

COURTENAY
2 1982
REGISTRY

PR 306/82

FORM A

In the Supreme Court of British Columbia

IN PROBATE

COURTENAY Registry

Be it known that on the First day
of March, in the year of our Lord one thousand nine
hundred and eighty-two, the last Will and Testament (a copy
whereof is hereunto annexed) of HAMILTON MACK LAING

late of Comox, in the Province of British Columbia
deceased, who died at
Comox, in the Province of British Columbia

on or about the 15th day of February, 1982
was exhibited, read, and proved before a Judge of the Supreme Court of British Columbia, and
administration of all the estate which by law devolves to and vests in the personal representative of
the said deceased was granted to JAMES DILLON CURTIS, of Comox, in the
Province of British Columbia, one of

the Executors in the said Will named, Mack Tripney Laing,
the other Executor named therein, having renounced his
right to probate.

Given under the Seal of the said Court, this Second day
of March, A.D. 1982


Rolph Krayenhoff, District Registrar.

Extracted by Gordon & Morris
Courtenay, B.C. Solicitor.

SUPREME COURT
OF BRITISH COLUMBIA

MAR 2 '82

COURTENAY

THIS IS THE LAST WILL of me, HAMILTON MACK LAING, Retired Naturalist, of Comox, in the Province of British Columbia, made this ^{1st} day of May, in the year one thousand nine hundred and eighty-one:

I HEREBY REVOKE all former wills, codicils and other testamentary dispositions at any time heretofore made by me, and declare this only to be and contain my true last will.

I NOMINATE, CONSTITUTE AND APPOINT my nephew, MACK TRIPNEY LAING, of 831 Leslie Drive, Victoria, and my friend, JAMES DILLON CURTIS, of Nob Hill, Comox, both in the Province of British Columbia (hereinafter referred to as "my Trustee"), and the survivor of them, to be the Executors and Trustees of this my will; AND I GIVE, DEVISE AND BEQUEATH all the estate both real and personal, whatsoever and wheresoever of which I die possessed or entitled to unto my Trustee upon the trusts following, that is to say:

- (a) To deliver my collection of original Allan Brooks paintings and drawings to the Town of Comox, it being my wish that they be hung in the Town Library, Town Hall, or other suitable buildings in Comox, as the Town Council shall decide;
- (b) To deliver my own collection of original nature drawings and paintings to the Town of Comox, it being my wish that the same be retained by the Town, and used if possible in the natural history museum on my former home property, now a nature park and bird sanctuary as envisaged by the document of conveyance to the Town of the same, made the 19th day of September, 1973;
- (c) As to my collection of photographic negatives and prints, and my collection of photographic natural history clippings comprising a "morgue" for illustration purposes, and my scientific books, I request that my Trustee make the same available to the Provincial Museums at Winnipeg, Manitoba and at Victoria, British Columbia, for division amongst themselves as they shall agree, or failing agreement as my Trustee shall decide, following representations to my Trustee by the said two beneficiaries;
- (d) To deliver to Courtenay & District Historical Society any of my remaining Indian artifacts;
- (e) To deliver to the Provincial Museum at Victoria, B.C., my nature diaries and field notes;
- (f) To deliver to the Comox Branch of Vancouver Island Regional Library all my remaining books;
- (g) To deliver to the Town of Comox all the remaining items of household, personal and domestic use or ornament owned by me at the date of my death, my wishes in respect of the same being hereinafter

(h) To convert my residuary estate into cash as and when my Trustee shall decide;

(i) To pay all my just debts, funeral and testamentary expenses, including any estate taxes, succession duties or the like wherever payable, which become payable as the result of my death;

(j) To pay to my said nephew, Mack Tripney Laing a legacy of Two Thousand (\$2,000.00) Dollars, or if he shall have predeceased me, to pay the same to his wife, Mary Florence Laing; and if she shall also have predeceased me, to pay the said legacy to their daughter, Maurven Janet Elizabeth Pengelly, of Victoria aforesaid;

(k) To pay to my friend, NEVILLE MAYERS, of 569 Shannon Crescent, North Vancouver, B.C., the sum of Four Thousand (\$4,000.00) Dollars;

(l) To pay or deliver over all the rest and residue of my estate to the Town of Comox, upon trust, so that the funds so bequeathed will be used for the improvement and development of my home as a natural history museum, twenty-five (25%) per cent of the cash realized to be used for capital improvements to the dwelling house, and the remaining seventy-five (75%) per cent to be invested by the Town, the income earned thereupon to be applied towards the annual operating expenses of a natural history museum, it being my desire, as I have indicated to Alderman Alice Bullen, that my home remain on the said property, in my belief that the upstairs could be renovated to provide accommodation for a resident caretaker for the park, that the present living area could be developed for use as a natural history museum, and the basement adapted as a museum storage area, craft shop or meeting place. Having these objectives in mind, I am hopeful that the said Town may be agreeable to retaining such of my art works and chattels as will contribute towards the development of my home along such lines, the sale moneys realized from any items not so retained to be used towards adaption of the building as suggested aforesaid, or in the development of the nature park; and I particularly request that the Town confer with the said Alice Bullen in dealing with my dwelling and chattels to attain these objectives.

As to delivery charges on items I have bequeathed to Museums in Winnipeg and Victoria, I direct that my estate shall be responsible for paying the same.

IN WITNESS WHEREOF I have hereunto set my hand at

v. M. K.

W. J. P.

W. J. P.

1 COURTNEY