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FAMILY MARKET!  
Choicest Meats from the Finest Herds

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Furnished in Order,  
EXTRAS—Fridays and Saturdays—Free.  
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The proprietors having erected a new and commodious  
VEGETABLE, FRUIT AND POULTRY MARKET,  
situated in the Family Market, will be prepared to  
supply the public with all the necessaries and  
delicacies of the season at the lowest possible prices.

NUSSEY & PILLING,  
PARK WORKS, LEEDS.  
THE LITTLE STRANGER, £3.8s.  
THE IMPROVED LITTLE STRANGER!  
READ INSTRUCTIONS (ENTIRELY)  
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NEW FAMILY SILENT SEWING MACHINE.  
(SEWING—ST 100.)  
THE NOISELESS TUDOR,  
FOR TAILORS AND MANUFACTURERS  
(SEWING—£8 10.)

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Wainscoting,  
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Corner Fort and Queen Streets  
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Dairy Salt, Card Machines & Door Mats,  
All Sorts of Brushes, Blasting & Shoe Polish,  
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Chairs, Plantation, Table and Gong Tolls.

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OFFERS FOR SALE  
THE CARGO!

The British Bark "Rifle,"  
Lately from Liverpool,  
CONSISTING OF  
LARGE PATTERN—2 PINK PRINTS,  
China, Stripes, and Fancy Prints,  
Heavy Blue Denim, Grey Cotton Shirtings,  
Grey Cotton Twills, Linen Dells, Sheetings,  
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Very Superior Heavy Wagon Saddles,  
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Black and Blue Fine Cloths,  
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A FINE ASSORTMENT OF BLANKETS,  
Very Heavy, of the Assorted Colors, 12ft. x 18ft.,  
Assorted Colors, and 12ft. x 14ft. Heavy  
Dark Blue Blankets.

4 Pieces Only, Elegant Velvet Carpets,  
1 only, large size, Velvet Bag Carpet, 12ft. x 18ft.—  
A small assortment of elegant Colored Hair  
Brushes,  
English Leather Binding, 7 1/2 in. x 12 in.,  
White Leather, Assorted Printing Sinks,  
Vegetable Oil (the machinery), White Lead,  
Emac and Solid Oil, Castor Oil,  
ROOFING FELT,  
BATHING WARE,  
GLASSWARE,  
SILVER-PLATE, 2 1/2 in. & 3 in.

Beers, Wines & Liquors  
Beer's and Blood, With & Co's Celebrated Ale,  
Pilsener and other  
Blood, With & Co's Favorite Stout, small list in  
Brewer's Scotch Ale, 100 a cask, extra quality,  
1st Choice & Co's new quality light Pale Ale, 100 a cask  
Case Genuine "Old Tom."  
A few cases Very Superior Pale Imperial Beer,  
14 Cases Royal Highland Whisky,  
Case D. Kaynes Brandy, 1/2 cask Brandy,  
12 Cases Assorted Port Brandy, 1 case up to 4 case.  
Case Superior Irish Whisky,  
A few Cases Very Superior Pure Wine,  
Case A. Laidlaw & Co's Superior Claret, a very  
choice article,  
Case Champagne and Noelle.

SUNDRIES!  
W & H. with Light and Heavy Barrels,  
W. P. & Co's  
D. Coar & Son's Standard Navy Canvas, assorted  
numbers,  
D. Coar & Son's Standard Merchant Canvas,  
Nos. 1, 2 and 3,  
Best Double Screened Welsh Steam Coal,  
Five Books, India Rubber Erase,  
Five Ounce, Liverpool Salt, Twine,  
Fence Wire, Galvanic, Molasses Clarifiers,  
Sash, &c., &c., &c. (100 In.)

NEW GOODS!  
Just Received by  
AFONG & ACHUCK,  
EDWARD JAMES!  
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FROM HONKONG!

White & Colored  
Rattan Matting,  
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Nests, Campstools, Trunks,  
Basket Tea,  
Nankin Cloth,  
Japanese Umbrellas, Assorted Silk,  
Ivory Ware,  
Sandal Wood Ware, Lacquered Ware,  
China Ware,  
Canvas Shoes,  
Clothes Baskets,  
Wrapping Paper,  
Dried Ligues,  
Dried Dates,  
Gold & Silver Jewelry,  
Tortoise Shell & Crystal Jewelry,  
Gentlemen's & Ladies' Bags, Hats,  
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A Great Variety of  
OTHER CHINESE GOODS  
Two assortments to mention.  
FOR SALE BY  
AFONG & ACHUCK,  
Raffles Street, near King.

HAWAIIAN GAZETTE  
AN INDEPENDENT JOURNAL,  
DEVOTED TO HAWAIIAN PROGRESS.

