

The Project Gutenberg eBook of The Denver Express, by A. A. Hayes

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: The Denver Express
From "Belgravia" for January, 1884*

Author: A. A. Hayes

*Release Date: October 24, 2007 [EBook #23180]
Last Updated: March 15, 2018*

Language: English

Character set encoding: UTF-8

**** START OF THIS PROJECT GUTENBERG EBOOK THE DENVER EXPRESS ****

Produced by David Widger

THE DENVER EXPRESS

By A. A. Hayes

From "Belgravia" for January, 1884

Contents

[I](#)

[II](#)

[III](#)

I

Any one who has seen an outward-bound clipper ship getting under way, and heard the "shanty-songs" sung by the sailors as they toiled at capstan and halliards, will probably remember that rhymeless but melodious refrain—

*"I'm bound to see its muddy waters,
Yeo ho! that rolling river;
Bound to see its muddy waters,
Yeo ho! the wild Missouri."*

Only a happy inspiration could have impelled Jack to apply the adjective "wild" to that ill-behaved and disreputable river which, tipsily bearing its enormous burden of mud from the far Northwest, totters, reels, runs its tortuous course for hundreds on hundreds of miles and which, encountering the lordly and thus far well-behaved Mississippi at Alton, and forcing its company upon this splendid river (as if some drunken fellow should lock arms with a dignified pedestrian), contaminates it all the way to the Gulf of Mexico.

At a certain point on the banks of this river, or rather—as it has the habit of abandoning and destroying said banks—at a safe distance therefrom, there is a town from which a railroad takes its departure, for its long climb up the natural incline of the Great Plains, to the base of the mountains; hence the importance to this town of the large but somewhat shabby building serving as terminal station. In its smoky interior, late in the evening and not very long ago, a train was nearly ready to start. It was a train possessing a certain consideration. For the benefit of a public easily gulled and enamored of grandiloquent terms, it was advertised as the "Denver Fast Express"; sometimes, with strange unfittness, as the "Lightning Express"; "elegant" and "palatial" cars were declared to be included therein; and its departure was one of the great events of the twenty-four hours in the country round about. A local poet described it in the "live" paper of the town, cribbing from an old Eastern magazine and passing off as original the lines—

*"Again we stepped into the street,
A train came thundering by
Drawn by the snorting iron steed
Swifter than eagles fly.
Rumbled the wheels, the whistle shrieked,
Far rolled the smoky cloud,
Echoed the hills, the valleys shook,
The flying forests bowed."*

The trainmen, on the other hand, used no fine phrases. They called it simply "Number Seventeen"; and, when it started, said it had "pulled out."

On the evening in question, there it stood, nearly ready. Just behind the great hissing locomotive, with its parabolic headlight and its coal-laden tender, came the baggage, mail, and express cars; then the passenger coaches, in which the social condition of the occupants seemed to be in inverse ratio to their distance from the engine. First came emigrants, "honest miners," "cowboys," and laborers; Irishmen, Germans, Welshmen, Mennonites from Russia, quaint of garb and speech, and Chinamen. Then came along cars full of people of better station, and last the great Pullman "sleepers," in which the busy black porters were making up the berths for well-to-do travelers of diverse nationalities and occupations.

It was a curious study for a thoughtful observer, this motley crowd of human beings sinking all differences of race, creed, and habits in the common purpose to move westward—to the mountain fastnesses, the sage-brush deserts and the Golden Gate.

The warning bell had sounded, and the fireman leaned far out for the signal. The gong struck sharply, the conductor shouted, "All aboard," and raised his hand; the tired ticket-seller shut his window, and the train moved out of the station, gathered way as it cleared the outskirts of the town, rounded a curve, entered on an absolutely straight line, and, with one long whistle from the engine, settled down to its work. Through the night hours it sped on, past lonely ranches and infrequent stations, by and across shallow streams fringed with cottonwood trees, over the greenish-yellow buffalo grass near the old trail where many a poor emigrant, many a bold frontiersman, many a brave soldier, had laid his bones but a short time before.

