Legal Title is in the Secretary Of State as Trustee
Holding Legal Title For Beneficiary of Cestui Que Trust/Estate

All “real property” (homes) in the 50 Union states are in “Trust” by “Trustee” the Secretary of State
(Fiduciary Capacity) in respect to the trust and confidence involved in it and the scrupulous good faith and
candor which it requires. A person having duty, created by his undertaking, to act primarily for another's
benefit in matters connected with such under taking.

The Secretary of State of each of the 50 Union states is the “Archivist” of legal titles of the “People” the
“Beneficiaries” of said Cestui Que Trust/Estate.

LEGAL defined: . That which is according to law. It is used in opposition to equitable, as the legal estate is,
in the trustee, the equitable estate in the cestui que trust. Vide Powell on Mortg. Index, h.t. 2. The party
who has the legal title has alone the right to seek a remedy for a wrong to his estate, in a court of law,
though he may have no beneficial interest in it. The equitable owner is he who has not the legal estate, but
is entitled to the beneficial interest. 3. The person who holds the legal estate for the benefit of another is
called a trustee; he, who has the beneficiary interest and does not hold the legal title, is called the
beneficiary, or more technically, the cestui que trust. 4. When the trustee has a claim, he must enforce his
right in a court of equity, for he cannot sue any one at law, in his own name; 1 East, 497; 8 T. R. 332; 1
Saund. 158, n. 1; 2 Bing. 20; still less can he in such court sue his own trustee. 1 East, 497. A Law
Dictionary Adapted To The Constitution and Laws of the United States of America and of the Several
States of the American Union by John Bouvier Revised Sixth Edition, 1856

LEGAL ESTATE defined: One, the right to which may be enforced in a court of law. It is distinguished
from an equitable estate, the rights to which can be established only in a court of equity. 2 Bouv. Inst. n.
1688. A Law Dictionary Adapted To The Constitution and Laws of the United States of America and of the
Several States of the American Union by John Bouvier Revised Sixth Edition, 1856

CESTUI QUE TRUST defined: He who has a right to a beneficial interest in and out of an estate the legal
title to which is vested in another. 2 Washb. Real Prop. 163. The person who possesses the equitable right
to property and receives the rents, issues, and profits thereof, the legal estate of which is vested in a trustee.
Bernardsville Methodist Episcopal Church v. Seney, 85 N.J.Eq. 271, 96 A. 388, 389; Moore v. Shifflett,
187 Ky. 7, 216 S.W. 614, 616. Beneficiary of trust, Ulmer v. Fulton, 129 Ohio St. 323, 195 N.E. 557, 564,

CESTUI QUE USE defined: He for whose use and benefit lands or tenements are held by another.
The cestui que use has the right to receive the profits and benefits of the estate, but the legal title and
possession (as well as the duty of defending the same) reside in the other. 2 Bla.Comm. 330; 2 Washb. Real

FIDUCIARY defined: The term is derived from the Roman law, and means (as a noun) a person holding
the character of a trustee, or a character analogous to that of a trustee, in respect to the trust and confidence
involved in it and the scrupulous good faith and candor which it requires. A person having duty, created
by his undertaking, to act primarily for another's benefit in matters connected with such under taking. As an
adjective it means of the nature of a trust; having the characteristics of a trust; analogous to a trust, relating
to or founded upon a trust or confidence. A term to refer to a person having duties involving good faith,
trust, special confidence, and candor towards another. A fiduciary “includes such relationships as executor,
administrator, trustee, and guardian.” ABA Code of Judicial Conduct, Canon 3C(3)(b). A lawyer is also in
a fiduciary relationship with the client. A person or institution who manages money or property for another
and who must exercise a standard of care in such management activity imposed by law or contract; e.g.
executor of estate; receiver in bankruptcy; trustee. A trustee for example, possesses a fiduciary
responsibility to the beneficiaries of the trust to follow the terms of the trust and the requirements of
applicable state law. A breach of fiduciary responsibility would make the trustee liable to the beneficiaries
for any damage caused by such breach. The status of being a fiduciary gives rise to certain legal incidents
and obligations, including the prohibition against investing the money or property in investments which are
speculative or otherwise imprudent. Many states have adopted the Uniform Fiduciaries Act, and Uniform
FIDUCIARY CAPACITY defined: One is said to act in a "fiduciary capacity" or to receive money or contract a debt in a "fiduciary capacity," when the business which he transacts, or the money or property which he handles, is not his own or for his own benefit, but for the benefit of another person, as to whom he stands in a relation implying and necessitating great confidence and trust on the one part and a high degree of good faith on the other part. The term is not restricted to technical or express trusts, but includes also such offices or relations as those of an attorney at law, a guardian, executor, or broker, a director of a corporation, and a public officer. Black's Law Dictionary Sixth Edition (page 625)

FIDUCIARY BOND defined: Type of surety bond required by court to be filed by trustees, administrators, executors, guardians, and conservators to insure proper performance of their duties. Black's Law Dictionary Sixth Edition (page 625)

FIDUCIARY DUTY defined: A duty to act for someone else’s benefit, while subordinating one’s personal interests to that of the other person. It is the highest standard of duty implied by law (e.g., trustee, guardian). Black's Law Dictionary Sixth Edition (page 625)

