## The Project Gutenberg eBook of Bob: The Story of Our Mocking-bird, by Sidney Lanier

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: Bob: The Story of Our Mocking-bird

Author: Sidney Lanier

Author of introduction, etc.: Charles D. Lanier

Illustrator: A. Radclyffe Dugmore

Release date: January 9, 2015 [EBook #47924]

Language: English

Credits: Produced by Ron Swanson

\*\*\* START OF THE PROJECT GUTENBERG EBOOK BOB: THE STORY OF OUR MOCKING-BIRD \*\*\*



#### THE STORY OF OUR MOCKING-BIRD

**By Sidney Lanier** 

With Sixteen Illustrations in Color

Charles Scribner's Sons New York, A.D. Mdccccx



#### **Prefatory Note**

he poet Sidney Lanier loved to swing in full-muscled walks through the fields and woods; to take the biggest bow and quiver out of the archery implements provided for himself and his brood of boys, and with them trailing at his heels, to tramp and shoot at rovers; to bestride a springy horse and ride through the mountains and the valleys, noting what they were pleased to show of tree and bird and beast life. He could feel the honest savage instinct of the hunter (and lose it in his first sight of a stag's death-eyes). A rare bird's nest with eggs

produced in him the rapture vouchsafed to barbarian Boy, along with the divine suggestions vouchsafed to the Poet. This may be worth while to say to those of Lanier's readers who may think of him as a sensitive, delicate man of letters, and who must see in most of his writing evidences of extreme sensibility. It was this habit of a practical, face-to-face conversation with nature which, joined with the artist's instinct, makes the sketch of "Bob" so veracious a picture of a bird-individual and a bird-species. Lanier's wife and children remember well the delight the bird had for his brother artist; how the amused flute would trill with extravagant graces to the silent but heedful wonder of the caged one. Every surprising token of intelligence, of affection, of valor displayed by Bob was hailed by Mr. Lanier with a boy's ecstacy over a pet, and a poet's thankfulness of a beautiful work of the Creator.

There is, doubtless, no need to assure the reader that the events of Bob's life as hereinafter depicted are historically true; he was acquired by one of the poet's boys, who, forbidden to rob nests, remembers his fear, on the way home with Bob in his straw hat, that the account of the bird's helpless condition would not serve as a fair and reasonable excuse for keeping him as a pet.

The illustrations which form so important a part of the effort to make a picture of Bob, are unusual in their origin and in their method. Mr. Dugmore made photographic studies of a young mocking-bird, or, rather, of a number of young mocking-birds, the photographs were colored by him, and the plates from these photographs were printed in color. The variety of rare tints in any bird's plumage, their extreme delicacy, and the infinitely fine gradations of shading have almost always baffled the artist and the printer. The present attempt to reproduce Mr. Dugmore's masterly pictures in color shows at least a handsome advance in the difficult art.

Charles Day Lanier.

October, 1899.

#### **List of Illustrations**

From Photographs made from Life and colored by A. R. Dugmore

"Bob lying in a lump"

"To increase the volume of his rudimentary feathers"

"Throw his head back and open his yellow-lined beak"

"He scrambled to the bars of the cage—which his feeble companion was unable to do"

"For it was his own image in the looking-glass of a bureau"

"His bath"

"When he smoothed his feathers"

"And as many times slid down the smooth surface of the mirror and wounded himself upon the perilous pin-cushion"

"The most elegant, trim ... little dandy"

"A sidelong, inquiring posture of the head, ... Is she gone?"

"He eats very often"

"Bob never neglects to wipe his beak after each meal"

"He stretches his body until he seems incredibly tall"

"When he is cold, he makes himself into a round ball of feathers"

"When his feathers fall. He is then unspeakably dejected.... every feather dropped from his tail"

"We have only to set Bob's cage where a spot of sunshine will fall on it.... up goes his beak, and he is off"

### **BOB**

#### The Mocking-Bird

Superb and sole, upon a pluméd spray
That o'er the general leafage boldly grew,
He summ'd the woods in song; or typic drew
The watch of hungry hawks, the lone dismay,
Of languid doves when long their lovers stray,
And all birds' passion-plays that sprinkle dew
At morn in brake or bosky avenue.
Whate'er birds did or dreamed, this bird could say.
Then down he shot, bounced airily along
The sward, twitched in a grasshopper, made song
Midflight, perched, prinked, and to his art again.
Sweet Science, this large riddle read me plain:
How may the death of that dull insect be
The life of yon trim Shakspere on the tree?

