

The Project Gutenberg eBook of Retained for the Defence: A Farce, in One Act, by John Oxenford

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: Retained for the Defence: A Farce, in One Act

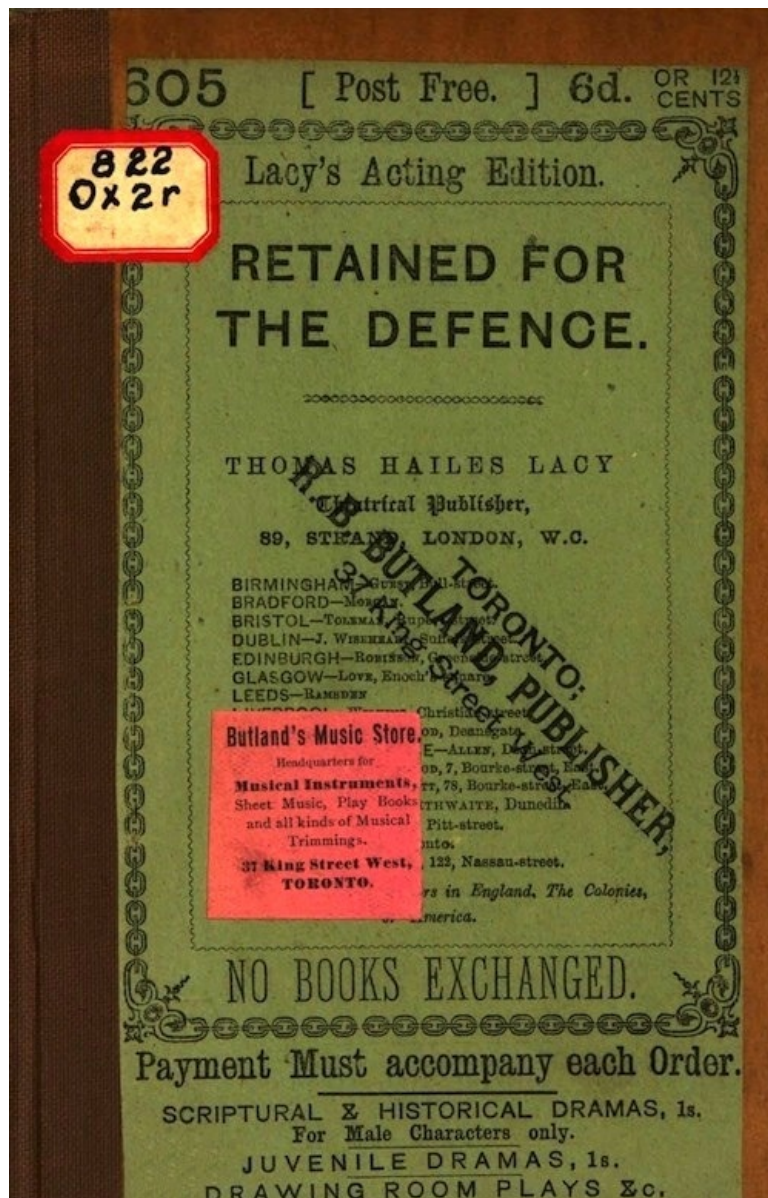
Author: John Oxenford

Release date: June 27, 2015 [EBook #49296]

Language: English

Credits: Produced by Paul Haxo from page images generously made available by the HathiTrust, the University of Illinois, and Google.

*** START OF THE PROJECT GUTENBERG EBOOK RETAINED FOR THE DEFENCE:
A FARCE, IN ONE ACT ***



**RETAINED FOR THE
DEFENCE**

A Farce,

IN ONE ACT.

BY

JOHN OXFENFORD, Esq.,

AUTHOR OF

*Twice Killed, A Day Well Spent, A Family Failing, Dice of Death, Only a
Halfpenny, Reigning Favourite, Rape of the Lock, My Fellow Clerk, I and
My Double, A Quiet Day, No Followers, What have I done? Porter's Knot,
&c. &c.*

THOMAS HAILES LACY,

89, STRAND,

(Opposite Southampton Street, Covent Garden Market),

LONDON.

*First performed at the Royal Olympic Theatre,
on Monday, May 23rd, 1859.*

Characters.

MR. MOTTLEY DE WINDSOR	MR. G. COOKE.
MR. WHITEWASH	MR. G. VINING.
MR. FERGUSON	MR. H. COOPER.
THWAITES	MR. H. WIGAN.
PAWKINS	MR. F. ROBSON.
AGATHA DE WINDSOR	MISS COTTRELL.

Guests, &c.

Time of Representation—45 MINUTES.

PERIOD—Present Day.

Costumes.

DE WINDSOR—Blue coat with metal buttons, white vest, black trousers.

WHITEWASH—Modern evening suit.

FERGUSON—Ditto.

THWAITES—Blue dress coat, white vest, black trousers, Berlin gloves.

PAWKINS—Long-tailed dress coat, colored vest, black trousers; hat and umbrella.

AGATHA—Rich pink silk ball dress.

GUESTS—Evening dresses.

[Pg 3]

RETAINED FOR THE DEFENCE.

SCENE—*A Drawing Room fitted up for an evening party—to the left a card table—doors, C. and L.*

THWAITES, *who has finished lighting candles in chandelier at back, C., steps back to survey the effect.*

THWAITES. Now, that's what I call the real thing—the clean grit. The position of that bokey (*bouquet*) is such, that none but the purest taste could conceive,—those camellias, chastity itself. A fine combination! Cutting the turnips and carrots to make ornaments for the cold tongue; chusing the bokies at Covent Garden Market; mildly tempering the brilliant light of wax and gas with the soothing hue of flowers. I have brought all my arts to bear upon this sworry. The party who is a greengrocer in the morning, is the only perfect waiter in the evening.