Supreme Court of the Hawaiian  
Islands—January Term, 1875.  
EDWARD EVERETT and W. J. BARNES  
vs. R. P. DOLLEN.  
In Equity on appeal. HARRIS and JONES, J.J.  
Mr. Justice Jones delivered the opinion of the  
Court:

The bill in this case was filed Aug. 25th, 1874;  
answer filed Sept. 12th, and evidence was taken  
upon interrogatories and cross-interrogatories and  
submitted to Mr. Justice Harris, who, on the 5th  
October, referred the accounts, with directions,  
to a Master. On the 12th October the Master's  
report and accounts came in, and on certain  
accounts being made thereby by both parties, the  
account was again referred to the Master, and on  
coming in of his amended account judgment was  
on the 20th October rendered for \$248.83 in favor  
of the plaintiff. The defendant appealed.

The account between the parties as made up  
by the Master is as follows:  
E. Everett and W. J. Barnes in account with R. P.  
Dollen.  
1874. Do.  
Jan. 5. To paid I. R. Peterson's Note  
and interest... \$3,728 25  
To Interest from Jan. 5 to Oct.  
12, 1874... 236 70  
To Commission on Note (\$3,728.25) at 2 1/2 per cent... 93 40  
To Amount security small bills,  
wages of seaman, &c., paid  
by Dolles... 149 01  
Apr. 18. To Onsg. wages as ship-keeper  
for 44 days, at \$1... 44 00  
To Custom House bill... 45 12  
To Dolles & Co's bill... 5 88  
To Commission on disburse-  
ments, \$244.00 at 2 1/2 per cent... 6 10  
To Amount of Dolles & A. O. B.  
bill, April 12, 1873... 1,206 16  
To interest on the same from  
July 12, 1873, to Oct. 12,  
1874, at 8 per cent... 135 88  
To Paid Mr. Peterson... 75 00  
July 9. To Commission collecting  
Debt on New Zealand (\$1-  
205.14)... 32 62  
Sept 1. To J. L. Lewis' bill... 894 52  
\$6,682 90

1874. Do.  
Feb. 4. By order Kamille and  
Sons... \$4,000 00  
By Proceeds of Oil... 2,138 87  
By Interest on \$2-  
130.37 from March  
4 to Oct. 12, 1874... 119 53  
July By Rent possible on  
money lent on  
New Zealand... 1,206 16  
By Interest on \$1-  
205.14 from July  
9 to Oct. 12, 1874... 90 38  
Oct. 12 By Balance due Everett &  
Barnes... \$ 940 47  
\$7,648 37

Balance due plaintiff... \$6,682 90  
Am't paid Theobald & Son... 106 75  
Interest on do... 4 30  
Am't paid Hollister & Co... 28 88  
Interest on do... 63  
Paid J. M. Ous & Co... 82 14  
Interest on do... 9 31  
Interest on J. L. Lewis' bill of  
\$894.52... 9 18  
\$6,974 20

By Am't of credits as per  
bill... \$7,648 37  
Less paid on \$4,000 from  
date of bill of sale, Aug.  
12, 1874, to Oct. 12,  
1874... 174 66  
Balance due plaintiff... \$7,473 63

The defendant claims that he should be allowed  
a commission of 2 1/2 per cent on \$3,728 25,  
proceeds of certain oil taken by the schooner  
Kamille, and sold by Capt. Peterson, the Master,  
to himself. The facts in regard to this transac-  
tion we find as follows:  
The schooner Kamille was owned by the plaintiff,  
residing in Honolulu. This schooner, in the  
"hull name" of I. R. Peterson was the master.  
On the 19th April, 1873, when about sailing from  
this port on a whaling voyage, he left a letter  
with the defendant, informing him that if he  
should have occasion to stop any oil in Honolulu,  
he would consign it to defendant, and expressing  
his willingness to pay the defendant the usual  
mercantile commission on all the business transac-  
ted to him. On the 12th April the said master  
left with defendant a number of bills against the  
said schooner, with a request that in case he sent  
defendant money or oil, that he (defendant) would  
"apply the same to the payment pro rata of the  
above accounts, which show the indebtedness of  
the schooner Kamille, &c." He sent no oil to  
defendant, but on March 31st, 1874, having arriv-  
ed here, after considerable negotiation, sold 1233  
gallons sperm oil to defendant at \$21.13 1/2 per  
gallon, and 56 gallons lamp-oil at \$7 1/2 per  
gallon, making in all \$31,937.37, and left with de-  
fendant a bill for this amount.

