### The Project Gutenberg eBook of The Bull-Run Rout, by E. H. Clement

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 reuse it under the terms of the Project Gutenberg License included with this ebook or online at <a href="https://www.gutenberg.org">www.gutenberg.org</a>. 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 Bull-Run Rout **Author**: E. H. Clement

Release Date: June 23, 2010 [EBook #32951]

Language: English

**Credits**: Produced by Ernest Schaal and the Online Distributed Proofreading Team at http://www.pgdp.net (This file was produced from images generously made available by The

Internet Archive/American Libraries.)

\*\*\* START OF THE PROJECT GUTENBERG EBOOK THE BULL-RUN ROUT \*\*\*

# THE BULL-RUN ROUT

**SCENES ATTENDING** 

THE

# FIRST CLASH OF VOLUNTEERS IN THE CIVIL WAR

BY EDWARD HENRY CLEMENT

CAMBRIDGE JOHN WILSON AND SON University Press 1909

From the Proceedings of the Massachusetts Historical Society for March, 1909.

## THE BULL-RUN ROUT

A LITTLE paper written years ago by a lately deceased brother of mine<sup>[1]</sup> describing the rout of the battle of Bull Run as he saw it with the eyes of a boy and a boy's love of the marvellous seems to me to possess some value historically for the intimate, unconscious picturing, along with it, of the state of the public mind on the eve of the so-called "great uprising." It seems to illustrate well the truth that the great Civil War, as a war, was really a surprise,—to the people of the North at least; that the idea persisting up to the day of the battle of Bull Run at the back of the mind of everybody was that in some way the war-cloud would blow over, that the actual shock of contending armies and the pouring out of blood of citizens in civil war would be prevented or in some way avoided. The occasion of the trip to Washington, to carry dainties to a soldier brother, the occasion of the extension of the partly sight-seeing journey to the first battle-field of the great war, the commission from the horror-struck authorities at home to find and bring back from Virginia the body of the first Massachusetts soldier to fall,—all prove the naïveté of the popular conceptions at that time of what it was to enter upon war. This Chelsea boy, [2] whose body my brother was bidden by the mayor of their native place to recover and send home at all costs, was but the first of the fated host of three hundred and sixty thousand young men about to die for their country in the ensuing four years. I remember distinctly the consternation of the community when it was found that the Chelsea company of the First Massachusetts Infantry had been in the sharp action which was the first engagement in the approaching collision of the main armies, and that men had actually been shot and killed. The sickening realization was akin to that feeling my

eldest brother<sup>[3]</sup> in that regiment had confessed to me when I was visiting him at the assembling and training camp at Readville and the new army wagons in their fresh blue paint and white canvas arrived on the scene in long array. "It looks as though we were really going," he remarked ruefully.

- [1] Andrew J. Clement, First Sergeant, Company M, First Massachusetts Cavalry; died at Morton, Pennsylvania, February 27, 1908.
- [2] Philander Crowell, Company H, First Massachusetts Volunteers.
- [3] William B. Clement, Company H; died at Chelsea, July 18, 1896.

I find a pretty complete picture of the psychology of those bewildered and dreadful weeks and months in two speeches of Wendell Phillips in that series of wonderful orations in which he rode the storm seeking to direct it to great issues. Some of these speeches I had the fortune to hear. I have been looking up certain things I heard delivered in that deliberate utterance of his with its polished periods, precise and penetrating as rifle-shots, yet freighted with passion, white-hot with intense conviction. It is only necessary to compare these two speeches of Phillips's to show how men's minds tossed and turned and agonized in those days,—the minds of honest, independent, fearless, conscientious men, too. In a speech of April 9, 1861, at New Bedford, Wendell Phillips was in Cassandra vein. Besides many other epigrammatic deliverances to similar effect, he said:

Inaugurate war, we know not where it will end; we are in no condition to fight. The South is poor; we are rich. The poor man can do twice the injury to the rich man that the rich man can do to the poor. War will start up every man whose livelihood hangs upon trade, intensifying him into a compromiser. Those guns fired on Fort Sumter are only to frighten the North into a compromise. If the Administration provokes war it is a trick,—nothing else. It is the masterly cunning of that devil of compromise, the Secretary of State. He is not mad enough to let the States run into battle. He knows that the age of bullets is over. If a gun is fired in Southern waters it is fired at the wharves of New York, at the bank-vaults of Boston, at the money of the North. It is meant to alarm. It is policy, not sincerity.