Familiar as they may be, there is something strangely impressive about all-night journeys by rail, and those forming part of an American transcontinental trip are almost weird. From the windows of a night express in Europe or the older portions of the United States, one looks on houses and lights, cultivated fields, fences, and hedges; and, hurled as he may be through the darkness, he has a sense of companionship and semi-security. Far different is it when the long train is running over those two rails which, seen before night sets in, seem to meet on the horizon. Within all is as if between two great seaboard cities; the neatly dressed people, the uniformed officials, the handsome fittings, the various appliances for comfort. Without are now long dreary levels, now deep and wild canyons, now an environment of strange and grotesque rock-formations, castles, battlements, churches, statues. The antelope fleetly runs, and the coyote skulks away from the track, and the gray wolf howls afar off. It is for all the world, to one's fancy, as if a bit of civilization, a family or community, its belongings and surroundings complete, were flying through regions barbarous and inhospitable.

From the cab of Engine No. 32; the driver of the Denver Express saw, showing faintly in the early morning, the buildings grouped about the little station ten miles ahead, where breakfast awaited his passengers. He looked at his watch; he had just twenty minutes in which to run the distance, as he had run it often before. Something, however, traveled faster than he. From the smoky station out of which the train passed the night before, along the slender wire stretched on rough poles at the side of the track, a spark of that mysterious something which we call electricity flashed at the moment he returned the watch to his pocket; and in five minutes' time the station-master came out on the platform, a little more thoughtful than his wont, and looked eastward for the smoke of the train. With but three of the passengers in that train has this tale especially to do, and they were all in the new and comfortable Pullman "City of Cheyenne." One was a tall, well-made man of about thirty—blond, blue-eyed, bearded, straight, sinewy, alert. Of all in the train he seemed the most thoroughly at home, and the respectful greeting of the conductor, as he passed through the car, marked him as an officer of the road. Such was he—Henry Sinclair, assistant engineer, quite famed on the line, high in favor with the directors, and a rising man in all ways. It was known on the road that he was expected in Denver, and there were rumors that he was to organize the parties for the survey of an important "extension." Beside him sat his pretty young wife. She was a New Yorker—one could tell at first glance—from the feather of her little bonnet, matching the gray traveling dress, to the tips of her dainty boots; and one, too, at whom old

Fifth Avenue promenaders would have turned to look. She had a charming figure, brown hair, hazel eyes, and an expression at once kind, intelligent, and spirited. She had cheerfully left a luxurious home to follow the young engineer's fortunes; and it was well known that those fortunes had been materially advanced by her tact and cleverness.

The third passenger in question had just been in conversation with Sinclair and the latter was telling his wife of their curious meeting. Entering the toilet-room at the rear of the car, he said, he had begun his ablutions by the side of another man, and it was as they were sluicing their faces with water that he heard the cry:

"Why, Major, is that you? Just to think of meeting you here!"

A man of about twenty-eight years of age, slight, muscular, wiry, had seized his wet hand and was wringing it. He had black eyes, keen and bright, swarthy complexion, black hair and mustache. A keen observer might have seen about him some signs of a *jeunesse orageuse*, but his manner was frank and pleasing. Sinclair looked him in the face, puzzled for a moment.

"Don't you remember Foster?" asked the man.

"Of course I do," replied Sinclair. "For a moment I could not place you. Where have you been and what have you been doing?"

"Oh," replied Foster, laughing, "I've braced up and turned over a new leaf. I'm a respectable member of society, have a place in the express company, and am going to Denver to take charge."

"I am very glad to hear it, and you must tell me your story when we have had our breakfast."

The pretty young woman was just about to ask who Foster was, when the speed of the train slackened, and the brakeman opened the door of the car and cried out in stentorian tones:

"Pawnee Junction; twenty minutes for refreshments!"

