The Project Gutenberg eBook of The Indian On The Trail

This ebook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this ebook or online at www.gutenberg.org. If you are not located in the United States, you'll have to check the laws of the country where you are located before using this eBook.

Title: The Indian On The Trail

Author: Mary Hartwell Catherwood

Release date: October 30, 2007 [eBook #23252]

Most recently updated: February 24, 2021

Language: English

Credits: Produced by David Widger

*** START OF THE PROJECT GUTENBERG EBOOK THE INDIAN ON THE TRAIL ***

THE INDIAN ON THE TRAIL

From "Mackinac And Lake Stories", 1899

By Mary Hartwell Catherwood

Maurice Barrett sat waiting in the old lime-kiln built by the British in the war of 1812—a white ruin like much-scattered marble, which stands bowered in trees on a high part of the island. He had, to the amusement of the commissioner, hired this place for a summer study, and paid a carpenter to put a temporary roof over it, with skylight, and to make a door which could be fastened. Here on the uneven floor of stone were set his desk, his chair, and a bench on which he could stretch himself to think when undertaking to make up arrears in literary work. But the days were becoming nothing but trysts with her for whom he waited.

First came the heavenly morning walk and the opening of his study, then the short half-hour of labor, which ravelled off to delicious suspense. He caught through trees the hint of a shirt-waist which might be any girl's, then the long exquisite outline which could be nobody's in the world but hers, her face under its sailor hat, the blown blond hair, the blue eyes. Then her little hands met his outstretched hands at the door, and her whole violet-breathing self yielded to his arms.

They sat down on the bench, still in awe of each other and of the swift miracle of their love and engagement. Maurice had passed his fiftieth year, so clean from dissipation, so full of vitality and the beauty of a long race of strong men, that he did not look forty, and in all out-door activities rivalled the boys in their early twenties. He was an expert mountain-climber and explorer of regions from which he brought his own literary material; inured to fatigue, patient in hardship, and resourceful in danger. Money and reputation and the power which attends them he had wrung from fate as his right, and felt himself fit to match with the best blood in the world—except hers.

Yet she was only his social equal, and had grown up next door, while his unsatisfied nature searched the universe for its mate—a wild sweetbrier-rose of a child, pink and golden, breathing a daring, fragrant personality. He hearkened back to some recognition of her charm from the day she ran out bareheaded and slim-legged on her father's lawn and turned on the hose for her play. Yet he barely missed her when she went to an Eastern school, and only thrilled vaguely when she came back like one of Gibson's pictures, carrying herself with state-liness. There was something in her blue eyes not to be found in any other blue eyes. He was housed with her family in the same hotel at the island before he completely understood the magnitude of what had befallen him.

"I am awfully set up because you have chosen me," she admitted at first. He liked to have her proud as of a conquest, and he was conscious of that general favor which stamped him a good match, even for a girl half his age.

"How much have you done this morning?" she inquired, looking at his desk.

"Enough to tide over the time until you came. Determination and execution are not one with me now." Her hands were cold, and he warmed them against his face.

"It was during your married life that determination and execution were one?"

"Decidedly. For that was my plodding age. Sometimes when I am tingling with impatience here I look back in wonder on the dogged drive of those days. Work is an unhappy man's best friend. I have no concealments from you, Lily. You know I never loved my wife—not this way—though I made her happy; I did my duty. She told me when she died that I had made her happy. People cannot help their limitations."

"Do you love me?" she asked, her lips close to his ear.

"I am you! Your blood flows through my veins. I feel you rush through me. You don't know what it is to love like that, do you?"

She shook her head.

"When you are out of my sight I do not live; I simply wait. What is the weird power in you that creates such gigantic passion?"

"The power is all in your imagination. You simply don't know me. You think I am a prize. Why, I—flirt—and I've—kissed men!"

He laughed. "You would be a queer girl, at your age, if you hadn't—kissed men—a little. Whatever your terrible past has been, it has made you the infinite darling that you are!"

She moved her eyes to watch the leaves twinkling in front of the lime-kiln.

"I must go," she said.

"'I must go'!" he mocked. "You are no sooner here than—' I must go '!"

"I can't be with you all the time. You don't care for appearances, so I have to.".

"Appearances are nothing. This is the only real thing in the universe."

"But I really must go." She lifted her wilful chin and sat still. They stared at each other in the silence of lovers. Though the girl's face was without a line, she was more skilled in the play of love than he.

"Indeed I must go. Your eyes are half shut, like a gentian."

"When you are living intensely you don't look at the world through wide-open eyes," said Maurice. "I never let myself go before. Repression has been the law of my life. Think of it! In a long life-time I have loved but two persons—the woman I told you of, and you. Twenty years ago I found out what life meant. For the first time, I knew! But I was already married. I took that beautiful love by the throat and choked it down. Afterwards, when I was free, the woman I first loved was married. How long I have had to wait for you to bloom, lotos flower! This is living! All the other years were preparation."

