

The Project Gutenberg eBook of Birket Foster, R.W.S, by H. M. Cundall

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: Birket Foster, R.W.S

Author: H. M. Cundall

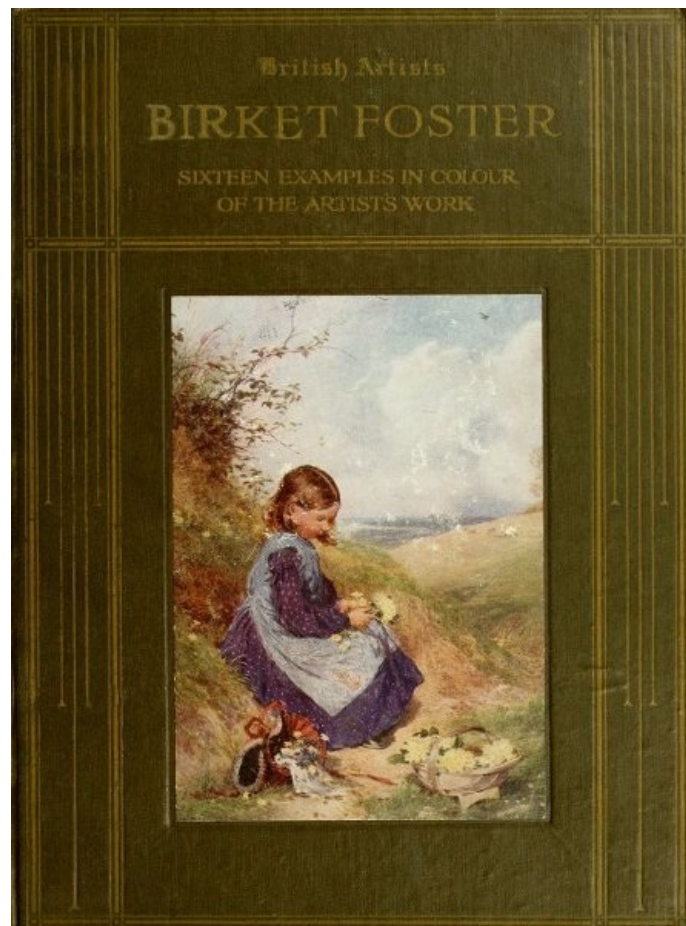
Illustrator: Myles Birket Foster

Release date: October 11, 2011 [EBook #37714]

Language: English

Credits: Produced by Diane Monico and The Online Distributed Proofreading Team at <http://www.pgdp.net> (This file was produced from images generously made available by The Internet Archive)

*** START OF THE PROJECT GUTENBERG EBOOK BIRKET FOSTER, R.W.S ***



**BRITISH
ARTISTS**

BIRKET FOSTER, R.W.S.

IN THE SAME SERIES
GEORGE MORLAND

JOHN PETTIE, R.A., H.R.S.A.

KATE GREENAWAY

A. AND C. BLACK . SOHO SQUARE . LONDON, W.

AGENTS

AMERICA THE MACMILLAN COMPANY
64 & 66 Fifth Avenue, NEW YORK

AUSTRALASIA OXFORD UNIVERSITY PRESS
205 Flinders Lane, MELBOURNE

CANADA THE MACMILLAN COMPANY OF CANADA, LTD.
St. Martin's House, 70 Bond Street, TORONTO

INDIA MACMILLAN & COMPANY, LTD.
Macmillan Building, BOMBAY
309 Bow Bazaar Street, CALCUTTA



Gleaners

BIRKET FOSTER
R.W.S.

SIXTEEN EXAMPLES IN COLOUR
OF THE ARTIST'S WORK

WITH
AN INTRODUCTION
BY



PUBLISHED BY A. & C. BLACK
4, 5 & 6 SOHO SQUARE, LONDON
MCMX

LIST OF PLATES

[Tr. note: Click on the images for enlargements.]

