



Ray Lavender photo

Sheila of Cleo's Face Painting puts the finishing touches on four-year-old Jack Van Haastrecht's tiger face during the first Georgetown Farmers' Market of the year.

## Downtown Georgetown Farmers' Market open for the season

The Downtown Georgetown Farmers' Market has officially opened for the season.

On June 2, residents and visitors got to browse

through dozens of seasonal vendors and occasional vendors, as well as learn about local nonprofit groups and businesses in the downtown area.

The market will be running every Saturday from 8 a.m. to 12:30 p.m. until Oct. 13. For more information, visit [www.farmersmarket-georgetown.com/](http://www.farmersmarket-georgetown.com/).

## What is HHPL's Seed Library Program?

The Halton Hills Public Library has launched a brand new program that promotes sustainability.

On June 2, opening day of the Downtown Georgetown Farmers' Market, the library debuted its Seed Library Program, which gives residents complimentary access to a variety of seeds for growing herbs, fruits, vegetables and flowers.

The sustainability portion comes into play as residents who borrow the seeds are asked to make their own donations in the future, once seeds from their new plants

can be harvested in the fall.

The Seed Library Program will be available to the public every Saturday morning at the Georgetown Farmers' Market, as well as at both the Georgetown and Acton branches.

The Georgetown branch seed library is sponsored by the Downtown Georgetown Farmers' Market and BIA, and the Acton branch seed library is sponsored by the Town of Halton Hills Office of Sustainability. Seeds have also been donated by the Acton Community Garden.

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## A NEW CEMETERY IN HALTON HILLS

A new cemetery for the general public is taking shape for residents in Halton Hills and their families. Devereaux Cemetery is located in a quiet country setting on the 17th Side Road, just west of Trafalgar Road. It's adjacent to the Holy Redeemer Cemetery and open to people of all religious faiths.

Contact us for information about available interment options, either at time of need or in advance.



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## legal matters | ESTATES & TRUSTS

**Q : CAN A WILL BE CHALLENGED BECAUSE OF "UNDUE INFLUENCE"?**



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**A :** The basic purpose of a Will is to allow individuals to set out their final wishes and instructions as to how their affairs should be handled after they pass away. Therefore, the Court will not set aside a Will

lightly. Often when a Will is challenged "undue influence" is one of the primary grounds. Although it may seem obvious to the Will challenger that the testator was influenced by an ill-intentioned friend or relative, because a Will challenge takes place after the testator has passed away, the testator is unable to say what really happened.

Understandably then, the threshold for establishing a Will was the product of undue influence is high. In *Banton v. Banton* the Superior Court of Ontario stated it must be "...established on the balance of probabilities that the influence imposed by some other person on the deceased was so great and overpowering that the document reflects the will of the former and not that of the deceased."

- Although the facts of each case are unique, there are certain indicators of undue influence which have been noted in the case law, including:
- The testator is depending on the beneficiary for emotional and physical needs;
  - The testator is socially isolated;
  - The testator has experienced recent bereavement; and
  - The testator has made a new will not consistent with prior Wills.

Simply showing there was opportunity or motive to unduly influence a testator, however, is not sufficient to prove undue influence.

Considering the high threshold and evidentiary hurdles for challenging a Will, those considering a Will challenge should evaluate their options by consulting with a lawyer experienced in estate litigation.

Call us we can help.



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