Thus in New Bedford, April 9; and no wonder that the local reporter records that the lecture was interrupted with frequent hisses. Twelve days later, on a Sunday, April 21, the same day that Fletcher Webster addressed an out-door meeting in State Street, speaking from the Old State House balcony, Phillips addressed an excited, crowded meeting in Music Hall. That day Phillips was the prophet militant. He began by saying that he gave this war a welcome "hearty and hot." He would not recant or retract anything, he said; he needed everything he had been saying to justify so momentous an evil as civil war.

I rejoice before God to-day for every word that I have spoken counselling peace; but I rejoice also with an especially profound gratitude, that now, the first time in my antislavery life, I speak under the stars and stripes, and welcome the tread of Massachusetts men marshalled for war. No matter what the past has been or said; to-day the slave asks God for a sight of this banner, and counts it the pledge of his redemption. Hitherto it may have meant what you thought, or what I did; to-day it represents sovereignty and justice. The only mistake that I have made was in supposing Massachusetts wholly choked with cotton-dust and cankered with gold. The South thought her patience and generous willingness for peace were cowardice; to-day shows the mistake....

All winter long I have acted with that party which cried for peace. The anti-slavery enterprise to which I belong started with peace written on its banner. We imagined that the age of bullets was over; that the age of ideas had come; ... The South opened this door [to the solution] with cannon-shot, and Lincoln shows himself at the door. The war, then, is not aggressive, but in self-defence, and Washington has become the Thermopylæ of Liberty and Justice. Rather than surrender that Capital, cover every square foot of it with a living body; crowd it with a million of men, and empty every bank vault at the North to pay the cost. [4]

[4] W. Phillips, Speeches (Boston, 1884), 396-400.

This speech was surely worth thousands of men to the government, but such is the constitutional cowardice of professional managing politicians that those of that day thought it prudent, for the sake of winning over to loyalty the so-called War Democrats, to have the speech suppressed, and all the docile daily papers did suppress it. It was circulated to the number of a hundred thousand as a supplement extra of the weekly called "The Anglo-African." Even so late as October of that year the Republican State Convention, according to an exultant editorial of the "Boston Daily Advertiser," "certainly disavowed any intention of endorsing the fatal doctrines announced by Mr. Sumner in that convention," and also buried Rev. James Freeman Clarke's resolution in favor of freeing the slaves, as the esteemed contemporary of that day predicted, "never to rise again." By another year the Emancipation proclamation had issued, and three months later Massachusetts idealists speaking through Wendell Phillips could say: "A blundering and corrupt cabinet has made it at last an inevitable necessity,—Liberty or Death. The cowardice of Webster's followers in the cabinet has turned his empty rhetoric into solemn truth; and now honest men are not only at liberty, but bound to live and die under his motto,—'Liberty and Union, now and forever, one and inseparable.'" The country's baffling search to find its ground, its rising determination to yield

thus far and no farther, the stand taken at last, the great defeat that first befell, the high idealism, the spirit of the hour,—all are seen in the brief, intimate account written for the family circle at home of the experiences and feelings of one representative Boston youth of twenty, soon after to be a full-fledged three years' man, a hero who rode in the First Massachusetts Cavalry from Virginia to Florida and back again.

"The First Massachusetts Infantry was the first regiment to leave the State for three years' service in the national cause; and, indeed, is said to have been the first three years' regiment in the service of the United States." To the call from the War Department of May 8, 1861, for volunteers for three years, "the First Regiment immediately and unanimously responded," though the other regiments which had gone from the State were enlisted for three months only. The First left Boston on June 15, 1861, and reached Washington on the 18th, and the next day marched, with the temperature at 90°, to a camp beyond Georgetown and was at once put under strictly military discipline, being there in the enemy's country. It was not till July 16 that the regiment marched into Virginia with three other regiments, and the next night bivouacked at Centreville.