Enter AGATHA, C.

AGATHA. (L.) So, Thwaites, the room appears quite ready?

THWAITES. (R.) Yes, Miss Agatha; without exaggeration I may venture to say, we are lit up.

AGATHA. My father has not returned?

THWAITES. No, Miss Agatha, he has not—since he left the house at two in the afternoon—I haven't the slightest notion where he is gone.

AGATHA. Indeed! (*laughing—sits, L. C.*)

THWAITES. No—though I did my best to ascertain;—"Are you going far, sir?" says I. He stares, and he makes me no answer. "Shall you be long, sir?" says I. He stares again, and again he makes no answer. "Because sir," says I, "there's the party this evening!" "I know that, better than you do," says he, "for I shall have to pay for it!"—just like him, Miss Agatha—ha, ha, ha!

[Pg 4]

AGATHA. (*aside—vexed*) Really, 'pa must have a regular footman; these tradespeople whom he engages as occasional waiters don't understand subordination

a bit.

THWAITES. I hope you admire the bokies, Miss Agatha; them camellias are quite the thing, I flatter myself;—all my taste—ha! ha! You'll be called to-morrow the Lady of the Camellias!

AGATHA. Most offensive! (*rises, and turns aside*)

THWAITES. Now, I thought I had said something very pretty—but she don't look pleased.

AGATHA. No one has arrived, of course?

THWAITES. On the contrary, Miss Agatha—I'm sorry to differ from you, but I rather think one has arrived, and is coffee-ing in the back parlor;—here he is, too!

Enter WHITEWASH, C. from L. C., and down, C.

Mr. Whitewash, as I'm alive!—No occasion to announce you, sir.

WHITE (C.). Ah, my dear Miss De Windsor, excuse me if I stopped a minute to refresh myself with a *demitasse* of your choice Mocha instead of flying up stairs; but you see, a cause in which I was retained came on late, and I was obliged to exert myself a good deal—abnormally—if I may use the expression;—in short I was regularly knocked up.

AGATHA. Don't think of apologies—as it is you are the first in the room. So you have had another brief to-day—I hope you have been victorious.

WHITE. One of my most brilliant triumphs! I actually outshone myself! (THWAITES *listens*) A rascal had stolen a watch from a gentleman's pocket, and hid it!—ha, ha, ha!—in his umbrella.

THWAITES. Watch in an umbrella—come, that's not bad!—ho, ho, ho!

WHITE. Eh? (*looks half offended—then continues without noticing THWAITES*) There is not the slightest doubt that the scoundrel was guilty; indeed he had such a face that innocence would have been a positive fraud upon nature—but, ha, ha, ha! I got him off—I got him off!—a weeping jury declared that he was not guilty.

[Pg 5]

AGATHA. Capital!

THWAITES. Which it is capital!—just like you, sir.

WHITE. (*draws AGATHA aside*) I say—this person—rather familiar.

AGATHA. Yes, I know—I'm quite annoyed. He's our greengrocer. 'Pa jokes with him in the morning when he buys the vegetables, and now he's come to wait in the evening, he don't understand his position at all.

WHITE. I think I'll take the liberty of dropping a hint. I say, Mr.—

THWAITES. Thwaites, at your service, sir. Cards ain't common in our business; but my address is—

WHITE. Of your address, Mr. Thwaites, I have not the slightest doubt. But I would speak a word with you.

THWAITES. And I'll listen if you talk for an hour. If I take up the newspaper, is it to read about politics? No! About plays?—No, I should rather think not! About pictures? bother, no! I look to see if Mr. Whitewash has been saying something for some poor devil in the Central Criminal Court. That's my intellectual treat!

WHITE. (*flattered*) Indeed! ha! ha! Really, my dear Miss de Windsor we should do wrong to check this diffusion of intelligence among the masses.

Enter DE WINDSOR, C. from L. C.

DE W. He is here—is he—the dear boy. I must shake him by the hand. (*rushes forward, R. C. and grasps THWAITES by the hand*) Eh! ha! ha! You're not Whitewash! Ridiculous! I'm always making myself ridiculous; I've too much heart. You feel what I mean, Whitewash. (*shakes his hand violently*) You feel what I mean.

WHITE. (L. C.) Most acutely! (*wringing his hand*)

DE W. I'm so glad you are here before the others. Leave the room, Thwaites. (THWAITES *lingers, moving at back to C.*) I can now disburden my heart. As I said, I'm all heart. (THWAITES *advances, C.*) Leave the room, Thwaites! (THWAITES *goes up, and moves chair from R. to C.*) This moment is the most important—Zounds! Thwaites, will you leave the room?

THWAITES. (*aside, going up, C.*) That's the man of money. Give me the man of mind!

Exit, C., off, L.

[Pg 6]

DE W. (*coming to C.*) Now look, I hesitate no longer; I shilly-shally no longer; I follow the dictates of my heart, and my heart tells me to—Come here, Whitewash—

come here, Aggy. (*joins their hands*) Whitewash, consider yourself as my son-in-law.

AGATHA. Really, this is very sudden, 'pa.

DE W. Of course it is; I'm always sudden, I'm a creature of impulse. But do you dislike the arrangement?

AGATHA. I did not say that, 'pa.