	OWNER OF ORIGINAL
1. Gleaners	<i>Barnet Lewis, Esq.</i>
2. Going Home	"
3. Loch Leven Castle	"
4. Shrine at the Entrance of the Courtyard of the Ducal Palace, Venice	<i>Sir Charles Seeley</i>
5. Entrance to the Grand Canal, Venice	<i>Barnet Lewis, Esq.</i>
6. Birthplace of Burns, near Ayr	"
7. Sunset with Cattle	<i>Bethnal Green Museum</i>
8. In Full Cry	<i>Barnet Lewis, Esq.</i>
9. Children by the Sea	<i>Jesse Haworth, Esq.</i>
10. By the Thames	<i>Barnet Lewis, Esq.</i>
11. A Surrey Cottage	"
12. The Donkey that would not go	<i>Sharpley Bainbridge, Esq.</i>
13. Passing the Flock	<i>Barnet Lewis, Esq.</i>
14. Near Godalming	"
15. The Blackberry Gatherers	"
16. The Happy Time of Life	"

BIRKET FOSTER

[Pg 1]

The dainty water-colour paintings executed by Birket Foster probably appeal to the majority of the British public more than the work of any other artist.

For many years during the early part of his career he was engaged in drawing on wood-blocks for the engraver, from which he acquired a minuteness in detail that continued to pervade his paintings in later life. The result was that he produced scenes from Nature with an exactness that the most uninitiated in art are able to understand and appreciate. The chief features, however, in Birket Foster's paintings are the poetic feeling with which he indued them, and the care and felicity with which his compositions were selected. These qualities lend a great charm to his drawings, and especially to those representing the homely scenes, so frequently selected from that picturesque part of Surrey, where he lived for many years. He revelled in sunny landscapes, with sheep roaming in the distance and with rustic children playing in the foreground; he was also attracted by peaceful red-brick cottages covered with thatch, and enlivened by domestic scenes. It is perhaps by these rural paintings that the artist is best known. He, however, wandered far afield in search of the picturesque; he was an indefatigable painter, and produced works selected from all parts of England, Wales, and Scotland. Birket Foster was especially partial to the Northern counties and the district surrounding his native town in Northumberland.

[Pg 2]

His rambles were not confined solely to his own country; he travelled frequently on the Continent; Venice, as well as the Rhine, had its charms for him. The picturesque scenery of Brittany has also been portrayed by his brush, and on one occasion he went as far as Spain and Morocco in pursuit of his art.

Birket Foster, as he is generally known, or Myles Birket Foster, to give him his full name, was born at North Shields on February 4, 1825. His ancestors held good social positions for many generations in the North Country, and were staunch members of the Society of Friends. One, Sarah Forster, as the family name was originally spelt, married a descendant of Margaret Fell of Swathmoor Hall, who, after the death of her first husband, Judge Fell, was united to George Fox, the founder of the Quakers.

In 1830 the artist's father migrated with his family to London, voyaging all the way by sea. He took up his residence at 40 Charlotte Street, Portland Place, and founded the well-known firm of M. B. Foster and Sons.

Quitting school at an early age, young Birket Foster was at first placed in his father's business; but, owing to an accident, he did not remain long in that position. [Pg 3]

As the youth showed a decided tendency towards art, his father consulted a Mr. Stone, a die-engraver, with whom he had a slight acquaintance, and it was arranged that the son should be apprenticed to him. Before, however, the articles of apprenticeship could be signed, Mr. Stone unfortunately committed suicide. In his dilemma the father next sought the assistance of a fellow-townsmen, Ebenezer Landells, who at that time had established his reputation as a wood-engraver. He offered to take the boy into his business to see whether the work would suit him. The offer was accepted, and the day on which Birket Foster entered Landells' office may be said to be the commencement of his artistic career.

In 1841 Landells, in conjunction with Henry Mayhew, Mark Lemon, and others, started *Punch*. Most of the early woodcuts for this publication were produced in Landells' office; Birket Foster was employed to draw and cut numerous initial letters, and on one occasion he was entrusted to make a full-page political cartoon representing Lord John Russell as Jack Sheppard.

