

A Struggle For Life, by Thomas Bailey Aldrich

The Project Gutenberg EBook of A Struggle For Life, by Thomas Bailey Aldrich 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.org

Title: A Struggle For Life

Author: Thomas Bailey Aldrich

Release Date: November 6, 2007 [EBook #23356]

Language: English

Character set encoding: ISO-8859-1

*** START OF THIS PROJECT GUTENBERG EBOOK A STRUGGLE FOR LIFE ***

Produced by David Widger

A STRUGGLE FOR LIFE.

By Thomas Bailey Aldrich

Boston And New York Houghton Mifflin Company

Copyright, 1873, 1885, and 1901

One morning as I was passing through Boston Common, which lies between my home and my office, I met a gentleman lounging along The Mall. I am generally preoccupied when walking, and often thread my way through crowded streets without distinctly observing any one. But this man's face forced itself upon me, and a singular face it was. His eyes were faded, and his hair, which he wore long, was flecked with gray. His hair and eyes, if I may say so, were sixty years old, the rest of him not thirty. The youthfulness of his figure, the elasticity of his gait, and the venerable appearance of his head were incongruities that drew more than one pair of curious eyes towards him, He excited in me the painful suspicion that he had got either somebody else's head or somebody else's body. He was evidently an American, at least so far as the upper part of him was concerned--the New England cut of countenance is unmistakable--evidently a man who had seen something of the world, but strangely young and old.

Before reaching the Park Street gate, I had taken up the thread of thought which he had unconsciously broken; yet throughout the day this old young man, with his unwrinkled brow and silvered locks, glided in like a phantom between me and my duties.

The next morning I again encountered him on The Mall. He was resting lazily on the green rails, watching two little sloops in distress, which two ragged ship-owners had consigned to the mimic perils of the Pond. The vessels lay becalmed in the middle of the ocean, displaying a tantalizing lack of sympathy with the frantic helplessness of the owners on shore. As the gentleman observed their dilemma, a light came into his faded eyes, then died out leaving them drearier than before. I wondered if he, too, in his time, had sent out ships that drifted and drifted and never came to port; and if these poor toys were to him types of his own losses.

"That man has a story, and I should like to know it," I said, half aloud, halting in one of those winding paths which branch off from the pastoral quietness of the Pond, and end in the rush and tumult of Tremont Street.

"Would you?" exclaimed a voice at my side. I turned and faced Mr. H-----, a neighbor of mine, who laughed heartily at finding me talking to myself. "Well," he added, reflectingly, "I can tell you this man's story; and if you will match the narrative with anything as curious, I shall be glad to hear it."

"You know him, then?"

"Yes and no. That is to say, I do not know him personally; but I know a singular passage in his life. I happened to be in Paris when he was buried."

"Buried!"

"Well, strictly speaking, not buried; but something quite like it. If you 've a spare half hour," continued my friend H-----, "we 'll sit on this bench, and I will tell you all I know of an affair that made some noise in Paris a couple of years ago. The gentleman himself, standing yonder, will serve as a sort of frontispiece to the romance--a full-page illustration, as it were."

The following pages contain the story Which Mr. H----- related to me. While he was telling it, a gentle wind arose; the miniature sloops drifted feebly about the ocean; the wretched owners flew from point to point, as the deceptive breeze promised to waft the barks to either shore; the early robins trilled now and then from the newly fringed elms; and the old young man leaned on the rail in the sunshine, little dreaming that two gossips were discussing his affairs within twenty yards of him.