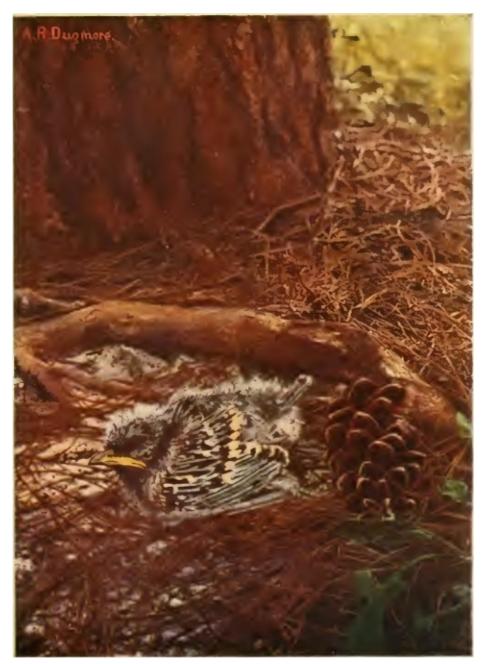
#### **BOB**



ot that his name *ought* to be Bob at all. In respect of his behavior during a certain trying period which I am presently to recount, he ought to be called Sir Philip Sidney: yet, by virtue of his conduct in another very troublesome business which I will relate, he has equal claim to be known as Don Quixote de la Mancha: while, in consideration that he is the Voice of his whole race, singing the passions of all his fellows better than any one could sing his own, he is clearly entitled to be named William Shakspere.

For Bob is our mocking-bird. He fell to us out of the top of a certain great pine in a certain small city on the sea-coast of Georgia. In this tree and a host of his lordly fellows which tower over that little city, the mocking-birds abound in unusual numbers. They love the prodigious masses of the leaves, and the generous breezes from the neighboring Gulf Stream, and, most of all, the infinite flood of the sunlight which is so rich and cordial that it will make even a man lift his head towards the sky, as a

mocking-bird lifts his beak, and try to sing something or other.



"Bob lying in a lump"

About three years ago, in a sandy road which skirts a grove of such tall pines, a wayfarer found Bob lying in a lump. It could not have been more than a few days since he was no bird at all, only an egg with possibilities. The finder brought him to our fence and turned him over to a young man who had done us the honor to come out of a Strange Country and live at our house about six years before. Gladly received by this last, Bob was brought within, and family discussions were held. He could not be put back into a tree: the hawks would have had him in an hour. The original nest was not to be found. We struggled hard against committing the crime—as we had always considered it—of caging a bird. But finally it became plain that there was no other resource. In fact, we were obliged to recognize that he had come to us from the hand of Providence, and, though we are among the most steady-going democrats of this Republic, we were yet sufficiently acquainted with the etiquette of courts to know that one does not refuse the gift of the King.

Dimly hoping, therefore, that we might see our way clear to devise some means of giving Bob an education that would fit him for a forester, we arranged suitable accommodations for him, and he was tended with motherly care.



"To increase the volume of his rudimentary feathers"

He repaid our attentions from the very beginning. He immediately began to pick up in flesh and to increase the volume of his rudimentary feathers. Soon he commenced to call for his food as lustily as any spoiled child. When it was brought, he would throw his head back and open his yellow-lined beak to a width which no one would credit who did not see it. Into this enormous cavity, which seemed almost larger than the bird, his protectress would thrust—and the more vigorously the better he seemed to like it—ball after ball of the yolk of hard-boiled egg mashed up with Irish potato.



"Throw his head back and open his yellow-lined beak"

How, from this dry compound which was his only fare except an occasional worm off the rose-bushes, Bob could have wrought the surprising nobleness of spirit which he displayed about six weeks after he came to us ... is a matter which I do not believe the most expansive application of Mr. Herbert Spencer's theory of the genesis of emotion could even remotely account for. I refer to the occasion when he fairly earned the title of Sir Philip Sidney. A short time after he became our guest a couple of other fledgelings were brought and placed in his cage. One of these soon died, but the other continued for some time longer to drag out a drooping existence. One day, when Bob was about six weeks old, his usual ration had been delayed, owing to the pressure of other duties upon his attendant. He was not slow to make this circumstance known by all the language available to him. He was very hungry indeed and was squealing with every appearance of entreaty and of indignation when at last the lady of the house was able to bring him his breakfast. He scrambled to the bars of the cage —which his feeble companion was unable to do—took the proffered ball of egg-and-potato fiercely in his beak, and then, instead of swallowing it, deliberately flapped back to his sick guest in the corner and gave him the whole of it without tasting a morsel.



