A Mixed Proposal - The Lady of the Barge and Others, Part 9.

W.W. Jacobs

The Project Gutenberg EBook of A Mixed Proposal, by W.W. Jacobs

This eBook is for the use of anyone anywhere 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.net

Title: A Mixed Proposal

The Lady of the Barge and Others, Part 9.

Author: W.W. Jacobs

Release Date: April 22, 2004 [EBook #12129]

Language: English

Character set encoding: ASCII

*** START OF THIS PROJECT GUTENBERG EBOOK A MIXED PROPOSAL ***

Produced by David Widger

THE LADY OF THE BARGE

AND OTHER STORIES

By W. W. Jacobs

A MIXED PROPOSAL

Major Brill, late of the Fenshire Volununteers, stood in front of the small piece of glass in the hatstand, and with a firm and experienced hand gave his new silk hat a slight tilt over the right eye. Then he took his cane and a new pair of gloves, and with a military but squeaky tread, passed out into the road. It was a glorious day in early autumn, and the soft English landscape was looking its best, but despite the fact that there was nothing more alarming in sight than a few cows on the hillside a mile away, the Major paused at his gate, and his face took on an appearance of the greatest courage and resolution before proceeding. The road was dusty and quiet, except for the children playing at cottage

doors, and so hot that the Major, heedless of the fact that he could not replace the hat at exactly the same angle, stood in the shade of a tree while he removed it and mopped his heated brow.

He proceeded on his way more leisurely, overtaking, despite his lack of speed, another man who was walking still more slowly in the shade of the hedge.

"Fine day, Halibut," he said, briskly; "fine day."

"Beautiful," said the other, making no attempt to keep pace with him.

"Country wants rain, though," cried the Major over his shoulder.

Halibut assented, and walking slowly on, wondered vaguely what gaudy color it was that had attracted his eye. It dawned on him at length that it must be the Major's tie, and he suddenly quickened his pace, by no means reassured as the man of war also quickened his.

"Halloa, Brill!" he cried. "Half a moment."

The Major stopped and waited for his friend; Halibut eyed the tie uneasily--it was fearfully and wonderfully made--but said nothing.

"Well?" said the Major, somewhat sharply.

"Oh--I was going to ask you, Brill--Confound it! I've forgotten what I was going to say now. I daresay I shall soon think of it. You're not in a hurry?"

"Well, I am, rather," said Brill. "Fact is-- Is my hat on straight, Halibut?"

The other assuring him that it was, the Major paused in his career, and gripping the brim with both hands, deliberately tilted it over the right eye again.

"You were saying--" said Halibut, regarding this manoeuvre with secret disapproval.

"Yes," murmured the Major, "I was saying. Well, I don't mind telling an old friend like you, Halibut, though it is a profound secret. Makes me rather particular about my dress just now. Women notice these things. I'm--sha'nt get much sympathy from a confirmed old bachelor like you--but I'm on my way to put a very momentous question."

"The devil you are!" said the other, blankly.

"Sir!" said the astonished Major.

"Not Mrs. Riddel?" said Halibut.

"Certainly, sir," said the Major, stiffly. "Why not?"

"Only that I am going on the same errand," said the confirmed bachelor, with desperate calmness.

The Major looked at him, and for the first time noticed an unusual neatness and dressiness in his friend's attire. His collar was higher

than usual; his tie, of the whitest and finest silk, bore a pin he never remembered to have seen before; and for the first time since he had known him, the Major, with a strange sinking at the heart, saw that he wore spats.

"This is extraordinary," he said, briefly. "Well, good-day, Halibut. Can't stop."

"Good-day," said the other.

The Major quickened his pace and shot ahead, and keeping in the shade of the hedge, ground his teeth as the civilian on the other side of the road slowly, but surely, gained on him.

It became exciting. The Major was handicapped by his upright bearing and short military stride; the other, a simple child of the city, bent forward, swinging his arms and taking immense strides. At a by-lane they picked up three small boys, who, trotting in their rear, made it evident by their remarks that they considered themselves the privileged spectators of a foot-race. The Major could stand it no longer, and with a cut of his cane at the foremost boy, softly called a halt.

"Well," said Halibut, stopping.

The man's manner was suspicious, not to say offensive, and the other had much ado to speak him fair.