Three persons were sitting in a salon whose one large window overlooked the Place Vendôme. M. Dorine,

with his back half turned on the other two occupants of the apartment, was reading the Journal des Débats in an alcove, pausing from time to time to wipe his glasses, and taking scrupulous pains not to glance towards the lounge at his right, on which were seated Mile. Dorine and a young American gentleman, whose handsome face rather frankly told his position in the family. There was not a happier man in Paris that afternoon than Philip Wentworth. Life had become so delicious to him that he shrunk from looking beyond to-day. What could the future add to his full heart, what might it not take away? The deepest joy has always something of melancholy in it--a presentiment, a fleeting sadness, a feeling without a name. Wentworth was conscious of this subtile shadow that night, when he rose from the lounge and thoughtfully held Julie's hand to his lip for a moment before parting. A careless observer would not have thought him, as he was, the happiest man in Paris.

M. Dorine laid down his paper, and came forward. "If the house," he said, "is such as M. Cherbonneau describes it, I advise you to close with him at once. I would accompany you, Philip, but the truth is, I am too sad at losing this little bird to assist you in selecting a cage for her. Remember, the last train for town leaves at five. Be sure not to miss it; for we have seats for Sardou's new comedy to-morrow night. By to-morrow night," he added laughingly, "little Julie here will be an old lady--it is such an age from now until then."

The next morning the train bore Philip to one of the loveliest spots within thirty miles of Paris. An hour's walk through green lanes brought him to M. Cherbonueau's estate. In a kind of dream the young man wandered from room to room, inspected the conservatory, the stables, the lawns, the strip of woodland through which a merry brook sang to itself continually, and, after dining with M. Cherbonneau, completed the purchase, and turned his steps towards the station just in time to catch the express train.

As Paris stretched out before him, with its lights twinkling in the early dusk, and its spires and domes melting into the evening air, it seemed to Philip as if years had elapsed since he left the city. On reaching Paris he drove to his hôtel, where he found several letters lying on the table. He did not trouble himself even to glance at their superscriptions as he threw aside his travelling surtout for a more appropriate dress.

If, in his impatience to return to Mile. Dorine, the cars had appeared to walk, the fiacre, which he had secured at the station appeared to creep. At last it turned into the Place Vendôme, and drew up before M. Dorine's hôtel. The door opened as Philip's foot touched the first step. The valet silently took his cloak and hat, with a special deference, Philip thought; but was he not now one of the family?

"M. Dorine," said the servant slowly, "is unable to see Monsieur at present. He wishes Monsieur to be shown up to the salon."

"Is Mademoiselle"--

"Yes, Monsieur."

"Alone?"

"Alone, Monsieur," repeated the man, looking curiously at Philip, who could scarcely repress an exclamation of pleasure.

It was the first time that such a privilege had been accorded him. His interviews with Julie had always taken place in the presence of M. Dorine, or some member of the household. A well-bred Parisian girl has but a formal acquaintance with her lover.

Philip did not linger on the staircase; with a light heart, he went up the steps, two at a time, hastened through the softly lighted hall, in which he detected the faint scent of her favorite flowers, and stealthily opened the door of the salon.

The room was darkened. Underneath the chandelier stood a slim black casket on trestles. A lighted candle, a crucifix, and some white flowers were on a table near by. Julie Dorine was dead.

When M. Dorine heard the sudden cry that rang through the silent house, he hurried from the library, and found Philip standing like a ghost in the middle of the chamber.

It was not until long afterwards that Wentworth learned the details of the calamity that had befallen him. On the previous night Mile. Dorine had retired to her room in seemingly perfect health, and had dismissed her maid with a request to be awakened early the next morning. At the appointed hour the girl entered the chamber. Mile. Dorine was sitting in an arm-chair, apparently asleep. The candle in the *bougeoir* had burnt down to the socket; a book lay half open on the carpet at her feet. The girl started when she saw that the bed had not been occupied, and that her mistress still wore an evening dress. She rushed to Mile. Dorine's side. It was not slumber; it was death.