DE W. Didn't say that, 'pa! Then why don't you speak out? Wear your mind in your face, as I do, or as my young friend here, with whom I want to speak a few words in private. So, go and see how they are getting on with the coffee.

WHITE. (R.) And don't forget, that you are engaged to me for the first set, and the Polka, and the Lancers.

DE W. Of course, she won't forget. Run along child.

Exit, AGATHA, C., off, L.

Now, I can give vent to my feelings; Whitewash, you've done it. I was long making up my mind, but now, you've done it. You are one of the men I like. (*shakes his hand violently—they sit*)

WHITE. My dear sir, I'm most happy. (*wringing his hand*)

DE W. Of course you are. Look you, it's only now that I like you; this very morning I weighed your merits with those of Tom Tango of the Stock Exchange, who you know has a sneaking kindness for my girl, and the balance was considerably in Tom's favour. He's a better looking fellow than you, and his conversation is more agreeable. Then, what's a lawyer? said I, a creature all brains and no heart? no heart, sir! But now, I'm changed, my views are more enlarged—more expansive—I have been—

WHITE. Dining out?

DE W. No, I have been in the Central Criminal Court, during the cause, "The Queen v. Pawkins."

WHITE. Ah, I see! and you heard my speech for the defence. It was not bad, was it?

DE W. It was noble—it was glorious. While I looked upon that poor man in the dock, and I heard you enunciate his virtues and expatiate on the largeness of his small family, he assumed in my eyes the sanctity of a martyr.

WHITE. You don't say so?

DE W. Perhaps you noticed that among the persons in the court one wept aloud—very loud?

WHITE. I did. The policeman turned him out, I believe.

DE W. True—ahem! Some such brutal occurrence did take place; I was the man that wept, sir, you were the man that made me weep; you touched my heart, sir, you touched my heart.

WHITE. (*aside*) Really, a most sensible old gentleman!

DE W. Lingered at the door, I learned that the prisoner was acquitted. So I walked home, and I said to myself—Whitewash is my destined son-in-law. I as a manufacturer of fancy soap remove physical impurities from the skin; Whitewash effaces the blots that calumny has cast upon innocence.

WHITE. Innocence!

DE W. Of course; no one knows better than you that that poor persecuted being was innocence itself.

WHITE. (*coolly*) Oh, yes—yes.

DE W. What delight you must have felt in restoring him to his weeping wife, and those five small children!

WHITE. Wife! children! Oh! ah! I believe I did use the expression.

DE W. But there's a further pleasure in store for you. You know I always follow the dictates of my heart. Well—well, my heart told me that society owed that poor persecuted being a reparation, and was bound to declare that he had not forfeited his social position. In a word, sir, I've invited him to my ball this evening.

WHITE. (*rises*) Here? To your house? A fellow with the taint of the dock fresh upon him!

DE W. A taint that he did not merit—a taint that you have so nobly removed. (*rises*)

WHITE. (*aside*) Oh, this is an old fool!

Enter AGATHA, C., and down, L.

AGATHA. (L.) Oh, papa, they are nearly all assembled in the other room.

DE W. (C.) Come along then—come along, that I may introduce you as my son-in-law. Come, defender of persecuted innocence!

WHITE. (*to AGATHA*) Mind the first set—the Lancers—the—

DE W. Come along. (*taking his arm*)

Exeunt DE WINDSOR and WHITEWASH, C. *off* L.

AGATHA. (*looking about*) Very foolish of my aunt not to fasten her bracelet better. It can't be here;—I don't believe she has been in this room. Tut, tut! (*goes up, R.*)

Enter THWAITES, L. D. 2 E.

THWAITES. (*announcing*) Mr. Pawkins!

Enter PAWKINS, L. D. 2 E., *he bows on all sides as if the room were full of company.*

Exit THWAITES, L.

PAWKINS. Why, I'm blessed if there's a soul here!—it's werry inconsistent bowing to two strings of nobody. (*suddenly sees AGATHA, R.*) Oh, I beg pardon, miss;—perhaps you may think it's like my impudence, but is the gov'ner in?

AGATHA. The—the—governor?

PAWKINS. Yes, the gov'ner here; not my gov'ner—no, bless you, he's been under hatches long ago. I want Mr.—I've got his letter somewhere—Mr.—he's something in the fancy soap line.

AGATHA. Oh, my papa—Mr. De Windsor.

PAWKINS. Him's it! So he's your papa, is he? Well then, I say you do him credit: I say it afore your face, and I wouldn't mind saying it behind your back.

AGATHA. (*aside*) A singularly vulgar person! but 'pa does pick up such strange friends in the City.

PAWKINS. Before we go any further I should like to settle one pint: I've picked up this here gimcrack thing on the staircase. (*producing bracelet from his coat pocket*)

AGATHA. (R., *catches it from his hand*) My aunt's bracelet! My dear sir, a thousand—thousand thanks!

Exit AGATHA, C.

PAWKINS. A thousand, thousand thanks!—my dear sir, too! Uncommon pretty behaved young person!—a child will take a deal of whipping afore it gets up to that pint of good manners. A shilling slipped in one's hand would have given a finishing touch to the compliment; but one can't have it all one's own way; then her pretty smile were worth more nor a shilling a precious sight. Ah, bless her heart! she'd ha' know'd fast enough that the man who picks up bracelets, and gives them to the right owner, ain't exactly the sort of article as prigs watches.