"Do you never see her?" inquired the girl.

"Who? That first one? I have avoided her."

"She loved you?"

"With the blameless passion that we both at first thought was the most perfect friendship."

"Wouldn't you marry her now if she were free?"

"No. It is ended. We have grown apart in renunciation for twenty years. I am not one that changes easily, you see. You have taken what I could not withhold from you, and it is yours. I am in your power."

They heard a great steamer blowing upon the strait. Its voice reverberated through the woods. The girl's beautiful face was full of a tender wistfulness, half maternal. Neither jealousy nor pique marred its exquisite sympathy. It was such an expression as an untamed wood-nymph might have worn, contemplating the life of man.

"Don't be sad," she breathed.

Vague terror shot through Maurice's gaze.

"That is a strange thing for you to say to me, Lily. Is it all you can say—when I love you so?"

"I was thinking of the other woman. Did she suffer?"

"At any rate, she has the whole world now—beauty, talent, wealth, social prestige. She is one of the most successful women in this country."

"Do I know her name?"

"Quite well. She has been a person of consequence since you were a child."

"I couldn't capture the whole world," mused Lily. Maurice kissed her small fingers.

"Some one else will put it in your lap, to keep or throw away as you choose."

The hurried tink-tank of an approaching cow-bell suggested passers. Then a whir of wheels could be heard through tangled wilderness. The girl met his lips with a lingering which trembled through all his body, and withdrew herself.

"Now I am going. Are you coming down the trail with me?"

Maurice shut the lime-kiln door, and crossed with her a grassy avenue to find among birches the ravelled ends of a path called the White Islander's Trail. You may know it first by a triangle of roots at the foot of an oak. Thence a thread, barely visible to expert eyes, winds to some mossy dead pines and crosses a rotten log. There it becomes a trail cleaving the heights, and plunging boldly up and down evergreen glooms to a road parallel with the cliff. Once, when the island was freshly drenched in rain, Lily breathed deeply, gazing down the tunnel floored with rock and pine-needles, a flask of incense. "It is like the violins!"

In that seclusion of heaven Maurice could draw her slim shape to him, for the way is so narrow that two are obliged to walk close. They parted near the wider entrance, where a stump reared itself against the open sky, bearing a stick like a bow, and having the appearance of a crouching figure.

"There is the Indian on the trail," said Lily. "You must go back now."

"He looks so formidable," said Maurice; "especially in twilight, and, except at noon, it is always twilight here. But when you reach him he is nothing but a stump."

"He is more than a stump," she insisted. "He is a real Indian, and some day will get up and take a scalp! It gives me a shiver every time I come in sight of him crouched on the trail!"

"Do you know," complained her lover, "that you haven't told me once to-day?"

"Well-I do."

"How much?"

"Oh-a little!"

"A little will not do!"

"Then-a great deal."

"I want all-all!"

Her eyes wandered towards the Indian on the trail, and the bow of her mouth was bent in a tantalizing curve.

"I have told you I love you. Why doesn't that satisfy you?"

"It isn't enough!"

"Perhaps I can't satisfy you. I love you all I can."

"All you can?"

"Yes. Maybe I can't love you as much as you want me to. I am shallow!"

"For God's sake, don't say you are shallow! There is deep under deep in you! I couldn't have staked my life on you, I couldn't have loved you, if there hadn't been! Say I have only touched the surface yet, but don't say you are shallow!"

The girl shook her head.

"There isn't enough of me. Do you know," she exclaimed, whimsically, "that's the Indian on the trail! You'll never feel quite sure of me, will you?"

Maurice's lips moved. "You are my own!"

She kept him at bay with her eyes, though they filled slowly with tears.

"I ama child of the devil!" exclaimed Lily, with vehemence. "I give people trouble and make them suffer!"

"She classes me with 'people'!" Maurice thought. He said, "Have I ever blamed you for anything?"

"No."

"Then don't blame yourself. I will simply take what you can give me. That is all I could take. Forgive me for loving you too much. I will try to love you less."

"No," the girl demurred. "I don't want you to do that."

"I am very unreasonable," he said, humbly. "But the rest of the world is a shadow. You are my one reality. There is nothing in the universe but you."

She brushed her eyes fiercely. "I mustn't cry. I'll have to explain it if I do, and the lids will be red all day."

The man felt internally seared, as by burning lava, with the conviction that he had staked his all late in life on what could never be really his. She would diffuse herself through many. He was concentrated in her. His passion had its lips burned shut.

"I am Providence's favorite bag-holder," was his bitter thought. "The game is never for me."

"Good-bye," said Lily.

"Good-bye," said Maurice.

