

The Project Gutenberg eBook of A Belated Guest (from Literary Friends and Acquaintance), by William Dean Howells

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

Title: A Belated Guest (from Literary Friends and Acquaintance)

Author: William Dean Howells

Release date: October 22, 2004 [EBook #3391]

Most recently updated: January 8, 2021

Language: English

*** START OF THE PROJECT GUTENBERG EBOOK A BELATED GUEST (FROM LITERARY FRIENDS AND ACQUAINTANCE) ***

Produced by David Widger

LITERARY FRIENDS AND ACQUAINTANCES—A Belated Guest

by William Dean Howells

A BELATED GUEST

It is doubtful whether the survivor of any order of things finds compensation in the privilege, however undisputed by his contemporaries, of recording his memories of it. This is, in the first two or three instances, a pleasure. It is sweet to sit down, in the shade or by the fire, and recall names, looks, and tones from the past; and if the Absences thus entreated to become Presences are those of famous people, they lend to the fond historian a little of their lustre, in which he basks for the time with an agreeable sense of celebrity. But another time comes, and comes very soon, when the pensive pleasure changes to the pain of duty, and the precious privilege converts itself into a grievous obligation. You are unable to choose your company among those immortal shades; if one, why not another, where all seem to have a right to such gleams of this 'dolce lome' as your reminiscences can shed upon them? Then they gather so rapidly, as the years pass, in these pale realms, that one, if one continues to survive, is in danger of wearing out such welcome, great or small, as met ones recollections in the first two or three instances, if one does one's duty by each. People begin to say, and not without reason, in a world so hurried and wearied as this: "Ah, here he is again with his recollections!" Well, but if the recollections by some magical good-fortune chance to concern such a contemporary of his as, say, Bret Harte, shall not he be partially justified, or at least excused?

I.

My recollections of Bret Harte begin with the arrest, on the Atlantic shore, of that progress of his from the Pacific Slope, which, in the simple days of 1871, was like the progress of a prince, in the universal attention and interest which met and followed it. He was indeed a prince, a fairy prince in whom every

lover of his novel and enchanting art felt a patriotic property, for his promise and performance in those earliest tales of 'The Luck of Roaring Camp', and 'Tennessee's Partner', and 'Maggles', and 'The Outcasts of Poker Flat', were the earnestness of an American literature to come. If it is still to come, in great measure, that is not Harte's fault, for he kept on writing those stories, in one form or another, as long as he lived. He wrote them first and last in the spirit of Dickens, which no man of his time could quite help doing, but he wrote them from the life of Bret Harte, on the soil and in the air of the newest kind of new world, and their freshness took the soul of his fellow-countrymen not only with joy, but with pride such as the Europeans, who adored him much longer, could never know in him.

When the adventurous young editor who had proposed being his host for Cambridge and the Boston neighborhood, while Harte was still in San Francisco, and had not yet begun his princely progress eastward, read of the honors that attended his coming from point to point, his courage fell, as if he had perhaps, committed himself in too great an enterprise. Who was he, indeed, that he should think of making this

"Dear son of memory, great heir of fame,"

his guest, especially when he heard that in Chicago Harte failed of attending a banquet of honor because the givers of it had not sent a carriage to fetch him to it, as the alleged use was in San Francisco? Whether true or not, and it was probably not true in just that form, it must have been this rumor which determined his host to drive into Boston for him with the handsomest hack which the livery of Cambridge afforded, and not trust to the horse-car and the local expressman to get him and his baggage out, as he would have done with a less portentous guest. However it was, he instantly lost all fear when they met at the station, and Harte pressed forward with his cordial hand-clasp, as if he were not even a fairy prince, and with that voice and laugh which were surely the most winning in the world. He was then, as always, a child of extreme fashion as to his clothes and the cut of his beard, which he wore in a mustache and the drooping side-whiskers of the day, and his jovial physiognomy was as winning as his voice, with its straight nose and fascinating thrust of the under lip, its fine eyes, and good forehead, then thickly crowned with the black hair which grew early white, while his mustache remained dark the most enviable and consoling effect possible in the universal mortal necessity of either aging or dying. He was, as one could not help seeing, thickly pitted, but after the first glance one forgot this, so that a lady who met him for the first time could say to him, "Mr. Harte, aren't you afraid to go about in the cars so recklessly when there is this scare about smallpox?" "No, madam," he could answer in that rich note of his, with an irony touched by pseudo-pathos, "I bear a charmed life."