Re-enter DE WINDSOR, C., *and down, L.*

DE W. (L.) Really a charming scene! most exhilarating! (*sees PAWKINS, R.*) Eh! why, he's here at last! Pawkins, the persecuted! (*shakes his hand violently*) My dear sir, I'm delighted to see you.

PAWKINS. (*wringing his hand*) Thank you; but draw it a little mild.

DE W. (L.) Mr. Pawkins, you are one of the men I like.

PAWKINS. Same to you, sir. You are Mr. De—de—fancy soap line, sir?

DE W. De Windsor.

PAWKINS. Well then, sir, two minutes ago I told the young 'oman she was a credit to you, and now I don't mind telling you you're a credit to the young 'oman.

DE W. (*aside*) Somewhat coarse; but frank and genial.

PAWKINS. You've sent me a sort o' note, sir, as the saying is, asking me to come here; but it strikes me there's some mistake.

DE W. Not in the least, Mr. Pawkins, not in the least. Take a seat.

PAWKINS. (*sits, R. after putting down umbrella, R.*) That's all right then. At all events I've brought the tongs in my pocket.

DE W. The tongs?—rather a singular proceeding!—and the shovel?

PAWKINS. No; get out with you—I mean the curling irons.

DE W. (*coldly*) I—I begin to comprehend; Mr. Pawkins, you are a hair-dresser.

PAWKINS. No; that's where you put your foot in it. I ain't a regular hair-dresser for

a nobby concern like this. I cuts a little in the common way, but I am chiefly in the easy shaving line.

DE W. I understand, you keep a hair-cutting saloon frequented by gentlemen only.

[Pg 10]

PAWKINS. I calls it a shop, sir, but if you calls it a s'loon it's werry kind on you, and I'm much obliged, and if you calls my customers gen'leman, they ought to be werry much obliged to you too.

DE W. (*aside*) Ha! I wish he had been a little higher in the social scale—but no matter. His wrongs have been extraordinary, society owes him an extraordinary reparation. Mr. Pawkins, I trust Mrs. Pawkins and the children are quite well?

PAWKINS. Mrs. Pawkins and the children—ha, ha, ha! Them's as well as can be expected.

DE W. I see—a recent increase to the family.

PAWKINS. Recent gammon! Why there ain't no Mrs. Pawkins—there ain't even a young un.

DE W. Bless me! (*aside*) I'm sure Whitewash talked about small children.

WHITEWASH *runs in c. from L.*

WHITE. Mr. De Windsor, sir—(*aside*) Egad! the rascal's in full confab. Sir— (*pushes himself between PAWKINS and DE WINDSOR, C.*)

PAWKINS. (R.) Why, I'm blest if here ain't my professional gen'leman!

DE W. (L.) Ah, sir, Mr. Whitewash is your true friend.

PAWKINS. No mistake about that! No, Mr. Whitewash, I'm a poor man, but if there's any way of shewing my gratitude—

WHITE. (*whispers*) There's an exceedingly cheap way. Make some excuse and take yourself off as fast as your legs can carry you.

PAWKINS. Ah, he is indeed a friend! (*crosses to C.*) Look here, Mr. De—what's your name? There I stud reading the bill of the Royal Victoria Theatre—something about Will Watch, the Bold Smuggler, when, as if it was done o' purpose, some one smuggles a watch into my umbrella!

WHITE. Yes, yes, we know all about that, the story is exceedingly plausible, and I have told it already, much better than you can, in the presence of this gentleman.

[Pg 11]

PAWKINS. They lugs me about—they takes me off against my will.

WHITE. Well, then, now indulge in the free exercise of your will, by taking yourself off.

(*some of the COMPANY pass across at back of C. doors, from L. to R.*)

PAWKINS. Stop a bit! though I mostly sticks to the easy shaving line, I've a mind as can soar to the higher branches. That 'ere head of hair is uncommon well got up, the one with the pearls, I mean. Just allow me to have a look, gov'ner, I'll be back in a twinkling.

Exit, C., and off, R.

DE W. (L.) Exuberant—unsophisticated creature!

WHITE. Oh, perfectly unsophisticated! I only wish he had not fixed on the only head dress in the room that gives a notion of positive value? No, no, I must not hesitate any longer. Look here, my dear, sir, you are a man of heart—I may say, a noble creature—and it's one of the specific weaknesses of noble creatures, to fancy everybody else as noble as themselves. Now, suppose this favourite of yours, this Pawkins, were really a little light fingered; suppose the dazzling brilliancy of one of your table spoons caused him to forget the distinction between *meum* and *tuum*. Under these painful circumstances, what would you say?

DE W. I should say that you were the most lying humbug I ever clapped eyes on.

WHITE. Heyday! Why?

DE W. Why, didn't you stand up before the judge and jury, and bellow out your belief in that man's immaculate virtue. Did you not clap your hand on your heart, and declare that our country might be proud of such a citizen; and St. Giles's in the Fields proud of such a parishioner? Did not you cause me to blubber aloud, till I was turned ignominiously out of court, as a charity boy is kicked out by a beadle? And am I to understand that all that rhodomontade, followed by that expulsion, was for the sake of a pickpocket? Abominable! Disgusting!

WHITE. But surely, you understand, my dear sir, that when one speaks professionally—

[Pg 12]

DE W. Sir, no one has business to tell lies, professionally or not; a man should

always speak what he thinks. I follow the dictates of my heart, and I always speak what I think; my heart is in my heart, and my heart is in my mouth.

WHITE. What a complicated piece of anatomy you must be.

DE W. I say, my heart is in my mouth.

WHITE. Then I wish you would swallow it, and say no more about it.

