

24 July 2019

Letter to CBC News, Global News

I was quite surprised to read your recent report on the “Brissenden Park Case.” You may be interested to know that we have a legally almost identical case in Comox, in which the Attorney General is taking a diametrically opposite position in court.

The Hamilton Mack Laing case is perhaps even more egregious given the historical importance of the estate donor, which is nationally recognized by the National Trust of Canada and Heritage BC. As in the West Van case, the Town of Comox never legally designated Laing’s property as a park, and for 33 years continued to draw rent, although the house was for “public use only.” In 2016, a professional accountant (Moeller and Associates), were hired to do an audit from the Town’s own figures. Moeller determined that as of 2016, moneys in the trust should have amounted to a minimum of \$450K.

For your interest, I attach an exhibit for the forthcoming Supreme Court hearing expected in September, which shows that the property which is part of the “Mack Laing Trust” was never legally given park status. Nominally, it was turned into a park with a sign, as was the Brissenden property. In point of fact, the Mack Laing Heritage Society is submitting over 600 pages of affidavits documenting the Town of Comox’s 37 years of systematic breach and pillage of trust.

I am really surprised to read that the Attorney General states publicly that: *“The Ministry of the Attorney General’s role in these types of matters is to protect the charitable purpose of the trust.”* While this statement is fully consistent with my beliefs, the experience of the past 6 years has been that the Office of the Attorney General has acted only to protect the political interests of Town Council. The Office of the Attorney General has disregarded both the explicit interests of the Mack Laing Will and the Trust, and the interests of over 1,000 Comox citizens who signed a petition, and of many more BC citizens who have tried to protect provincial and national heritage.

Should you be interested in this matter you may want to check out some the Mack Laing Heritage Society’s website: <https://macklaingsociety.ca/> ; as well as some of the local reporting <https://decafination.net/2018/04/19/supreme-court-rules-in-favor-of-mack-laing-heritage-society/>.

I also suggest that you contact James Boulter (jaboulter@shaw.ca) who acts as the society registrar and is best placed to answer technical details associated with the case.

Hoping that this may peak your interest. Should you need further clarification, I would be happy to help,

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