The Project Gutenberg eBook of Buds and Bird Voices (From "Mosses from an Old Manse"), by Nathaniel Hawthorne

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: Buds and Bird Voices (From "Mosses from an Old Manse")

Author: Nathaniel Hawthorne

Release date: November 1, 2005 [EBook #9224] Most recently updated: November 9, 2022

Language: English

Credits: David Widger and Al Haines

*** START OF THE PROJECT GUTENBERG EBOOK BUDS AND BIRD VOICES (FROM "MOSSES FROM AN OLD MANSE") ***

Buds and Bird Voices

by Nathaniel Hawthorne

longed for her—comes at last to revive the moss on the roof and walls of our old mansion. She peeps brightly into my study-window, inviting me to throw it open and create a summer atmosphere by the intermixture of her genial breath with the black and cheerless comfort of the stove. As the casement ascends, forth into infinite space fly the innumerable forms of thought or fancy that have kept me company in the retirement of this little chamber during the sluggish lapse of wintry weather; visions, gay, grotesque, and sad; pictures of real life, tinted with nature's homely gray and russet; scenes in dreamland, bedizened with rainbow hues which faded before they were well laid on,-all these may vanish now, and leave me to mould a fresh existence out of sunshine, Brooding Meditation may flap her dusky wings and take her owl-like Right, blinking amid the cheerfulness of noontide. Such companions befit the season of frosted window-panes and crackling fires, when the blast howls through the black-ash trees of our avenue and the drifting snowstorm chokes up the wood-paths and fills the highway from stone wall to stone wall. In the spring and summer time all sombre thoughts should follow the winter northward with the sombre and thoughtful crows. The old paradisiacal economy of life is again in force; we live, not to think or to labor, but for the simple end of being happy. Nothing for the present hour is worthy of man's infinite capacity save to imbibe the warm smile of heaven and sympathize with the reviving earth.

Balmy Spring—weeks later than we expected and months later than we

The present Spring comes onward with fleeter footsteps, because Winter lingered so unconscionably long that with her best diligence she can hardly retrieve half the allotted period of her reign. It is but a fortnight since I stood on the brink of our swollen river and beheld the accumulated ice of four frozen months go down the stream. Except in streaks here and there upon the hillsides, the whole visible universe was then covered with deep snow, the nethermost layer of which had been deposited by an early December storm. It was a sight to make the beholder torpid, in the impossibility of imagining how this vast white napkin was to be removed from the face of the corpse-like world in less time than had been required to spread it there. But who can estimate the power of gentle influences, whether amid material desolation or the moral winter of man's heart? There have been no tempestuous rains, even no sultry days, but a constant breath of southern winds, with now a day of kindly sunshine, and now a no less kindly mist or a soft descent of showers, in which a smile and a blessing seemed to have been steeped. The snow has vanished as if by magic; whatever heaps may be hidden in the woods and deep gorges of the hills, only two solitary specks remain in the landscape; and those I shall almost regret to miss when to-morrow I look for them in vain. Never before, methinks, has spring pressed so closely on the footsteps of retreating winter. Along the roadside the green blades of grass have sprouted on the very edge of the snow-drifts. The pastures and mowing-fields have not vet assumed a general aspect of verdure; but neither have they the cheerless-brown tint which they wear in latter autumn when vegetation has entirely ceased; there is now a faint shadow of life, gradually brightening into the warm reality. Some tracts in a happy exposure,—as, for instance, yonder southwestern slope of an orchard, in front of that old red farm-house beyond the river,—such patches of land already wear a beautiful and tender green, to which no future luxuriance can add a charm. It looks unreal; a prophecy, a hope, a transitory effect of sonic peculiar light, which will vanish with the slightest motion of the eye. But beauty is never a delusion; not these verdant tracts, but the dark and barren landscape all around them, is a shadow and a dream. Each moment wins seine portion of the earth from death to life; a sudden gleam of verdure brightens along the sunny slope of a bank which an instant ago was brown and bare. You look again, and behold an apparition of green grass!

The trees in our orchard and elsewhere are as yet naked, but already appear full of life and vegetable blood. It seems as if by one magic touch they might instantaneously burst into full foliage, and that the wind which now sighs through their naked branches might make sudden music amid innumerable leaves. The mossgrown willow-tree which for forty years past has overshadowed these western windows will be among the first to put on its green attire. There are some objections to the willow; it is not a dry and cleanly tree, and impresses the beholder with an association of sliminess. No trees, I think, are perfectly agreeable as companions unless they have glossy leaves, dry bark, and a firm and hard texture of trunk and branches. But the willow is almost the earliest to gladden us with the promise and reality of beauty in its graceful and delicate foliage, and the last to scatter its yellow yet scarcely withered leaves upon the ground. All through the winter, too, its yellow twigs give

it a sunny aspect, which is not without a cheering influence even in the grayest and gloomiest day. Beneath a clouded sky it faithfully remembers the sunshine. Our old house would lose a charm were the willow to be cut down, with its golden crown over the snow-covered roof and its heap of summer verdure.