"He scrambled to the bars of the cage—which his feeble companion was unable to do"  $\,$ 

Now when Sir Philip Sidney was being carried off the battle-field of Zutphen with a fearful wound in his thigh, he became very thirsty and begged for water. As the cup was handed him, a dying soldier who lay near cast upon it a look of great longing. This Sidney observed: refusing the cup, he ordered that it should be handed to the soldier, saying, "His necessity is greater than mine."



mocking-bird is called Bob just as a goat is called Billy or Nan, as a parrot is called Poll, as a squirrel is called Bunny, or as a cat is called Pussy or Tom. In spite of the suggestions forced upon us by the similarity of his behavior to that of the sweet young gentleman of Zutphen, our bird continued to bear the common appellation of his race and no efforts on the part of those who believe in the fitness of things have availed to change the habits of Bob's friends in this particular. Bob he was, is, and will probably remain.

Perhaps under a weightier title he would not have thriven so prosperously. His growth was amazing in body and in mind. By the time he was two months old he clearly showed that he was going to be a singer. About this period certain little feeble trills and experimental whistles began to vary the monotony of his absurd squeals and chirrups. The musical business, and the marvellous work of feathering himself, occupied his thoughts continually. I cannot but suppose that he superintended the disposition of the black, white and gray markings on his wings and his tail as they successively appeared: he certainly manufactured the pigments with which those colors were laid on, somewhere within himself,—and all out of egg-and-potato. How he ever got the idea of arranging his feather characteristics exactly as those of all other male mocking-birds are arranged—is more than I know. It is equally beyond me to conceive why he did not—while he was about it—exert his individuality to the extent of some little peculiar black dot or white stripe whereby he could at least tell himself from any other bird. His failure to attend to this last matter was afterwards the cause of a great battle from which Bob would have emerged in a plight as ludicrous as any of Don Quixote's,—considering the

harmless and unsubstantial nature of his antagonist—had not this view of his behavior been changed by the courage and spirit with which he engaged his enemy, the gallantry with which he continued the fight, and the good faithful blood which he shed while it lasted. In all these particulars his battle fairly rivalled any encounter of the much-bruised Knight of la Mancha.

He was about a year old when it happened, and the fight took place a long way from his native heath. He was spending the summer at a pleasant country home in Pennsylvania. He had appeared to take just as much delight in the clover fields and mansion-studded hills of this lovely region as in the lonesome forests and sandy levels of his native land. He had sung, and sung: even in his dreams at night his sensitive little soul would often get quite too full and he would pour forth rapturous bursts of sentiment at any time between twelve o'clock and daybreak. If our health had been as little troubled by broken slumber as was his, these melodies in the late night would have been glorious; but there were some of us who had gone into the country especially to sleep; and we were finally driven to swing the sturdy songster high up in our outside porch at night, by an apparatus contrived with careful reference to cats. Several of these animals in the neighborhood had longed unspeakably for Bob ever since his arrival. We had seen them eyeing him from behind bushes and through windows, and had once rescued him from one who had thrust a paw between the very bars of his cage. That cat was going to eat him, art and all, with no compunction in the world. His music seemed to make no more impression on cats than Keats's made on critics. If only some really discriminating person had been by with a shot-gun when *The Quarterly* thrust its paw into poor Endymion's cage!



"For it was his own image in the looking-glass of a bureau"



"His bath"



"When he smoothed his feathers"