"Are you coming into the casino to-night?"

"If you will be there."

"I have promised a lot of dances. Good-bye. Go back and work."

"Yes, I must work," said Maurice.

She gave him a defiant, radiant smile, and ran towards the Indian on the trail. He turned in the opposite direction, and tramped the woods until nightfall.

At first he mocked himself. "Oh yes, she loves me! I'm glad, at any rate, that she loves me! There will be enough to moisten my lips with; and if I thirst for an ocean that is not her fault."

Why had a woman been made who could inspire such passion without returning it? He reminded himself that she was of a later, a gayer, lighter, less strenuous generation than his own. Thousands of men had waded blood for a principle and a lost cause in his day. In hers the gigantic republic stood up a menace to nations. The struggle for existence was over before she was born. Yet women seemed more in earnest now than ever before. He said to himself, "I have always picked out natures as fatal to me as a death-warrant, and fastened my life to them."

The thought stabbed him that perhaps his wife, whom he had believed satisfied, had carried such hopeless anguish as he now carried. Tardy remorse for what he could not help gave him the feeling of a murderer. And since he knew himself how little may be given under the bond of marriage, he could not look forward and say, "My love will yet be mine!"

He would, indeed, have society on his side; and children—he drew his breath hard at that. Her ways with children were divine. He had often watched her instinctive mothering of, and drawing them around her. And it should be much to him that he might look at and, touch her. There was life in her mere presence.

He felt the curse of the artistic temperament, which creates in man the exquisite sensitiveness of woman.

Taking the longest and hardest path home around the eastern beach, Maurice turned once on impulse, parted a screen of birches, and stepped into an amphitheatre of the cliff, moss-clothed and cedar-walled. It sloped downward in three terraces. A balcony or high parapet of stone hung on one side, a rock low and

broad stood in the centre, and an unmistakable chair of rock, cushioned with vividly green-branched moss, waited an occupant. Maurice sat down, wondering if any other human being, perplexed and tortured, had ever domiciled there for a brief time. Slim alder-trees and maples were clasped in moss to their waists. The spacious open was darkened by dense shade overhead. Bois Blanc was plainly in view from the beach. But the eastern islands stretched a line of foliage in growing dusk. Maurice felt the cooling benediction of the place. This world is such a good world to be happy in, if you have the happiness.

When the light faded he went on, climbing low headlands which jutted into the water, and sliding down on the other side; so that he reached the hotel physically exhausted, and had his dinner sent to his room. But a vitality constantly renewing itself swept away every trace of his hard day when he entered the gayly lighted casino.

He no longer danced, not because dancing ceased to delight him, but because the serious business of life had left no room for it. He walked along the waxed floor, avoiding the circling procession of waltzers, and bowing to a bank of pretty faces, but thinking his own thought, in growing bitterness: "They who live blameless lives are the fools of fate. If I had it to do over again, I would take what I wanted in spite of everything, and let the consequences fall where they would!" Looking up, he met in the eyes the woman of his early love.

She was holding court, for a person of such consequence became the centre of the caravansary from the instant of her arrival; and she gave him her hand with the conventional frankness and self-command that set her apart from the weak. Once more he knew she was a woman to be worshipped, whose presence rebuked the baseness he had just thought.

"Perhaps it was she who kept me from being worse," Maurice recognized in a flash; "not I myself!"

"Why, Mrs. Carstang, I didn't know you were here!" he spoke, with warmth around the heart.

"We came at noon."

"And I was in the woods all day." Maurice greeted the red-cheeked, elderly Mr. Carstang, whom, according to half the world, his wife doted upon, and according to the other half, she simply endured. At any rate, he looked pleased with his lot.

While Maurice stood talking with Mrs. Carstang, the new grief and the old strangely neutralized each other. It was as if they met and grappled, and he had numb peace. The woman of his first love made him proud of that early bond. She was more than she had been then. But Lily moved past him with a smile. Her dancing was visible music. It had a penetrating grace—hers, and no other person's in the world. The floating of a slim nymph down a forest avenue, now separating from her partner, and now joining him at caprice, it rushed through Maurice like some recollection of the Golden Age, when he had stood imprisoned in a tree. There was little opportunity to do anything but watch her, for she was more in demand than any other girl in the casino. Hop nights were her unconscious ovations. He took a kind of aching delight in her dancing. For while it gratified an artist to the core, it separated her from her lover and gave her to other men.

Next morning he waited for her in the study with a restlessness which would not let him sit still. More than once he went as far as the oak-tree to watch for a glimmer. But when Lily finally appeared at the door he pretended to be very busy with papers on his desk, and looked up, saying, "Oh!"

The morning was chill, and she seemed a fair Russian in fur-edged cloth as she put her cold fingers teasingly against his neck.