The drive out from Boston was not too long for getting on terms of personal friendship with the family which just filled the hack, the two boys intensely interested in the novelties of a New England city and suburb, and the father and mother continually exchanging admiration of such aspects of nature as presented themselves in the leafless sidewalk trees, and patches of park and lawn. They found everything so fine, so refined, after the gigantic coarseness of California, where the natural forms were so vast that one could not get on companionable terms with them. Their host heard them without misgiving for the world of romance which Harte had built up among those huge forms, and with a subtle perception that this was no excursion of theirs to the East, but a lifelong exodus from the exile which he presently understood they must always have felt California to be. It is different now, when people are every day being born in California, and must begin to feel it home from the first breath, but it is notable that none of the Californians of that great early day have gone back to live amid the scenes which inspired and prospered them.

Before they came in sight of the editor's humble roof he had mocked himself to his guest for his trepidations, and Harte with burlesque magnanimity had consented to be for that occasion only something less formidable than he had loomed afar. He accepted with joy the theory of passing a week in the home of virtuous poverty, and the week began as delightfully as it went on. From first to last Cambridge amused him as much as it charmed him by that air of academic distinction which was stranger to him even than the refined trees and grass. It has already been told how, after a list of the local celebrities had been recited to him, he said, "why, you couldn't stand on your front porch and fire off your revolver without bringing down a two volume," and no doubt the pleasure he had in it was the effect of its contrast with the wild California he had known, and perhaps, when he had not altogether known it, had invented.

II.

Cambridge began very promptly to show him those hospitalities which he could value, and continued the fable of his fairy princeliness in the curiosity of those humbler admirers who could not hope to be his hosts or his fellow-guests at dinner or luncheon. Pretty presences in the tie-backs of the period were seen to flit before the home of virtuous poverty, hungering for any chance sight of him which his outgoings or incomings might give. The chances were better with the outgoings than with the incomings, for these were apt to be so hurried, in the final result of his constitutional delays, as to have the rapidity of the homing pigeon's flight, and to afford hardly a glimpse to the quickest eye. It cannot harm him, or any one now, to own that Harte was nearly always late for those luncheons and dinners which he was always going out to, and it needed the anxieties and energies of both families to get him into his clothes, and then into the carriage where a good deal of final buttoning must have been done, in order that he might not arrive so very late. He was the only one concerned who was quite unconcerned; his patience with his delays was inexhaustible; he arrived at the expected houses smiling, serenely jovial, radiating a bland gaiety from his whole person, and ready to ignore any discomfort he might have occasioned.

Of course, people were glad to have him on his own terms, and it may be truly said that it was worth while to have him on any terms. There never was a more charming companion, an easier or more delightful guest.

It was not from what he said, for he was not much of a talker, and almost nothing of a story-teller; but he could now and then drop the fittest word, and with a glance or smile of friendly intelligence express the appreciation of another's fit word which goes far to establish for a man the character of boon humorist. It must be said of him that if he took the honors easily that were paid him he took them modestly, and never by word or look invited them, or implied that he expected them. It was fine to see him humorously accepting the humorous attribution of scientific sympathies from Agassiz, in compliment of his famous epic describing the incidents that "broke up the society upon the Stanislow." It was a little fearsome to hear him frankly owning to Lowell his dislike for something over-literary in the phrasing of certain verses of 'The Cathedral.' But Lowell could stand that sort of thing from a man who could say the sort of things that Harte said to him of that delicious line picturing the bobolink as he

"Runs down a brook of laughter in the air."