DE W. Yes, I dare say you think that a very good joke, but what I am going to tell you is no joke. If Pawkins is a thief, you shan't have my daughter, and Tango shall.

WHITE. Monstrous!

DE W. Not at all, I give you my girl because I regard you as a noble defender of persecuted innocence; but if persecuted innocence turns out to be a low pilfering scoundrel, I naturally retract.

WHITE. But, my dear, sir, the doctrine you so strangely maintain is diametrically opposed to the very principles of British jurisprudence. It is one of the high privileges of our blessed country, and of several others, that even the vilest and meanest criminal is allowed a professional defender in the courts of justice.

DE W. Sir, it is one of the high privileges of our blessed country, and of several others, that a man need not give away his daughter where he don't like.

WHITE. But, sir, by virtue of my profession I am positively bound to—

DE W. Well, I don't say you're not. But an honest man, sir, should have nothing to do with clients that don't come into court with clean hands.

WHITE. My dear Mr. De Windsor, borrow a little wisdom from your own business. If everybody had clean hands, what would become of the soap trade?

DE W. Go, go, and defend every pickpocket, forger, coiner, housebreaker, in London. I don't want to hinder you, I only say that I won't give my daughter to a man who makes respectable people blubber till they are shoved out of court, on purpose to defeat the ends of justice.

[Pg 13]

WHITE. Then, sir, I suppose, because he furthers the ends of justice, you would give your daughter to the hangman.

DE W. (*puzzled*) Ahem! I shall not condescend to answer an argument so obviously sophistical. I only repeat what I said before. If Pawkins is a thief you sha'n't have my daughter.

WHITE. (*aside*) Reason is wasted on this old blockhead! I must try another tack. (*aloud*) Ah, you have passed nobly through the ordeal. Just to sound you I hinted at the remote possibility of Pawkins' guilt, but he is in point of fact, as we both know, innocent as the babe unborn. Did not the jury say so? However, ta, ta! for the present, sir. (*aside*) I must look out, egad! I was only retained as the rascal's counsel, but I find I am his bail.

Exit, C., off L.

DE W. I'm sure he spoke of five small children! No; decidedly this legal morality won't suit me. No, no—no barrister for me—decidedly a stockjobber!

Enter THWAITES, C., from R.

THWAITES. Please, sir, the parties which is in t'other room can't get on without you.

DE W. I'm coming! Bull and bears have the day!

Exit, C., and off, R., followed by THWAITES.

Re-enter WHITEWASH, dragging PAWKINS by the collar, from L. C.

PAWKINS. (L.) Come now, I say, draw it mild! You'll spile my best coat; I only took it out a purpose to come here.

WHITE. (R.) Pawkins, we are alone—Pawkins, as your professional adviser, you are bound to tell me everything. Pawkins, when you came here, what was your intention?

PAWKINS. Why, I com'd here in the hope of doing something in the way of business.

WHITE. Business, indeed! Why, there were all the streets of London open to your ingenuity, and you must pick out the residence of my father-in-law. (*takes stage to R.*)

[Pg 14]

PAWKINS. (*following him up*) Well, I didn't know it was your father-in-law—and if it is, what's the hodds? This 'ere Mr.—summat in the fancy soap line, sends me a hinwite, and so I comes with the tongs in my pocket—well, it turns out he don't want the tongs, but he's taken a likin' to me. That arn't no fault o' mine is it? I never tries to be extra agreeable. (*returns to C. of stage*)

WHITE. (*aside*) Perhaps the miserable wretch has commenced already. What have you been doing with yourself?

PAWKINS. Why, I've been a looking at them silver gimcracks on the sideboard, and I says to myself—my eyes! if one of them five thingumbobs as don't seem no use here belonged to me—

WHITE. (*aside*) Unhappy train of thought! Allow me for a moment—(*puts his hand in the tail pocket of PAWKINS'S coat*)

PAWKINS. What are you about?

WHITE. Professional! professional!

PAWKINS. Well, I always heerd you lawyers was tidy uns for putting your hands in people's pockets.

WHITE. (*pulls out tongs*) What's this? a spoon!

PAWKINS. You're a spoon yourself! It's the tongs.

WHITE. For a wonder he speaks the truth. Now mark, I'm your professional adviser, and I advise you to be off as soon as you can.

PAWKINS. Well, I don't mind; I've seen all there is to be seen, and it arn't half so good as skittles. Between you and I, the gov'ner here seems to have laid out a precious sight of money for werry little fun.

Enter DE WINDSOR, R. C., and down, L.

WHITE. (R.) Go, cut short your moral reflections, and go! (*pushing PAWKINS towards C.*)

DE W. Why, Mr. Pawkins, what's the cause of this singular hurry?

PAWKINS. (*returns to C.*) Well, I don't know; you see, I felt I was somehow in the way like. Nobody says nuffin to me, and I say nuffin to nobody.

WHITE. (R.) Besides, an affair of the most pressing importance.

[Pg 15]

DE W. Very pressing, indeed! Humbug! You'll stop supper, my dear Mr. Pawkins?

PAWKINS. (C.) Oh, well, if there's anything in the way o' wittles a coming, that alters the view of the case.

DE W. The supper will be served in silver plate,—in silver—in silver.

PAWKINS. What, real silver? like that out there? Don't bother yourself, gov'ner, I'll stop.

DE W. (*aside*) Ha! ha! I've tickled my trout!

WHITE. (*aside, R.*) The old gent is playing against me, that's certain.

