

GUILDHALL.—At this Justice-room yesterday, Martin, a city officer, brought in a fine-looking young fellow, a Lascar, but in dress, general appearance, and manners, very different from those usually met in the public streets, whom he had taken into a sort of friendly custody (for the man had most willingly consented to come with him and meet the question at issue) by desire of Captain Bryden, commander of the East India country ship the *Charles Forbes*, consigned to the respectable house of Inglis, Forbes, and Co., Mansion-house-place, and now lying at Gravesend, outward bound, and to sail on Thursday.

Captain Bryden stated, that he had brought the man from Bombay as a sailor, with upwards of ninety others, and was under bond to carry him back again. The whole of his crew were now on board, with the exception of four, one of whom was the prisoner, and who refused to return. If he remained behind, not only would he (the Captain) be liable for the amount of his bond, but the prisoner would no doubt be found wandering about the streets friendless; and when so found, the owners would be compelled to send him back a passenger in some other ship, at their expense. The prisoner, he thought, was aware of this, and preferred being sent back as a passenger, than to work his way home as a sailor, in the ship which brought him out.

The Lascar, who, it was evident, understood the English language, and indeed pronounced it most extraordinarily well, though greatly at a loss for words to convey his ideas, seemed clearly to comprehend the statement made by his Captain; and on being asked by the Magistrate, Alderman THOMAS SMITH, what objection he had to returning with the ship, said that the situation did not suit him. He wanted a situation here to teach the young gentlemen the language. When it was represented to him that he had engaged himself as a sailor for the voyage here and back, and that his captain was under bond to take him home again, he asked, with his hands spread, and a shrug of the shoulders that would have graced an objection urged by a Frenchman, "But how, your Lordships, can he be bound? I will go back, but not in that ship. The situation don't suit."

The man, it seems, was by no means a good sailor, and it was believed, as he had been in the country before so far back as the year 1814, was aware of the sanctity of our soil; and having no means of getting to England to prosecute his scheme of obtaining a livelihood here by teaching the Malay language, he had engaged himself as a sailor, with intent to leave the ship on its arrival, conscious that the captain could not compel him to return.

Mr. Payne, the magistrate's clerk, observed, that, called upon thus on a sudden, he was aware of no law directly applicable to the circumstance but the decision in the famous case of Somerset, the negro, by which the man was protected as any British subject, and could not be compelled by law to return against his own consent. The bond his captain had entered into was certainly in no way binding upon the man, however he might morally be bound to perform the engagement he had entered into: and inquired of Captain Bryden if the man had signed any written articles of engagement?

Captain Bryden replied, that it was not the practice to bind the Lascars; that the man had merely engaged with him as a sailor for the voyage from Bombay to England, and back.

Mr. Payne asked—Was Captain Bryden aware of any statute or law by which this description of persons could be compelled to return with their ships?

The Captain said he certainly was not, and had acted in the case by the advice of the owners, who were pecuniarily answerable for the man's return.

While this consultation was going on, the Lascar, who was listening with great attention, and seemed perfectly to understand the whole of it, perceiving its favourable tendency towards the completion of his wishes, at each successive answer that Mr. Payne's questions elicited, mildly lifted up his eyes to Heaven, as if in fervent mental ejaculation; and when Mr. Payne ultimately suggested to the Magistrate, that in his opinion there were no grounds to warrant the detaining him, and he was in consequence told he might go at liberty, he bowed very respectfully, and retired from the bar.