"This is ridiculous," he said, trying to smile. "We can't walk in and propose in a duet. One of us must go to-day and the other to-morrow."

"Certainly," said Halibut; "that'll be the best plan."

"So childish," said the Major, with a careless laugh, "two fellows walking in hot and tired and proposing to her."

"Absurd," replied Halibut, and both men eyed each other carefully.

"So, if I'm unsuccessful, old chap," said the Major, in a voice which he strove to render natural and easy, "I will come straight back to your place and let you know, so as not to keep you in suspense."

"You're very good," said Halibut, with some emotion; "but I think I'll take to-day, because I have every reason to believe that I have got one of my bilious attacks coming on to-morrow."

"Pooh! fancy, my dear fellow," said the Major, heartily; "I never saw you look better in my life."

"That's one of the chief signs," replied Halibut, shaking his head. "I'm afraid I must go to-day."

"I really cannot waive my right on account of your bilious attack," said the Major haughtily.

"Your right?" said Halibut, with spirit.

"My right!" repeated the other. "I should have been there before you if you had not stopped me in the first place."

"But I started first," said Halibut.

"Prove it," exclaimed the Major, warmly.

The other shrugged his shoulders.

"I shall certainly not give way," he said, calmly. "This is a matter in which my whole future is concerned. It seems very odd, not to say inconvenient, that you should have chosen the same day as myself, Brill, for such an errand--very odd."

"It's quite an accident," asseverated the Major; "as a matter of fact, Halibut, I nearly went yesterday. That alone gives me, I think, some claim to precedence."

"Just so," said Halibut, slowly; "it constitutes an excellent claim."

The Major regarded him with moistening eyes. This was generous and noble. His opinion of Halibut rose. "And now you have been so frank with me," said the latter, "it is only fair that you should know I started out with the same intention three days ago and found her out. So far as claims go, I think mine leads."

"Pure matter of opinion," said the disgusted Major; "it really seems as though we want an arbitrator. Well, we'll have to make our call together, I suppose, but I'll take care not to give you any opportunity, Halibut, so don't cherish any delusions on that point. Even you wouldn't have the hardihood to propose before a third party, I should think; but if you do, I give you fair warning that I shall begin, too."

"This is most unseemly," said Halibut. "We'd better both go home and leave it for another day."

"When do you propose going, then?" asked the Major.

"Really, I haven't made up my mind," replied the other.

The Major shrugged his shoulders.

"It won't do, Halibut," he said, grimly; "it won't do. I'm too old a soldier to be caught that way."

There was a long pause. The Major mopped his brow again. "I've got it," he said at last.

Halibut looked at him curiously.

"We must play for first proposal," said the Major, firmly. "We're pretty evenly matched."

"Chess?" gasped the other, a whole world of protest in his tones.

"Chess," repeated the Major.

"It is hardly respectful," demurred Halibut. "What do you think the lady would do if she heard of it?"

"Laugh," replied the Major, with conviction.

"I believe she would," said the other, brightening. "I believe she would."

"You agree, then?"

"With conditions."

"Conditions?" repeated the Major.

"One game," said Halibut, speaking very slowly and distinctly; "and if the winner is refused, the loser not to propose until he gives him permission."

"What the deuce for?" inquired the other, suspiciously.

"Suppose I win," replied Halibut, with suspicious glibness, "and was so upset that I had one of my bilious attacks come on, where should I be? Why, I might have to break off in the middle and go home. A fellow can't propose when everything in the room is going round and round."

"I don't think you ought to contemplate marriage, Halibut," remarked the Major, very seriously and gently.

"Thanks," said Halibut, dryly.

"Very well," said the Major, "I agree to the conditions. Better come to my place and we'll decide it now. If we look sharp, the winner may be able to know his fate to-day, after all."

Halibut assenting, they walked back together. The feverish joy of the gambler showed in the Major's eye as they drew their chairs up to the little antique chess table and began to place their pieces ready for the fray. Then a thought struck him, and he crossed over to the sideboard.

"If you're feeling a bit off colour, Halibut," he said, kindly, "you'd better have a little brandy to pull yourself together. I don't wish to take a mean advantage."

"You're very good," said the other, as he eyed the noble measure of liquid poured out by his generous adversary.

