fact not these defendants, are not now here complaining of this decree.

The petitioner does not pretend to have discovered any testimony which she could not have had brought into the case and used at the hearing; nor does she, in any way, specify what the nature of that testimony is, which she says would have an important bearing on the merits of the plaintiff's claim. Such general and indefinite allegations cannot afford a sufficient ground for a rehearing. Although she was an infant, and had answered only by her guardian *ad litem;* yet she had attained her full age nearly three months before the decree was passed; and even now she does not impute to her guardian or solicitor any mismanagement, or neglect of her interests. Under such circumstances, and without showing any special grounds, this application must be considered as coming too late. *Kemp* v. *Squire*, 1 *Ves.* 206; *Bennet* v. *Leigh*, 1 *Dick.* 89.

Formerly on a creditor's bill to obtain the sale of lands charged with the payment of debts, the decree was never absolute, but *nisi causa* as against the infant heir, allowing him six months to shew cause after he attained his full age; when he was permitted to come in as a matter of course, and file a better answer, and have the case reheard upon the merits as thus newly presented; or the parol was ordered to demur as to the real estate descended

62 *during the minority of the heir. If, however, the heir neglected to come in, within a reasonable time after he attained full age, and shew cause against the decree *nisi*, he was precluded, and it would be held to be absolute. *Fountain* v. *Caine*, 1 *P. Will.* 504; *Napier* v. *Effingham*, 2 *P. Will.* 401; *Bennett* v. *Lee*, 2 *Atk.* 531; *Brookfield* v. *Bradley*, 4 *Cond. Cha. Rep.* 297; *Kelsall* v. *Kelsall*, 8 *Cond. Cha. Rep.* 58. But according to our Act of Assembly, the parol cannot be ordered to demur, in a creditor's suit, during the minority of an infant heir or devisee; nor can such an infant have a day allowed him to shew cause on his attaining his full age. In all cases coming under that Act of Assembly, as this does, if the creditor establishes his claim, he is entitled to an absolute decree at once for a sale of his deceased debtor's real estate, for the payment of his debts; 1785, ch. 72, s. 5; *Hammond* v. *Hammond*, 2 *Bland*, 352; *Kelsall* v. *Kelsall*, 8 *Cond. Cha. Rep.* 61; *Powys* v. *Mansfield*, 9 *Cond. Cha. Rep.* 445; and therefore, although an infant, on his attaining full age, pending the suit may be allowed to come in as of course, and to demur, plead, or answer, as he may think proper; *Harwood* v. *Rawlings*, 4 *H. & J.* 126; *Savage* v. *Carrol*, 1 *Ball. & Be.* 548; yet he cannot be permitted to do so, after a decree of this kind has been passed, without virtually abrogating the Act of Assembly, which, by placing infants upon a footing with adults, in this particular, does, in effect, require of them as well as of adults, that they should shew