This, Harte told him, was the line he liked best of all his lines, and Lowell smoked well content with the praise. Yet they were not men to get on easily together, Lowell having limitations in directions where Harte had none. Afterward in London they did not meet often or willingly. Lowell owned the brilliancy and uncommonness of Harte's gift, while he sumptuously surfeited his passion of finding everybody more or less a Jew by finding that Harte was at least half a Jew on his father's side; he had long contended for the Hebraicism of his name.

With all his appreciation of the literary eminences whom Fields used to class together as "the old saints," Harte had a spice of irreverence that enabled him to take them more ironically than they might have liked, and to see the fun of a minor literary man's relation to them. Emerson's smoking amused him, as a Jovian self-indulgence divinely out of character with so supreme a god, and he shamelessly burlesqued it, telling how Emerson at Concord had proposed having a "wet night" with him over a glass of sherry, and had urged the scant wine upon his young friend with a hospitable gesture of his cigar. But this was long after the Cambridge episode, in which Longfellow alone escaped the corrosive touch of his subtle irreverence, or, more strictly speaking, had only the effect of his reverence. That gentle and exquisitely modest dignity, of Longfellow's he honored with as much veneration as it was in him to bestow, and he had that sense of Longfellow's beautiful and perfected art which is almost a test of a critic's own fineness.

III.

As for Harte's talk, it was mostly ironical, not to the extreme of satire, but tempered to an agreeable coolness even for the things he admired. He did not apparently care to hear himself praised, but he could very accurately and perfectly mark his discernment of excellence in others. He was at times a keen observer of nature and again not, apparently. Something was said before him and Lowell of the beauty of his description of a rabbit, startled with fear among the ferns, and lifting its head with the pulsation of its frightened heart visibly shaking it; then the talk turned on the graphic homeliness of Dante's noticing how the dog's skin moves upon it, and Harte spoke of the exquisite shudder with

which a horse tries to rid itself of a fly.

But once again, when an azalea was shown to him as the sort of bush that Sandy drunkenly slept under in 'The Idyl of Iced Gulch', he asked, "Why, is that an azalea?" To be sure, this might have been less from his ignorance or indifference concerning the quality of the bush he had sent Sandy to sleep under than from his willingness to make a mock of an azalea in a very small pot, so disproportionate to uses which an azalea of Californian size could easily lend itself to.

You never could be sure of Harte; he could only by chance be caught in earnest about anything or anybody. Except for those slight recognitions of literary, traits in his talk with Lowell, nothing remained from his conversation but the general criticism he passed upon his brilliant fellow-Hebrew Heine, as "rather scorbatic." He preferred to talk about the little matters of common incident and experience. He amused himself with such things as the mystification of the postman of whom he asked his way to Phillips Avenue, where he adventurously supposed his host to be living. "Why," the postman said, "there is no Phillips Avenue in Cambridge. There's Phillips Place." "Well," Harte assented, "Phillips Place will do; but there is a Phillips Avenue." He entered eagerly into the canvass of the distinctions and celebrities asked to meet him at the reception made for him, but he had even a greater pleasure in compassionating his host for the vast disparity between the caterer's china and plated ware and the simplicities and humilities of the home of virtuous poverty; and he spluttered with delight at the sight of the lofty 'epergnes' set up and down the supper-table when he was brought in to note the preparations made in his honor. Those monumental structures were an inexhaustible joy to him; he walked round and round the room, and viewed them in different perspectives, so as to get the full effect of the towering forms that dwarfed it so.