"And now to business," said the Major, as he drew himself a little soda from a siphon.

"Now to business," repeated Halibut, rising and placing his glass on the mantel-piece.

The Major struggled fiercely with his feelings, but, despite himself, a guilty blush lent colour to the other's unfounded suspicions.

"Remember the conditions," said Halibut, impressively.

"Here's my hand on it," said the other, reaching over.

Halibut took it, and, his thoughts being at the moment far away, gave it a tender, respectful squeeze. The Major stared and coughed. It was suggestive of practice.

If the history of the duel is ever written, it will be found not unworthy

of being reckoned with the most famous combats of ancient times. Piece after piece was removed from the board, and the Major drank glass after glass of soda to cool his heated brain. At the second glass Halibut took an empty tumbler and helped himself. Suddenly there was a singing in the Major's ears, and a voice, a hateful, triumphant voice, said,

"Checkmate!"

Then did his gaze wander from knight to bishop and bishop to castle in a vain search for succour. There was his king defied by a bishop--a bishop which had been hobnobbing with pawns in one corner of the board, and which he could have sworn he had captured and removed full twenty minutes before. He mentioned this impression to Halibut.

"That was the other one," said his foe. "I thought you had forgotten this. I have been watching and hoping so for the last half-hour."

There was no disguising the coarse satisfaction of the man. He had watched and hoped. Not beaten him, so the Major told himself, in fair play, but by taking a mean and pitiful advantage of a pure oversight. A sheer oversight. He admitted it.

Halibut rose with a sigh of relief, and the Major, mechanically sweeping up the pieces, dropped them one by one into the box.

"Plenty of time," said the victor, glancing at the clock. "I shall go now, but I should like a wash first."

The Major rose, and in his capacity of host led the way upstairs to his room, and poured fresh water for his foe. Halibut washed himself delicately, carefully trimming his hair and beard, and anxiously consulting the Major as to the set of his coat in the back, after he had donned it again.

His toilet completed, he gave a satisfied glance in the glass, and then followed the man of war sedately down stairs. At the hall he paused, and busied himself with the clothes-brush and hat-pad, modestly informing his glaring friend that he could not afford to throw any chances away, and then took his departure.

The Major sat up late that night waiting for news, but none came, and by breakfast-time next morning his thirst for information became almost uncontrollable. He toyed with a chop and allowed his coffee to get cold. Then he clapped on his hat and set off to Halibut's to know the worst.

"Well?" he inquired, as he followed the other into his dining-room.

"I went," said Halibut, waving him to a chair.

"Am I to congratulate you?"

"Well, I don't know," was the reply; "perhaps not just yet."

"What do you mean by that?" said the Major, irascibly.

"Well, as a matter of fact," said Halibut, "she refused me, but so nicely and so gently that I scarcely minded it. In fact, at first I hardly realized that she had refused me."

The Major rose, and regarding his poor friend kindly, shook and patted him lightly on the shoulder.

"She's a splendid woman," said Halibut. "Ornament to her sex," remarked the Major.

"So considerate," murmured the bereaved one.

"Good women always are," said the Major, decisively. "I don't think I'd better worry her to-day, Halibut, do you?"

"No, I don't," said Halibut, stiffly.

"I'll try my luck to-morrow," said the Major.

"I beg your pardon," said Halibut.

"Eh?" said the Major, trying to look puzzled.

"You are forgetting the conditions of the game," replied Halibut. "You have to obtain my permission first."

"Why, my dear fellow," said the Major, with a boisterous laugh.
"I wouldn't insult you by questioning your generosity in such a case.
No, no, Halibut, old fellow, I know you too well."

He spoke with feeling, but there was an anxious note in his voice.

"We must abide by the conditions," said Halibut, slowly; "and I must inform you, Brill, that I intend to renew the attack myself."

"Then, sir," said the Major, fuming, "you compel me to say--putting all modesty aside--that I believe the reason Mrs. Riddel would have nothing to do with you was because she thought somebody else might make a similar offer."

"That's what I thought," said Halibut, simply; "but you see now that you have so unaccountably--so far as Mrs. Riddel is concerned--dropped out of the running, perhaps, if I am gently persistent, she'll take me."

The Major rose and glared at him.

"If you don't take care, old chap," said Halibut, tenderly, "you'll burst something."

