

(2.) In the exercise of such jurisdiction the Supreme Court shall, in respect of the grounds of divorce and in respect of all other matters, act in accordance with the laws of New Zealand, and not in accordance with this Order.

## PART XII.

## PERSONS OF UNSOUND MIND.

*Orders of Medical Custody.*

Application by  
Chief Medical Officer  
to High Court.

306. The Chief Medical Officer may make application to the High Court for an order committing any person to medical custody under this Part of this Order on the ground that he is of unsound mind.

Hearing of  
application.

307. No such order shall be made except on examination of the person alleged to be of unsound mind, and on the production to the Court of the certificate of a Medical Officer that the person in respect of whom the order is to be made is of unsound mind and that his detention in medical custody is necessary in his own interests or for the safety of other persons.

Order of medical  
custody.

308. If the Court is satisfied on the examination of the person so alleged to be of unsound mind, and on hearing such further evidence (if any) as the Court thinks necessary, that he is of unsound mind and that his detention in medical custody is necessary in his own interests or for the safety of other persons, the Court may make an order (hereinafter called an order of medical custody) committing such person to medical custody for such period as the Court thinks fit, not exceeding *six* months.

Renewal of order.

309. Any such order may at any time and from time to time, whether before or after the expiry thereof, be renewed for such further period, not exceeding six months, as the Court on a further application and certificate as aforesaid thinks fit.

Cancellation of  
order.

310. Any such order may be at any time cancelled by the High Court.

Discharge from  
custody.

311. Any person so committed to medical custody may be at any time discharged from custody by the Administrator, and the order of medical custody shall thereupon lapse.

Arrest and  
detention of  
persons committed  
to medical custody.

312. Any person against whom an order of medical custody has been so made may thereupon be arrested by any constable or Medical Officer, and shall, while the order remains in force, be detained at such hospitals or other places in Samoa, and in the custody of such Medical Officer, as may from time to time be determined in that behalf by the Chief Medical Officer, either generally or in respect of any particular case or class of cases.

Removal from  
Samoa to New  
Zealand.

313. When an order of medical custody has been so made against any person the High Court may, at the same time or at any time thereafter while the order remains in force, issue under the seal of the Court a warrant for the removal of that person from Samoa to New Zealand.

Conditions of  
removal.

314. No such warrant shall be issued unless the Court is satisfied on the certificate of the Chief Medical Officer and on the examination of the person alleged to be of unsound mind that his removal from Samoa to New Zealand is necessary in his own interests or for the safety of other persons.

Method of  
removal.

315. On the issue of any such warrant for the removal of any person to New Zealand he may be taken to New Zealand in the custody of any person appointed in that behalf by a Chief Medical Officer in any ship belonging to His Majesty or in any British ship.

Persons so removed  
to New Zealand to  
be brought before a  
Magistrate.

316. On arrival in New Zealand he shall be forthwith brought before a Stipendiary Magistrate, together with the warrant and a certificate of the Chief Medical Officer, authenticated by the seal of the High Court, certifying that the person so committed is of unsound mind, and setting forth such particulars as to the physical and mental condition of that person as the Chief Medical Officer thinks necessary.

Magistrate may  
make a reception  
order.

317. The Magistrate may thereupon, without further application or evidence, make in respect of the person so brought before him a reception order under the Mental Defectives Act, 1911, in the same