He was a tease, as many a sweet and fine wit is apt to be, but his teasing was of the quality of a caress, so much kindness went with it. He lamented as an irreparable loss his having missed seeing that night an absent-minded brother in literature, who came in rubber shoes, and forgetfully wore them throughout the evening. That hospitable soul of Ralph Keeler, who had known him in California, but had trembled for their acquaintance when he read of all the honors that might well have spoiled Harte for the friends of his simpler days, rejoiced in the unchanged cordiality of his nature when they met, and presently gave him one of those restaurant lunches in Boston, which he was always sumptuously providing out of his destitution. Harte was the life of a time which was perhaps less a feast of reason than a flow of soul. The truth is, there was nothing but careless stories carelessly told, and jokes and laughing, and a great deal of mere laughing without the jokes, the whole as unlike the ideal of a literary symposium as well might be; but there was present one who met with that pleasant Boston company for the first time, and to whom Harte attributed a superstition of Boston seriousness not realized then and there. "Look at him," he said, from time to time. "This is the dream of his life," and then shouted and choked with fun at the difference between the occasion and the expectation he would have imagined in his commensal's mind. At a dinner long after in London, where several of the commensals of that time met again, with other literary friends of a like age and stature, Harte laid his arms well along their shoulders as they formed in a half-circle before him, and screamed out in mocking mirth at the bulbous favor to which the slim shapes of the earlier date had come. The sight was not less a rapture to him that he was himself the prey of the same practical joke from the passing years. The hair which the years had wholly swept from some of those thoughtful brows, or left spindling autumnal spears, "or few or none," to "shake against the cold," had whitened to a wintry snow on his, while his mustache had kept its youthful black. "He looks," one of his friends said to another as they walked home together, "like a French marquis of the ancien regime." "Yes," the other assented, thoughtfully, "or like an American actor made up for the part."

The saying closely fitted the outward fact, but was of a subtle injustice in its implication of anything histrionic in Harte's nature. Never was any man less a 'poseur'; he made simply and helplessly known what he was at any and every moment, and he would join the witness very cheerfully in enjoying whatever was amusing in the disadvantage to himself. In the course of events, which were in his case so very human, it came about on a subsequent visit of his to Boston that an impatient creditor decided to right himself out of the proceeds of the lecture which was to be given, and had the law corporeally present at the house of the friend where Harte dined, and in the anteroom at the lecture-hall, and on the platform, where the lecture was delivered with beautiful aplomb and untroubled charm. He was indeed the only one privy to the law's presence who was not the least affected by it, so that when his host of an earlier time ventured to suggest, "Well, Harte, this is the old literary tradition; this is the Fleet business over again," he joyously smote his thigh and crowed out, "Yes, the Fleet!" No doubt he tasted all the delicate humor of the situation, and his pleasure in it was quite unaffected.

If his temperament was not adapted to the harsh conditions of the elder American world, it might very well be that his temperament was not altogether in the wrong. If it disabled him for certain experiences of life, it was the source of what was most delightful in his personality, and perhaps most beautiful in his talent. It enabled him to do such things as he did without being at all anguished for the

things he did not do, and indeed could not. His talent was not a facile gift; he owned that he often went day after day to his desk, and sat down before that yellow post-office paper on which he liked to write his literature, in that exquisitely refined script of his, without being able to inscribe a line. It may be owned for him that though he came to the East at thirty-four, which ought to have been the very prime of his powers, he seemed to have arrived after the age of observation was past for him. He saw nothing aright, either in Newport, where he went to live, or in New York, where he sojourned, or on those lecturing tours which took him about the whole country; or if he saw it aright, he could not report it aright, or would not. After repeated and almost invariable failures to deal with the novel characters and circumstances which he encountered he left off trying, and frankly went back to the semi-mythical California he had half discovered, half created, and wrote Bret Harte over and over as long as he lived. This, whether he did it from instinct or from reason, was the best thing he could do, and it went as nearly as might be to satisfy the insatiable English fancy for the wild America no longer to be found on our map.

It is imaginable of Harte that this temperament defended him from any bitterness in the disappointment he may have shared with that simple American public which in the early eighteen-seventies expected any and everything of him in fiction and drama. The long breath was not his; he could not write a novel, though he produced the like of one or two, and his plays were too bad for the stage, or else too good for it. At any rate, they could not keep it, even when they got it, and they denoted the fatigue or the indifference of their author in being dramatizations of his longer or shorter fictions, and not originally dramatic efforts. The direction in which his originality lasted longest, and most strikingly affirmed his power, was in the direction of his verse.

