

## The Project Gutenberg eBook of My First Battle: A Sergeant's Story

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: My First Battle: A Sergeant's Story

Author: Adam Mickiewicz  
Translator: Jimmy O'Regan

Release date: March 7, 2009 [eBook #28277]

Language: English

\*\*\* START OF THE PROJECT GUTENBERG EBOOK MY FIRST BATTLE: A SERGEANT'S STORY  
\*\*\*

---

Adam Mickiewicz

### MY FIRST BATTLE

### A SERGEANT'S STORY

---

They envy Attila, who fought a thousand battles, and in the thousandth still felt that, which he called *gaudia certaminum*, that is, the delight in the slaughter. Oh, that old general was a lecher of blood. As far as I am concerned, holding the rank of light artillery sergeant, I confess, that I was truly in love with war, but only during the first week of my military career, and that only one single time I tasted Attila's delight. For this reason my honeymoon and first battle will never leave my memory.

The first battle has the most particular similarity to first love. How many hopes! how many illusions! before this ceremonial action, which resolves the fate of nations, any recruit feels obliged to play at least a role... as a hero of history or a romance.

It finally comes to the trial and you stand before it with impatience and a certain anxiety, experiencing once mortal terror, then again a crazed joy; now fear pierces you, now the pride of the triumphant picks you up.. In one hour you pass through crowds of emotions, and you collect keepsakes for your whole life! but in order to feel it in full force, you must have the heart of a virgin, the heart of a recruit.

Someone said that every man can compose a good romance, telling only the simple story of his first love. This insight encouraged me to describe the first battle, in which I was. You need to know that this battle is only an episode of a famous war, that in it we achieved a great victory, and that in its time it won us the admiration of the European people. Admittedly, these are times long past, because people have well forgotten both about our defeats and about our triumphs. In spite of this, the Polish soldier will never forget about the Battle of Stoczek.

After the revolution of the 29th of November<sup>1</sup>, I decided to join the ranks, and I pondered, whether to the infantry, or to the cavalry? To make a definite choice, I ran through the streets of Warsaw, eyeing closely the uniforms of several regiments. I stopped ahead of a battalion of grenadiers, who marched in tight rows, silently, in order and seriously. Each moustachiod, with chevrons on his shoulders. These were the remains of the Napoleonic legions. As they passed,

they were yielded to with the utmost respect, and they were whispering in the crowd: "There are my soldiers! there are our defenders!" I envy them, I thought, it's a beautiful thing to be a grenadier! And I approached the division, and having taken the place beside the drummer, I marched in the grenadiers' step, singling out the commander, to whom I immediately wished to offer my services.

Suddenly, on the other side of the street, a new military meteor appeared to me. He was a Krakus<sup>2</sup> on a white horse, in a white *sukmana*<sup>3</sup>, in a red cap with a white feather, which cut like a swan through black waves of crowding townsfolk. He turned his horse beautifully; he welcomed pedestrians with a nod, with cavalymen squeezed hands, and to beautiful ladies, standing in windows, sent grateful kisses. All eyes turned towards him; men clapped, women smiled in silence; and the beautiful Krakus became the god of the moment.

It came to my mind right away, that a Krakus' uniform at my age and height would suit me better, and so my true calling manifested itself: God had made me a Krakus!

So I turned in the direction of the cavalry barracks; but halfway across the road I fell into the immeasurable crowd who captured me into itself and bore towards the tollbooths. The people pressed to meet the newly approaching rows. A stranger figure rode at the front; it was it is an old Capuchin in habit and on a horse, in one hand a lance and the other blessing people with a cross, who kissed his legs. Behind the Capuchin followed a thousand archers from the Augustów forests. They had slung double-barrelled guns and badger skin bags with claws and bared teeth, whitening on green jackets. Another thousand villagers, armed with crooked scythes and axes, brought up the rear of the procession. Never had the entrance of the most beautiful regiments, even the entrance of Prince Józef at the head of victorious legions, aroused such enthusiasm, as this, with which the people of Warsaw greeted badger skin bags and bark clogs. Now there wasn't applause, or smiles, but shouts, thundering hurrah! and blessings, mixed with loud crying. Because the people, surprised by their own instincts, could seize the noble and beautiful side of the image. At the sight of these priests, of these farmers who had left monastic cells and their forests, in order to beat the enemies of the homeland, people understood the whole horror of danger, and also comprehended with complete trust that it was the only means of defense.