Two messages were at once despatched to Philip, one to the station at G-----, the other to his hôtel. The first missed him on the road, the second he had neglected to open. On his arrival at M. Dorine's house, the valet, under the supposition that Wentworth had been advised of Mile. Dorine's death, broke the intelligence with awkward cruelty, by showing him directly to the salon. Mile. Dorine's wealth, her beauty, the suddenness of her death, and the romance that had in some way attached itself to her love for the young American drew crowds to witness the funeral ceremonies, which took place in the church in the Rue d'Aguesseau. The body was to be laid in M. Dorine's tomb, in the cemetery of Montmartre.

This tomb requires a few words of description. First there was a grating of filigraned iron; through this you looked into a small vestibule or hall, at the end of which was a massive door of oak opening upon a short flight of stone steps descending into the tomb. The vault was fifteen or twenty feet square, ingeniously ventilated from the ceiling, but unlighted. It contained two sarcophagi: the first held the remains of Madame Dorine, long since dead; the other was new, and bore on one side the letters J. D., in monogram, interwoven with fleurs-de-lis.

The funeral train stopped at the gate of the small garden that enclosed the place of burial, only the immediate relatives follow-ing the bearers into the tomb. A slender wax candle, such as is used in Catholic churches, burnt at the foot of the uncovered sarcophagus, casting a dim glow over the centre of the apartment, and deepening the shadows which seemed to huddle together in the corners. By this flickering light the coffin was placed in its granite shell, the heavy slab laid over it reverently, and the oaken door swung on its rusty hinges, shutting out the uncertain ray of sunshine that had ventured to peep in on the darkness.

M. Dorine, muffled in his cloak, threw himself on the back seat of the landau, too abstracted in his grief to observe that he was the only occupant of the vehicle. There was a sound of wheels grating on the gravelled avenue, and then all was silence again in the cemetery of Montmartre. At the main entrance the carriages parted company, dashing off into various streets at a pace that seemed to express a sense of relief.

The rattle of wheels had died out of the air when Philip opened his eyes, bewildered, like a man abruptly roused from slumber. He raised himself on one arm and stared into the surrounding blackness. Where was he? In a second the truth flashed upon him. He had been left in the tomb! While kneeling on the farther side of the stone box, perhaps he had fainted, and during the last solemn rites his absence had been unnoticed.

His first emotion was one of natural terror. But this passed as quickly as it came. Life had ceased to be so very precious to him; and if it were his fate to die at Julie's side, was not that the fulfilment of the desire which he had expressed to himself a hundred times that morning? What did it matter, a few years sooner or later? He must lay down the burden at last. Why not then? A pang of self-reproach followed they thought. Could he so lightly throw aside the love that had bent over his cradle. The sacred name of mother rose involuntarily to his lips. Was it not cowardly to yield up without a struggle the life when he should guard for her sake? Was it not

his duty to the living and the dead to face the difficulties of his position, and overcome them if it were within human power?

With an organization as delicate as a woman's he had that spirit which, however sluggish in repose, leaps with a kind of exultation to measure its strength with disaster.

The vague fear of the supernatural, that would affect most men in a similar situation, found no room in his heart. He was simply shut in a chamber from which it was necessary that he should obtain release within a given period. That this chamber contained the body of the woman he loved, so far from adding to the terror of the case, was a circumstance from which he drew consolation. She was a beautiful white statue now. Her soul was far hence; and if that pure spirit could return, would it not be to shield him with her love? It was impossible that the place should not engender some thought of the kind. He did not put the thought entirely from him as he rose to his feet and stretched out his hands in the darkness; but his mind was too healthy and practical to indulge long in such speculations.

Philip, being a smoker, chanced to have in his pocket a box of *allumettes*. After several ineffectual essays, he succeeded in igniting one against the dank wall, and by its momentary glare perceived that the candle had been left in the tomb. This would serve him in examining the fastenings of the vault. If he could force the inner door by any means, and reach the grating, of which he had an indistinct recollection, he might hope to make himself heard. But the oaken door was immovable, as solid as the wall itself, into which it fitted air-tight. Even if he had had the requisite tools, there were no fastenings to be removed; the hinges were set on the outside.