Whatever minds there may be about Harte's fiction finally, there can hardly be more than one mind about his poetry. He was indeed a poet; whether he wrote what drolly called itself "dialect," or wrote language, he was a poet of a fine and fresh touch. It must be allowed him that in prose as well he had the inventive gift, but he had it in verse far more importantly. There are lines, phrases, turns in his poems, characterizations, and pictures which will remain as enduringly as anything American, if that is not saying altogether too little for them. In poetry he rose to all the occasions he made for himself, though he could not rise to the occasions made for him, and so far failed in the demands he acceded to for a Phi Beta Kappa poem, as to come to that august Harvard occasion with a jingle so trivial, so out of keeping, so inadequate that his enemies, if he ever truly had any, must have suffered from it almost as much as his friends. He himself did not suffer from his failure, from having read before the most elect assembly of the country a poem which would hardly have served the careless needs of an informal dinner after the speaking had begun; he took the whole disastrous business lightly, gayly, leniently, kindly, as that golden temperament of his enabled him to take all the good or bad of life.

The first year of his Eastern sojourn was salaried in a sum which took the souls of all his young contemporaries with wonder, if no baser passion, in the days when dollars were of so much farther flight than now, but its net result in a literary return to his publishers was one story and two or three poems. They had not profited much by his book, which, it will doubtless amaze a time of fifty thousand editions selling before their publication, to learn had sold only thirty-five hundred in the sixth month of its career, as Harte himself,

"With sick and scornful looks averse,"

confided to his Cambridge host after his first interview with the Boston counting-room. It was the volume which contained "The Luck of Roaring Camp," and the other early tales which made him a continental, and then an all but a world-wide fame. Stories that had been talked over, and laughed over, and cried over all up and down the land, that had been received with acclaim by criticism almost as boisterous as their popularity, and recognized as the promise of greater things than any done before in their kind, came to no more than this pitiful figure over the booksellers' counters. It argued much for the publishers that in spite of this stupefying result they were willing, they were eager, to pay him ten thousand dollars for whatever, however much or little, he chose to write in a year: Their offer was made in Boston, after some offers mortifyingly mean, and others insultingly vague, had been made in New York.

It was not his fault that their venture proved of such slight return in literary material. Harte was in the midst of new and alien conditions,—[See a corollary in M. Froude who visited the U.S. for a few months and then published a comprehensive analysis of the nation and its people. Twain's rebuttal (Mr. Froude's Progress) would have been 'a propos' for Harte in Cambridge. D.W.]—and he had always his temperament against him, as well as the reluctant if not the niggard nature of his muse. He would no doubt have been only too glad to do more than he did for the money, but actually if not literally he could not do more. When it came to literature, all the gay improvidence of life forsook him, and he became a stern, rigorous, exacting self-master, who spared himself nothing to achieve the perfection at which he aimed. He was of the order of literary men like Goldsmith and De Quincey, and Sterne and

Steele, in his relations with the outer world, but in his relations with the inner world he was one of the most duteous and exemplary citizens. There was nothing of his easy-going hilarity in that world; there he was of a Puritanic severity, and of a conscience that forgave him no pang. Other California writers have testified to the fidelity with which he did his work as editor. He made himself not merely the arbiter but the inspiration of his contributors, and in a region where literature had hardly yet replaced the wild sage-brush of frontier journalism, he made the sand-lots of San Francisco to blossom as the rose, and created a literary periodical of the first class on the borders of civilization.

It is useless to wonder now what would have been his future if the publisher of the Overland Monthly had been of imagination or capital enough to meet the demand which Harte dimly intimated to his Cambridge host as the condition of his remaining in California. Publishers, men with sufficient capital, are of a greatly varying gift in the regions of prophecy, and he of the Overland Monthly was not to be blamed if he could not foresee his account in paying Harte ten thousand a year to continue editing the magazine. He did according to his lights, and Harte came to the East, and then went to England, where his last twenty-five years were passed in cultivating the wild plant of his Pacific Slope discovery. It was always the same plant, leaf and flower and fruit, but it perennially pleased the constant English world, and thence the European world, though it presently failed of much delighting these fastidious States. Probably he would have done something else if he could; he did not keep on doing the wild mining-camp thing because it was the easiest, but because it was for him the only possible thing. Very likely he might have preferred not doing anything.