The lilac-shrubs under my study-windows are likewise almost in leaf: in two or three days more I may put forth my hand and pluck the topmost bough in its freshest green. These lilacs are very aged, and have lost the luxuriant foliage of their prime. The heart, or the judgment, or the moral sense, or the taste is dissatisfied with their present aspect. Old age is not venerable when it embodies itself in lilacs, rose-bushes, or any other ornamental shrub; it seems as if such plants, as they grow only for beauty, ought to flourish always in immortal youth, or, at least, to die before their sad decrepitude. Trees of beauty are trees of paradise, and therefore not subject to decay by their original nature, though they have lost that precious birthright by being transplanted to an earthly soil. There is a kind of ludicrous unfitness in the idea of a time-stricken and grandfatherly lilac-bush. The analogy holds good in human life. Persons who can only be graceful and ornamental—who can give the world nothing but flowers—should die young, and never be seen with gray hair and wrinkles, any more than the flower-shrubs with mossy bark and blighted foliage, like the lilacs under my window. Not that beauty is worthy of less than immortality; no, the beautiful should live forever,and thence, perhaps, the sense of impropriety when we see it triumphed over by time. Apple-trees, on the other hand, grow old without reproach. Let them live as long as they may, and contort themselves into whatever perversity of shape they please, and deck their withered limbs with a springtime gaudiness of pink blossoms; still they are respectable, even if they afford us only an apple or two in a season. Those few apples—or, at all events, the remembrance of apples in bygone years—are the atonement which utilitarianism inexorably demands for the privilege of lengthened life. Human flower-shrubs, if they will grow old on earth, should, besides their lovely blossoms, bear some kind of fruit that will satisfy earthly appetites, else neither man nor the decorum of nature will deem it fit that the moss should gather on them.

One of the first things that strikes the attention when the white sheet of winter is withdrawn is the neglect and disarray that lay hidden beneath it. Nature is not cleanly according to our prejudices. The beauty of preceding years, now transformed to brown and blighted deformity, obstructs the brightening loveliness of the present hour. Our avenue is strewn with the whole crop of autumn's withered leaves. There are quantities of decayed branches which one tempest after another has flung down, black and rotten, and one or two with the ruin of a bird'snest clinging to them. In the garden are the dried bean-vines, the brown stalks of the asparagus-bed, and melancholy old cabbages which were frozen into the soil before their unthrifty cultivator could find time to gather them. How invariably, throughout all the forms of life, do we find these intermingled memorials of death! On the soil of thought and in the garden of the heart, as well as in the sensual world, he withered leaves, —the ideas and feelings that we have done with. There is no wind strong enough to sweep them away; infinite space will not garner then from our sight. What mean they? Why may we not be permitted to live and enjoy, as if this were the first life and our own the primal enjoyment, instead of treading always on these dry hones and mouldering relics, from the aged accumulation of which springs all that now appears so young and new? Sweet must have been the springtime of Eden, when no earlier year had strewn its decay upon the virgin turf and no former experience had ripened into summer and faded into autumn in the hearts of its inhabitants! That was a world worth living in. O then murmurer, it is out of the very wantonness of such a life that then feignest these idle lamentations. There is no decay. Each human soul is the first-created inhabitant of its own Eden. We dwell in an old moss-covered mansion, and tread in the worn footprints of the past, and have a gray clergyman's ghost for our daily and nightly inmate; yet all these outward circumstances are made less than visionary by the renewing power of the spirit. Should the spirit ever lose this power,—should the withered leaves, and the rotten branches, and the moss-covered house, and the ghost of the gray past ever become its realities, and the verdure and the freshness merely its faint dream,—then let it pray to be released from earth. It will need the air of heaven to revive its pristine energies.

What an unlooked-for flight was this from our shadowy avenue of black-ash and balm of Gilead trees into the infinite! Now we have our feet again upon the turf. Nowhere does the grass spring up so industriously as in this homely yard, along the base of the stone wall, and

in the sheltered nooks of the buildings, and especially around the southern doorstep,—a locality which seems particularly favorable to its growth, for it is already tall enough to bend over and wave in the wind. I observe that several weeds—and most frequently a plant that stains the fingers with its yellow juice—have survived and retained their freshness and sap throughout the winter. One knows not how they have deserved such an exception from the common lot of their race. They are now the patriarchs of the departed year, and may preach mortality to the present generation of flowers and weeds.