Re-enter THWAITES, C., with a tray of ices.

DE W. (L.) Thwaites!

THWAITES. (*coming down L. C.*) At your service, sir.

(*THWAITES hands tray to PAWKINS, who first takes an ice, then a spoon, and eats during the following scene*)

DE W. (*drawing THWAITES aside, L.*) You observe that person?

THWAITES. Yes, sir: I don't think him much 'count, sir.

DE W. If that man steals anything, you shall have a couple of sovereigns.

THWAITES. No!

DE W. Spread out the plate as much as you can, give him every opportunity.

WHITE. (R., *beckons THWAITES to him, at back*) Here, waiter!

THWAITES. (*going to WHITEWASH at back, R. C.*) Yes, sir!

WHITE. If that fellow with the ice leaves the house without stealing anything, there's a five pound note for you. (*to THWAITES*)

(*DE WINDSOR walks round and round PAWKINS, with handkerchief dangling from his pocket, during dialogue*)

THWAITES. The deuce!

WHITE. And do your best to keep the plate as much out of his reach as possible.

THWAITES. Can't be done, sir; can't be done. Gov'ner orders the contrary.

[Pg 16]

PAWKINS. I can't make him out!

WHITE. Here, Pawkins, my good fellow, how do you like your ice?

PAWKINS. First rate! Beats the penny un's all to shivers!

WHITE. Ha! ha! But now you have finished it, you have no occasion for the spoon. (*takes it*)

(THWAITES *on the other side takes empty glass from PAWKINS, and exit C.*)

PAWKINS. I can't make him out!

WHITE. (*aside*) I'll stick to him like a leech!

Enter AGATHA, C. from L. and down R.

AGATHA. (R.) Mr. Whitewash, have you forgotten your engagement, the first quadrille? Oh, fie! fie! they are waiting!

WHITE. (R. C.) I'm sure I beg a thousand pardons, but you see just at this moment —(*pockets the spoon*)

PAWKINS. I can't make any on 'em out!

WHITE. (*whispers PAWKINS*) If so much as a salt-spoon is missing you are a dead man!

Exeunt WHITEWASH and AGATHA, C., off L.

PAWKINS. (R. C.) I say, gov'ner, about our young friend here; when he's on the spree like, as he is now, don't you think he's a bit cranky? Do you think all's right here? (*touching his head*) If I behaved like that to my young woman, wouldn't there be a row neither.

DE W. (*aside*) Ha! the card table! A trap I didn't think of! I say, Mr. Pawkins, have you any objection to a hand at cards?

PAWKINS. Not a bit on it.

DE W. Of course you play ecarté?

PAWKINS. Of course I don't; I never heerd on it.

DE W. Well—cribbage?

PAWKINS. I knows nuffin of cribbage.

DE W. Picquet?

PAWKINS. Eh?

DE W. Picquet?

PAWKINS. Pick hay? I knows nuffin about pick hay; I was werry nigh being sent to pick oakum!

[Pg 17]

DE W. Well, what shall we play? Suppose we cut for a shilling a game.

PAWKINS. A shilling! Come! I was thinking of a fourpenny bit; but there's nothing like pluck. I say, I hopes you keeps your temper when you loses, for I give you fair warning, I shan't let you go till I've got something out of you.

DE W. Affected candour! but it won't do.

(*they go up to table, L.—DE WINDSOR takes cards out of drawers of table and they sit—DE WINDSOR, L. and PAWKINS, R., and they begin cutting cards—staking money as they play.*)

PAWKINS. Well, you are a going it, you are—(*plays again—aside*) Gov'ner can't be coming the old soldier! Oh, it's a do and no mistake! I must have a eye on this old bird.

Enter WHITEWASH, C. from L.

WHITE. Thank heaven I'm free again! What! cards! the devil! (*steals up to table, and whispers to PAWKINS*) Lose!

PAWKINS. Eh?

WHITE. (R.) Lose, I say.

PAWKINS. (C.) Hang it. I have!

DE W. (*sees WHITEWASH—aside*) Oh! I see, the rascal's had his cue.

PAWKINS. There, I shan't play any more; you've got your three bob, and if ever you catch me at it again, it'll do you good. (*rises and goes forward—aside to WHITEWASH*) One good turn deserves another, I'll give you an 'int. Don't let the old gov'ner there get you down to cards, he's a downy 'un, he is!

DE W. Let me see. (*rings money on table*) No! nothing wrong! I have not caught him yet!

Enter THWAITES, C. from L., announcing.

THWAITES. (C.) Mr. Ferguson.

Enter FERGUSON, C. *from* L., DE WINDSOR *goes up to* C. *door to meet him.*

PAWKINS. It's a gent as knows more about me than I want. (*goes across to* R. *for umbrella*)

WHITE. (R. C.) Ah! the owner of some stray pocket handkerchief! Make a rush at the door!

[Pg 18]

PAWKINS. (*crosses to* L. D.) Bolted, by jingo!

WHITE. This last stroke will finish me!

DE W. (*coming down*, R. C.) Allow me, my dear, Mr. Ferguson, to introduce you to my intended son-in-law.

FERGUS. (*down* R.) Sir, allow me to congratulate you on your vewy interwesting position.

DE W. Mr. Whitewash, sir, is one of the brightest ornaments of the legal profession, and this gentleman is one of his most ornamental clients.

FERGUS. Vewy much delighted. (*bowing to* PAWKINS) Heyday! Here is certainly a party who has taken me by surpwise.

DE W. What do you mean?

