

In the first place Mr. O'Grady should have informed his Excellency that all the Powers or faculties or spiritual Jurisdiction which I ever imparted to him, were revocable at pleasure (*ad nutum revocabiles*;) and as he accepted of them on those conditions, he cannot complain of any injustice being done him by me recalling them, when I found a sufficient and urgent reason for so doing.

Mr. O'Grady asserts in his Petition, that I declined to accede to the decision of the head of the Catholic Church in the difference which existed between him and me; this assertion is not founded in fact, for according to the Canons of the Catholic Church, and to the universal practice throughout the Catholic world, a Bishop has a right to suspend a Priest from the exercise of his Pastoral functions, and on the event of his contumacy, to excommunicate him; but on the other hand, a Priest has a right to appeal to the head of the Church to obtain justice if he think himself aggrieved, and the Bishop if found to be wrong, must abide the consequences.

If credit can be given to Mr. O'Grady's own assertion, he sent a representation to the Holy See as far back as July or August last. It would appear from what he told a Clergyman who is now in York, that he had lately received a communication from Rome, which had it been favourable to his cause, he would not have failed to make known.

Mr. O'Grady's quotations from French Ecclesiastical Laws are not applicable to his case, they refer to Parishes established and recognized by the laws of the country, and to Churches built by Taxes levied under the authority of Government upon the Inhabitants.

The congregation of York has not as yet been established, or acknowledged, as a Parish; and the Church has been built, not by a Tax levied on the Inhabitants, but partly by subscriptions from Protestants and the few Catholics that resided at the time in York, partly by the proceeds of a Lot of Land which I obtained from Government for the use of the Catholics of this Town, and partly by money advanced by the Hon. Mr. Baly, and Peter McDougall, the latter I have repaid out of my own pocket to the amount of £325 to stop a prosecution against the Church property.

Neither Mr. O'Grady nor any of his adherents who now pretend to have a right to the Church, ever paid \$5 towards its erection or the liquidation of its debts.

Under these circumstances his Excellency will easily perceive that Mr. O'Grady has no right to appeal to the French Ecclesiastical Law in support of his cause.

Mr. O'Grady acknowledges that his Majesty the King has not hitherto exercised the right of supremacy over his Catholic subjects in the Canadas, beyond the nomination of Bishops, which right though not exercised (he says) still exists.

From this, it would appear that Mr. O'Grady wishes that his Excellency Sir John Colborne would now begin to exercise that supremacy over the Catholic Church in Canada, not to withhold that his Britannic Majesty has abstained from that exercise, during the whole time that the Canadas have been annexed to the Crown of great Britain, even under the pressure of the penal laws against Catholics.

His Excellency knows very well that some of the best blood of England and Ireland has been shed upon the scaffold in defence of the supremacy of the Head of the Catholic Church; and that I would be considered a traitor to my Church and to my Religion, and my memory would be handed down and to my Posterity, if I refused to sacrifice the few remaining days of my life in defence of the same cause, were it necessary—although I have given, in one month, more substantial proofs of my loyalty to my King and Country than Mr. O'Grady has in all his lifetime.

To show his Excellency what a strenuous supporter Mr. O'Grady was of the laws and Canons of the Catholic Church, when those laws were applied by himself to others, I shall take the liberty to quote his own words in the letter he addressed to the Rev. Mr. ——— after having suspended that Clergyman from his Parochial functions in Sandwich, they are as follows:—

"You must be aware that no Bishop can suffer, the Divine authority with which he is invested, to be thus assailed and

trampled upon, and thus dictated to by a misguided Incumbent, and a rebellious mob, without asserting his just Prerogatives.

"To him it belongs, as you well know, to watch over the faith and morals of the people entrusted to his Charge; he was appointed by the Holy Ghost to govern this portion of the Church of God. He is the head, we are the members.— IT IS HIS DUTY TO GOVERN, OURS TO OBEY. Yet your friends seem to think differently, and under the guidance of a Priest, protest against his (the Bishop's) interference in the Ecclesiastical concerns of a Parish within his Diocess.— Would not such conduct fill the mind of any man with disgust, and would he not turn away in amazement at such extraordinary insensibility, did he [the Bishop] not feel that he was charged by God with the care of their souls."

So far Mr. O'Grady when enforcing the discipline of the Catholic Church in regard to others, but he seems to think that Ecclesiastical and Canon Laws lose their efficacy when applied to himself.

Although apprehensive of having already intruded too much on his Excellency's important time, I must beg to be indulged a few moments to state some of the reasons that compelled me to proceed as I have done against Mr. O'Grady.

On my way to Sandwich in 1831 several of his congregation made strong representations to me of Mr. O'Grady's haughty and supercilious behaviour towards them, and of other matters still more derogatory to the character of a Clergyman; and on my admonishing him in a private and friendly manner, he told me that he paid no regard to what the common people said, so long as he could keep on good terms with a few of the respectable members of the community.

On my return from Sandwich to this Town, the complaints which had been carried to me on my way forward in whispers, were now in general circulation, and became the talk amongst Protestants and Catholics. I repeated my admonitions to Mr. O'Grady to separate himself from those persons at whom the Public took offence, and who became the cause of scandal however innocent they might be.

The separation, however, did not take place, although the greater part of the respectable members of the congregation were so much offended that they would not go to Church, when Mr. O'Grady officiated.

And I found myself at length compelled, in obedience to the Canons of Council c — Treat to inflict on him the censure imposed by those Canons.

Finding me thus determined to proceed to extremities, he agreed to abide by the decision of two mutual friends, the result of which having been submitted already to his Excellency, it is unnecessary for me to dwell on it here.

There are several other charges which might be brought forward against Mr. O'Grady such as,

Denying my authority over him as Bishop, and asserting boldly to several of his congregation that he holds his spiritual jurisdiction directly from the Pope, and independently of me.

Neglecting many essential parts of his Parochial duties, which obliges me to keep a Priest, and an Ecclesiastic at my own expense to supply the spiritual wants of the Catholic Congregation of this Town.

Extorting money for the administration of the sacraments contrary to my positive orders.

Attempting to sell (if not really selling) for his own use, some of the Church Ground without the knowledge or consent of the Trustees thereof.

Exciting the lower class of his countrymen to hatred and rancour against all those who do not join his faction.

And declaring from the altar as he has repeatedly done lately, that he would obey neither Bishop nor Pope, provided they (this faction) adhered to him.

Several however of those who were his most strenuous supporters, declared that they have been deceived by him, and that they will have nothing to do with him for the future.

He has had two or three hirelings running through the Town, for some days past, with some sort of Address, which many have been signing without knowing the nature or intention of it.