When *The Illustrated London News* was commenced by Herbert Ingram in 1842, Landells was engaged to produce many of the illustrations, and Birket Foster was employed by him in making drawings for them. This he continued to do for many years after he left Landells' establishment. The most characteristic works of Birket Foster for this periodical were the charming engravings which appeared in the musical supplements and the Christmas numbers. He also made many drawings for *The Illustrated London Almanack* for 1848 and subsequent years. [Pg 4]

At this period our artist was greatly sought after by publishers to execute pencil drawings for wood-engravings for books, and from the year 1847 to 1863 more than eighty different volumes, produced by various firms, were illustrated by dainty engravings after his drawings.

After the year 1858 Birket Foster practically abandoned the drawing on wood-blocks, and devoted himself almost entirely to water-colour painting. He received little or no instruction in the art, and in later years, when he was frequently pestered by persons asking him to give them lessons in painting, he used to say that he never received any lessons, so he never gave them, believing the best instruction to be obtained from studying the great masters. He was a profound admirer of Turner and Clarkson Stanfield, and it is probable that he was more influenced by the latter's works than by those of any other artist, especially with regard to composition. He delighted to surround himself with paintings by these and other artists. [Pg 5]

With regard to his method of working, Birket Foster's early training for drawing on wood-blocks considerably influenced his water-colour work, which was very dissimilar to the "wash" methods of the early school of water-colour painters. He, indeed, worked with his brush as dry as it well could be, and probably no artist in using the medium of water-colours ever used so little water. Of course, all painting may be said to be drawing with a brush, but Birket Foster's was practically drawing to a peculiar degree, not washing with a brush. He used a very fine brush with very little paint in it, and owing to his habit of frequently putting it between his lips to make the point of it as fine as possible, it used to be said that the paint came out of the artist's head.

Birket Foster worked very rapidly in his own way of obtaining the effects he desired, and his remarkable gift for composition enabled him to people his scenes with wonderful facility and felicity. He never engaged a professional model; his children were all sketched from the rustic boys and girls, whom he found in the course of his wanderings.

In 1860 Birket Foster was unanimously elected an associate of the Old Water-Colour Society, and became a full member two years afterwards. He greatly appreciated the honour conferred upon him, and thoroughly gave his best interests to the Society. [Pg 6]

He was a most prolific worker, and beside the large number of water-colour paintings exhibited at the Old Society, to which he contributed more than four hundred and fifty, many of his drawings were bought by the picture-dealers straight from his studio, and in some cases he received direct commissions for paintings from collectors.

Birket Foster, like many other water-colour artists, turned his attention to painting in oils, and for the nine years, 1869 to 1877, he regularly contributed oil paintings, thirteen in all, to the Exhibitions at the Royal Academy, but after that period he abandoned this medium, as he found

that his little water-colour gems were far more appreciated by the public. In 1876 Foster was elected a member of the Royal Academy of Berlin.

Although the rural scenery of his native country had its peculiar charms for his pencil, still Birket Foster was greatly attracted by the grander views to be obtained on the Continent. His early visits were made to the Rhine, but subsequently the Italian lakes and Venice were his favourite hunting grounds in search for "bits" to sketch. The word "bits" is particularly applicable in the case of Birket Foster, for he almost invariably preferred to make a drawing of some detail rather than a broad landscape. He used to say that the mountain scenery of Switzerland was too panoramic and had no attractions for him. It is somewhat remarkable that whilst he relied to a great extent on lanes and fields, and hedgerows and rustic children, for his English drawings, the views for his Continental paintings were largely selected from towns with architectural details introduced into them.

[Pg 7]

The first visit made to the Continent by Birket Foster was in 1852, when he was commissioned by a publisher, who was bringing out an illustrated edition of "Hyperion," by Longfellow, to follow in the footsteps of Paul Flemming, and to depict on the spot the varied scenes amid which the poet had laid the incidents of his story. Paul Flemming, as is well known, was Longfellow himself, and the romance was a passage in the author's own life.

From that date Foster made almost annual tours along the Rhine and through Switzerland, but it was not until the year 1868 that he was first able to feast his eyes upon the beauties of Venice, and afterwards he made numerous subsequent trips to Italy.

Our artist for many years resided at St. John's Wood, and when he took seriously to water-colour painting he at first selected his subjects from the fields about Hampstead and Highgate. He soon, however, wandered farther afield, and was attracted by the picturesque scenery of Surrey. During his wanderings in this delightful county he found himself at Witley, near Godalming, and he resolved to have a residence there.