The battle of Blackburn's Ford, July 18, in which the Chelsea soldiers fell, was an affair of outposts, resulting from General McDowell's purpose to "feel of the enemy." It was begun by shots from the Rebels posted in the woods bordering Bull Run. Both sides were soon at work with artillery. Companies G and H of the First Regiment had advanced through a gully, or dry ravine, leading into Bull Run, until they found themselves exposed to a murderous fire from three different directions. For at least half an hour they remained in this position unable to advance or retreat. The New York Twelfth on their flank fell back, and a general retrograde movement soon followed, with a stand taken at Centreville. The only valuable result of the reconnoissance was the bringing under fire for the first time of some thousands of raw troops. Thirteen men of the First Regiment were killed, and as many more wounded and taken prisoners. Rev. Warren H. Cudworth, chaplain of the regiment, published in 1866 a very full and lively history of its operations.

#### THE BULL-RUN MUSKET.

A single dead soldier of the Union army was an object of intense public interest up to the date of the battle of Bull Run in July, 1861.

There were two lads of us who left Boston to visit our brothers—both of whom were in the army and in the same company. We expected to find the Army at Washington; and we each carried a box of dainties to delight our brothers with. On reaching Washington, we were sorely disappointed to find that the army had started on its march to Richmond; and that no civilians were allowed to follow—not even to cross the Potomac into Virginia. So there was nothing to do but see the sights in Washington and return to our homes. But we had been there only two days when the news came of a fight or skirmish on July 18<sup>th</sup> at Blackburn's Ford, where several were killed, and one of the dead was the brother of my companion. It was a terrible blow to my friend, and a great shock for me.

We immediately telegraphed home, and at once came the reply "Get the body, if you can, and send it home." Well, we two lads went to the War Department and I suppose our sorrowful tale moved them with compassion, for they gave each of us a pass to go to the front to get the body of the dead soldier. I've got that pass stowed away now, among my papers, as a War curiosity. It reads,

Allow the bearer, Mr. Andrew J. Clement, to pass the lines and go to the Front for the body of a friend.

Drake De Kay

Aid de Camp.

Later in the war, the death of a soldier was of too little importance to awaken such sympathy at Headquarters. Indeed, two days later, there were thousands killed within two miles of the spot where those killed in this skirmish were buried. After much difficulty, we hired a light wagon in which my friend rode, while I got a seat in an army wagon that was taking out supplies. It was just midnight on Saturday July  $20^{th}$  when we started from Willard's Hotel on Pennsylvania Avenue. There was a full moon, and the night was lovely. I was all excitement. I was going to join the army. I should see my brother, and perhaps I should see the big battle everybody was talking about as soon to be fought.

Well, I saw all that I expected to see and a good deal more. As the horses toiled painfully all that night over the rough and hilly roads, I little thought that on the very next night I should be more painfully trudging back over that very route footsore and weary, a gun on my shoulder—and ready to fight if the victorious enemy came up with us. Yet such was the case, and the gun in the hall is the one that I carried to

Washington after the battle of Bull Run, July 21st, 1861.

Of course the ride that beautiful night was too exciting for sleep. It was just after daybreak, when we were taking a hasty breakfast at a small tavern, that we heard the first boom of a heavy gun. This was the gun that opened the great battle of Bull Run. We were yet six miles away from the army—and all were impatient to reach our destination. The horses were kept at their best working pace, and when we had gone three miles we met troops marching towards us. These were certain regiments that wouldn't fight because the ninety days of their term of service had just expired. They looked thoroughly ashamed of themselves, and marched in great disorder. The officer with our wagon, and the soldier who drove it, both scoffed at them and called them sneaks and cowards; and, cowards as they were, they didn't resent the insults. For myself, I felt as though they all deserved shooting when they got to Washington.

An hour later we reached Centreville and looked down on the battle-field. Hastily finding where my friend's dead brother was buried, I left him to his mournful task of recovering the corpse while I went to find my own brother whom I yet hoped to meet alive. But it wasn't an easy task. The line of battle was long; and, in spite of my inquiries, I went wrong. I went to the right wing only to find that the regiment I sought was probably away off on the left wing. Nobody seemed able to give exact information, and everybody wanted to know what a boy in black clothes and a straw hat was doing on the battle-field. Once I went up and sat down in the rear of a battery of light artillery to watch the effect of the firing, and the Capt. drove me off with terrible oaths. But I went around a small farm house and crept back again, and saw the grapeshot scatter the "rebs." And so I went on from point to point, staring and asking questions, and being stared at and questioned in return. At length I learned that the regiment I wanted was at the extreme left. So off I started, already weary from loss of sleep, excitement and tramping under the hot sun.