"Are you working hard?"

"Trying to. I am behind."

"But if there is a good wind this afternoon you are not to forget the Carstangs' sail. They will be here only a day or two, and you mustn't neglect them. Mrs. Carstang told me if I saw you first to invite you."

Maurice met the girl's smiling eyes, and the ice of her hand went through him.

"Isn't Mrs. Carstang lovely! As soon as I saw you come in last night, I knew she was—the other woman."

"You didn't look at me."

"I can see with my eyelashes. Do you know, I have often thought I should love her if I were a man!"

There was not a trace of jealousy in Lily's gentle and perfect manner.

"You resemble her," said Maurice. "You have the blond head, and the same features—only a little more delicate."

"I have been in her parlor all morning," said Lily. "We talked about you. I am certain, Maurice, Mrs. Carstang is in her heart still faithful to you."

That she should thrust the old love on him as a kind of solace seemed the cruelest of all. There was no cognizance of anything except this one maddening girl. She absorbed him. She wrung the strength of his manhood from him as tribute, such tribute as everybody paid her, even Mrs. Carstang. He sat like a rock, tranced by the strong control which he kept over himself.

"I must go," said Lily. She had not sat down at all. Maurice shuffled his papers.

"Good-bye," she spoke.

"Good-bye," he answered.

She did not ask, "Are you coming down the trail with me?" but ebbed softly away, the swish of her silken petticoat subsiding on the grassy avenue.

Her lover stretched his arms across the desk and sobbed upon them with heart-broken gasps.

"It is killing me! It is killing me! And there is no escape. If I took my life my disembodied ghost would follow her, less able to make itself felt than now! I cannot live without her, and she is not for me—not for me!"

He cursed the necessity which drove him out with the sailing party, and the prodigal waste of life on neutral, trivial doings which cannot be called living. He could see Lily with every pore of his body, and grew faint keeping down a wild beast in him which desired to toss overboard the men who crowded around her. She was more deliciously droll than any comédienne, full of music and wit, the kind of spirit that rises flood-

tide with occasion. He was himself hilarious also during this experience of sailing with two queens surrounded by courtiers and playing the deep game of fascination, as if men were created for the amusement of their lighter moments. Lily's defiant, inscrutable eyes mocked him. But Mrs. Carstang gave him sweet friendship, and he sat by her with the unchanging loyalty of a devotee to an altar from which the sacrament has been removed.

Next morning Lily did not come to the lime-kiln. Maurice worked furiously all day, and corrected proof in his room at night, though tableaux were shown in the casino, both Mrs. Carstang and Lily being head and front of the undertaking.

The second day Lily did not come to the limekiln. But he saw her pass along the grassy avenue in front of his study with Mrs. Carstang, a man on each side of them. They waved their hands to him.

Maurice sat with his head on his desk all the afternoon, beaten and broken-hearted. He told himself he was a poltroon; that he was losing his manhood; that the one he loved despised him, and did well to despise him; that a man of his age who gave way to such weakness must be entering senility. The habit of rectitude would cover him like armor, and proclaim him still of a chivalry to which he felt recreant. But it came upon him like revelation that many a man had died of what doctors had called disease, when the report to the health-officer should have read: "This man loved a woman with a great passion, and she slew him."

The sigh of the woods around, and the sunlight searching for him through his door, were lonelier than illimitable space. It was what the natives call a "real Mackinac day," with infinite splendor of sky and water.

Maurice heard the rustle of woman's clothes, and stood up as Lily came through the white waste of stones. She stopped and gazed at him with large hunted eyes, and submitted to his taking and kissing her hands. It was so blessed to have her at all that half his trouble fled before her. They sat down together on the bench.

Much of his life Maurice had been in the attitude of judging whether other people pleased him or not. Lily reversed this habit of mind, and made him humbly solicitous to know whether he pleased her or not. He silently thanked God for the mere privilege of having her near him. Passionate selfishness was chastened out of him. One can say much behind the lips and make no sound at all.

"If I drench her with my love and she does not know it," thought Maurice, "it cannot annoy her. Let me take what she is willing to give, and ask no more."

"The Carstangs are gone," said Lily.

"Yes; I bade them good-bye this morning before I came to the lime-kiln."

"You don't say you regret their going."

"I never seek Mrs. Carstang."

He sat holding the girl's hands and never swerving a glance from her face, which was weirdly pallid—the face of her spirit. He felt himself enveloped and possessed by her, his will subject to her will. He said within himself, voicelessly: "I love you. I love the firm chin, the wilful lower lip, and the Cupid's bow of the upper lip. I love the oval of your cheeks, the curve of your ears, the etched eyebrows, and all the little curls on your temples. I love the proud nose and most beautiful forehead. Every blond hair on that dear head is mine! Its upward tilt on the long throat is adorable! Have you any gesture or personal trait which does not thrill me? But best of all, because through them you yourself look at me, revealing more than you think, I adore your blue eyes."