The defendant Dolles and his book-keeper,  
Houston, both swear that Peterson, the master,  
agreed at the time of the sale to allow defendant  
his commission on the same. This is denied by  
the master.

It is claimed by defendant's counsel, that as the  
answer filed is responsive to the bill, defendant's  
avowment in the answer that he was to be allowed  
commissions on this amount, not being disproved  
by two witnesses or by one witness and corrobor-  
ating testimony, must be taken as proved. This  
and Kamel vs. Colburn, decided by Chief Justice  
Allen, Dec. 7th, 1871, is cited as adopting this  
principle.

Story's Pl. § 845; Mills vs. Gora,  
20 Pick. 34; Field vs. Holland, 6 Cranch 5.  
This principle is more fully discussed in Story  
vs. Janis, 1032 and 1033, and is good law; but  
it does not apply in this case. The allegation in  
the bill is that the oil was sold by plaintiff to  
defendant for \$31,937.37 for cash, and the answer  
denies this and asserts a sale by the master to  
defendant for the said sum, the commission  
here, therefore, is a new allegation by the defend-  
ant, or rather a partial admission and a new bill  
imposed on by way of avoidance.

By the rules of equity pleading, the answer is  
not evidence of new matter set up; this must be  
proved by independent testimony.  
Hart vs. Van Hook and others, 2 Johnson's  
Chancery Rep. 93, to cause them cited.

The testimony of the master of the vessel is  
corroborated by the bill of the oil, made by him  
and left with defendant, in which there is no de-  
nial of commission.

But even if it was conclusively established that  
the master did agree to allow defendant commis-  
sion, or an agent, in selling the oil to himself,  
he has not authority as the bona fide  
owner of the vessel, much less has he  
authority to appoint an agent. This law is elementary.

capture of a Steamer by Pirates.  
It is well known, says the Hong Kong corre-  
spondent of the London Times, that the Chinese  
rovers and seas are infested by pirates, but for  
some years past these rovers had not tried their  
craft at anything larger than a good-sized junk.  
Recently, however, they made a bold, well-  
planned, and unfortunately successful attack on  
a steamer, murdering the captain and some of  
the crew, and getting clear off with some of the  
passenger and goods traffic between  
Hong Kong and Canton and Macao and Canton  
is conducted chiefly by the Hong Kong, Canton  
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is chiefly American, and the crews Chinese.  
Notwithstanding that these boats have valuable  
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trouble seems to have been taken to protect  
them from piratical attacks, and they have been  
at the mercy of any daring band of thieves. The  
Spark has been running for several years between  
Macao and Canton, under the command of Capt.  
Reidy. She left Canton at 8 o'clock, there  
being only one European passenger, Mr. Mandy,  
connected with Deacon & Co. There were  
nearly 300 Chinese passengers. All went well  
until half the voyage was made, and the vessel  
had arrived near Lankei on the Canton river.  
It was here that the attack was made. The pi-  
rates numbered from twenty to thirty, and they  
took passage at Canton. They came on board  
unarmed, but a package which proved to contain  
knives, &c., was part of the luggage of one of  
the party. When the steamer had reached the place  
named, the pirates got up a disturbance among  
themselves. The mate went below to quell it,  
but was unable to do so. Thereupon Captain  
Reidy went down and was immediately attacked.  
Having fetched a revolver he returned. He en-  
deavored to fire the weapon but it would not go  
off. He was now entirely at the mercy of the  
pirates, and they cut him about in a fearful  
manner. He, however, managed to reach his  
cabin, where he must soon have died, the place  
being found saturated with blood.

Mr. Mandy acted in a most courageous  
manner. He knocked down two of the pirates, and  
was engaged with a third, when he was twice  
stabbed in the breast, one of the wounds pen-  
etrating the lungs. Notwithstanding his severe  
injuries it is thought he may recover. The mate  
and the parer, both dreadfully cut, jumped over-  
board. The mate was picked up after being in the  
water a long time, but the parer sank almost  
immediately. A Chinese fireman was killed and  
also four Chinese passengers. It was at first  
thought that these were four of the pirates, but  
it is now said they were simply passengers. The  
pirates having obtained possession of the ship,  
battered down the passengers, and then proceed-  
ed to search for plunder. It is said they cleared  
about \$10,000, about half of which were in Hong  
Kong and Shanghai bank notes. They next pro-  
ceeded to rob the passengers, often using violence  
to the Chinese women to get possession of the  
trinkets and valuables.