I was overcome by a sudden temptation to steal immediately behind the scythe or double-barrelled gun and to join the row with the peasants in order to share with them the triumphant entry to the capital. But how to do it? how to fit myself in with the bold and taunting movements of Mazowian scythe-bearers, or the grim expressions and wild shooters from the Nieman? How to match them in the height and breadth of their backs? amongst these giants I would look like a rabbit among wolves. So what will I do with myself? Should I be a Krakus, or a grenadier! This uncertainty cost me dearly.

A colonel of my acquaintance met me in passing, and patting me on the shoulder, said: "I am in command of a guerrilla unit; some of my people have already left for the field, I myself am setting off today from Warsaw, I need gunners; perhaps you know where I can find them?"

"I know about one," I said, assuming a military posture; "you need a gunner, here you have him!"

"Agreed!" the colonel said, "put on a uniform and be at my place this evening at ten o'clock exactly, do you understand?"

Soldiers were being recruited in this manner during the uprising. That day at eleven at night I marched in uniform by the cannons. During the march we trained ourselves in the use of weapons, and I added so much urgency, that after three days I was appointed sergeant and a cannon was placed under my orders. The envious claimed that I had owed my rank to the colonel's peculiar considerations.

After all, I myself was surprised, confused and almost ashamed at such a sudden promotion. My head spun and only after a few hours of astonishment did I start to feel the influence of my new dignity. Involuntarily I adopted a martial and more serious face; having gravely stretched my right hand, I laid it on my property, on the muzzle of the cannon. This large piece of bronze, I thought to myself, will be a pillar in the temple of my fame; will be the first step in my knightly profession, or perhaps even lead me to the throne! A well aimed cannon often settles the fate of a war. And how did Napoleon get his start, if not as a gunner? Full of these dreams I fell in love with my bronze cannon as if with a young girl and from then on I was always beside her. I examined her defects and attributes, I debated character and got to know most precisely her entire composition and nature; physical as moral. She is so well engraved in my memory, that I could paint her portrait from memory. I knew sound of her voice so well that I could have recognised it amongst the roar of the liveliest cannonade, even if it were Leipzig, or Ostrołęka. My beloved cannon! what happened to you? into whose hands did you fall? Certainly nobody will caress you as I did... Only that thought comforts me. She was admittedly a little eight pounder, but to me she was huge, as she was pregnant with my entire future. As well as well settled, simple to manoeuvre and with a strangely accurate shot. A whole day was barely enough for me in fulfilling my duties by the beloved cannon, and at night I didn't stop thinking about the object of my love. And so, one night I dreamed of battle, and who did I see opposite me? Field Marshall von Diebitsch! At once I take aim—poof! and my cannon ball cuts him in two. I took off, to tear off his head and carry it still warm to our Commander-in-Chief, Prince Radziwiłł; but the corpse of von Diebitsch was so heavily defended, that until I awoke completely into reality, instead of the

head of the Muscovite leader, I held the head of the gunner sleeping opposite me. Another night a worse thing happened to me: I dreamed that the Muscovite cavalry fell on us unexpectedly; they killed me in advance, then cut down my gunners, and finally a Muscovite cuirassier mounted my cannon like a horse and started to plug it, looking at me with contemptuous eyes. Then I felt all the torments of the husband of Lucretia and the torments of the father of Virginia. Although I was already a cold and stiff corpse, nevertheless I gathered all my strength to give some sign of life and adjusting to myself, I managed at last to scream so strongly, that I both woke myself and alarmed the entire camp. Having jumped to my feet, and just as day was beginning to break, my eyes seek my cannon and I see with no little joy, that she's there, that she sits free and calm on her carriage.

Her open jaws seemed to draw the coolness of the morning, and the gleaming surface reflected the first rays of sunshine. I lay down again on the wet ground, but this time as a precaution I held on to a spoke.

So passed a whole week, my first week after marrying the beautiful eight pounder: the honeymoon of an artillery sergeant, the happiest week of my life! I kept busy every moment, in the belief that I had already achieved the purpose of my existence in world; my soul went completely into the beloved cannon.

Meanwhile we drew closer and closer to the banks of the Vistula; ice was already giving way in many places and here and there you could see water appearing. Our colonel, with a long pole in his hand, was first to go through the ice, wading in the water up to his knees, then he ordered us to follow him. Follow him with our cannons over such weak ice? At this order I went pale as death, because our entire military future could drown. In the end we passed happily and we stopped on the opposite bank with the shout: Long live Poland!

That same evening saw the joining of the corps, with the front sent from Warsaw. They awaited us impatiently; because young soldiers have an elevated opinion of the power of artillery, and it worried them very much that on the eve of the expected battle they had no cannons. Having heard the rattle of cannon wheels, the whole camp lost possession of itself in joy: "our artillery approaches! Long live the artillery!" they called from all sides and ran to meet us, and placed us in the centre of the camp.

