

## The Project Gutenberg eBook of The Talkative Tree

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](http://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 Talkative Tree

Author: H. B. Fyfe

Release date: December 8, 2007 [eBook #23767]

Language: English

Credits: Produced by Robert Cicconetti, Jana Srna and the Online Distributed Proofreading Team at <http://www.pgdp.net>

\*\*\* START OF THE PROJECT GUTENBERG EBOOK THE TALKATIVE TREE \*\*\*

By H. B. Fyfe

# THE TALKATIVE TREE

**Dang vines! Beats all how some  
plants have no manners—but what  
do you expect, when they used to be  
men!**

ALL things considered—the obscure star, the undetermined damage to the stellar drive and the way the small planet's murky atmosphere defied precision scanners—the pilot made a reasonably good landing. Despite sour feelings for the space service of Haurtoz, steward Peter Kolin had to admit that casualties might have been far worse.

Chief Steward Slichow led his little command, less two third-class ration keepers thought to have been trapped in the lower hold, to a point two hundred meters from the steaming hull of the *Peace State*. He lined them up as if on parade. Kolin made himself inconspicuous.

"Since the crew will be on emergency watches repairing the damage," announced the Chief in clipped, aggressive tones, "I have volunteered my section for preliminary scouting, as is suitable. It may be useful to discover temporary sources in this area of natural foods."

*Volunteered HIS section!* thought Kolin rebelliously.

*Like the Supreme Director of Haurtoz! Being conscripted into this idiotic space fleet that never fights is bad enough without a tin god on jets like Slichow!*

Prudently, he did not express this resentment overtly.

His well-schooled features revealed no trace of the idea—or of any other idea. The Planetary State of Haurtoz had been organized some fifteen light-years from old Earth, but many of the home world's less kindly techniques had been employed. Lack of complete loyalty to the state was likely to result in a siege of treatment that left the subject suitably "re-personalized." Kolin had heard of instances wherein mere unenthusiastic posture had betrayed intentions to harbor treasonable thoughts.

"You will scout in five details of three persons each," Chief Slichow said. "Every hour, each detail will send one person in to report, and he will be replaced by one of the

five I shall keep here to issue rations."

Kolin permitted himself to wonder when anyone might get some rest, but assumed a mildly willing look. (Too eager an attitude could arouse suspicion of disguising an improper viewpoint.) The maintenance of a proper viewpoint was a necessity if the Planetary State were to survive the hostile plots of Earth and the latter's decadent colonies. That, at least, was the official line.

Kolin found himself in a group with Jak Ammet, a third cook, and Eva Yrtok, powdered foods storekeeper. Since the crew would be eating packaged rations during repairs, Yrtok could be spared to command a scout detail.

Each scout was issued a rocket pistol and a plastic water tube. Chief Slichow emphasized that the keepers of rations could hardly, in an emergency, give even the appearance of favoring themselves in regard to food. They would go without. Kolin maintained a standard expression as the Chief's sharp stare measured them.

Yrtok, a dark, lean-faced girl, led the way with a quiet monosyllable. She carried the small radio they would be permitted to use for messages of utmost urgency. Ammet followed, and Kolin brought up the rear.

**T**O reach their assigned sector, they had to climb a forbidding ridge of rock within half a kilometer. Only a sparse creeper grew along their way, its elongated leaves shimmering with bronze-green reflections against a stony surface; but when they topped the ridge a thick forest was in sight.

Yrtok and Ammet paused momentarily before descending.

Kolin shared their sense of isolation. They would be out of sight of authority and responsible for their own actions. It was a strange sensation.

They marched down into the valley at a brisk pace, becoming more aware of the clouds and atmospheric haze. Distant objects seemed blurred by the mist, taking on a somber, brooding grayness. For all Kolin could tell, he and the others were isolated in a world bounded by the rocky ridge behind them and a semi-circle of damp trees and bushes several hundred meters away. He suspected that the hills rising mistily ahead were part of a continuous slope, but could not be sure.

Yrtok led the way along the most nearly level ground. Low creepers became more plentiful, interspersed with scrubby thickets of tangled, spike-armored bushes. Occasionally, small flying things flickered among the foliage. Once, a shrub puffed out an enormous cloud of tiny spores.

"Be a job to find anything edible here," grunted Ammet, and Kolin agreed.

Finally, after a longer hike than he had anticipated, they approached the edge of the deceptively distant forest. Yrtok paused to examine some purple berries glistening dangerously on a low shrub. Kolin regarded the trees with misgiving.