Having ascertained this, Philip replaced the candle on the floor, and leaned against the wall thoughtfully, watching the blue fan of flame that wavered to and fro, threatening to detach itself from the wick. "At all events," he thought, "the place is ventilated." Suddenly he sprang forward and extinguished the light.

His existence depended on that candle! He had read somewhere, in some account of shipwreck, how the survivors had lived for days upon a few candles which one of the passengers had insanely thrown into the long-boat. And here he had been burning away his very life!

By the transient illumination of one of the tapers, he looked at his watch. It had stopped at eleven-but eleven that day, or the preceding night? The funeral, he knew, had left the church at ten. How many hours had passed since then? Of what duration had been his swoon? Alas! it was no longer possible for him to measure those hours which crawl like snails by the wretched, and fly like swallows over the happy.

He picked up the candle, and seated himself on the stone steps. He was a sanguine man, but, as he weighed the chances of escape, the prospect appalled him. Of course he would be missed. His disappearance under the circumstances would surely alarm his friends; they would institute a search for him; but who would think of searching for a live man in the cemetery of Montmartre? The préfet of police would set a hundred intelligences at work to find him; the Seine might be dragged, *les misérables* turned over at the Morgue; a minute description of him would be in every detective's pocket; and he--in M. Dorine's family tomb!

Yet, on the other hand, it was here, he was last seen; from this point a keen detective would naturally work up the case. Then might not the undertaker return for the candlestick, probably not left by design? Or, again, might not M. Dorine send fresh wreaths of flowers, to take the place of those which now diffused a pungent, aromatic odor throughout the chamber? Ah! what unlikely chances! But if one of these things did not happen speedily, it had better never happen. How long could he keep life in himself?

With his pocket-knife Wentworth cut the half-burned candle into four equal parts. "To-night," he meditated, "I will eat the first of these pieces; to-morrow, the second; to-morrow evening, the third; the next day, the fourth; and then--then I 'll wait!"

He had taken no breakfast that morning, unless a cup of coffee can be called a breakfast. He had never been very hungry before. He was ravenously hungry now. But he postponed the meal as long as practicable. It must have been near midnight, according to his calculation, when he determined to try the first of his four singular repasts. The bit of white-wax was tasteless; but it served its purpose.

His appetite for the time appeased, he found a new discomfort. The humidity of the walls, and the wind that crept through the unseen ventilator, chilled him to the bone. To keep walking was his only resource.

A kind of drowsiness, too, occasionally came over him. It took all his will to fight it off. To sleep, he felt, was to die, and he had made up his mind to live.

The strangest fancies flitted through his head as he groped up and down the stone floor of the dungeon, feeling his way along the wall to avoid the sepulchres. Voices that had long been silent spoke words that had long been forgotten; faces he had known in childhood grew palpable against the dark. His whole life in detail was unrolled before him like a panorama; the changes of a year, with its burden of love and death, its sweets and its bitternesses, were epitomized in a single second. The desire to sleep had left him, but the keen hunger came again.

"It must be near morning now," he mused; "perhaps the sun is just gilding the towers of Notre Dame; or, may be, a dull, drizzling rain is beating on Paris, sobbing on these mounds above me. Paris! it seems like a dream. Did I ever walk in its gay boulevards in the golden air? Oh, the delight and pain and passion of that sweet human life!"

Philip became conscious that the gloom, the silence, and the cold were gradually conquering him. The feverish activity of his brain brought on a reaction. He grew lethargic; he sunk down on the steps, and thought of nothing. His hand fell by chance on one of the pieces of candle; he grasped it and devoured it mechanically. This revived him. "How strange," he thought, "that I am not thirsty. Is it possible that the dampness of the walls, which I must inhale with every breath, has supplied the need of water? Not a drop has passed my lips for two days, and still I experience no thirst. That drowsiness, thank Heaven, has gone. I think I was never wide awake until this hour. It would be an anodyne like poison that could weigh down my eyelids. No doubt the dread of sleep has something to do with this."