"What are you thinking?" demanded Lily.

"Of a man who lay face downward far out in the desert, and had not a drop of water to moisten his lips."

"Is he in your story?"

"Yes, he is in my story."

"I thought perhaps you didn't want me to come here any more," she said.

"You didn't think so!" flashed Maurice.

"But you turned your cheek to me the last time I was here. You were too busy to do more than speak."

Voicelessly he said: "I lay under your feet, my life, my love! You walked on me and never knew it." Aloud he answered: "Was I so detestable? Forgive me. I am trying to learn self-control."

"You are all self-control! If you have feeling, you manage very well to conceal it."

"God grant it!" he said, in silence, behind his lips. "For the touch of your hand is rapture. My God! how hard it is to love so much and be still!" Aloud he said, "Don't you know the great mass of human beings are obliged to conceal their feelings because they have not the gift of expression?"

"Yes, I know," answered Lily, defiantly.

"But that can never be said of you," Maurice went on. "For you are so richly endowed with expression that your problem is how to mask it."

"Are you coming down the trail with me? It is sunset, and time to shut the study for the day."

He prepared at once to leave his den, and they went out together on the trail, lingering step by step. Though it was the heart of the island summer, the maples still had tender pink leaves at the extremities of branches; and the trail looked wild and fresh as if that hour tunnelled through the wilderness. Sunset tried to penetrate western stretches with level shafts, but none reached the darkening path where twilight already purpled the hollows.

The night coolness was like respite after burning pain. Maurice wondered how close he might draw this changeful girl to him without again losing her. He had compared her to a wild sweetbrier-rose. She was a hundred-leaved rose, hiding innumerable natures in her depths.

They passed the dead pines, crossed the rotten log, and came silently within sight of the Indian on the trail, but neither of them noted it. The Indian stood stencilled against a background of primrose light, his bow magnified.

It was here that Maurice felt the slight elastic body sag upon his arm.

"I am tired," said Lily. "I have been working so hard to amuse your friends!"

"Would that I were my friends!" responded Maurice. He said, silently: "I love you! I wonder if I shall ever learn to love you less?"

The unspoken appeal of her swaying figure put him off his guard, and he found himself holding her, the very depths of his passion rushing out with the force of lava.

"It is you I want!—the you that is not any other person on earth or in the universe! Whatever it is—the identity—the spirit—that is you—the you that was mated with me in other lives—that I have sought—will seek —must have, whatever the price in time and anguish!—understand!—there is nobody but you!"

Tears oozed from under her closed lids. She lay in his arms passive, as in a half-swoon.

"You do the talking," she breathed. "I do the loving!"

Without opening her eyes she met him with her perfect mouth, and gave herself to him in a kiss. He understood a spirit so passionately reticent that it denied to itself its own inward motions. The wilfulness of a solitary exalted nature melted in that kiss. All the soft curves of her face concealed and belied the woman who opened "her wild blue eyes and looked at him, passionately adoring, fierce for her own, yet doubtful of fate

"If I let you know that I loved you all I do, you would tire of me!"

"How can you say I could ever tire of you?"

"I know it! When you are not quite sure of me, you love me best!"

Maurice laughed against her lips. "You said that was the Indian on the trail—my never being quite sure of you! Will you take an oath with me?"

"Yes."

"This is the oath: I swear before God that I love you more than any one else on earth; more than any one else in the universe."

She repeated: "I swear before God that I love you more than any one else on earth; more than any one else in the universe!"

Maurice held her blond head against his breast, quivering through flesh and spirit. That was the moment of life. What was conquering the dense resistance of material things, or coming off victor in bouts with men? The moment of life is when the infinite sea opens before the lover.

The heart of the island held them like the heart of Allah. The pines sang around them.

"We must go on," spoke Lily. "It is so dark we can't see the Indian on the trail."

"There isn't any Indian on the trail now," laughed Maurice. "You can never frighten me with him again."



"THAT WAS THE MOMENT OF LIFE"

Updated editions will replace the previous one—the old editions will be renamed.

Creating the works from print editions not protected by U.S. copyright law means that no one owns a United States copyright in these works, so the Foundation (and you!) can copy and distribute it in the United States without permission and without paying copyright royalties. Special rules, set forth in the General Terms of Use part of this license, apply to copying and distributing Project Gutenberg™ electronic works to protect the PROJECT GUTENBERG™ concept and trademark. Project Gutenberg is a registered trademark, and may not be used if you charge for an eBook, except by following the terms of the trademark license, including paying royalties for use of the Project Gutenberg trademark. If you do not charge anything for copies of this eBook, complying with the trademark license is very easy. You may use this eBook for nearly any purpose such as creation of derivative works, reports, performances and research. Project Gutenberg eBooks may be modified and printed and given away—you may do practically ANYTHING in the United States with eBooks not protected by U.S. copyright law. Redistribution is subject to the trademark license, especially commercial redistribution.