"Looks as tough to get through as a tropical jungle," he remarked.

"I think the stuff puts out shoots that grow back into the ground to root as they spread," said the woman. "Maybe we can find a way through."

In two or three minutes, they reached the abrupt border of the odd-looking trees.

Except for one thick trunked giant, all of them were about the same height. They craned their necks to estimate the altitude of the monster, but the top was hidden by the wide spread of branches. The depths behind it looked dark and impenetrable.

"We'd better explore along the edge," decided Yrtok. "Ammet, now is the time to go back and tell the Chief which way we're—*Ammet!*"

Kolin looked over his shoulder. Fifty meters away, Ammet sat beside the bush with the purple berries, utterly relaxed.

"He must have tasted some!" exclaimed Kolin. "I'll see how he is."

He ran back to the cook and shook him by the shoulder. Ammet's head lolled loosely to one side. His rather heavy features were vacant, lending him a doped appearance. Kolin straightened up and beckoned to Yrtok.

For some reason, he had trouble attracting her attention. Then he noticed that she was kneeling.

"Hope she didn't eat some stupid thing too!" he grumbled, trotting back.

As he reached her, whatever Yrtok was examining came to life and scooted into the underbrush with a flash of greenish fur. All Kolin saw was that it had several legs too many.

He pulled Yrtok to her feet. She pawed at him weakly, eyes as vacant as Ammet's. When he let go in sudden horror, she folded gently to the ground. She lay comfortably on her side, twitching one hand as if to brush something away.

When she began to smile dreamily, Kolin backed away.

THE corners of his mouth felt oddly stiff; they had involuntarily drawn back to expose his clenched teeth. He glanced warily about, but nothing appeared to threaten him.

"It's time to end this scout," he told himself. "It's dangerous. One good look and I'm jetting off! What I need is an easy tree to climb."

He considered the massive giant. Soaring thirty or forty meters into the thin fog and dwarfing other growth, it seemed the most promising choice.

At first, Kolin saw no way, but then the network of vines clinging to the rugged trunk suggested a route. He tried his weight gingerly, then began to climb.

"I should have brought Yrtok's radio," he muttered. "Oh, well, I can take it when I come down, if she hasn't snapped out of her spell by then. Funny ... I wonder if that green thing bit her."

Footholds were plentiful among the interlaced lianas. Kolin progressed rapidly. When he reached the first thick limbs, twice head height, he felt safer.

Later, at what he hoped was the halfway mark, he hooked one knee over a branch and paused to wipe sweat from his eyes. Peering down, he discovered the ground to be obscured by foliage.

"I should have checked from down there to see how open the top is," he mused. "I wonder how the view will be from up there?"

"Depends on what you're looking for, Sonny!" something remarked in a souging wheeze.

Kolin, slipping, grabbed desperately for the branch. His fingers clutched a handful of twigs and leaves, which just barely supported him until he regained a grip with the other hand.

The branch quivered resentfully under him.

"Careful, there!" whooshed the eerie voice. "It took me all summer to grow those!"

Kolin could feel the skin crawling along his backbone.

"Who *are* you?" he gasped.

The answering sigh of laughter gave him a distinct chill despite its suggestion of amiability.

"Name's Johnny Ashlew. Kinda thought you'd start with *what* I am. Didn't figure you'd ever seen a man grown into a tree before."

Kolin looked about, seeing little but leaves and fog.

"I have to climb down," he told himself in a reasonable tone. "It's bad enough that the other two passed out without me going space happy too."

"What's your hurry?" demanded the voice. "I can talk to you just as easy all the way down, you know. Airholes in my bark—I'm not like an Earth tree."

Kolin examined the bark of the crotch in which he sat. It did seem to have assorted holes and hollows in its rough surface.

"I never saw an Earth tree," he admitted. "We came from Haurtoz."

"Where's that? Oh, never mind—some little planet. I don't bother with them all, since I came here and found out I could be anything I wanted."

"What do you mean, anything you wanted?" asked Kolin, testing the firmness of a vertical vine.

"JUST what I said," continued the voice, sounding closer in his ear as his cheek brushed the ridged bark of the tree trunk. "And, if I do have to remind you, it would be nicer if you said 'Mr. Ashlew,' considering my age."

"Your age? How old—?"

"Can't really count it in Earth years any more. Lost track. I always figured bein' a tree was a nice, peaceful life; and when I remembered how long some of them live, that settled it. Sonny, this world ain't all it looks like."

"It isn't, Mr. Ashlew?" asked Kolin, twisting about in an effort to see what the higher branches might hide.