"Gently persistent," repeated the Major, staring at him; "gently persistent."

"Remember Bruce and his spider," smiled the other.

"You are not going to propose to that poor woman nine times?" roared his incensed friend.

"I hope that it will not be necessary," was the reply; "but if it is, I can assure you, my dear Brill, that I'm not going to be outclassed by a mere spider."

"But think of her feelings!" gasped the Major.

"I have," was the reply; "and I'm sure she'll thank me for it afterward. You see, Brill, you and I are the only eligibles in the place, and now you are out of it, she's sure to take me sooner or later."

"And pray how long am I to wait?" demanded the Major, controlling himself with difficulty.

"I can't say," said Halibut; "but I don't think it's any good your waiting at all, because if I see any signs that Mrs. Riddel is waiting for you I may just give her a hint of the hopelessness of it."

"You're a perfect Mephistopheles, sir!" bawled the indignant Major. Halibut bowed.

"Strategy, my dear Brill," he said, smiling; "strategy. Now why waste your time? Why not make some other woman happy? Why not try her companion, Miss Philpotts? I'm sure any little assistance--"

The Major's attitude was so alarming that the sentence was never finished, and a second later the speaker found himself alone, watching his irate friend hurrying frantically down the path, knocking the blooms off the geraniums with his cane as he went. He saw no more of him for several weeks, the Major preferring to cherish his resentment in the privacy of his house. The Major also refrained from seeing the widow, having a wholesome dread as to what effect the contemplation of her charms might have upon his plighted word.

He met her at last by chance. Mrs. Riddel bowed coldly and would have passed on, but the Major had already stopped, and was making wild and unmerited statements about the weather.

"It is seasonable," she said, simply.

The Major agreed with her, and with a strong-effort regained his composure.

"I was just going to turn back," he said, untruthfully; "may I walk with you?"

"I am not going far," was the reply.

With soldierly courage the Major took this as permission; with feminine precision Mrs. Riddel walked about fifty yards and then stopped. "I told you I wasn't going far," she said sweetly, as she held out her hand. "Goodby."

"I wanted to ask you something," said the Major, turning with her. "I can't think what it was.

They walked on very slowly, the Major's heart beating rapidly as he told himself that the lady's coldness was due to his neglect of the past few weeks, and his wrath against Halibut rose to still greater heights as he saw the cruel position in which that schemer had placed him. Then he made a sudden resolution. There was no condition as to secrecy, and, first turning the conversation on to indoor amusements, he told the astonished Mrs. Riddel the full particulars of the fatal game. Mrs. Riddel said that she would never forgive them; it was the most preposterous thing she had ever heard of. And she demanded hotly whether

she was to spend the rest of her life in refusing Mr. Halibut.

"Do you play high as a rule?" she inquired, scornfully.

"Sixpence a game," replied the Major, simply.

The corners of Mrs. Riddel's mouth relaxed, and her fine eyes began to water; then she turned her head away and laughed. "It was very foolish of us, I admit," said the Major, ruefully, "and very wrong. I shouldn't have told you, only I couldn't explain my apparent neglect without."

"Apparent neglect?" repeated the widow, somewhat haughtily.

"Well, put it down to a guilty conscience," said the Major; "it seems years to me since I have seen you."

"Remember the conditions, Major Brill," said Mrs. Riddel, with severity.

"I shall not transgress them," replied the Major, seriously.

Mrs. Riddel gave her head a toss, and regarded him from the corner of her eyes.

"I am very angry with you, indeed," she said, severely. The Major apologized again. "For losing," added the lady, looking straight before her.

Major Brill caught his breath and his knees trembled beneath him. He made a half-hearted attempt to seize her hand, and then remembering his position, sighed deeply and looked straight before him. They walked on in silence.

"I think," said his companion at last, "that, if you like, you can get back at cribbage what you lost at chess. That is, of course, if you really want to."

"He wouldn't play," said the Major, shaking his head.

"No, but I will," said Mrs. Riddel, with a smile. "I think I've got a plan."

She blushed charmingly, and then, in modest alarm at her boldness, dropped her voice almost to a whisper. The Major gazed at her in speechless admiration and threw back his head in ecstasy. "Come round to-morrow afternoon," said Mrs. Riddel, pausing at the end of the lane. "Mr. Halibut shall be there, too, and it shall be done under his very eyes."

