the secrecy of the confessional. The social value of this tribunal is greater than most men are able to realize. There is no more potent factor making for the moral uplifting of the race than this same tribunal. Every blow aimed at it is a blow aimed at society itself.—Catholic Transcript.

According to The Missions, the Sisters of St. Vincent de Paul have received over 150 converts into the Church during the last year, at the hospital in Birmingham, Ala., and at Mobile, in the hospital there, about the same number were received.

CATHOLICS IN DISGUISE.

Many of the more cultured members of the Protestant Episcopal church of America are, to a greater or less extent, Catholics in disguise. Intellectually they are convinced that the Catholic church is the one true church which was founded for all time by the Redeemer of mankind; but they still lack the fullness of faith. What the obstacles are that prevent them from coming into the fold of the Good Shepherd are different in the case of each individual, and are known only to each of them.

THE OUGHT TO BE'S.

(Written for The Catholic Standard, and signed by Rev. J. T. Roche, author of "The Obligation of Hearing Mass," "Our Lady of Guadalupe," "Month of St. Joseph," "Unseen and Unbelieved" etc.)

"There would be no necessity for a church, a Christianity, an ordination if every priest were left to his own intellectual whims. There might, indeed be teachers of individualistic philosophies, but there could be no Christianity. There could be no social unity in the person of Christ. There could be no certainty of anything; no remission of sins; no resurrection of the body; no life beyond the grave. Without the teaching authority of the church, nothing beyond agnosticism would be logical. Tear down the crosses and raise an interrogation point in its place. Banish the font and put a volume of John Stuart Mills upon its broken pedestal. In place of the laying of apostolic hands, dissect a sea urchin. Thrust aside the body and blood of Christ and administer some patent desiccated brain food. Thus do you dethrone Christ and crown the Mind when your priest is no longer bound to teach what the church guarantees to be true."

There is much more of Catholic than of Protestant spirit in the foregoing remarks. The first sentence, taken by itself, is somewhat vague; but its meaning is elucidated by the see on.

TALKS ON RELIGION.

SUNDAY OBSERVANCE.

Sunday observance is frequently discussed as a political or as a state question; we will consider it as a religious duty.

The whole life of the individual is very much influenced by the way in which he observes Sunday. The duty of keeping Sunday holy is a vital point in the life of a Christian. The man who really sanctifies it and gives it honestly and truly to God will find the pathway of his life so hedged in and so blessed that little real harm can reach him as he journeys on to a happy eternity.

Sunday is not the Sabbath. This is the seventh while Sunday is the first day of the week. The substitution was not accidental but intentional. The church transferred the obligations of the Sabbath to the Sunday to commemorate the day of our Lord's resurrection and also as a perpetual remembrance of the descent of the Holy Ghost and the establishment of the church upon Pentecost Sunday.

The Bible nowhere speaks of the change of the obligations of the Sabbath to the Sunday. Here is an example to show that Protestant do not in practice hold to their rule of faith, "the Bible and the Bible only," else they would keep the seventh and not the first day of the week. The Catholic justifies his practice by the authority of the Church.

In addition to the specific commandment, it is part of the natural law that some portion of our time should be set aside for service we owe to God.

To understand the spirit of the Christian Sunday and to appreciate the spirit as well as the letter of its observance, we should consider what our Lord said of the Sabbath. He declared that "the Sabbath was made for man and not man for the Sabbath." (Mark II, 27). He rebuked the Pharisees for complaining that He healed on the Sabbath: "Ye hypocrites, doth not every one of you on the Sabbath day loose his ox or his ass from the manger, and lead them to water?" And ought not this daughter of Abraham, whom Satan hath bound, to loose these eighteen years, to be loosed from this bond on the Sabbath day?"—(St. Luke XIII, 14)

There are people who go to extremes in their ideas about the observance of Sunday. Some others go too far in their laxity. It is out of place to quote the regulations of the Jewish law and seek to apply them to the followers of the New Law in the observance of the Sunday. It is not intended to be a day of gloom but rather of joy, of prayer and of relaxation as well as a day of rest.

