

criticism but since the nobility was being severely pinched with respect to their traditional rights and powers, their criticism is more understandable. For example, religious orders which had pledged themselves to poverty often held hundreds of thousands of acres of land in trust and enjoyed their use, even though the priests themselves did not "own" a thing.

In 1535 the Statute of Uses was passed to prohibit the use of certain trust instruments. The law required that the beneficiary of certain trusts would be considered the legal owner whenever such a trust was made and that the trustees would be considered to be mere conduits or passive parties. The preamble of this law set out the "evils" that had been possible through the use of the trust.

Among these "evils" were privacy of transfer, legal avoidance of taxes and other regulations, preservation of the estate of convicted criminals, and most significantly, the loss of revenue to the lords.

The common law judges of England who had sole jurisdiction over legal estates were faced with the task of interpreting the Statute of Uses. They had to determine what trusts were legal and what were dissolved. The