Until that time came the Major sat at home carefully rehearsing his part, and it was with an air of complacent virtue that he met the somewhat astonished gaze of the persistent Halibut next day. It was a bright afternoon, but they sat indoors, and Mrs. Riddel, after an animated description of a game at cribbage with Miss Philpotts the night before, got the cards out and challenged Halibut to a game.

They played two, both of which the diplomatic Halibut lost; then Mrs. Riddel, dismissing him as incompetent, sat drumming on the table with her fingers, and at length challenged the Major. She lost the first game easily, and began the second badly. Finally, after hastily glancing at a

new hand, she flung the cards petulantly on the table, face downward.

"Would you like my hand, Major Brill?" she demanded, with a blush.

"Better than anything in the world," cried the Major, eagerly.

Halibut started, and Miss Philpotts nearly had an accident with her crochet hook. The only person who kept cool was Mrs. Riddel, and it was quite clear to the beholders that she had realized neither the ambiguity of her question nor the meaning of her opponent's reply.

"Well, you may have it," she said, brightly.

Before Miss Philpotts could lay down her work, before Mr. Halibut could interpose, the Major took possession of Mrs. Riddel's small white hand and raised it gallantly to his lips. Mrs. Riddel, with a faint scream which was a perfect revelation to the companion, snatched her hand away. "I meant my hand of cards," she said, breathlessly.

"Really, Brill, really," said Halibut, stepping forward fussily.

"Oh!" said the Major, blankly; "cards!"

"That's what I meant, of course," said Mrs. Riddel, recovering herself with a laugh. "I had no idea still--if you prefer----" The Major took her hand again, and Miss Philpotts set Mr. Halibut an example--which he did not follow--by gazing meditatively out of the window. Finally she gathered up her work and quitted the room. Mrs. Riddel smiled over at Mr. Halibut and nodded toward the Major.

[Illustrations: "DON'T YOU THINK MAJOR BRILL IS SOMEWHAT HASTY IN HIS CONCLUSIONS?" SHE INQUIRED SOFTLY.]

"Don't you think Major Brill is somewhat hasty in his conclusions?" she inquired, softly.

"I'll tell Major Brill what I think of him when I get him alone," said the injured gentleman, sourly.

End of the Project Gutenberg EBook of A Mixed Proposal, by W.W. Jacobs

*** END OF THIS PROJECT GUTENBERG EBOOK A MIXED PROPOSAL ***

***** This file should be named 12129.txt or 12129.zip *****
This and all associated files of various formats will be found in: http://www.gutenberg.net/1/2/1/2/12129/

Produced by David Widger

Updated editions will replace the previous one--the old editions will be renamed.

Creating the works from public domain print editions 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-tm electronic works to protect the PROJECT GUTENBERG-tm concept and trademark. Project Gutenberg is a registered trademark, and may not be used if you charge for the eBooks, unless you receive specific permission. If you do not charge anything for copies of this eBook, complying with the rules is very easy. You may use this eBook for nearly any purpose such as creation of derivative works, reports, performances and research. They may be modified and printed and given away--you may do practically ANYTHING with public domain eBooks. 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-tm 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-tm License (available with this file or online at http://gutenberg.net/license).

Section 1. General Terms of Use and Redistributing Project Gutenberg-tm electronic works

- 1.A. By reading or using any part of this Project Gutenberg-tm 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-tm electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project Gutenberg-tm 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-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 in the public domain 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-tm mission of promoting free access to electronic works by freely sharing Project Gutenberg-tm works in compliance with the terms of this agreement for keeping the Project Gutenberg-tm 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-tm 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-tm work. The Foundation makes no representations concerning the copyright status of any work in any country outside 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-tm License must appear prominently whenever any copy of a Project Gutenberg-tm 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 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.net