Arriving at the left, I again was attracted by a battery in action, and it was while I stood entranced with excitement that my brother discovered me. His regiment was lying in the bush close by supporting this very battery. Never was a man more surprised than was he at that moment. He supposed I was at home in Boston. But, before he would talk, he made me go into the woods and lie down with the soldiers so as to be in less danger. And there I crawled around and shook hands with nearly a hundred men whom I had known all my life. Many were the questions I answered, and scores of messages were given me to take home to parents and friends. The boys seemed very sad—for a member had been killed in this company only three days before, and they expected to be actively fighting again at any moment. At length my brother insisted that I should go back to Centreville out of danger, and I started with a heavy heart. But secretly I resolved to try to go to Richmond with the army, for I felt sure it would only take a few days. Up to that time it seemed to be victory for us; and I didn't believe it could possibly be otherwise. So I went back to Centreville. I was very hungry as well as tired. It was now past four o'clock in the afternoon.

I soon found a group of sick officers who were about to dine off of boiled beef close by the army wagon in which I had come from Washington. They asked me to join them. I had just got fairly seated when the astounding news came that our army was defeated and was retreating. I didn't believe it; but I rushed to the hilltop to see for myself. Down there on the plain, where I had been in the morning, there was certainly much dust and confusion. Just then fresh troops, the reserves, started to go down, but even to my inexperienced eye it was plain that they went in bad order and went too late. It was there that I saw the general who wore two hats—one crushed over the other—and who was reported in newspaper accounts of the scene as being very drunk that day. He certainly appeared decidedly drunk at that moment.

Wild with excitement, I rushed down hill too; but long before I got where I had been a few hours before, I met the rush of panic stricken men coming pell-mell from the field. To resist this rush was impossible and worse than useless. Wagons driven at full speed came with the men. Shouted curses filled the air. Wagons broke down, and, cutting the harnesses, men mounted the horses and rode off toward Centreville. Muskets were thrown away and filled the road for a long distance. It was there that I picked up my gun, begged a pocket full of ammunition, and resolved to do my share when the terrible Black Horse Cavalry reached us—for it was reported that they were coming at full speed. Ere long I reached Centreville again, and left the rush to look for my wagon. It had gone, long before, in the grand stampede for Washington. That didn't worry me much then—I thought I would find my brother again; and fight in company with the boys I grew up with. So I waited and waited at Centreville till the sun got low. I saw at length that it would be useless to try to find anybody. There were several roads; and all were full of disorganized troops.

But the first mad rush was over. All the army did not run. I did not run a step. It was nearly sunset when I left Centreville; and, as I was terribly hungry, I stopped, after going about a mile, and joined two of N. Y. 69th regiment who were having a regular feast out of a broken down and abandoned sutler's wagon. I remember that I ate a whole can of roast chicken and many sweet biscuits, and washed the whole down with some sherry wine drank from the bottle—my first experience in wine drinking.

Much refreshed, I took up my musket and started for Washington with an oddly mixed crowd of gay militia uniforms representing parts of many regiments. Yet there were still behind us good, orderly, full regiments, that stayed in Centreville till after midnight and came into Washington late the next day in fine marching order. They did not run, and my brother's regiment was one of them. It was 10 P. M. when I reached Fairfax Court House. There I rested, sitting on a rail fence, as a motley crowd poured by, each squad saying that the Black Horse Cavalry was coming. So I clung to my musket, though my shoulders began to get a little sore. It was after midnight when I started again. The night was very dark, for heavy clouds obscured the moon. The road, very rough in itself, was now full of materials thrown out of wagons. There were shovels, pickaxes, boxes, barrels, iron mess-kettles, muskets, knapsacks, and all sorts of litter that soldiers could throw away, and over these and the loose stones of the rough road we stumbled in the dark, amid choking dust, and up and down the long rolling hills that the army marched over so often afterwards during that terrible war. Still, I well remember that it seemed to me a sort of wild picnic; and I would clutch my gun and feel of my cartridges in a very determined mood to defend Washington to the death.