The pirates held possession of the steamer for  
several hours, until they came up to a junk, evi-  
dently waiting, and into this they occupied with  
their booty. One of the Chinese and one of the  
pilots (who had probably hidden themselves dur-  
ing the attack and search), brought the steamer to  
Macao, which was not reached till early the next  
morning. The matter was at once reported to  
the authorities. The Governor of Macao took  
active steps to discover the pirates. The pas-  
sengers were not allowed to leave till they had  
given their names and addresses, &c., and a Por-  
tuguese gunboat was sent up the Canton river.  
The news was sent to Hongkong by a special  
steamer. The greatest consternation and indig-  
nation were manifested here. The Rik immedi-  
ately left for Macao. The Governor of Hong  
Kong also dispatched messengers to make inquiry.  
The Steamship Company have offered a reward  
of \$2,000 for the apprehension of the pirates.  
But, notwithstanding the active search going on  
by the English, Chinese, and Portuguese gun-  
boats, they have eluded capture.

WARNED ROBERTSON.—Richardson, the pi-  
rate used to speak of an open, honest country  
gentleman who one day asked him to come to his  
house, adding, "I wish very much to see you, for  
I have just purchased a picture by Robens. It is  
a rare good one. Brown saw it, and says it is a  
copy! If any man living dares to say it is a copy,  
I will break every bone in his skin. Pray, call  
on me, and give me your opinion."

The whole production of gold throughout the  
world during 1873 is estimated to have been  
worth nearly \$44,000,000.

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Damaged Bread,  
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1871, 1872, 1873.  
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1873.  
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CHAIN CABLES.  
SIZES FROM 1/8 TO 1 1/2 INCH. EMAIL  
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BOLLES & CO.

Capture of a Steamer by Pirates.  
It is well known, says the Hong Kong corre-  
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their booty. One of the Chinese and one of the  
pilots (who had probably hidden themselves dur-  
ing the attack and search), brought the steamer to  
Macao, which was not reached till early the next  
morning. The matter was at once reported to  
the authorities. The Governor of Macao took  
active steps to discover the pirates. The pas-  
sengers were not allowed to leave till they had  
given their names and addresses, &c., and a Por-  
tuguese gunboat was sent up the Canton river.  
The news was sent to Hongkong by a special  
steamer. The greatest consternation and indig-  
nation were manifested here. The Rik immedi-  
ately left for Macao. The Governor of Hong  
Kong also dispatched messengers to make inquiry.  
The Steamship Company have offered a reward  
of \$2,000 for the apprehension of the pirates.  
But, notwithstanding the active search going on  
by the English, Chinese, and Portuguese gun-  
boats, they have eluded capture.

WARNED ROBERTSON.—Richardson, the pi-  
rate used to speak of an open, honest country  
gentleman who one day asked him to come to his  
house, adding, "I wish very much to see you, for  
I have just purchased a picture by Robens. It is  
a rare good one. Brown saw it, and says it is a  
copy! If any man living dares to say it is a copy,  
I will break every bone in his skin. Pray, call  
on me, and give me your opinion."

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The man who grunts and gasps as he gobbles  
up his soup, and at every other mouthful seems  
threatened with a choking fit.  
The man who, having by an accident been  
thrown once in your company, makes bold to  
bawl your name out, and to shake your hand pro-  
fusely when you pass him in the street.  
The man who, pleading old school-fellowship,  
which you have quite forgotten, never meets you  
without trying to extort a five-pound note.  
The man who volunteers his criticism on your  
new play or picture, and points out its worst  
faults in presence of your wife.  
The man who artfully provokes you to play a  
game of billiards with him, and, though he feigns  
to be a novice, produces his own chalk.  
The man who can't sit at your table on any set  
occasion without getting on his legs to propose  
some stupid toast.  
The man who, thinking you are musical, borrows  
you with his notions on the music of the future,  
of which you know as little as the music of the  
spheres.  
The man who wears a white hat in the winter  
and smokes a pipe when walking, and accuses you  
as "old fellow" just as you are hoping to make a  
good impression on some well-dressed lady  
friend.  
The man who, knowing that your doctor faces  
him at table, turns the talk so as to set him talk-  
ing doctor's shop.  
The man who, with a look of urgent business,  
when you are in a hurry, takes you by the button-  
hole to tell you a bad joke.  
The man who sitting just behind you at the  
opera, destroys half your enjoyment by humming  
all the airs.  
The man who makes remarks on your personal  
adornment, asks you where you buy your waist-  
coats, and what you paid for your dress-boots.  
The man who lards his talk with little scraps  
of French and German after his return from a  
Continental tour.  
The man who spoils your pleasure in seeing a  
new play by applauding in the wrong places, and  
muttering in stage-whispers his comments on the  
plot.  
And, to finish with the man who, when you  
draw back slightly to appreciate a picture, coolly  
comes and stands in front of you, and then re-  
coiling, also trends upon your toes.—Punch.

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