I am aware that in entertaining the appeal in this case we are giving to the word "verdict" in sec. 1021 of the Code, a meaning that it does not usually bear. While the general dictionaries, both English and American, mention its use in the popular or philological sense as when one speaks of "the verdict of the people," yet they all so far as I have seen confine its legal meaning to the findings of a jury. The same may be said of the English Law Dictionaries, and also of the American, so far as I know, except that of Rapalje & Lawrence, which defines it as "the opinion of a jury or of a Judge sitting as a jury on a question of fact." This last definition has been approved in *Carlyle* v. *Carlyle*, 31 Ill. App. 338. On the other hand some of the American law dictionaries not only define the word as the finding of a jury, but add that it is inapplicable to the findings of a Judge. Black's Law Dictionary says: "It never means the decision of a Court or a Referee or a Commissioner;" and Abbott's says: "The decision of a Judge or referee upon an issue of fact is not called a verdict, but a finding, or a finding of fact." In *Bearce* v. *Bowker*, 115 Mass. 129, Gray, C.J., says: "None but a jury can render a verdict;" similar language is used in *Otis* v. *Spence*, 8 How. Pr. (N.Y.) 172; *Kerner* v. *Petigo*, 25 Kan. 652; *McCullagh* v. *Allen*, 10 Kan. 154; and *Froman* v. *Patterson*, 24 Pac. Rep. 692.

I do not know of any English statute in which the word has any other meaning than the finding of a jury, nor any Canadian statute where it can be otherwise construed, unless it be in this sec. 1021 of the Code, which we are now considering. Nor am I aware of its being used in any other sense by any English or Canadian Judge or legal writer except by the Master of the Rolls (Jessel), in *Krehl* v. *Burrell*, 10 Ch. D. 40, where in a civil case tried by him without a jury he says: "I give a verdict for the plaintiff, and reserve my judgment for a fortnight." This was said thirty-five years ago, but such use of the word does not appear to have been followed unless it be in the section which we are now construing (possibly because Jessel was more distinguished for his legal acumen than for his exact scholarship). It would have been much more satisfactory if Parliament had used unambiguous words that could have not given rise to the present difficulty. A further argument in favour of confining it to the verdict of a jury might