FERGUS. I mean that a certain party, a fwiend of mine, found that party (*pointing to* PAWKINS) in his cupboard, at thwee o'clock in the morning.

DE W. (R. C.) All right! You are quite sure of your man?

FERGUS. (R.) Oh, perfectly! (*aside*) Seeing that the fwiend was myself. (*goes up a little*)

DE W. (*rubs his hands*) Capital! capital! Tango wins the day!

WHITE. (*seated*, L. C.) Father-in-law looks pleased—that's unlucky. (*rises*)

DE W. Come here, my orator! come here, my Cicero! I've a bit of news for you;—Tango will have my daughter—ha, ha, ha! (*pokes* WHITEWASH *in the ribs*)

WHITE. (L. C.) What, sir! you, a man of heart, who have given your word to me—

DE W. Yes, if Pawkins turned out all right; but he don't—he don't—he don't—ha, ha, ha!

WHITE. Mr. De Windsor, allow me to remark, that an innocent man's character is not to be impugned without sufficient ground. Come here, Pawkins. (*whispers to him*, "Brazen it out") Pawkins, a malignant slanderer says you are fishy, but you ain't, are you?

PAWKINS. (L.) Not as I am aware on.

DE W. Then, most respectable Mr. Pawkins, what were you doing in a certain cupboard at three o'clock in the morning?

WHITE. Ha! the case is desperate, and a desperate effort must be made.

[Pg 19]

AGATHA *and several* GUESTS *enter from* L. C., *and form an* AUDIENCE, R.

Listen, all parties present.

DE W. (R. C.) Well, talk away, and make the best of it.

WHITE. Look at the face of this worthy man. Pawkins, get into the dock! (*places him on chair*, L., *and turns another chair round to lean on, &c.*) Examine every lineament.

PAWKINS. (*on chair*, L.) Come, come, you do make one look such a fool!

WHITE. (L. C.) Believe me, this excellent man is one of those rare natures that are seldom to be found. Ask the independent electors of Marylebone, whom they would place in the van.

PAWKINS. I've been in the wan!

WHITE. Whom they would place in the van as the staunchest champion of their interests. They will answer Pawkins! Ask the poor—(*takes tongs from his own pocket*)

PAWKINS. Them's my tongs!

WHITE. (*throws them on table*) Ask the poor—the suffering poor—whom they regard as their kindest benefactor. They will answer—Pawkins. (*aside to him*) Cry!

PAWKINS. I can't! I say, ain't you pitching it raither too strong!

WHITE. They say we were found in a cupboard at three o'clock in the morning.

Well, we admit the trivial fact, we were in the cupboard.

PAWKINS. No, no, no!

WHITE. Though we have every high virtue, we are still but human; we have hearts not altogether unsusceptible to female beauty. (FERGUSON *comes forward*, R., *in great agitation*) Do you now persist in asking why we were in the cupboard? Well, then, we were there for the sake of one of the fair sex.

FERGUS. But, sir, there is a husband—

PAWKINS. Now he's done it!

WHITE. A husband! Do you call that a husband? As Mr. Justice Blesswell remarked in the great divorce case of *Martyr v. Bangwife*—such a wretch is not worthy the name of a husband. A man who indulges in large potatoes—comes home at little hours—and is limited in his notions of crinoline! (*bangs chair during speech, then turns it and sits*)

PAWKINS. He'll smash that ere chair!

FERGUS. But, sir, I'm the husband—

WHITE. (*rises and goes to PAWKINS*) That's awkward!

PAWKINS. Yes; it is awkward!

WHITE. But we won't flinch! Mr. De Windsor, I must say your society is not the most select. (*pulls chair from under PAWKINS*)

FERGUS. (*crossing to L., and collaring PAWKINS*) And now, you villain—you destroyer of my domestic peace—what have you to say for yourself?

PAWKINS. Why, I cannot say nuffing, while you goes on choking me like that! (FERGUSON *lets go*) That's better! Well, then, I didn't have no thoughts about Mrs. Ferguson—Mrs. Ferguson don't come up to my hideas of female beauty. (*snaps his fingers*) That for Mrs. Ferguson! If you will tear from me the secrets of my 'art, I com'd arter Jemima, Mrs. Ferguson's young 'oman—there, now, ye knows all about it. I've told the truth, and I can shame—Ferguson!

THWAITES. (*comes forward*, L.) So, Mr. Pawkins, it was Mrs. Ferguson's Jemima, was it? Are you aware, sir, that I pay my attentions in that quarter? Are you aware that I'm Thwaites?

PAWKINS. Are you, indeed?—who says you ain't? There ain't no advantage in being Thwaites, as I sees—I don't want to be Thwaites. You're one of them swells as takes out a young 'oman on a holiday, and grumbles at the expense all the blessed way there, and all the blessed way back;—you prefers the ha'penny boat to the penny, and you prefers walking to heither. Thwaites, you ain't the favored man, so drop Miss Jemima;—I don't say what I'll do if you don't—but just take an 'int, and drop Miss Jemima.

(AGATHA and DE WINDSOR *come forward*, R.)

AGATHA. (R.) Really, papa, this is an extremely vulgar scene, at our party.

DE W. (R. C.) Disgustingly so, my dear—but join the guests, and make the best of it. (AGATHA *retires up*)

WHITE. (*coming forward*, C.) Well, father-in-law, I hope you are satisfied now!

DE W. Mr. Pawkins, I have an apology to make to you—you'll think it very absurd—but I—I—ha, ha!—I scarcely know how to express it—but I actually took you for a thief!