The minutes were like hours. Now he walked as briskly as he dared up and down the tomb; now he rested against the door. More than once he was tempted to throw himself upon the stone coffin that held Julie, and make no further struggle for his life.

Only one piece of candle remained. He had eaten the third portion, not to satisfy hunger, but from a precautionary motive he had taken it as a man takes some disagreeable drug upon the result of which hangs safety. The time was rapidly approaching when even this poor substitute for nourishment would be exhausted. He delayed that moment. He gave himself a long fast this time. The half-inch of candle which he held in his hand was a sacred thing to him. It was his last defence against death.

Finally, with such a sinking at heart as he had not known before, he raised it to his lips. Then he paused, then he hurled the fragment across the tomb, then the oaken door was flung open, and Philip, with dazzled eyes, saw M. Dorine's form sharply defined against the blue sky.

When they led him out, half blinded, into the broad daylight, M. Dorine noticed that Philip's hair, which a short time since was as black as a crow's wing, had actually turned gray in places. The man's eyes, too, had faded; the darkness had dimmed their lustre.

"And how long was he really confined in the tomb?" I asked, as Mr. H----- concluded the story.

"Just one hour and twenty minutes!" replied Mr. H-----, smiling blandly.

As he spoke, the Lilliputian sloops, with their sails all blown out like white roses, came floating bravely into port, and Philip Wentworth lounged by us, wearily, in the pleasant April sunshine.

Mr. H-----'s narrative haunted me. Here was a man who had undergone a strange ordeal. Here was a man whose sufferings were unique. His was no threadbare experience. Eighty minutes had seemed like two days to him! If he had really been immured two days in the tomb, the story, from my point of view, would have lost its tragic value.

After this it was natural that I should regard Mr. Wentworth with stimulated curiosity. As I met him from day to day, passing through the Common with that same introspective air, there was something in his loneliness which touched me. I wondered that I had not read before in his pale, meditative face some such sad history as Mr. H----- had confided to me. I formed the resolution of speaking to him, though with no very lucid purpose. One morning we came face to face at the intersection of two paths. He halted courteously to allow me the precedence.

"Mr. Wentworth," I began, "I"--

He interrupted me.

"My name, sir," he said, in an off-hand manner, "is Jones."

"Jo-Jo-Jones!" I gasped.

"No, not Joseph Jones," he returned, with a glacial air--"Frederick."

A dim light, in which the perfidy of my friend H----- was becoming discernible, began to break upon my mind.

It will probably be a standing wonder to Mr. Frederick Jones why a strange man accosted him one morning on the Common as "Mr. Wentworth," and then dashed madly down the nearest foot-path and disappeared in the crowd.

The fact is, I had been duped by Mr. H-----, who is a gentleman of literary proclivities, and has, it is whispered, become somewhat demented in brooding over the Great American Novel--not yet hatched, He had actually tried the effect of one of his chapters on me!

My hero, as I subsequently learned, is a commonplace young person, who had some connection, I know not what, with the building of that graceful granite bridge which spans the crooked silver lake in the Public Garden.

When I think of the readiness with which Mr. H----- built up his airy fabric on my credulity, I feel half inclined to laugh, though I am deeply mortified at having been the unresisting victim of his Black Art.

End of Project Gutenberg's A Struggle For Life, by Thomas Bailey Aldrich

*** END OF THIS PROJECT GUTENBERG EBOOK A STRUGGLE FOR LIFE ***

***** This file should be named 23356-8.txt or 23356-8.zip ***** This and all associated files of various formats will be found in: http://www.gutenberg.org/2/3/3/5/23356/

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.org/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.org

- 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.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-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.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 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.

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

http://www.gutenberg.org

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.

A Struggle For Life, by Thomas Bailey Aldrich

A free ebook from http://manybooks.net/