

RETAINER—cont.

- Land Transfer Act, 1897, gives no new right, 346
- heir or devisee has similar right in certain cases, 336
- fund must be actually or constructively in possession of executor, 337
- fund not paid out of Court to enable executor to exercise right, 338
- right not lost by order for administration, 338, 336
- assets collected by receiver not liable, 338
 - but Court will not interfere by appointing receiver on interlocutory application, 338
- right not lost by order under s. 125 of Bankruptcy Act, 1883.. 338
- nor by mere delay, 339
- may be waived, 339
- priority over costs of administration action, 339
- priority over debt of higher degree, if no notice at time of distribution, 339
- right to receive and liability to pay must be in same person, 339
 - exceptions, 339
- for debts of which executor is trustee, 340
- when trustee can be compelled to exercise right, 340
- one of two executors who is one of two joint creditors, 340
- one of two, not to the prejudice of the other, 340
- mortgagee executor, not out of surplus proceeds, 341
- for benefit of partnership firm, 341
- no right on becoming assignee of debt, 341
- executor surety, paying debt, 342
- administrator *d.m.c.*, for infant's debt, 342
- administrator for use of lunatic, for lunatic's debt, 342
- for statute barred debt, 342

REVERSION,

- effect of severance, 275
- merger of, 251
- necessary for remedy by distress, 275

REVOCATION. See PROBATE; ADMINISTRATION, LETTERS OF; WILL.

ROMAN CATHOLICS. See RELIGIOUS ORDERS; SUPERSTITIOUS USES.

S.**SAILORS,**

- wills of. See WILL.
- effects of, 112

SALE,

- order for. See CONVERSION, EQUITABLE.
- of wasting securities. See RESIDUE.
- by executor legatee for private purposes, 216
- by legatee, right of creditors of testator, 217
- power of, when implied, 205