We also enthusiastically greeted our comrades. Until then marching in loneliness, now we were in a crowd of brave soldiers, whose number gave itself significance to the eye. That raised our confidence. Only altogether there weren't more than twelve squadrons, filling a wide area. Proudly we looked at a forest of stuck lances, on which new flags sparkled with colours, still not knowing blood or dust. After a cheerful and grand supper we lay down to sleep, swung with the sound of military music and the singing of the mazurka.

At dawn, when our corps entered the village, mixed shouts reached us. We pulled in; they sent for reconnaissance and it turned out that these were shouts of victory! The first triumph! You should have seen, how pleased we were with them. These Cossacks, bearded, disarmed, walked with heads lowered and with sour expressions. As they went by us, our young soldiers jeered at them, cursed or threatened. And I had a desire to do the same, but the duty attached to the rank didn't permit it, so severely reprimanding them, I said: "Poles! respect misfortune! The fate of war is often doubtful! Death to our enemies! Mercy to the conquered! Long live Poland!"

The soldiers calmed down, taken aback by the nobility of my emotions and sententious eloquence. For some time my attention turned to one old gunner, riding beside me, who constantly climbed in his stirrups, lifted his head, neck craned over the shoulders of his comrades.

"What are you looking at, Mateusz?"

"At those beasts, sergeant, may the hangman take them"... and pointed his finger at hills, which were ahead of us. I saw then, how something was blackening the hilltop. Where they bushes, or the caps of the Muscovite infantry? I didn't have time to look longer, because the officers came running, calling with all their might: "Forward artillery! stand in position!" We moved, every horse jumping. A cannon shot and the ball, having killed one of our horses, rained earth on us and flew onwards, ricocheting. We occupied the hill, directly opposite the enemy, who doubled fire.

A wide plain, surrounded by bushes and forest, stretched before us. In the centre of it, on the hill, rolled a Muscovite battery of twelve heavy gauge cannons who powdered us with cannon balls and grenades. Behind the battery you could see thick ranks of cavalry, standing motionless. Our cavalry similarly stood calmly, leaving time for the operations of the artillery.

I noticed that soldiers of different weapons throughout the battle preserved the stance and the facial expression characteristic of themselves. And as the artilleryman has neither the cavalry's extravagance, nor the infantry's impatience, but attentive to command, fast and accurate amid all the commotion, appearing calm, though his eyes burned with the smoke, bloodshot, eyebrows furrowed, face pale, mouth clenched, speech short and hard, expressing fierce, suppressed and concentrated fury.

In the middle of this fire, even though death swept past their heads, they didn't stop making jokes; every time each cannon ball ricocheted, the young soldiers made a point of talking to it, and to give it advice. A ricocheting cannon ball can be seen from afar, as it jumps across the field, so if it was going to one side, to the left, they were calling to it: "Where are you going, blind man! get to the right!" and if it was going straight, they encouraged it: "good, good!" and so they spoke to it until it fell right in the middle of the enemy line and then they were applauding it.

I don't know now, how many hours that cannonade lasted. Although we passed each other feverishly beside the cannon, in the same way this play lasted too long, to not wish for nightfall. The Russian artillery had an obvious advantage over us, both in numbers, and in cannon gauge. They had already hit a few of our people, many were wounded, but everyone, although extremely tired, equally didn't sink in spirits and nobody even thought about retreat.

Suddenly from the left cannons roared horribly. The Muscovites had placed a new battery right there, which fired at us from the side. We turned two of our cannons against this new threat, with whom we needed to chat; but our position was becoming more and more unpleasant, because six field cannons to answer twenty heavy gauge cannons is no small matter! Our soldiers, at the sight of this imbalance of power, seemed to be stirred. Now their movements weakened, now our shots happened less frequently, and what's more the anecdotes and jokes ceased completely.

It seems that our commander was waiting until the Muscovites separated their forces, in order to profit from that moment and strike them; I suppose, although they aren't tempting themselves to debate the battle plan. I only know that at the most critical moment we heard from the left a horse's hoofbeat, rushing at a gallop and a few minutes later that second battery went silent, when it was conquered.

Our commander turned around and dashed to the main strength of our troops, calling: "Forward at a trot! everyone forward!" And our entire cavalry, drawn up in two rows, moved out, passing our battery. "They're going to charge!" cried our gunners and at once we ceased firing. How did it look? The young lancers with eager gaze, fevered face, burst impatiently forward, but advised or unadvised they still needed to obey the strict orders of the commander, who still repeated: "Trot! forward! trot!" You could see from the movement of the flags, how feverishly the soldiers' hands were twitching. In the end the trumpets sounded, flags descended and now they kicked themselves off towards the enemy. "Forward! Gallop! everyone forward!"