"Nope. Most everything here is run by the Life—that is, by the thing that first grew big enough to do some thinking, and set its roots down all over until it had control. That's the outskirts of it down below."

"The other trees? That jungle?"

"It's more'n a jungle, Sonny. When I landed here, along with the others from the *Arcturan Spark*, the planet looked pretty empty to me, just like it must have to— Watch it, there, Boy! If I didn't twist that branch over in time, you'd be bouncing off my roots right now!"

"Th-thanks!" grunted Kolin, hanging on grimly.

"Doggone vine!" commented the windy whisper. "*He* ain't one of my crowd. Landed years later in a ship from some star towards the center of the galaxy. You should have seen his looks before the Life got in touch with his mind and set up a mental field to help him change form. He looks twice as good as a vine!"

"He's very handy," agreed Kolin politely. He groped for a foothold.

"Well ... matter of fact, I can't get through to him much, even with the Life's mental field helping. Guess he started living with a different way of thinking. It burns me. I thought of being a tree, and then he came along to take advantage of it!"

Kolin braced himself securely to stretch tiring muscles.

"Maybe I'd better stay a while," he muttered. "I don't know where I am."

"You're about fifty feet up," the sighing voice informed him. "You ought to let me tell you how the Life helps you change form. You don't *have* to be a tree."

"No?"

"*Uh-uh!* Some of the boys that landed with me wanted to get around and see things. Lots changed to animals or birds. One even stayed a man—on the outside anyway. Most of them have to change as the bodies wear out, which I don't, and some made bad mistakes tryin' to be things they saw on other planets."

"I wouldn't want to do that, Mr. Ashlew."

"There's just one thing. The Life don't like taking chances on word about this place gettin' around. It sorta believes in peace and quiet. You might not get back to your ship in any form that could tell tales."

"Listen!" Kolin blurted out. "I wasn't so much enjoying being what I was that getting back matters to me!"

"Don't like your home planet, whatever the name was?"

"Haurtoz. It's a rotten place. A Planetary State! You have to think and even look the way that's standard thirty hours a day, asleep or awake. You get scared to sleep for fear you might *dream* treason and they'd find out somehow."

"Whoeeee! Heard about them places. Must be tough just to live."

Suddenly, Kolin found himself telling the tree about life on Haurtoz, and of the officially announced threats to the Planetary State's planned expansion. He dwelt upon the desperation of having no place to hide in case of trouble with the authorities. A multiple system of such worlds was agonizing to imagine.

**S**OMEHOW, the oddity of talking to a tree wore off. Kolin heard opinions spouting out which he had prudently kept bottled up for years.

The more he talked and stormed and complained, the more relaxed he felt.

"If there was ever a fellow ready for this planet," decided the tree named Ashlew, "you're it, Sonny! Hang on there while I signal the Life by root!"

Kolin sensed a lack of direct attention. The rustle about him was natural, caused by an ordinary breeze. He noticed his hands shaking.

"Don't know what got into me, talking that way to a tree," he muttered. "If Yrtok snapped out of it and heard, I'm as good as re-personalized right now."

As he brooded upon the sorry choice of arousing a search by hiding where he was or going back to bluff things out, the tree spoke.

"Maybe you're all set, Sonny. The Life has been thinkin' of learning about other worlds. If you can think of a safe form to jet off in, you might make yourself a deal. How'd you like to stay here?"

"I don't know," said Kolin. "The penalty for desertion—"

"Whoosh! Who'd find you? You could be a bird, a tree, even a cloud."

Silenced but doubting, Kolin permitted himself to try the dream on for size.

He considered what form might most easily escape the notice of search parties and still be tough enough to live a long time without renewal. Another factor slipped into his musings: mere hope of escape was unsatisfying after the outburst that had defined his fuming hatred for Haurtoz.

*I'd better watch myself!* he thought. *Don't drop diamonds to grab at stars!*

"What I wish I could do is not just get away but get even for the way they make us live ... the whole damn set-up. They could just as easy make peace with the Earth colonies. You know why they don't?"

"Why?" wheezed Ashlew.

"They're scared that without talk of war, and scouting for Earth fleets that never come, people would have time to think about the way they have to live and who's running things in the Planetary State. Then the gravy train would get blown up—and I mean blown up!"

The tree was silent for a moment. Kolin felt the branches stir meditatively. Then Ashlew offered a suggestion.

"I could tell the Life your side of it," he hissed. "Once in with us, you can always make thinking connections, no matter how far away. Maybe you could make a deal to kill two birds with one stone, as they used to say on Earth...."