Among the delights of spring, how is it possible to forget the birds? Even the crows were welcome as the sable harbingers of a brighter and livelier race. They visited us before the snow was off, but seem mostly to have betaken themselves to remote depths of the woods, which they haunt all summer long. Many a time shall I disturb them there, and feel as if I had intruded among a company of silent worshippers, as they sit in Sabbath stillness among the tree-tops. Their voices, when they speak, are in admirable accordance with the tranquil solitude of a summer afternoon; and resounding so far above the head, their loud clamor increases the religious quiet of the scene instead of breaking it. A crow, however, has no real pretensions to religion, in spite of his gravity of mien and black attire; he is certainly a thief, and probably an infidel. The gulls are far more respectable, in a moral point of view. These denizens of seabeaten rocks and haunters of the lonely beach come up our inland river at this season, and soar high overhead, flapping their broad wings in the upper sunshine. They are among the most picturesque of birds, because they so float and rest upon the air as to become almost stationary parts of the landscape. The imagination has time to grow acquainted with them; they have not flitted away in a moment. You go up among the clouds and greet these lofty-flighted gulls, and repose confidently with them upon the sustaining atmosphere. Duck's have their haunts along the solitary places of the river, and alight in flocks upon the broad bosom of the overflowed meadows. Their flight is too rapid and determined for the eye to catch enjoyment from it, although it never fails to stir up the heart with the sportsman's ineradicable instinct. They have now gone farther northward, but will visit us again in autumn.

The smaller birds,—the little songsters of the woods, and those that haunt man's dwellings and claim human friendship by building their nests under the sheltering eaves or among the orchard trees,-these require a touch more delicate and a gentler heart than mine to do them justice. Their outburst of melody is like a brook let loose from wintry chains. We need not deem it a too high and solemn word to call it a hymn of praise to the Creator; since Nature, who pictures the reviving year in so many sights of beauty, has expressed the sentiment of renewed life in no other sound save the notes of these blessed birds. Their music, however, just now, seems to be incidental, and not the result of a set purpose. They are discussing the economy of life and love and the site and architecture of their summer residences, and have no time to sit on a twig and pour forth solemn hymns, or overtures, operas, symphonies, and waltzes. Anxious questions are asked; grave subjects are settled in quick and animated debate; and only by occasional accident, as from pure ecstasy, does a rich warble roll its tiny waves of golden sound through the atmosphere. Their little bodies are as busy as their voices; they are all a constant flutter and restlessness. Even when two or three retreat to a tree-top to hold council, they wag their tails and heads all the time with the irrepressible activity of their nature, which perhaps renders their brief span of life in reality as long as the patriarchal age of sluggish man. The blackbirds, three species of which consort together, are the noisiest of all our feathered citizens. Great companies of themmore than the famous "four-and-twenty" whom Mother Goose has immortalized—congregate in contiguous treetops and vociferate with all the clamor and confusion of a turbulent political meeting. Politics, certainly, must be the occasion of such tumultuous debates; but still, unlike all other politicians, they instil melody into their individual utterances and produce harmony as a general effect. Of all bird voices, none are more sweet and cheerful to my ear than those of swallows, in the dim, sunstreaked interior of a lofty barn; they address the heart with even a closer sympathy than robin-redbreast. But, indeed, all these winged people, that dwell in the vicinity of homesteads, seem to partake of human nature, and possess the germ, if not the development, of immortal souls. We hear them saying their melodious prayers at morning's blush and eventide. A little while ago, in the deep of night, there came the lively thrill of a bird's note from a neighboring tree,—a real song, such as greets the purple dawn or mingles with the yellow sunshine. What could the little bird mean by pouring it forth at midnight?

Probably the music gushed out of the midst of a dream in which he fancied himself in paradise with his mate, but suddenly awoke on a cold leafless bough, with a New England mist penetrating through his feathers. That was a sad exchange of imagination for reality.

Insects are among the earliest births of sprung. Multitudes of I know not what species appeared long ago on the surface of the snow. Clouds of them, almost too minute for sight, hover in a beam of sunshine, and vanish, as if annihilated, when they pass into the shade. A mosquito has already been heard to sound the small horror of his bugle-horn. Wasps infest the sunny windows of the house. A bee entered one of the chambers with a prophecy of flowers. Rare butterflies came before the snow was off, flaunting in the chill breeze, and looking forlorn and all astray, in spite of the magnificence of their dark velvet cloaks, with golden borders.