[Pg 8]

It cannot be said that Witley was "discovered" by Birket Foster, for other artists were there before him. J. C. Hook, R.A., had already built himself a residence and studio upon an eminence with a beautiful view overlooking the Weald of Surrey. There can, however, be no doubt that the genial disposition and the liberal hospitality of the owner of "The Hill" afterwards attracted many of his fellow-artists to the neighbourhood.

Witley station stands at a spot where the railway emerges from a deep cutting with pine woods on either side, and at this period there were but few houses or even cottages in the vicinity, for the village itself lies a mile and a quarter to the northward; but Birket Foster managed to secure the possession of a picturesque cottage called "Tigbourne," situated by the corner of the road leading to Hambledon at the foot of Wormley Hill, and resided there during the summer months.

[Pg 9]

Birket Foster eventually became so pleased with the neighbourhood that he determined to take up his permanent abode at Witley. After lengthy negotiations, he secured a beautiful site, between Wormley Hill and the railway station, on which he erected a house which was called "The Hill," and finally quitted St. John's Wood. He was practically his own architect, and residing near by at his cottage, he was enabled personally to superintend the erection of the entire building. In order that its newness should not offend the artistic eye, he purchased as many weather-worn tiles off the old cottages in the neighbourhood as possible, and placed them on the roof of his house. A great amount of care was bestowed on the internal decorations. William Morris was consulted, and Burne-Jones painted seven canvases illustrating the legend of St. George and the Dragon, which formed a frieze round three sides of the dining-room. Burne-Jones was also commissioned to make many other designs for the adornment of "The Hill"; the decorated tiles round the fire-places and stained glass in the windows were all designed by him. He also painted a large screen of eight folds, upon which were sixteen events of the life of St. Frideswide. These scenes were afterwards reproduced in the windows of Christ Church Cathedral at Oxford.

"The Hill" was an open house to all Birket Foster's friends, and particularly to his brother-artists. He was never more pleased than when he was entertaining his guests, and being specially fond of music, many of the social gatherings were enhanced by musical performances.

[Pg 10]

One of the most frequent visitors was Frederick Walker, A.R.A.: he was a special favourite, at all times welcome, and was one of the few who had an influence on Birket Foster's painting, especially his figures. He was in the habit of going to Witley whenever he felt inclined, without waiting for an invitation, a bedroom known as "Freddy's room" being reserved for him. Walker had an immense love for the place, which he called "Paradise," and greatly regretted that he had not sufficient money to purchase a cottage which J. C. Hook, R.A., had built near his house, the situation of which Walker considered "romantic—such a sweep of glorious country."

Another constant visitor was Charles Keene, the celebrated black and white artist of *Punch*. After Birket Foster had removed from "Tigbourne Cottage" he still rented it that he might make sure of the presence of an agreeable and congenial occupant, and persuaded Keene to become a tenant. Keene was greatly delighted with this retreat, of which he wrote:—

[Pg 11]

"The stillness here after London is delicious. The only sound is the ring of the village blacksmith's hammer in the distance or the occasional cluck of a hen, and the wind roars through the trees of a night, which lulls me pleasantly to sleep."