PAWKINS. (L. C.) You ain't the first, else I shouldn't have been tried at the Hold Bailey this morning. Look ye—a fellow chucks a watch into my umbrella—

WHITE. (C.) Yes, yes, we know all about that; besides, you are completely cleared.

DE W. (R.) Perfectly; your character is as cloudless as a fine day in July, and I am about to give you the most convincing proof of my confidence.

PAWKINS. (*aside*) He's going to ask me to shave him!

DE W. (*crossing to C.*) I have long been looking out for a man of indubitable integrity, to act as my cashier; I keep nearly the whole of my fortune locked up in a strong box, so I may as well give you the key now. (*about to give key, WHITEWASH hastily comes between them*)

WHITE. (C., *intercepting*) No! no! what are you about? A thief!—a common pickpocket!

DE W. (R.) Ha, ha! victory!—you admit it, do you?

(*retires to GUESTS*, R.)

WHITE. (*aside*) Caught, by all that's unlucky!

PAWKINS. (L.) Come, I say, master, this 'ere won't do: when I looks black, you makes me white; and when I'm whitened, you makes me black: I've a jolly good mind to—

WHITE. Oh, go to the devil!

Enter THWAITES, C. from L., with a letter.

THWAITES. (to WHITEWASH) Please, sir, a knowin' party, as calls himself your clerk, has brought this. (*gives letter to WHITEWASH; WHITEWASH opens letter at first with indifference, but proceeds to read with eagerness; DE WINDSOR, AGATHA, and FERGUSON come forward, R.*)

DE W. (R. C.) My dear, this matter is settled; you shall be the wife of Mr. Tango.

AGATHA. (R.) La, papa! how shocking!

[Pg 22]

FERGUS. (*coming down R.*) I beg your pardon; you don't mean Tom Tango, of the Stock Exchange?

DE W. Yes, I do.

AGATHA. Then you haven't heard the news: he was declared a defaulter this vewy afternoon.

DE W. The devil! One swindles—another tells lies: where can I find an honest man?

WHITE. (*rises, having been seated while reading letter*) Here! (*leading PAWKINS forward*) Look at that face—and read that letter? (*gives it*) The sum and substance of it is this: A notorious pickpocket has just been arrested, and retains me for the defence—confessing that he threw the watch into Pawkins' umbrella.

PAWKINS. Does he? Then there's some good in the waggerbone after all.

DE W. Well,—as a barrister who twaddles, is better than a stock jobber who waddles—here's my daughter. (*joins the hands of WHITEWASH and AGATHA*)

PAWKINS. Ah! werry good! Jines hands and gives the paternal blessing! All right and proper! But wot good comes to me on it all? It strikes me you are a rum lot—you are. There's this 'ere venerable party—(DE WINDSOR) asks me to 'is house—gives me a hice, which doesn't agree with me, and does me out o' three bob at cards! Here's another chap (FERGUSON) as talks as if he had gooseberries in his mouth, and tries to stop my windpipe. Then here's a sort o' costermonger in disguise (THWAITES) as interferes with my young 'oman.—And here—(WHITEWASH) here's the wust villain on 'em all. Ladies and gents, if I'm in any trouble touching your good-will—him's the party you must pitch into—cos vy? Don't you see? He's retained for the defence.

WHITE. That won't do! I haven't had a refresher.

PAWKINS. Haven't you? Then take your refresher there—(*pointing to AUDIENCE*) that's my refresher. Give me them 'ere parties on my side, and hang me if I'll want any defence at all!

FERGUS. DE W. AGATHA. WHITE. PAWKINS. THWAITES.
R. L.

Curtain.

Transcriber's Note

This transcription is based on images digitized by Google from a copy made available by the University of Illinois and posted by the Hathitrust at:

catalog.hathitrust.org/Record/100213071

In general, this transcription attempts to retain the punctuation and spelling of the source text. A few changes were made for the sake of consistency and to correct minor errors.

The following changes were noted:

- p. 2: Changed the name "Fergusson" in both the character list and the costume notes to "Ferguson" to be consistent with how the name is spelled elsewhere in the text.
- p. 5: WHITE. (L. C.) Most acutely! *wringing his hand*—Inserted an opening parenthesis before "*wringing*".
- p. 11: (*some of the COMPANY pass across at back of C. doors, from, L. to R.*)—Deleted the comma after "*from*".
- p. 14: DE W. (*aside*) Why, Mr. Pawkins, what's the cause of this singular hurry?—Pawkins' and Whitewash's subsequent lines indicate that both hear De Windsor. Therefore, the direction indicating that this line is an aside was deleted.
- p. 17: Gov'nor can't be coming the old soldier!—Changed "Gov'nor" to "Gov'ner" for consistency.
- p. 18: Tango will have my daughter. ha, ha, ha!—Changed the period after "daughter" to an em dash.

- p. 18: Mr. De Winter, allow me to remark—Changed “De Winter” to “De Windsor” for consistency.
- p. 19: They say we were found in a cupboard at three o’ clock in the morning.—Deleted the space before “clock” for consistency.

Note that Thwaites re-enters on p. 21 when he delivers a letter to Whitewash, but there is no stage direction for Thwaites to exit after Pawkins tells him to “drop Miss Jemima” on p. 20. He could exit either at the end of Pawkins’ speech or when De Windsor apologizes to Pawkins.

*** END OF THE PROJECT GUTENBERG EBOOK RETAINED FOR THE DEFENCE: A
FARCE, IN ONE ACT ***

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:

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.