

judges decided to restrict the application of the Statute of Uses to limited circumstances. Only one trust out of five was found to be illegal and the rest were enforced. Within five years, the Statute of Uses was all but out of use.

Suffice to say that the Statute at the hands of the common law judges did not achieve what the king and his nobles had hoped. A large number of trusts were left unaffected by the statute and were recognized and enforced by the Court of Chancery. It is these interests and trusts which were preserved in spite of the Statute of Uses which traveled to America with the English Colonies and which formed the very base of our modern trust.

The advantages of the ancient trust are obvious. The trust enabled a person to enjoy privacy under a system that usually demanded disclosure. The trust enabled a person to avoid some of the burdens of special taxes. The trust enabled individuals to "sell" land and to pass it to those they wished. Obviously, the same goals are desirable today. The present tax system, however, has imposed certain burdens and restrictions on the citizens of our country that are comparable to the burdens and restrictions that limited the citizens of ancient England.