Wearily the night wore on; and steadily I tramped, talking in the dark, from time to time, with strangers—men from all parts of the Union whom I didn't see then and probably never saw afterwards. Bad as it was to march in the dust, it was still worse when it began to rain just before daybreak. Gently it came at first; and slowly the dust became a thick paste of slippery mud. Steadily the storm increased till it became a downpour. I had on a thin black summer suit, a straw hat, and a pair of low-cut thin shoes and white stockings. When day broke we were a bedraggled, thoroughly soaked, mud-stained party. Of all that vast crowd probably I presented the worst appearance, for I was the only citizen in that section of the crowd. I bantered jokes with such as were in joking mood, but most of the crowd were now silent and weary. All along the road lay men asleep in the pouring rain. There were blood blisters on my feet, but never once did I stop except to get a drink of water at a brook just after daylight. The rain now fell in torrents; we were literally wading in mud and water.

The thirty miles from Centreville to Washington seemed three times that distance. My gun grew more and more heavy, and I shifted it constantly. It was about ten o'clock Monday forenoon when I reached the Virginia end of Long Bridge. A strong guard was posted there to stop the troops; for Washington was already full of fugitive soldiers. Forcing my way through a vast mob of shouting, cursing soldiers, I reached the officer in charge, and got a rough reception. First he doubted my pass; next he wanted to take away my musket, but I protested that I had saved it from the enemy; and at length he allowed me to pass carrying the gun I had so honestly won. I went down Pennsylvania Avenue much stared at as I limped along. Reaching my hotel, I took a bath and turned into a good bed, thinking of my brother and the thousands of other soldiers who were out in the rain and many of whom would perhaps have no bed to turn into for three years; for there were a few three years regiments even then.

The next day, to my great joy, my brother's regiment marched in and over to Georgetown heights; and, after visiting them there, I sent my gun home by Adams Ex. and took the train for Boston. Said my father, when I got home, "Well, I think you have got enough of war now." "No, sir," I said, and in less than thirty days I had enlisted; and three years from the date of the first battle of Bull Run I was skirmishing about six miles from Richmond—three years—and yet I hadn't quite got to Richmond.

That Bull-Run musket is the only war weapon left in the family, and I hope you will keep it in memory of the good work I was willing to do with it, even before I was a soldier.

### Dr. Samuel A. Green then said:

I have listened with intense interest to Mr. Clement's paper, as I was not only present at the skirmish therein described, but as Assistant Surgeon of the First Massachusetts Volunteers it was my professional duty to look after the wounded on that occasion. I remember vividly the events of that day, July 18, 1861, not only because it was the first time that I ever was under fire, but because it was the greatest fight that up to that time the Union army had fought. I remember, too, the proud record made by the First Massachusetts in that preliminary skirmish. In each of two companies,—G and H,—the regiment lost six men; and Company H—to which Mr. Clement's paper relates—had more men wounded than killed. Nor were these the only losses met by the Old First in that memorable action. The wounded men came under my professional charge, and they received such care as could be given them on the field of battle, scanty though it was. The men who fell in that skirmish—some of them my friends and all my acquaintances—left impressions on my mind so deep that I have since accepted without hesitation the fact that "war is hell." This action of July 18 was only a skirmish that preceded the first battle of Bull Run, which was fought three days later on July 21. The armies contending on that day were commanded, respectively, by General McDowell and General Beauregard; and the result is now a matter of history.

As an instance of the changes which the whirligig of time brings round, I will relate a fact which is purely personal. In December, 1878, I was appointed a member of the Commission authorized

by Congress to investigate the Yellow Fever Epidemic of that year, and sessions were held in several southern cities, including New Orleans. While the Commission was in session in that city, General Beauregard was a regular attendant at the meetings, and for some days I was thrown much with him, and we talked over together the campaign of 1861. In answer to one of my questions, why the southern army did not follow up their victory and capture the city of Washington, he replied that President Davis was strongly of the opinion that such an event would produce a revulsion of feeling on the part of northern sympathizers with the south and thus would defeat their own purpose.

A few years later, in the summer of 1883, I was a member of the Board of Visitors appointed by the President to make the annual examination at Annapolis, Maryland, where I was thrown into intimate relations with General McDowell. I slept under the same roof with him and ate at the same table, and often we discussed military matters. These two episodes in my life are now pleasant events to remember.

I was deeply impressed with General McDowell's strict abstinence from the use of champagne and other alcoholic liquors. Receiving his early education in France, one would suppose that, like the French boys who were his companions, he would drink Bordeaux wine as freely as milk; but he told me that never in Europe or here was he in the habit of taking anything stronger than water. In my intercourse with him for a week I saw nothing in his life to disprove this statement.

