

"and regulations, and may by the order confer on the
"custodian such powers of selling, managing and other-
"wise dealing with property as to the court or judge
"may seem proper." (1)

In the view that I take of the case, this motion may be disposed of on one ground. Section 28 above quoted says:—"Any Superior Court of Record within Canada or any judge thereof may, etc." "Superior Court" means in the Province of Quebec the Court of King's Bench and the Superior Court for the said province (2), and this provision extends and applies to every Act of the Parliament of Canada then or thereafter passed.

It is clear from the terms of the Order-in-Council that the Court of King's Bench and its judges have concurrent jurisdiction in this matter with the Superior Court and its judges, and the petitioner respondent could have applied direct to the Court of King's Bench or to a judge of that Court for a vesting order and no appeal can be taken from one concurrent jurisdiction to another: *Valières v. Ontario & Quebec Railway Company*, (3); *Mission de Grande Ligne v. Morrissette*, (4); *Duperron v. Jacques*, (5); The case of *National Telephone Company Limited v. His Majesty's Postmaster General*, (6), which was strongly pressed for our consideration, would only

(1) Br. Cap. 12-14 S. 4.

(2) Interpretation Act, ch. 1, R. S. C., section 24, subsection 26.

(3) 19 K. B., 521 and cases there cited.

(4) 6 M. L. R., Q. B., 139, judgment of Chief Justice Dorrion at p. 148.

(5) 26 K. B. 258, remarks of Chief Justice Archambault on p. 262.

(6) Appeal Cases, 1913, p. 552.