START: FULL LICENSE THE FULL PROJECT GUTENBERG LICENSE PLEASE READ THIS BEFORE YOU DISTRIBUTE OR USE THIS WORK

To protect the Project GutenbergTM mission of promoting the free distribution of electronic works, by using or distributing this work (or any other work associated in any way with the phrase "Project Gutenberg"), you agree to comply with all the terms of the Full Project GutenbergTM License available with this file or online at www.gutenberg.org/license.

Section 1. General Terms of Use and Redistributing Project Gutenberg $^{\scriptscriptstyle\mathsf{TM}}$ electronic works

- 1.A. By reading or using any part of this Project GutenbergTM electronic work, you indicate that you have read, understand, agree to and accept all the terms of this license and intellectual property (trademark/copyright) agreement. If you do not agree to abide by all the terms of this agreement, you must cease using and return or destroy all copies of Project GutenbergTM electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project GutenbergTM electronic work and you do not agree to be bound by the terms of this agreement, you may obtain a refund from the person or entity to whom you paid the fee as set forth in paragraph 1.E.8.
- 1.B. "Project Gutenberg" is a registered trademark. It may only be used on or associated in any way with an electronic work by people who agree to be bound by the terms of this agreement. There are a few things that you can do with most Project Gutenberg $^{\text{\tiny TM}}$ electronic works even without complying with the full terms of this agreement. See paragraph 1.C below. There are a lot of things you can do with Project Gutenberg $^{\text{\tiny TM}}$ electronic works if you follow the terms of this agreement and help preserve free future access to Project Gutenberg $^{\text{\tiny TM}}$ electronic works. See paragraph 1.E below.
- 1.C. The Project Gutenberg Literary Archive Foundation ("the Foundation" or PGLAF), owns a compilation copyright in the collection of Project Gutenberg $^{\text{TM}}$ electronic works. Nearly all the individual works in the collection are in the public domain in the United States. If an individual work is unprotected by copyright law in the United States and you are located in the United States, we do not claim a right to prevent you from copying, distributing, performing, displaying or creating derivative works based on the work as long as all references to Project Gutenberg are removed. Of course, we hope that you will support the Project Gutenberg $^{\text{TM}}$ mission of promoting free access to electronic works by freely sharing Project Gutenberg $^{\text{TM}}$ works in compliance with the terms of this agreement for keeping the Project Gutenberg $^{\text{TM}}$ name associated with the work. You can easily comply with the terms of this agreement by keeping this work in the same format with its attached full Project Gutenberg $^{\text{TM}}$ License when you share it without charge with others.
- 1.D. The copyright laws of the place where you are located also govern what you can do with this work. Copyright laws in most countries are in a constant state of change. If you are outside the United States, check the laws of your country in addition to the terms of this agreement before downloading, copying, displaying, performing, distributing or creating derivative works based on this work or any other Project Gutenberg $^{\text{TM}}$ work. The Foundation makes no representations concerning the copyright status of any work in any country other than the United States.
- 1.E. Unless you have removed all references to Project Gutenberg:
- 1.E.1. The following sentence, with active links to, or other immediate access to, the full Project Gutenberg^{TM} License must appear prominently whenever any copy of a Project Gutenberg^{TM} work (any work on which the phrase "Project Gutenberg" appears, or with which the phrase "Project Gutenberg" is associated) is accessed, displayed, performed, viewed, copied or distributed:

This eBook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.org. If you are not located in the United States, you will have to check the laws of the country where you are located before using this eBook.

1.E.2. If an individual Project Gutenberg[™] electronic work is derived from texts not protected by U.S.

copyright law (does not contain a notice indicating that it is posted with permission of the copyright holder), the work can be copied and distributed to anyone in the United States without paying any fees or charges. If you are redistributing or providing access to a work with the phrase "Project Gutenberg" associated with or appearing on the work, you must comply either with the requirements of paragraphs 1.E.1 through 1.E.7 or obtain permission for the use of the work and the Project GutenbergTM trademark as set forth in paragraphs 1.E.8 or 1.E.9.

