



# Trustee Act 1925

## 1925 CHAPTER 19

### PART IV

#### POWERS OF THE COURT.

##### *Jurisdiction to make other Orders.*

#### **59 Power to give judgment in absence of a trustee.**

Where in any action the court is satisfied that diligent search has been made for any person who, in the character of trustee, is made a defendant in any action, to serve him with a process of the court, and that he cannot be found, the court may hear and determine the action and give judgment therein against that person in his character of a trustee as if he had been duly served, or had entered an appearance in the action, and had also appeared by his counsel and solicitor at the hearing, but without prejudice to any interest he may have in the matters in question in the action in any other character.