One day at this country-house Bob had been let out of his cage and allowed to fly about the room. He had cut many antics, to the amusement of the company, when presently we left him, to go down to dinner. What occurred afterward was very plainly told by circumstantial evidence when we returned. As soon as he was alone, he had availed himself of his unusual freedom to go exploring about the room. In the course of his investigation he suddenly found himself confronted by ... it is impossible to say what he considered it. If he had been reared in the woods he would probably have regarded it as another mocking-bird,—for it was his own image in the looking-glass of a bureau. But he had never seen any member of his race except the forlorn little unfledged specimen which he had fed at six weeks of age, and which bore no resemblance to this tall, gallant, bright-eyed figure in the mirror. He had thus had no opportunity to generalize his kind; and he knew nothing whatever of his own personal appearance except the partial hints he may have gained when he smoothed his feathers with his beak after his bath in the morning. It may therefore very well be that he took this sudden apparition for some Chimæra or dire monster which had taken advantage of the family's temporary absence to enter the room, with evil purpose. Bob immediately determined to defend the premises. He flew at the invader, literally beak and claw. But beak and claw taking no hold upon the smooth glass, with each attack he slid struggling down to the foot of the mirror. Now it so happened that a pin-cushion lay at this point, which bristled not only with pins but with needles which had been temporarily left in it and which were nearly as sharp at the eye-ends as at the points. Upon these Bob's poor claws came down with fury: he felt the wounds and saw the blood: both he attributed to the strokes of his enemy, and this roused him to new rage. In order to give additional momentum to his onset he would retire towards the other side of the room and thence fly at the foe. Again and again he charged: and as many times slid down the smooth surface of the mirror and wounded himself upon the perilous pin-cushion. As I entered, being first up from table, he was in the act of fluttering down against the glass. The counterpane on the bed, the white dimity cover of the bureau, the pin-cushion, all bore the bloody resemblances of his feet in various places, and showed how many times he had sought distant points in order to give himself a running start. His heart was beating violently, and his feathers were ludicrously tousled. And all against the mere shadow of himself! Never was there such a temptation for the head of a family to assemble his people and draw a prodigious moral. But better thoughts

came: for, after all, was it not probable that the poor bird was defending—or at any rate believed he was defending—the rights and properties of his absent masters against a foe of unknown power? All the circumstances go to show that he made the attack with a faithful valor as reverent as that which steadied the lance of Don Quixote against the windmills. In after days, when his cage has been placed among the boughs of the trees, he has not shown any warlike feelings against the robins and sparrows that passed about, but only a friendly interest.



"And as many times slid down the smooth surface of the mirror and wounded himself upon the perilous pin-cushion"



"The most elegant, trim ... little dandy"

At this present writing, Bob is the most elegant, trim, electric, persuasive, cunning, tender, courageous, artistic little dandy of a bird that mind can imagine. He does not confine himself to imitating the songs of his tribe. He is a creative artist. I was witness not long ago to the selection and adoption by him of a rudimentary whistle-language. During an illness it fell to my lot to sleep in a room alone with Bob. In the early morning, when a lady—to whom Bob is passionately attached—would make her appearance in the room, he would salute her with a certain joyful chirrup which appears to belong to him peculiarly. I have not heard it from any other bird. But sometimes the lady would merely open the door, make an inquiry, and then retire. It was now necessary for his artistic soul to find some form of expressing grief. For this purpose he selected a certain cry almost identical with that of the cow-bird—an indescribably plaintive, long-drawn, thin whistle. Day after day I heard him make use of these expressions. He had never done so before. The mournful one he would usually accompany, as soon as the door was shut, with a sidelong, inquiring posture of the head, which was a clear repetition of the lover's *Is she gone? Is she really gone?* 



"A sidelong, inquiring posture of the head, ... Is she gone?"



here is one particular in which Bob's habits cannot be recommended. He eats very often. In fact if Bob should hire a cook, it would be absolutely necessary for him to write down his hours for her guidance; and this writing would look very much like a time-table of the Pennsylvania, or the Hudson River, or the Old Colony, Railroad. He would have to say: "Bridget will be kind enough to get me my breakfast at the following hours: 5, 5.30, 5.40, 6, 6.15, 6.30, 6.45, 7, 7.20, 7.40, 8 (and so on, every fifteen or twenty minutes, until 12 M.); my dinner at 12, 12.20, 12.40, 1, 1.15, 1.30

(and so on every fifteen or twenty minutes until 6 p.m.); my supper is irregular, but I wish Bridget particularly to remember that I *always* eat whenever I awake in the night, and that I usually awake four or five times between bedtime and daybreak." With all this eating, Bob never neglects to wipe his beak after each meal. This he does by drawing it quickly, three or four times on each side, against his perch.



"He eats very often"



"Bob never neglects to wipe his beak after each meal"

I never tire of watching his motions. There does not seem to be the least friction between any of the component parts of his system. They all work, give, play in and out, stretch, contract, and serve his desires generally with a smoothness and soft precision truly admirable.

Merely to see him leap from his perch to the floor of his cage is to me a never-failing marvel. It is so instantaneous, and yet so quiet: *clip*, and he is down, with his head in the food-cup: I can compare it to nothing but the stroke of Fate. It is perhaps a strained association of the large with the small: but when he suddenly leaps down in this instantaneous way, I always feel as if, while looking down upon the three large Forms of the antique Sculpture, lying in severe postures along the ground, I suddenly heard the clip of the fatal shears.