- 1.E.3. If an individual Project GutenbergTM electronic work is posted with the permission of the copyright holder, your use and distribution must comply with both paragraphs 1.E.1 through 1.E.7 and any additional terms imposed by the copyright holder. Additional terms will be linked to the Project GutenbergTM License for all works posted with the permission of the copyright holder found at the beginning of this work.
- 1.E.4. Do not unlink or detach or remove the full Project GutenbergTM License terms from this work, or any files containing a part of this work or any other work associated with Project GutenbergTM.
- 1.E.5. Do not copy, display, perform, distribute or redistribute this electronic work, or any part of this electronic work, without prominently displaying the sentence set forth in paragraph 1.E.1 with active links or immediate access to the full terms of the Project Gutenberg^m License.
- 1.E.6. You may convert to and distribute this work in any binary, compressed, marked up, nonproprietary or proprietary form, including any word processing or hypertext form. However, if you provide access to or distribute copies of a Project GutenbergTM work in a format other than "Plain Vanilla ASCII" or other format used in the official version posted on the official Project GutenbergTM website (www.gutenberg.org), you must, at no additional cost, fee or expense to the user, provide a copy, a means of exporting a copy, or a means of obtaining a copy upon request, of the work in its original "Plain Vanilla ASCII" or other form. Any alternate format must include the full Project GutenbergTM License as specified in paragraph 1.E.1.
- 1.E.7. Do not charge a fee for access to, viewing, displaying, performing, copying or distributing any Project GutenbergTM works unless you comply with paragraph 1.E.8 or 1.E.9.
- 1.E.8. You may charge a reasonable fee for copies of or providing access to or distributing Project Gutenberg $^{\text{\tiny TM}}$ electronic works provided that:
- You pay a royalty fee of 20% of the gross profits you derive from the use of Project Gutenberg[™] works calculated using the method you already use to calculate your applicable taxes. The fee is owed to the owner of the Project Gutenberg[™] trademark, but he has agreed to donate royalties under this paragraph to the Project Gutenberg Literary Archive Foundation. Royalty payments must be paid within 60 days following each date on which you prepare (or are legally required to prepare) your periodic tax returns. Royalty payments should be clearly marked as such and sent to the Project Gutenberg Literary Archive Foundation at the address specified in Section 4, "Information about donations to the Project Gutenberg Literary Archive Foundation."
- You provide a full refund of any money paid by a user who notifies you in writing (or by e-mail) within 30 days of receipt that s/he does not agree to the terms of the full Project Gutenberg™ License. You must require such a user to return or destroy all copies of the works possessed in a physical medium and discontinue all use of and all access to other copies of Project Gutenberg™ works.
- You provide, in accordance with paragraph 1.F.3, a full refund of any money paid for a work or a replacement copy, if a defect in the electronic work is discovered and reported to you within 90 days of receipt of the work.
- You comply with all other terms of this agreement for free distribution of Project Gutenberg™ works.
- 1.E.9. If you wish to charge a fee or distribute a Project Gutenberg[™] electronic work or group of works on different terms than are set forth in this agreement, you must obtain permission in writing from the Project Gutenberg Literary Archive Foundation, the manager of the Project Gutenberg[™] trademark. Contact the Foundation as set forth in Section 3 below.

1.F.

- 1.F.1. Project Gutenberg volunteers and employees expend considerable effort to identify, do copyright research on, transcribe and proofread works not protected by U.S. copyright law in creating the Project Gutenberg^{TM} collection. Despite these efforts, Project Gutenberg^{TM} electronic works, and the medium on which they may be stored, may contain "Defects," such as, but not limited to, incomplete, inaccurate or corrupt data, transcription errors, a copyright or other intellectual property infringement, a defective or damaged disk or other medium, a computer virus, or computer codes that damage or cannot be read by your equipment.
- 1.F.2. LIMITED WARRANTY, DISCLAIMER OF DAMAGES Except for the "Right of Replacement or Refund" described in paragraph 1.F.3, the Project Gutenberg Literary Archive Foundation, the owner of the Project Gutenberg™ trademark, and any other party distributing a Project Gutenberg™ electronic work under this agreement, disclaim all liability to you for damages, costs and expenses, including legal fees. YOU AGREE THAT YOU HAVE NO REMEDIES FOR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTY OR BREACH OF CONTRACT EXCEPT THOSE PROVIDED IN PARAGRAPH 1.F.3. YOU AGREE THAT THE FOUNDATION, THE TRADEMARK OWNER, AND ANY DISTRIBUTOR UNDER THIS

AGREEMENT WILL NOT BE LIABLE TO YOU FOR ACTUAL, DIRECT, INDIRECT, CONSEQUENTIAL, PUNITIVE OR INCIDENTAL DAMAGES EVEN IF YOU GIVE NOTICE OF THE POSSIBILITY OF SUCH DAMAGE.

