that these views represent more a consensus of opinion, educated upon the subject, and backed up by general agreement, than the individual views of men who have independently arrived at a conclusion.

I cannot say that this is wrong. Much evidence before the Court is insensibly coloured in just the same way. Had there been a reasonable amount of evidence on behalf of the railway company that the depreciation was represented by a far smaller figure than $4,000, it might have been possible to reduce the award. But to do so on the present evidence could only be accomplished by disregarding the general evidence already mentioned and then attempting a criticism of the detailed figures; which would lead to no good result, if, as I have indicated, they represent calculations which are no true basis for an award of this nature.

While not satisfied with the amount awarded nor with the method by which it has been arrived at, I do not think that we can find any safe ground for refusing to accept the uncontradicted evidence of those who have given their opinion as to the amount of depreciation suffered by this farm.

The result is that the award must be sustained, but upon grounds which did not receive the principal share of the arbitrators' attention.

Upon the question of interest, I think the arbitrators have no jurisdiction to give interest as part of their award. The right to interest and costs is statutory (R.S.C. 1906 ch. 37, secs. 192, 199; 8 & 9 Edw. VII. (D.) ch. 32, sec. 3); and, as payment of the amount of the award is in some cases necessary to vest title in the railway company, nothing more should appear in the award than what the arbitrators have jurisdiction to fix. The provision as to it should be struck out: In re Clarke and Toronto Grey and Bruce R.W. Co., 18 O.L.R. 628. I do not think that the judgment of this Court in Re Davies and James Bay Ry. Co., 20 O.L.R. 534, intended to lay down any rule to the contrary.

In taxing the costs, regard should be had to the fact that the evidence given of settlements with other persons for parts of other farms taken, was not relevant evidence. Both parties participated in it; and, although the railway company first introduced it, that did not give its opponent a right to reply in kind: Rex v. Cargill, [1913] 2 K.B. 271.

The direction for payment to the life-tenant and remaindermen, if improper—and I do not say that it is—cannot override