II

When the celebrated Rocky Mountain gold excitement broke out, more than twenty years ago, and people painted "Pike's Peak or Bust" on the canvas covers of their wagons and started for the diggings, they established a "trail" or "trace" leading in a southwesterly direction from the old one to California.

At a certain point on this trail a frontiersman named Barker built a forlorn ranch-house and *corral*, and offered what is conventionally called "entertainment for man and beast."

For years he lived there, dividing his time between fighting the Indians and feeding the passing emigrants and their stock. Then the first railroad to Denver was built, taking another route from the Missouri, and Barker's occupation was gone. He retired with his gains to St. Louis and lived in comfort.

Years passed on, and the "extension" over which our train is to pass was planned. The old pioneers were excellent natural engineers and their successors could find no better route than they had chosen. Thus it was that "Barker's" became, during the construction period, an important point, and the frontiersman's name came to figure on time-tables. Meanwhile the place passed through a process of evolution which would have delighted Darwin. In the party of engineers which first camped there was Sinclair, and it was by his advice that the contractors selected it for division headquarters. Then came drinking "saloons" and gambling houses—alike the inevitable concomitant and the bane of Western settlements; then scattered houses and shops and a shabby so-called hotel, in which the letting of miserable rooms (divided from each other by canvas partitions) was wholly subordinated to the business of the bar. Before long, Barker's had acquired a worse reputation than even other towns of its type, the abnormal and uncanny aggregations of squalor and vice which dotted the plains in those days; and it was at its worst when Sinclair returned thither and took up his quarters in the engineers' building. The passion for gambling was raging, and to pander thereto were collected as choice a lot of desperadoes as ever "stacked" cards or loaded dice. It came to be noticed that they were on excellent terms with a man called "Jeff" Johnson, who was lessee of the hotel; and to be suspected that said Johnson, in local parlance, "stood in with" them. With this man had come to Barker's his daughter Sarah, commonly known as "Sally," a handsome girl, with a straight, lithe figure, fine features, reddish auburn hair, and dark-blue eyes. It is but fair to say that even the "toughs" of a place like Barker's show some respect for the other sex, and Miss Sally's case was no exception to the rule. The male population admired her; they said she "put on heaps of style"; but none of them had seemed to make any progress in her good graces.

On a pleasant afternoon just after the track had been laid some miles west of Barker's, and construction trains were running with some regularity to and from the end thereof, Sinclair sat on the rude veranda of the engineers' quarters, smoking his well-colored meerschaum and looking at the sunset. The atmosphere had been so clear during the day that glimpses were had of Long's and Pike's peaks, and as the young engineer gazed at the gorgeous cloud display he was thinking of the miners' quaint and pathetic idea that the dead "go over the Range."

"Nice-looking, ain't it, Major?" asked a voice at his elbow, and he turned to see one of the contractors' officials taking a seat near him.

"More than nice-looking to my mind, Sam," he replied. "What is the news to-day?"

"Nothin' much. There's a sight of talk about the doin's of them faro an' keno sharps. The boys is gettin' kind o' riled, fur they allow the game ain't on the square wuth a cent. Some of 'em down to the tie-camp wuz a-talkin' about a vigilance committee, an' I wouldn't be surprised ef they meant business. Hev yer heard about the young feller that come in a week ago from Laramie an' set up a new faro-bank?"

"No. What about him?"

"Wa'al, yer see he's a feller thet's got a lot of sand an' ain't afeard of nobody, an' he's allowed to hev the deal to his place on

the square every time. Accordin' to my idee, gamblin's about the wust racket a feller kin work, but it takes all sorts of men to make a world, an' ef the boys is bound to hev a game, I calkilate they'd like to patronize his bank. Thet's made the old crowd mighty mad an' they're a-talkin' about puttin' up a job of cheatin' on him an' then stringin' him up. Besides, I kind o' think there's some cussed jealousy on another lay as comes in. Yer see the young feller—Cyrus Foster's his name—is sweet on the gal of Jeff Johnson's. Jeff was to Laramie before he come here, an' Foster knowed Sally up thar. I allow he moved here to see her. Hello! Ef thar they ain't a-coming now."