His repertory of songs is extensive. Perhaps it would have been much more so if his life had been in the woods where he would have had the opportunity to hear the endlessly-various calls of his race. So far as we can see, the stock of songs which he now sings must have been brought in his own mind from the egg, or from some further source whereof we know nothing. He certainly never *learned* these calls: many of the birds of whom he gives perfect imitations have been always beyond his reach. He does not apprehend readily a new set of tones. He has caught two or three musical phrases from having them whistled near him. No systematic attempt, however, has been made to teach him anything. His procedure in learning these few tones was peculiar. He would not, on first hearing them, make any sign that he desired to retain them, beyond a certain air of attention in his posture. Upon repetition on a different day, his behavior was the same: there was no *attempt* at imitation. But sometime afterward, quite unexpectedly, in the hilarious flow of his birdsongs would appear a perfect reproduction of the whistled tones. Like a great artist he was rather above futile and amateurish efforts. He took things into his mind, turned them over, and, when he was perfectly sure of them, brought them forth with perfection and with unconcern.

He has his little joke. His favorite response to the endearing terms of the lady whom he loves is to scold her. Of course he understands that she understands his wit. He uses for this purpose the angry

warning cry which mocking-birds are in the habit of employing to drive away intruders from their nests. At the same time he expresses his delight by a peculiar gesture which he always uses when pleased. He extends his right wing and stretches his leg along the inner surface of it as far as he is able



"He stretches his body until he seems incredibly tall"

He has great capacities in the way of elongating and contracting himself. When he is curious, or alarmed, he stretches his body until he seems incredibly tall and of the size of his neck all the way. When he is cold, he makes himself into a round ball of feathers.



"When he is cold, he makes himself into a round ball of feathers"



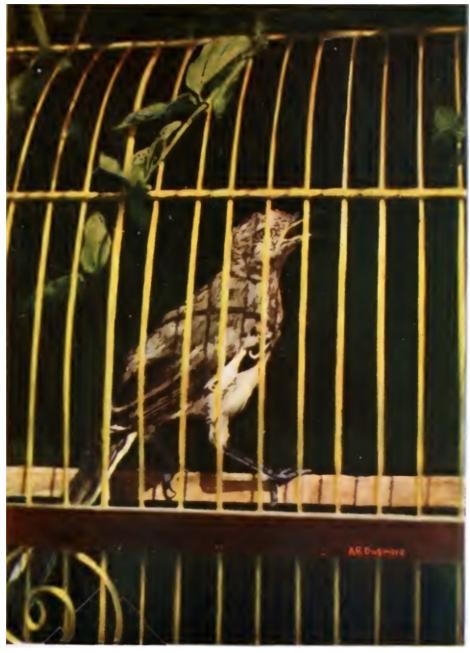
think I envy him most when he goes to sleep. He takes up one leg somewhere into his bosom, crooks the other a trifle, shortens his neck, closes his eyes,—and it is done. He does not appear to hover a moment in the borderland between sleeping and waking but hops over the line with the same superb decision with which he drops from his perch to the floor. I do not think he ever has anything on his mind after he closes his eyes. It is my belief that he never committed a sin of any sort in his whole life. There is but one time when he ever looks sad. This is during the season when his feathers fall. He is then

unspeakably dejected. Never a note do we get from him until it is over. Nor can he be blamed. Last summer not only the usual loss took place, but every feather dropped from his tail. His dejection during this period was so extreme that we could not but believe he had some idea of his personal appearance under the disadvantage of no tail. This was so ludicrous that his most ardent lovers could scarcely behold him without a smile; and it appeared to cut him to the soul that he should excite such sentiments.



"When his feathers fall. He is then unspeakably dejected.... every feather dropped from his tail"

But in a surprisingly short time his tail-feathers grew out again, the rest of his apparel reappeared fresh and new, and he lifted up his head: insomuch that whenever we wish to fill the house with a gay, confident, dashing, riotous, innocent, sparkling glory of jubilation, we have only to set Bob's cage where a spot of sunshine will fall on it. His beads of eyes glisten, his form grows intense, up goes his beak, and he is off.