They took off—we stayed by our cannons, doing nothing, and even thinking nothing. The artillery recently so busy and noisy, now seemed to be petrified. Our souls flew far and rested on the tips of the lances. Now the Muscovites are close! Already the Muscovite ranks are deploying, in order to receive them. The gunners climbed on the gun carriages, on the ammunition carts and stare into space, looking ahead with gaping mouths; it was so quiet that you could hear the flight of a fly. Each of us felt, that on this clash hung our fate, the fate of our army, perhaps even our homeland! It was a moment of expectation and terrible uncertainty, luckily lasting only a few minutes. Our cavalry clashed with the Muscovites on the high ground, both lines clashed with each other and mixed.

In the whole of this mass it boiled and the whole mass disappeared, like a dust cloud driven by the wind.

I don't know who, but someone among us shouted at the top of his lungs—that shout broke the deathly silence, because he proclaimed victory, however nobody accompanied him. Because we, young soldiers, still we weren't understanding, nor guessing the outcome of this battle, but besides that we feared to yield to premature joy. "Wait!" someone or other said—"as yet there's nothing certain; nothing to be seen, everyone seems to have disappeared!"

Finally, the part of the mass that we could see, as it vanished from our sight, started to come towards us. By their colours we recognised our lancers and by the war cry: Poland Is Not Yet Lost.<sup>4</sup>

Now there's no doubt, victory is ours! The approaching mass presented a peculiar spectacle. In it you could see a lot of foot soldiers with diverse weapons, in addition wagons, ammunition carts, artillery pieces... There were Muscovite prisoners, captured with the artillery and the whole encampment.

I wouldn't be able to describe our joy, this frantic joy! How can it be! their whole artillery! this mighty artillery in our hands. We rushed headlong upon these cans, pressing them, caressing them, and I myself for a moment forgot about my love, the eight-pounder.

Beautiful they were, these Russian cannons, so huge, new, well mounted and stocked with everything.

"Look, sergeant" the gunner Mateusz called out "look at what red, shining cannons these cursed Muscovites<sup>5</sup> have!"

I started with a delicate hand to stroke the polished bronze surface, and everyone repeated in chorus: "Oh, but how these muscovite cans do shine!" "and what a calibre" noticed one gunner, "that's the calibre for me!" "that's no peashooter!"

I started measuring the muzzle of the cannon, and the soldiers repeated: "those jaws are no joke!"

Then, when we started examining the harness, then again they called as a choir: "Oh, what sturdy straps those cursed Muscovites have!"

Nobody will guess in the end, what caused us the greatest joy; it was none other than ordinary oats, taken as spoils. Our cavalry didn't have any more fodder, but the Muscovites had it in ample amounts; their wagons, caissons, gun carriages even, were full of oats. Soldiers rushed on them hungrily, filling sacks with them, cartridge cases, pockets, and saying that they had never seen such beautiful oats.

The leader rode up and at the sight of him a shout of enthusiasm and worship thundered. Perhaps he was very tired, because despite a cool day, sweat flowed from him in drops.

We surrounded him in a dense crowd. Amid the general commotion and bursts of joy, he alone was calm and silent, though visibly moved.

"My children," he said to us, "I promised to lead you to the enemy; you promised to beat him—and so both you and I have kept our words."

Such was our memorable day at Stoczek. With night falling stories began by the camp's bonfires, there were no listeners, because everyone spoke; everyone bravely acquitted themselves in battle, everyone had jokes—because everyone was happy.

If that blessed hour comes to me, that I can again fight for my country, to see the Muscovite army in panic, to seek out my beloved eight pounder and to hurl cannon balls from it at golden roofs of the Tsarist capital city, then I will call myself happy; but even then I wouldn't be able to feel that, which I experienced in the first battle, in the memorable Battle of Stoczek.

1. 1831.
2. A soldier of the Cracovian cavalry. "Krakus" is an alternative name of *Krak*, the legendary founder of Cracow, and is used to refer to an inhabitant of the city.
3. A type of tunic, of Turkish influence, typical of Cracow.
4. The first line of "Dąbrowski's Mazurka", now the National Anthem of Poland.
5. Untranslatable: Mateusz here uses the non-human form, echoing his earlier use of "beasts"

---

\*\*\* END OF THE PROJECT GUTENBERG EBOOK MY FIRST BATTLE: A SERGEANT'S STORY \*\*\*

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.