IV.

The joyous visit of a week, which has been here so poorly recovered from the past, came to an end, and the host went with his guest to the station in as much vehicular magnificence as had marked his going to meet him there. Harte was no longer the alarming portent of the earlier time, but an experience of unalloyed delight. You must love a person whose worst trouble-giving was made somehow a favor by his own unconsciousness of the trouble, and it was a most flattering triumph to have got him in time, or only a little late, to so many luncheons and dinners. If only now he could be got to the train in time the victory would be complete, the happiness of the visit without a flaw. Success seemed to crown the fondest hope in this respect. The train had not yet left the station; there stood the parlor-car which Harte had seats in; and he was followed aboard for those last words in which people try to linger out pleasures they have known together. In this case the sweetest of the pleasures had been sitting up late after those dinners, and talking them over, and then degenerating from that talk into the mere giggle and making giggle which Charles Lamb found the best thing in life. It had come to this as the host and guest sat together for those parting moments, when Harte suddenly started up in the discovery of having forgotten to get some cigars. They rushed out of the train together, and after a wild descent upon the cigar-counter of the restaurant, Harte rushed back to his car. But by this time the train was already moving with that deceitful slowness of the departing train, and Harte had to clamber up the steps of the rearmost platform. His host clambered after, to make sure that he was aboard, which done, he dropped to the ground, while Harte drew out of the station, blandly smiling, and waving his hand with a cigar in it, in picturesque farewell from the platform.

Then his host realized that he had dropped to the ground barely in time to escape being crushed against the side of the archway that sharply descended beside the steps of the train, and he went and sat down in that handsomest hack, and was for a moment deathly sick at the danger that had not realized itself to him in season. To be sure, he was able, long after, to adapt the incident to the exigencies of fiction, and to have a character, not otherwise to be conveniently disposed of, actually crushed to death between a moving train and such an archway.

Besides, he had then and always afterward, the immense super-compensation of the memories of that visit from one of the most charming personalities in the world,

"In life's morning march when his bosom was young,"

and when infinitely less would have sated him. Now death has come to join its vague conjectures to the broken expectations of life, and that blithe spirit is elsewhere. But nothing can take from him who remains the witchery of that most winning presence. Still it looks smiling from the platform of the car, and casts a farewell of mock heartbreak from it. Still a gay laugh comes across the abyss of the years that are now numbered, and out of somewhere the hearer's sense is rapt with the mellow cordial of a voice that was like no other.

[This last paragraph reminds one again that, as with Holmes: a great poet writes the best prose.
D.W.]

ETEXT EDITOR'S BOOKMARKS:

Always sumptuously providing out of his destitution
Could only by chance be caught in earnest about anything
Couldn't fire your revolver without bringing down a two volumer
Death's vague conjectures to the broken expectations of life
Dollars were of so much farther flight than now
Enjoying whatever was amusing in the disadvantage to himself
Express the appreciation of another's fit word
Gay laugh comes across the abysm of the years
Giggle which Charles Lamb found the best thing in life
His enemies suffered from it almost as much as his friends
His plays were too bad for the stage, or else too good for it
Insatiable English fancy for the wild America no longer there
Long breath was not his; he could not write a novel
Mellow cordial of a voice that was like no other
Not much of a talker, and almost nothing of a story-teller
Now death has come to join its vague conjectures
Offers mortifyingly mean, and others insultingly vague
Only one concerned who was quite unconcerned
So refined, after the gigantic coarseness of California
Wrote them first and last in the spirit of Dickens

*** END OF THE PROJECT GUTENBERG EBOOK A BELATED GUEST (FROM LITERARY FRIENDS
AND ACQUAINTANCE) ***

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.

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. 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.

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

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

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

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

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

Section 5. General Information About Project Gutenberg™ electronic works

Professor Michael S. Hart was the originator of the Project 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.

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.