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. (*f*) 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; (*g*) 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; (*h*) 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in effect, require of them as well as of adults, that they should shew good cause in order to have any such decree rescinded, and the case reheard. In this case no such good cause has been shewn, and therefore,

It is *Ordered,* that the said petition be dismissed with costs; and that the order suspending the execution of the decree, be rescinded.

The defendants appealed, and for the manner in which the case was disposed of by the Court of Appeals, see *Wyse* v. *Smith,* 4 *H. and G.* 295.

(*f*) Fountain *v.* Caine, 1 P. Will. 504; Napier *v.* Effingham, 2 P. Will. 401; Bennet *v.* Lee, 2 Atk. 531; Brookfield *v.* Bradley, 4 Cond. Cha. Rep. 297; Kelsall *v.* Kelsall, 8 Cond. Cha. Rep. 58.—(*g*) 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.—(*h*) Harwood *v.* Rawlings, 4 H. & J. 126; Savage *v.* Carroll, 1 Ball. & Be. 548.