Down a path leading from the town past the railroad buildings, and well on the prairie, Sinclair saw the girl walking with the "young feller." He was talking earnestly to her and her eyes were cast down. She looked pretty and, in a way, graceful; and there was in her attire a noticeable attempt at neatness, and a faint reminiscence of bygone fashions. A smile came to Sinclair's lips as he thought of a couple walking up Fifth Avenue during his leave of absence not many months before, and of a letter many times read, lying at that moment in his breast-pocket.

"Papa's bark is worse than his bite," ran one of its sentences. "Of course he does not like the idea of my leaving him and going away to such dreadful and remote places as Denver and Omaha and I don't know what else; but he will not oppose me in the end, and when you come on again—"

"By thunder!" exclaimed Sam; "ef thar ain't one of them cussed sharps a-watchin' 'em."

Sure enough a rough-looking fellow, his hat pulled over his eyes, half concealed behind a pile of lumber, was casting a sinister glance toward the pair.

"The gal's well enough," continued Sam; "but I don't take a cent's wuth of stock in the father of her'n. He's in with them sharps, sure pop, an' it don't suit his book to hev Foster hangin' round. It's ten to one he sent that cuss to watch 'em, Wa'al, they're a queer lot, an' I'm afear'd thar's plenty of trouble ahead among 'em. Good luck to you, Major," and, he pushed back his chair and walked away.

After breakfast next morning, when Sinclair was sitting at the table in his office, busy with maps and plans, the door was thrown open, and Foster, panting for breath, ran in.

"Major Sinclair," he said, speaking with difficulty, "I've no claim on you, but I ask you to protect me. The other gamblers are going to hang me. They are more than ten to one. They will track me here; unless you harbor me, I'm a dead man."

Sinclair rose from his chair in a second and walked to the window. A party of men were approaching the building. He turned to Foster:

"I do not like your trade," said he; "but I will not see you murdered if I can help it. You are welcome here." Foster said "Thank you," stood still a moment, and then began to pace the room, rapidly clinching his hands, his whole frame quivering, his eyes flashing fire—"for all the world," Sinclair said, in telling the story afterward, "like a fierce caged tiger."

"My God!" he muttered, with concentrated intensity, "to be *trapped*, trapped like this!"

Sinclair stepped quickly to the door of his bedroom and motioned Foster to enter. Then there came a knock at the outer door, and he opened it and stood on the threshold erect and firm. Half a dozen "toughs" faced him.

"Major," said their spokesman, "we want that man."

"You can not have him, boys."

"Major, we're a-goin' to take him."

"You had better not try," said Sinclair, with perfect ease and self-possession, and in a pleasant voice. "I have given him shelter, and you can only get him over my dead body. Of course you can kill me, but you won't do even that without one or two of you going down; and then you know perfectly well, boys, what will happen. You *know* that if you lay your finger on a railroad man it's all up with you. There are five hundred men in the tie-camp, not five miles away, and you don't need to be told that in less than one hour after they get word there won't be a piece of one of you big enough to bury."

The men made no reply. They looked him straight in the eyes for a moment. Had they seen a sign of flinching they might have risked the issue, but there was none. With muttered curses, they slunk away. Sinclair shut and bolted the door, then opened the one leading to the bedroom.

"Foster," he said, "the train will pass here in half an hour. Have you money enough?"

"Plenty, Major."

"Very well; keep perfectly quiet and I will try to get you safely off." He went to an adjoining room and called Sam, the contractor's man. He took in the situation at a glance.

"Wa'al Foster," said he, "kind o' 'close call' for yer, warn't it? Guess yer'd better be gittin' up an' gittin' pretty lively. The train boys will take yer through an' yer kin come back when this racket's worked out."