"We have only to set Bob's cage where a spot of sunshine will fall on it....
up goes his beak, and he is off"

Finally we have sometimes discussed the question: is it better on the whole, that Bob should have lived in a cage than in the wildwood? There are conflicting opinions about it: but one of us is clear that it is. He argues that although there are many songs which are never heard, as there are many eggs which never hatch, yet the general end of a song is to be heard, as that of an egg is to be hatched. He further argues that Bob's life in his cage has been one long blessing to several people who stood in need of him: whereas in the woods, leaving aside the probability of hawks and bad boys, he would not have been likely to gain one appreciative listener for a single half-hour out of each year. And, as I have already mercifully released you from several morals (continues this disputant) which I might have drawn from Bob, I am resolved that no power on earth shall prevent me from drawing this final one.— We have heard much of "the privileges of genius," of "the right of the artist to live out his own existence free from the conventionalities of society," of "the un-morality of art," and the like. But I do protest that the greater the artist, and the more profound his pity toward the fellow-man for whom he passionately works, the readier will be his willingness to forego the privileges of genius and to cage himself in the conventionalities, even as the mocking-bird is caged. His struggle against these will, I admit, be the greatest: he will feel the bitterest sense of their uselessness in restraining him from wrong-doing. But, nevertheless, one consideration will drive him to enter the door and get contentedly on his perch: his fellow-men, his fellow-men. These he can reach through the respectable bars of use and wont; in his wild thickets of lawlessness they would never hear him, or, hearing, would never listen. In truth this is the sublimest of self-denials, and none but a very great artist can compass it: to abandon the sweet green forest of liberty, and live a whole life behind needless constraints, for the more perfect service of his fellow-men.

#### **Epilogue**

#### To Our Mocking-Bird

Died of a Cat, May, 1878

Ι

Trillets of humor,—shrewdest whistle-wit,—
Contralto cadences of grave desire
Such as from off the passionate Indian pyre
Drift down through sandal-odored flames that split
About the slim young widow who doth sit
And sing above,—midnights of tone entire,—
Tissues of moonlight shot with songs of fire;—
Bright drops of tune, from oceans infinite
Of melody, sipped off the thin-edged wave
And trickling down the beak,—discourses brave
Of serious matter that no man may guess,—
Good-fellow greetings, cries of light distress—
All these but now within the house we heard:
O Death, wast thou too deaf to hear the bird?

Π

Ah me, though never an ear for song, thou hast
A tireless tooth for songsters: thus of late
Thou camest, Death, thou Cat! and leap'st my gate,
And, long ere Love could follow, thou hadst passed
Within and snatched away, how fast, how fast,
My bird—wit, songs, and all—thy richest freight
Since that fell time when in some wink of fate
Thy yellow claws unsheathed and stretched, and cast
Sharp hold on Keats, and dragged him slow away,
And harried him with hope and horrid play—
Ay, him, the world's best wood-bird, wise with song—
Till thou hadst wrought thine own last mortal wrong.

'Twas wrong! 'twas wrong! I care not, wrong's the word—
To munch our Keats and crunch our mocking-bird.

III

Nay, Bird; my grief gainsays the Lord's best right.

The Lord was fain, at some late festal time,
That Keats should set all Heaven's woods in rhyme,
And thou in bird-notes. Lo, this tearful night,
Methinks I see thee, fresh from death's despite,
Perched in a palm-grove, wild with pantomime,
O'er blissful companies couched in shady thyme,
—Methinks I hear thy silver whistlings bright
Mix with the mighty discourse of the wise,
Till broad Beethoven, deaf no more, and Keats,
'Midst of much talk, uplift their smiling eyes,
And mark the music of thy wood-conceits,
And halfway pause on some large, courteous word,
And call thee "Brother," O thou heavenly Bird!

Baltimore, 1878.

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>TM</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> $\mathsf{TM}$ </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> $\mathsf{TM}$ </sup> electronic works if you follow the terms of this agreement and help preserve free future access to Project Gutenberg<sup> $\mathsf{TM}$ </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 $^{\text{m}}$  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> $\mathsf{TM}$ </sup> License must appear prominently whenever any copy of a Project Gutenberg<sup> $\mathsf{TM}$ </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>™</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>™</sup> trademark as set forth in paragraphs 1.E.8 or 1.E.9.
- 1.E.3. If an individual Project Gutenberg<sup>TM</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>TM</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>TM</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> $\mathsf{TM}$ </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> $^{\text{TM}}$ </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>™</sup> collection. Despite these efforts, Project Gutenberg<sup>™</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>TM</sup> electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project Gutenberg<sup>TM</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>TM</sup> work, (b) alteration, modification, or additions or deletions to any Project Gutenberg<sup>TM</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  $^{\text{\tiny IM}}$ 's goals and ensuring that the Project Gutenberg  $^{\text{\tiny IM}}$  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  $^{\text{\tiny IM}}$  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>™</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 $^{\text{TM}}$ , 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.