- 1.E.2. If an individual Project Gutenberg-tm electronic work is derived from the public domain (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-tm trademark as set forth in paragraphs 1.E.8 or 1.E.9.
- 1.E.3. If an individual Project Gutenberg-tm 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-tm 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-tm License terms from this work, or any files containing a part of this work or any other work associated with Project Gutenberg-tm.
- 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-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 Gutenberg-tm work in a format other than "Plain Vanilla ASCII" or other format used in the official version posted on the official Project Gutenberg-tm web site (www.gutenberg.net), 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-tm 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-tm 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-tm electronic works provided that
- You pay a royalty fee of 20% of the gross profits you derive from the use of Project Gutenberg-tm works calculated using the method you already use to calculate your applicable taxes. The fee is owed to the owner of the Project Gutenberg-tm 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-tm 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-tm 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-tm works.
- 1.E.9. If you wish to charge a fee or distribute a Project Gutenberg-tm electronic work or group of works on different terms than are set forth in this agreement, you must obtain permission in writing from both the Project Gutenberg Literary Archive Foundation and Michael Hart, the owner of the Project Gutenberg-tm trademark. Contact the Foundation as set forth in Section 3 below.

- 1.F.1. Project Gutenberg volunteers and employees expend considerable effort to identify, do copyright research on, transcribe and proofread public domain works in creating the Project Gutenberg-tm collection. Despite these efforts, Project Gutenberg-tm 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-tm trademark, and any other party distributing a Project Gutenberg-tm 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 F3. 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 MERCHANTIBILITY 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-tm electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project Gutenberg-tm 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-tm work, (b) alteration, modification, or additions or deletions to any Project Gutenberg-tm work, and (c) any Defect you cause.

Section 2. Information about the Mission of Project Gutenberg-tm

Project Gutenberg-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, is critical to reaching Project Gutenberg-tm's goals and ensuring that the Project Gutenberg-tm 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-tm 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 web page at http://www.pglaf.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. Its 501(c)(3) letter is posted at http://pglaf.org/fundraising. 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 principal office is located at 4557 Melan Dr. S. Fairbanks, AK, 99712., but its volunteers and employees are scattered throughout numerous locations. Its business office is located at 809 North 1500 West, Salt Lake City, UT 84116, (801) 596-1887, email business@pglaf.org. Email contact links and up to date contact information can be found at the Foundation's web site and official page at http://pglaf.org

For additional contact information:

Dr. Gregory B. Newby Chief Executive and Director gbnewby@pglaf.org

Section 4. Information about Donations to the Project Gutenberg Literary Archive Foundation

Project Gutenberg-tm depends upon and cannot survive without wide spread 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 http://pglaf.org

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 including checks, online payments and credit card donations. To donate, please visit: http://pglaf.org/donate

Section 5. General Information About Project Gutenberg-tm electronic works.

Professor Michael S. Hart is the originator of the Project Gutenberg-tm concept of a library of electronic works that could be freely shared with anyone. For thirty years, he produced and distributed Project Gutenberg-tm eBooks with only a loose network of volunteer support.

Project Gutenberg-tm eBooks are often created from several printed editions, all of which are confirmed as Public Domain in the U.S. unless a copyright notice is included. Thus, we do not necessarily keep eBooks in compliance with any particular paper edition.

Each eBook is in a subdirectory of the same number as the eBook's eBook number, often in several formats including plain vanilla ASCII, compressed (zipped), HTML and others.

Corrected EDITIONS of our eBooks replace the old file and take over the old filename and etext number. The replaced older file is renamed. VERSIONS based on separate sources are treated as new eBooks receiving new filenames and etext numbers.

Most people start at our Web site which has the main PG search facility:

http://www.gutenberg.net

This Web site includes information about Project Gutenberg-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.

EBooks posted prior to November 2003, with eBook numbers BELOW #10000, are filed in directories based on their release date. If you want to

download any of these eBooks directly, rather than using the regular search system you may utilize the following addresses and just download by the etext year.

http://www.gutenberg.net/etext06

(Or /etext 05, 04, 03, 02, 01, 00, 99, 98, 97, 96, 95, 94, 93, 92, 92, 91 or 90)

EBooks posted since November 2003, with etext numbers OVER #10000, are filed in a different way. The year of a release date is no longer part of the directory path. The path is based on the etext number (which is identical to the filename). The path to the file is made up of single digits corresponding to all but the last digit in the filename. For example an eBook of filename 10234 would be found at:

http://www.gutenberg.net/1/0/2/3/10234

or filename 24689 would be found at: http://www.gutenberg.net/2/4/6/8/24689

An alternative method of locating eBooks: http://www.gutenberg.net/GUTINDEX.ALL