There is, however, greater danger of over-laxity than of over strictness in the observance of Sunday. This is a very dangerous and a very serious fault. People who are over lax in this matter do a great deal of harm to religion and give scandal to their neighbors. The extremes are both in the rigorist and in the continental Sunday.

Service work, unless really necessary or pressing, is forbidden on Sunday. The culprit, whose only inducement to confess to his priest is that he may obtain the divine pardon for a sin of which he has repented, may have arranged things purposely so as to cast suspicion on the innocent. In that case the confessor's duty is to tell him that he has no chance of divine pardon unless he will effectually undo this injustice to another."

Those who seek to observe God's commandments and put us in His commandments something for Him are not often the losers in business or in profits. "Seek first the Kingdom of God and His justice and all other things will be given to you."

To hear Mass, to assist at Mass on Sunday is one plain, one imperative duty. The church commands us to do so, and God requires us to obey. This duty is binding on us under the penalty of mortal sin. We are not excused from this duty except by physical or moral incapability. If you were a long way from the place where Mass is said; if you were on a journey that you could not break; if you were out at sea,

or if you were ill in bed, you would be excused by physical impossibility.

If you were attending a sick person and no one else was there to relieve you, if you were so situated that you could not possibly get to Mass on account of your responsible position, or if you would suffer great loss by so doing, you would be excused by moral impossibility. Moral disqualification, annoyances, or indisposition are not proper excuses. The command is: "Assist at Mass."—Cleveland Universe.

THE OLD, OLD LIE ONCE AGAIN!

The old, old and oft-refuted charge against the Jesuits of teaching that "the end justifies the means" turned up once more in a recent case reported all the way from Australia:

"During the hearing of a case at Brisbane, Mr. Justice Real, in the presence of the Chief Justice (Sir P. P. Cooper), Mr. Justice Clubb and Mr. Justice Power, gave a remarkably severe rebuke to a barrister named Feez, who had stated that "it was according to the tenets of the Catholic religion that a man might do harm that good might come of it." The following passage between them ensued:

Mr. Justice Real: I won't allow you or anyone else to say that the tenets of the Catholic religion allow a man to be a scoundrel. I won't allow anyone to say it in this court, or in any other court where I am.

Mr. Feez: I always understood that it was one of the tenets of the Jesuit religion.

Mr. Justice Real (hotly): I don't know of any Jesuit religion.

Mr. Feez said he was alluding to the fact that sometimes wrong was done that good might come.

Justice Real said he would not sit there and tolerate speaking like that.

Mr. Feez: I was really under the impression—

Mr. Justice Real: When a man like you conceives such to be Catholic doctrine, what can a man like your client think?"

Perhaps Mr. Feez had not or has not heard of the case last year in Germany on which this same old calumny was the subject of trial in court, in which the columbarium was the loser, as shown by the facts summarized as follows from the statement of them given in The Month:

Count Hoensbroek is well known in Germany as a bitter enemy to the Catholic church and to the Jesuit order, his hostility being the more bitter since he was once not only a Catholic, but a priest and a Jesuit. Recently he declared that "the notorious maxim, 'The End Justifies The Means,' is both theoretically maintained and practically applied by all Jesuit moralists. On the appearance of this declaration it was publicly challenged by a German secular priest named Dabach, who defied Hoensbroek to justify his statement by showing that any single Jesuit writer has never laid down the principle that an action bad in itself becomes good when performed for a good end. Dabach pledged himself to forfeit a sum of 2,000 florins should such demonstration be afforded. Hoensbroek accepted the challenge, and sought to justify his statement by citing instances in which Jesuits—along, it should be added, with other moralists—had decided that in certain cases, where it is clearly impossible to hinder a man altogether from performing an evil action, it is lawful to induce him at least to refrain from what is worst in it, and restrict himself to what is less grievously bad. Dabach having refused to accept this plea as meeting his challenge, Hoensbroek brought a lawsuit against him, demanding the payment of the sum that had been staked. The suit first came before the District Court of Treves, which dismissed the action on the ground that the contract undertaken by Dabach was of the nature of a wager, and that wagers did not fall under its jurisdiction. Such a decision was obviously unsatisfactory to both parties, and an appeal took the case up to the Provincial Court at Cologne, having final jurisdiction. Rejecting the view of the Judges at Treves, those at Cologne decided that this was not a wager, and that the case must be tried on its merits, which was accordingly done. On the 30th of March of the present year judgment was given. Hoensbroek was declared to have entirely failed to substantiate his claim, and the instances adduced by him to be nothing to the purpose; the defendant, Dabach, being thus completely justified.

