has been put to owing to the remissness of the defendants: Lees v. County of Carleton (1873), 33 U.C.R. 409.

It was impossible to ascertain, upon the evidence given at the trial, the precise amount for which the defendants were liable.

Prior to the 10th March, 1916, the defendants had no proper notice that the plaintiff was not satisfied, as his predecessor had been, to use in connection with his official position his chambers in the central section of the city, and the room and vault, or vault alone, provided in the court-house. Even after that date, the defendants could not be held liable for more than a part of the plaintiff's office expenses. That part the learned Judge—sitting as a jury—estimated at $200 a year, which for the period from the 10th March, 1916, to the date of issue of the writ, the 12th July, 1918, amounted to $466.66. The plaintiff was entitled to be paid, in addition, $64 expended by him for furniture which it was the duty of the defendants to supply; or, in all, the sum of $530.66.

As the typewriting machine was not certified by the Attorney-General to be necessary (sec. 337 (1)), the defendants were not liable for its cost.

As to the application for a mandamus, there had been a demand by the plaintiff for the performance by the defendants of their duty to provide him with proper offices etc., and a neglect and refusal to comply with that demand.

The right to compel by mandamus the performance of a public duty in which the plaintiff is personally interested is not open to question: Toronto Public Library Board v. City of Toronto (1900), 19 P.R. 329.

The plaintiff was entitled, in addition to the damages stated, to a mandatory order requiring the defendants to provide him with proper offices.

No such order could properly be made as to fuel, light, stationery, and furniture. If they should not be provided, the plaintiff would have an appropriate remedy in an action for damages.

Judgment accordingly, with costs.