The fields and wood-paths have as yet few charms to entice the wanderer. In a walk, the other day, I found no violets, nor anemones, nor anything in the likeness of a flower. It was worth while, however, to ascend our opposite hill for the sake of gaining a general idea of the advance of spring, which I had hitherto been studying in its minute developments. The river lay around me in a semicircle, overflowing all the meadows which give it its Indian name, and offering a noble breadth to sparkle in the sunbeams. Along the hither shore a row of trees stood up to their knees in water; and afar off, on the surface of the stream, tufts of bushes thrust up their heads, as it were, to breathe. The most striking objects were great solitary trees here and there, with a milewide waste of water all around them. The curtailment of the trunk, by its immersion in the river, quite destroys the fair proportions of the tree, and thus makes us sensible of a regularity and propriety in the usual forms of nature. The flood of the present season-though it never amounts to a freshet on our quiet stream—has encroached farther upon the land than any previous one for at least a score of years. It has overflowed stone fences, and even rendered a portion of the highway navigable for boats.

The waters, however, are now gradually subsiding; islands become annexed to the mainland; and other islands emerge, like new creations, from the watery waste. The scene supplies an admirable image of the receding of the Nile, except that there is no deposit of black slime; or of Noah's flood, only that there is a freshness and novelty in these recovered portions of the continent which give the impression of a world just made rather than of one so polluted that a deluge had been requisite to purify it. These upspringing islands are the greenest spots in the landscape; the first gleam of sunlight suffices to cover them with verdure.

Thank Providence for spring! The earth—and man himself, by sympathy with his birthplace would be far other than we find them if life toiled wearily onward without this periodical infusion of the primal spirit. Will the world ever be so decayed that spring may not renew its greenness? Can man be so dismally age stricken that no faintest sunshine of his youth may revisit him once a year? It is impossible. The moss on our time-worn mansion brightens into beauty; the good old pastor who once dwelt here renewed his prime, regained his boyhood, in the genial breezes of his ninetieth spring. Alas for the worn and heavy soul if, whether in youth or age, it have outlived its privilege of springtime sprightliness! From such a soul the world must hope no reformation of its evil, no sympathy with the lofty faith and gallant struggles of those who contend in its behalf. Summer works in the present, and thinks not of the future; autumn is a rich conservative; winter has utterly lost its faith, and clings tremulously to the remembrance of what has been; but spring, with its outgushing life, is the true type of the movement.

*** END OF THE PROJECT GUTENBERG EBOOK BUDS AND BIRD VOICES (FROM "MOSSES FROM AN OLD MANSE") ***

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 $^{\text{\tiny TM}}$ electronic works

- 1.A. By reading or using any part of this Project GutenbergTM 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 GutenbergTM electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project GutenbergTM 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^{TM} 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^{TM} electronic works if you follow the terms of this agreement and help preserve free future access to Project Gutenberg^{TM} 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 $^{\scriptscriptstyle\mathsf{TM}}$ 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 $^{\text{\tiny{TM}}}$ work. The Foundation makes no representations concerning the copyright status of any work in any country other than the United States.

- 1.E. Unless you have removed all references to Project Gutenberg:
- 1.E.1. The following sentence, with active links to, or other immediate access to, the full Project GutenbergTM License must appear prominently whenever any copy of a Project GutenbergTM 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^{T} License terms from this work, or any files containing a part of this work or any other work associated with Project Gutenberg^{T}.
- 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 $^{\text{\tiny TM}}$ 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 GutenbergTM work in a format other than "Plain Vanilla ASCII" or other format used in the official version posted on the official Project GutenbergTM 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 GutenbergTM 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 GutenbergTM 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 $^{\text{TM}}$ 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 $^{\text{TM}}$ works.
- 1.E.9. If you wish to charge a fee or distribute a Project GutenbergTM 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 GutenbergTM 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™ 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 GutenbergTM electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project GutenbergTM 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 GutenbergTM work, (b) alteration, modification, or additions or deletions to any Project GutenbergTM work, and (c) any Defect you cause.

Section 2. Information about the Mission of Project Gutenberg $^{\text{\tiny TM}}$

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

The Foundation is committed to complying with the laws regulating charities and charitable donations in all 50 states of the United States. Compliance requirements are not uniform and it takes a considerable effort, much paperwork and many fees to meet and

keep up with these requirements. We do not solicit donations in locations where we have not received written confirmation of compliance. To SEND DONATIONS or determine the status of compliance for any particular state visit www.gutenberg.org/donate.

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

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

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

Section 5. General Information About Project Gutenberg™ electronic works

Professor Michael S. Hart was the originator of the Project Gutenberg^{TM} concept of a library of electronic works that could be freely shared with anyone. For forty years, he produced and distributed Project Gutenberg^{TM} eBooks with only a loose network of volunteer support.

Project Gutenberg $^{\text{TM}}$ 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 $^{\text{TM}}$, 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.