Privilege of Parliament Act (Ireland) 1737

Chapter 5

An Act to explain and amend an Act, intituled, the Privilege of Parliament Act (Ireland), 1727.[1]

The laws concerning privilege ineffectual: and doubts thereupon:

WHEREAS the laws in being have not proved effectual for limiting and explaining the privileges of Parliament, several doubts having arisen thereupon:

Mode of proceeding.

[I.] For the further explanation thereof it shall and may be lawful to and for any person or persons, during the continuance of the privilege of Parliament, to file any original bill in any court of equity, or to sue out any original writ (without further proceeding on such bill or writ) against any person or persons intitled to privilege of Parliament; any law, usage, or custom, to the contrary notwithstanding.

No privilege allowed in suit or motion for injunction to be restored to possession taken by force, or fraudulently obtained by holding over, or betraying possession.

II. And further no privilege of Parliament shall be insisted upon or allowed in any suit or motion for obtaining an injunction to be restored to the possession of any lands, tenements, or hereditaments, the possession of which has been taken away by force, or has been obtained fraudulently by the tenant or tenants holding over his to their term or terms, or by the tenant or tenants betraying the possession of his or their landlord or landlords, lessor or lessors, or some other person or persons; but that in each and every of the said cases it shall and may be lawful to and for any lessor or lessors, landlord or landlords, or other person, dispossessed by force as aforesaid, to proceed for the recovery of his or their possession in such and the like manner, as he or they might have done, had such suit or motion been commenced or moved against any person not intitled to, nor being the servant, agent, or tenant, of any person intitled to, the privilege of Parliament; any law or usage to the contrary notwithstanding.

S.III rep. by 1860 c.154 s.104 sch.B; SLR 1953