ACT OF STATE defined: An act done by the sovereign power of a country, or by its delegate, within the limits of the power vested in him. An act of state cannot be questioned or made the subject of legal proceedings in a court of law. Black's Law Dictionary Fourth Edition (page 44)

ARCHIVES defined: Ancient charters or titles, which concern a nation, state, or community, in their rights or privileges. The place where the archives are kept bears the same name. Jacob, L. D. h.t.; Merl. Rep. h.t. A Law Dictionary Adapted To The Constitution and Laws of the United States of America and of the Several States of the American Union by John Bouvier Revised Sixth Edition, 1856

ARCHIVIST defined: One to whose care the archives have been confided. A Law Dictionary Adapted To The Constitution and Laws of the United States of America and of the Several States of the American Union by John Bouvier Revised Sixth Edition, 1856

ACT OF MAN defined: Every man of sound mind and discretion is bound by his own acts, and the law does not permit him to do any thing against it; and all acts are construed most strongly against him who does them. Plowd. 140. 2. A man is not only bound by his own acts, but by those of others who act or are presumed to act by his authority, and is responsible civilly in all such cases; and, in some cases, even when there is but a presumption of authority, he may be made responsible criminally; for example, a bookseller may be indicted for publishing a libel which has been sold in his store, by his regular salesmen, although he may possibly have had no knowledge of it. A Law Dictionary Adapted To The Constitution and Laws of the United States of America and of the Several States of the American Union by John Bouvier Revised Sixth Edition, 1856

ACT defined: evidence. The act of one of several conspirators, performed in pursuance of the common design, is evidence against all of them. An overt act of treason must be proved by two witnesses. See Overt. 2. The terra. acts, includes written correspondence, and other papers relative to the design of the parties, but whether it includes unpublished writings upon abstract questions, though of a kindred nature, has been doubted, Foster's Rep. 198; 2 Stark. R. 116, 141. 3. In cases of partnership it is a rule that the act or declaration of either partner, in furtherance of the common object of the association, is the act of all. 1 Pet. R. 371; 5 B. & Ald. 267. 4. And the acts. of an agent, in pursuance of his authority, will be binding on his principal. Greenl. Ev. Sec. 113. A Law Dictionary Adapted To The Constitution and Laws of the United States of America and of the Several States of the American Union by John Bouvier Revised Sixth Edition, 1856

VALID defined: An act, deed, will, and the like, which has received all the formalities required by law, is said to be valid or good in law. A Law Dictionary Adapted To The Constitution and Laws of the United States of America and of the Several States of the American Union by John Bouvier Revised Sixth Edition, 1856
ACCOUNT defined: practice. A statement of the receipts and payments of an executor, administrator, or other trustee, of the estate confided to him. 2. Every one who administers the affairs of another is required at the end of his administration to render an account of his management of the same. Trustees of every description can, in general, be compelled by courts of chancery to settle accounts, or otherwise fully execute their trusts. Where there are no courts of chancery, the courts of common law are usually invested with power for the same purposes by acts of legislation. When a party has had the property of another as his agent, he may be compelled at common law to account by an action of account render. 3. An account is also the statement of two merchants or others who have dealt together, showing the debits and credits between them. A Law Dictionary Adapted To The Constitution and Laws of the United States of America and of the Several States of the American Union by John Bouvier Revised Sixth Edition, 1856

ACCOUNTANT defined: This word has several significations: 1. One who is versed in accounts; 2. A person or officer appointed to keep the accounts of a public company; 3. He who renders to another or to a court a just and detailed statement of the administration of property which he holds as trustee, executor, administrator or guardian. Vide 16 Vin. Ab. 155. A Law Dictionary Adapted To The Constitution and Laws of the United States of America and of the Several States of the American Union by John Bouvier Revised Sixth Edition, 1856

BREACH OF DUTY defined: In a general sense, any violation or omission of a legal or moral duty. More particularly, the neglect or failure to fulfill in a just and proper manner the duties of an office or fiduciary employment. Every violation by a trustee of a duty which equity lays upon him, whether willful and fraudulent, or done through negligence or arising through mere oversight or forgetfulness, is a breach of duty. See Non-support. Black’s Law Dictionary Sixth Edition (page 189)

BREACH OF COVENANT defined: The nonperformance of any covenant agreed to be performed, or the doing of any act covenanted not to be done. Black’s Law Dictionary Sixth Edition (page 189)

BREACH OF TRUST defined: Any act done by a trustee contrary to the terms of his trust, or in excess of his authority and to the detriment of the trust; or the wrongful omission by a trustee of any act required of him by the terms of the trust. Also the wrongful misappropriation by a trustee of any fund or property, which had been lawfully committed to him in a fiduciary character. Every violation by a trustee of a duty which equity lays upon him, whether willful and fraudulent, or done through negligence, or arising through mere oversight and forgetfulness, is a "breach of trust." The term, therefore, includes every omission and commission in carrying out the trust according to its terms, of care and diligence in protecting and investing the trust property, and of using perfect good faith. A violation by the trustee of any duty, which he owes to the beneficiary. Bruun v. Han son, C.C.A.Idaho, 103 F.2d 685, 699. Black’s Law Dictionary Sixth Edition (page 189)


Fictio cedit veritati. Fictio juris non est ubi veritas - Fiction yields to truth. Where truth is, fiction of law does not exist.