- 1.F.3. LIMITED RIGHT OF REPLACEMENT OR REFUND If you discover a defect in this electronic work within 90 days of receiving it, you can receive a refund of the money (if any) you paid for it by sending a written explanation to the person you received the work from. If you received the work on a physical medium, you must return the medium with your written explanation. The person or entity that provided you with the defective work may elect to provide a replacement copy in lieu of a refund. If you received the work electronically, the person or entity providing it to you may choose to give you a second opportunity to receive the work electronically in lieu of a refund. If the second copy is also defective, you may demand a refund in writing without further opportunities to fix the problem.
- 1.F.4. Except for the limited right of replacement or refund set forth in paragraph 1.F.3, this work is provided to you 'AS-IS', WITH NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PURPOSE.
- 1.F.5. Some states do not allow disclaimers of certain implied warranties or the exclusion or limitation of certain types of damages. If any disclaimer or limitation set forth in this agreement violates the law of the state applicable to this agreement, the agreement shall be interpreted to make the maximum disclaimer or limitation permitted by the applicable state law. The invalidity or unenforceability of any provision of this agreement shall not void the remaining provisions.
- 1.F.6. INDEMNITY You agree to indemnify and hold the Foundation, the trademark owner, any agent or employee of the Foundation, anyone providing copies of Project Gutenberg[™] electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project Gutenberg[™] electronic works, harmless from all liability, costs and expenses, including legal fees, that arise directly or indirectly from any of the following which you do or cause to occur: (a) distribution of this or any Project Gutenberg[™] work, (b) alteration, modification, or additions or deletions to any Project Gutenberg[™] work, and (c) any Defect you cause.

Section 2. Information about the Mission of Project Gutenberg[™]

Project Gutenberg^m is synonymous with the free distribution of electronic works in formats readable by the widest variety of computers including obsolete, old, middle-aged and new computers. It exists because of the efforts of hundreds of volunteers and donations from people in all walks of life.

Volunteers and financial support to provide volunteers with the assistance they need are critical to reaching Project GutenbergTM 's goals and ensuring that the Project GutenbergTM collection will remain freely available for generations to come. In 2001, the Project Gutenberg Literary Archive Foundation was created to provide a secure and permanent future for Project GutenbergTM and future generations. To learn more about the Project Gutenberg Literary Archive Foundation and how your efforts and donations can help, see Sections 3 and 4 and the Foundation information page at www.gutenberg.org.

Section 3. Information about the Project Gutenberg Literary Archive Foundation

The Project Gutenberg Literary Archive Foundation is a non-profit 501(c)(3) educational corporation organized under the laws of the state of Mississippi and granted tax exempt status by the Internal Revenue Service. The Foundation's EIN or federal tax identification number is 64-6221541. Contributions to the Project Gutenberg Literary Archive Foundation are tax deductible to the full extent permitted by U.S. federal laws and your state's laws.

The Foundation's business office is located at 809 North 1500 West, Salt Lake City, UT 84116, (801) 596-1887. Email contact links and up to date contact information can be found at the Foundation's website and official page at www.gutenberg.org/contact

Section 4. Information about Donations to the Project Gutenberg Literary Archive Foundation

Project GutenbergTM depends upon and cannot survive without widespread public support and donations to carry out its mission of increasing the number of public domain and licensed works that can be freely distributed in machine-readable form accessible by the widest array of equipment including outdated equipment. Many small donations (\$1\$ to \$5,000) are particularly important to maintaining tax exempt status with the IRS.

The Foundation is committed to complying with the laws regulating charities and charitable donations in all 50 states of the United States. Compliance requirements are not uniform and it takes a considerable effort, much paperwork and many fees to meet and keep up with these requirements. We do not solicit donations in locations where we have not received written confirmation of compliance. To SEND DONATIONS or determine the status of compliance for any particular state visit www.gutenberg.org/donate.

While we cannot and do not solicit contributions from states where we have not met the solicitation requirements, we know of no prohibition against accepting unsolicited donations from donors in such states who approach us with offers to donate.

International donations are gratefully accepted, but we cannot make any statements concerning tax treatment of donations received from outside the United States. U.S. laws alone swamp our small staff.

Please check the Project Gutenberg web pages for current donation methods and addresses. Donations are accepted in a number of other ways including checks, online payments and credit card donations. To donate, please visit: www.gutenberg.org/donate

Section 5. General Information About Project Gutenberg™ electronic works

Professor Michael S. Hart was the originator of the Project GutenbergTM concept of a library of electronic works that could be freely shared with anyone. For forty years, he produced and distributed Project GutenbergTM eBooks with only a loose network of volunteer support.

Project GutenbergTM eBooks are often created from several printed editions, all of which are confirmed as not protected by copyright in the U.S. unless a copyright notice is included. Thus, we do not necessarily keep eBooks in compliance with any particular paper edition.

Most people start at our website which has the main PG search facility: www.gutenberg.org.

This website includes information about Project Gutenberg[™], including how to make donations to the Project Gutenberg Literary Archive Foundation, how to help produce our new eBooks, and how to subscribe to our email newsletter to hear about new eBooks.