But of course this did not kill the lie. Nor will the indignant protest and condemnation by Judge Real at Brisbane. Being made of brass, it is permanent and proof against all assaults.—N. Y. Freeman's Journal.

SOME LENTEN THOUGHTS.

Sacred Heart Review. Making the Stations of the Cross is an excellent way to do penance during the holy season of Lent.

This is a splendid time for individuals who are giving to gossiping and uncharitable speech to put a stop to it.

The Lenten regulations nowadays are not as rigorous as in the olden days. But there is still plenty of room for voluntary piety.

The Lenten regulations advise abstaining from liquor during Lent. This is certainly one abstinence that can hurt nobody who practises it.

Not for one passing moment, not for one day only, should the words "dust to dust" ring in our ears. Let us keep their significance, their deep meaning, in our hearts all the year.

The Catholic whose question during Lent is not, "How much can I do for God and my own soul during Lent?" but "How much can I avoid doing without actually transgressing the Lenten law?" has the wrong idea of the Lenten season.

No matter what the exponents of higher criticism may say about the Bible, the loyal Catholic, relying on the authority of the Church, will never waver in his belief that the Sacred Scriptures are divinely inspired and have God for their author."

Lent is here, and for a few weeks at least, there is an end to the dance and the whist, and the long and detailed descriptions of the imported decollete gowns, the superbracelettes, the dainty confections of Catholic society. The law of the church calls a halt on the giddy whirl. Now we give a little less time to the world and its ways, and a little more to the heads and the crucifix and the eternal verities that these stand for.

or if you were ill in bed, you would be excused by physical impossibility.

If you were attending a sick person and no one else was there to relieve you, if you were so situated that you could not possibly get to Mass on account of your responsible position, or if you would suffer great loss by so doing, you would be excused by moral impossibility. Moral disqualification, annoyances, or indisposition are not proper excuses. The command is: "Assist at Mass."—Cleveland Universe.

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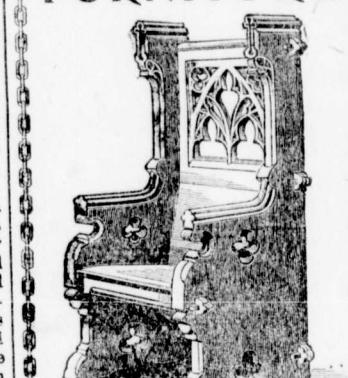
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In Enlarged Form With Colored Frontispiece

The Catholic Home Annual, 1906, can now be had. It is considerably enlarged and contains a beautiful colored frontispiece of the Child Jesus. Hand-colored and printed in full color. A work of art in itself. It is even more interesting than in former years. In point of originality it cannot be surpassed, the contributors being some of our best Catholic writers. The following are some of the titles:

"Behold His Glory," (poetry).

"The Birthplace of Father Augustus," by Rev. T. J. Campbell S. J. (illustrated).

"The Lord's Anointed," by Grace Keon. (illustrated).

"The Da Profundis Bell," by Conrad Kunkel. (illustrated).

"Madeline Béard," (illustrated).

"Madeline Béard," (illustrated).

"Mary Nealon's Silence," by Magdalene Rock.

"St. Anthony of Padua," (illustrated)—eight scenes in the life of the Wonder Worker of Padua.

"Saved by an Inspiration," (illustrated).

"The Lifetime of the Cloud," by Mrs. Francis Chadwick.

"Infant Mary," a brief account of the devotion to the Infant Mary. (illustrated).

"The Seven Rooms of Satan," a Ghost Story. (illustrated).

"Sister Mary," (illustrated).

"The Fever Chaper," a Tale of the Netherlands. (illustrated).

Some Notable Events of the Year 1904-1