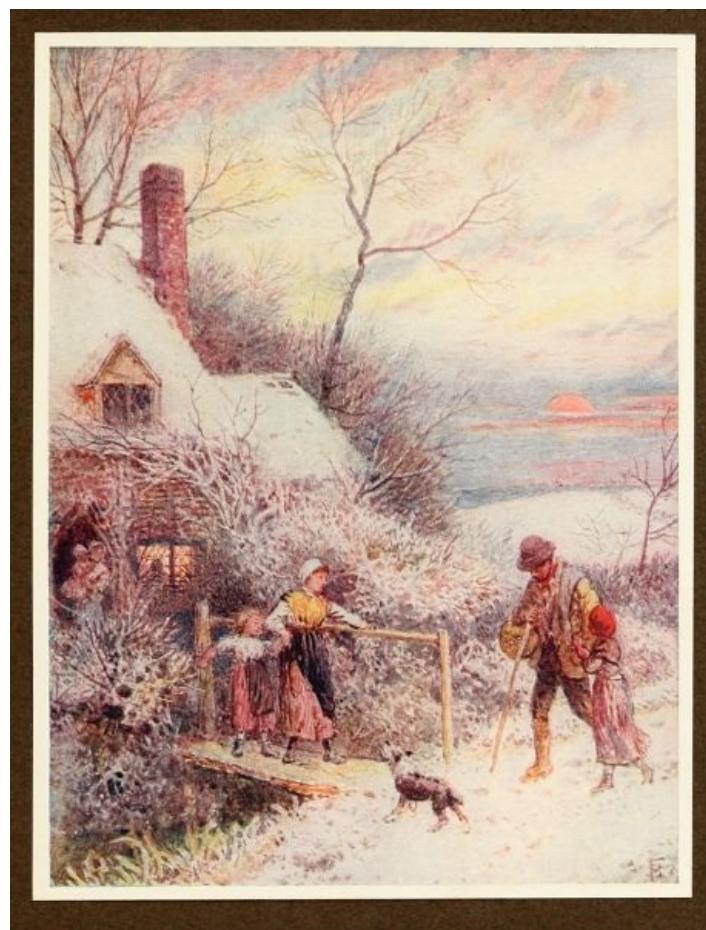
As may be seen by glancing through the titles of his exhibited paintings, the neighbourhood around Witley had a great charm for Birket Foster, and drawings made on Hambledon Common and in the village of Chiddingfold—with their picturesque cottages roofed with thatch or red tiles, now fast disappearing, and their leafy lanes with happy children gathering wild-flowers, or the beautiful view from his own residence overlooking the Surrey Weald, with Hindhead and Blackdown in the distance and glimpses of the Brighton Downs beyond—are most appreciated by the public, and it is by these paintings he is best known.

Birket Foster, as already stated, made very many tours through different parts of England and Scotland, and although he was not what may be termed a seascape artist, he was fond of making drawings of children playing on the seashore. Later in life he revisited many of the watering-places which he depicted for *The Illustrated London News* in his early days, and instead of sketches for wood-blocks, he painted many charming little scenes.

Another phase of Birket Foster's art was his love for painting fruit and flowers. He was greatly attracted by William Hunt's work. As may be expected, the same stippling in paintings by Hunt appears in works of Foster; but whilst the former nearly always painted his fruit pieces the same size as in Nature, the latter produced almost miniature representations of them. [Pg 12]

In 1893 Birket Foster was attacked by a serious illness, and yielding to the pressure of medical advice, he was obliged to abandon much of his work and reluctantly to give up "The Hill." He removed to "Braeside," Weybridge, and here he resided quietly, devoting himself to his painting as much as possible, until his death, which occurred six years later. He was buried in Witley churchyard; a Celtic cross, with the simple inscription, "In memory of Birket Foster. Born Feb. 4th, 1825. Died March 27th, 1899," marks the spot where lie the remains of this great water-colour artist, who painted English landscape with such a pure feeling and high perception of the beauty of Nature.

Birket Foster was twice married—firstly, in 1850, to his cousin, Ann Spence, by whom he had five children, three sons and two daughters; and secondly, in 1864, to Frances Watson, a sister to John Dawson Watson, the well-known painter and member of the Old Water-Colour Society.



Going Home

[Pg 13]

[Pg 14]



Loch Leven Castle



**Shrine at the Entrance of the Courtyard of the Ducal Palace,
Venice**

[Pg 16]



Entrance to the Grand Canal, Venice

[Pg 17]



Birthplace of Burns, near Ayr

[Pg 18]



Sunset with Cattle



In Full Cry

[Pg 19]

[Pg 20]



Children by the Sea



By the Thames



A Surrey Cottage



[Pg 23]

The Donkey that would not go



[Pg 24]

Passing the Flock



Near Godalming



The Blackberry Gatherers



The Happy Time of Life

Transcriber's Note

Captions were added to the plates for convenience.

*** END OF THE PROJECT GUTENBERG EBOOK BIRKET FOSTER, R.W.S ***

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.