Mr. James Ford Rhodes said:

The reports in circulation after the Battle of Bull Run, regarding McDowell, are an instance of the hasty and uncharitable judgment of newspapers and their readers. It was at once said that the Union defeat was due to McDowell's intoxication. As a matter of fact McDowell never in his life drank a drop of beer, wine, or any alcoholic beverage, and curiously enough too did not use tobacco in any form. The proof of this is undoubted, but as part of it I may mention the positive assurances of Dr. William H. Russell, the American correspondent of the London Times, sometimes spoken of as "Bull-Run Russell," who knew McDowell well and saw him on the day of the battle, and of Colonel Franklin Haven, who served on his staff during the war. Dr. Russell told me that on the morning of the battle McDowell ate watermelon for breakfast, and the free indulgence in this succulent fruit made him ill, which was the sole foundation for the cruel report.

[5] Since my statement our associate Barrett Wendell has communicated to me this information: "Edmund Clarence Stedman, who was present at Bull Run as a reporter, told me that on the night before the battle McDowell, hungry after his preparation, was served at his supper with canned fruit,—I think peaches,—and ate heartily of them. The fruit was probably tainted and brought on an attack of cholera morbus, from which Stedman saw him acutely suffering while the battle was in progress." I have no doubt that this is a more accurate version than Russell's.

\*\*\* END OF THE PROJECT GUTENBERG EBOOK THE BULL-RUN ROUT \*\*\*

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<sup>TM</sup> 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<sup>TM</sup> License available with this file or online at 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<sup>m</sup> 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<sup>TM</sup> electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project Gutenberg<sup>TM</sup> 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<sup>TM</sup> 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<sup>TM</sup> electronic works if you follow the terms of this agreement and help preserve free future access to Project Gutenberg<sup>TM</sup> 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<sup>TM</sup> 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<sup>TM</sup> mission of promoting free access to electronic works by freely sharing Project Gutenberg<sup>TM</sup> works in compliance with the terms of this agreement for keeping the Project Gutenberg<sup>TM</sup> 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<sup>TM</sup> 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<sup>TM</sup> License must appear prominently whenever any copy of a Project Gutenberg<sup>TM</sup> 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 <a href="https://www.gutenberg.org">www.gutenberg.org</a>. 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<sup>TM</sup> 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<sup>TM</sup> trademark as set forth in paragraphs 1.E.8 or 1.E.9.
- 1.E.3. If an individual Project Gutenberg<sup> $\mathbb{M}$ </sup> 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<sup> $\mathbb{M}$ </sup> 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<sup>TM</sup> License terms from this work, or any files containing a part of this work or any other work associated with Project Gutenberg<sup>TM</sup>.
- 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<sup>m</sup> 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<sup> $\mathsf{TM}$ </sup> work in a format other than "Plain Vanilla ASCII" or other format used in the official version posted on the official Project Gutenberg<sup> $\mathsf{TM}$ </sup> 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<sup>™</sup> 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<sup>m</sup> 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<sup>m</sup> 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<sup>™</sup> works
- 1.E.9. If you wish to charge a fee or distribute a Project Gutenberg<sup>™</sup> 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<sup>™</sup> 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<sup>TM</sup> collection. Despite these efforts, Project Gutenberg<sup>TM</sup> 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<sup>™</sup> electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project Gutenberg<sup>™</sup> 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<sup>™</sup> work, (b) alteration, modification, or additions or deletions to any Project Gutenberg<sup>™</sup> work, and (c) any Defect you cause.

### Section 2. Information about the Mission of Project Gutenberg™

Project Gutenberg $^{\text{m}}$  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 Gutenberg<sup>TM</sup> 's goals and ensuring that the Project Gutenberg<sup>TM</sup> 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<sup>TM</sup> 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 Gutenberg<sup>TM</sup> 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 <a href="https://www.gutenberg.org/donate">www.gutenberg.org/donate</a>.

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 Gutenberg<sup>m</sup> concept of a library of electronic works that could be freely shared with anyone. For forty years, he produced and distributed Project Gutenberg<sup>m</sup> eBooks with only a loose network of volunteer support.

Project Gutenberg<sup>TM</sup> 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.qutenberg.org.

This website includes information about Project Gutenberg $^{\text{\tiny TM}}$ , 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.