CHIEF Steward Slichow paced up and down beside the ration crate turned up to serve him as a field desk. He scowled in turn, impartially, at his watch and at the weary stewards of his headquarters detail. The latter stumbled about, stacking and distributing small packets of emergency rations.

The line of crewmen released temporarily from repair work was transient as to individuals but immutable as to length. Slichow muttered something profane about disregard of orders as he glared at the rocky ridges surrounding the landing place.

He was so intent upon planning greetings with which to favor the tardy scouting parties that he failed to notice the loose cloud drifting over the ridge.

It was tenuous, almost a haze. Close examination would have revealed it to be made up of myriads of tiny spores. They resembled those cast forth by one of the bushes Kolin's party had passed. Along the edges, the haze faded raggedly into thin air, but the units evidently formed a cohesive body. They drifted together, approaching the men as if taking intelligent advantage of the breeze.

One of Chief Slichow's staggering flunkies, stealing a few seconds of relaxation on the pretext of dumping an armful of light plastic packing, wandered into the haze.

He froze.

After a few heartbeats, he dropped the trash and stared at ship and men as if he had never seen either. A hail from his master moved him.

"Coming, Chief!" he called but, returning at a moderate pace, he murmured, "My name is Frazer. I'm a second assistant steward. I'll think as Unit One."

Throughout the cloud of spores, the mind formerly known as Peter Kolin congratulated itself upon its choice of form.

*Nearer to the original shape of the Life than Ashlew got,* he thought.

He paused to consider the state of the tree named Ashlew, half immortal but rooted to one spot, unable to float on a breeze or through space itself on the pressure of light. Especially, it was unable to insinuate any part of itself into the control center of another form of life, as a second spore was taking charge of the body of Chief Slichow at that very instant.

*There are not enough men,* thought Kolin. *Some of me must drift through the airlock. In space, I can spread through the air system to the command group.*

Repairs to the *Peace State* and the return to Haurtoz passed like weeks to some of the crew but like brief moments in infinity to other units. At last, the ship parted the air above Headquarters City and landed.

The unit known as Captain Theodor Kessel hesitated before descending the ramp. He surveyed the field, the city and the waiting team of inspecting officers.

"Could hardly be better, could it?" he chuckled to the companion unit called Security Officer Tarth.

"Hardly, sir. All ready for the liberation of Haurtoz."

"Reformation of the Planetary State," mused the captain, smiling dreamily as he grasped the handrail. "And then—formation of the Planetary Mind!"

**END**

**Transcriber's Note:**

This e-text was produced from *Worlds of If January 1962*. Extensive research did not uncover any evidence that the U.S. copyright on this publication was renewed.

\*\*\* END OF THE PROJECT GUTENBERG EBOOK THE TALKATIVE TREE \*\*\*

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 Gutenberg™ 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 Gutenberg™ License available with this file or online at [www.gutenberg.org/license](http://www.gutenberg.org/license).

**Section 1. General Terms of Use and Redistributing Project Gutenberg™ electronic works**

1.A. By reading or using any part of this Project Gutenberg™ 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 Gutenberg™ electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project Gutenberg™ 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™ 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™ electronic works if you follow the terms of this agreement and help preserve free future access to Project Gutenberg™ 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™ 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™ mission of promoting free access to electronic works by freely sharing Project Gutenberg™ works in compliance with the terms of this agreement for keeping the Project Gutenberg™ 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™ 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™ 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™ License must appear prominently whenever any copy of a Project Gutenberg™ 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](http://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 Gutenberg™ trademark as set forth in paragraphs 1.E.8 or 1.E.9.

1.E.3. If an individual Project Gutenberg™ 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 Gutenberg™ 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 Gutenberg™ License

terms from this work, or any files containing a part of this work or any other work associated with Project Gutenberg™.

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™ 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 Gutenberg™ work in a format other than “Plain Vanilla ASCII” or other format used in the official version posted on the official Project Gutenberg™ 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 Gutenberg™ 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 Gutenberg™ 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™ 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™ collection. Despite these efforts, Project Gutenberg™ 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™ 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 Gutenberg™'s goals and ensuring that the Project Gutenberg™ 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 Gutenberg™ 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](http://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](http://www.gutenberg.org/contact)

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

Project Gutenberg™ 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](http://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](http://www.gutenberg.org/donate)

## **Section 5. General Information About Project Gutenberg™ electronic works**

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

Project Gutenberg™ 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](http://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.