Sinclair glanced at his watch, then he walked to the window and looked out. On a small *mesa*, or elevated plateau, commanding the path to the railroad, he saw a number of men with rifles.

"Just as I expected," said he. "Sam, ask one of the boys to go down to the track and, when the train arrives, tell the conductor to come here."

In a few minutes the whistle was heard and the conductor entered the building. Receiving his instructions, he returned, and immediately on engine, tender, and platform appeared the trainmen, with *their* rifles covering the group on the bluff. Sinclair put on his hat.

"Now, Foster," said he, "we have no time to lose. Take Sam's arm and mine, and walk between us."

The trio left the building and walked deliberately to the railroad. Not a word was spoken. Besides the men in sight on the train, two behind the window-blinds of the one passenger coach, and imseen, kept their fingers on the triggers of their repeating carbines. It seemed a long time, counted by anxious seconds, until Foster was safe in the coach.

"All ready, conductor," said Sinclair. "Now, Foster, good-by. I am not good at lecturing, but if I were you, I would make this the turning-point in my life."

Foster was much moved.

"I will do it, Major," said he; "and I shall never forget what you have done for me to-day. I am sure we shall meet again."

With another shriek from the whistle the train started. Sinclair and Sam saw the men quietly returning the firearms to their places as it gathered way. Then they walked back to their quarters. The men on the *mesa*, balked of their purpose, had withdrawn.

Sam accompanied Sinclair to his door, and then sententiously remarked: "Major, I think I'll light out and find some of the boys. You ain't got no call to know anything about it, but I allow it's about time them cusses was bounced."

Three nights after this, a powerful party of *Vigilantes*, stern and inexorable, made a raid on all the gambling dens, broke the tables and apparatus, and conducted the men to a distance from the town, where they left them with an emphatic and concise warning as to the consequences of any attempt to return. An exception was made in Jeff Johnson's cases—but only for the sake of his daughter—for it was found that many a "little game" had been carried on in his house.

Ere long he found it convenient to sell his business and retire to a town some miles to the eastward, where the railroad influence was not as strong as at Barker's. At about this time, Sinclair made his arrangements to go to New York, with the pleasant prospect of marrying the young lady in Fifth Avenue. In due time he arrived at Barker's with his young and charming wife and remained for some days. The changes were astounding. Commonplace respectability had replaced abnormal lawlessness. A neat station stood where had been the rough contractor's buildings. At a new "Windsor" (or was it "Brunswick"?) the performance of the kitchen contrasted sadly (alas! how common is such contrast in these regions) with the promise of the *menu*. There was a tawdry theatre yclept "Academy of Music," and there was not much to choose in the way of ugliness between two "meeting-houses."

"Upon my word, my dear," said Sinclair to his wife, "I ought to be ashamed to say it, but I prefer Barker's *au naturel*."

One evening, just before the young people left the town, and as Mrs. Sinclair sat alone in her room, the frowsy waitress announced "a lady," and was requested to bid her enter. A woman came with timid mien into the room, sat down, as invited, and removed her veil. Of course the young bride had never known Sally Johnson, the whilom belle of Barker's, but her husband would have noticed at a glance how greatly she was changed from the girl who walked with Foster past the engineers' quarters. It would be hard to find a more striking contrast than was presented by the two women as they sat facing each other: the one in the flush of health and beauty, calm, sweet, self-possessed; the other still retaining some of the shabby finery of old days, but pale and haggard, with black rings under her eyes, and a pathetic air of humiliation.

"Mrs. Sinclair," she hurriedly began, "you do not know me, nor the like of me. I've got no right to speak to you, but I couldn't help it. Oh! please believe me, I am not real downright bad. I'm Sally Johnson, daughter of a man whom they drove out of the town. My mother died when I was little, and I *never* had a show; and folks think because I live with my father, and he makes me know the crowd he travels with, that I must be in with them, and be of their sort. I never had a woman speak a kind word to me, and I've had so much trouble that I'm just drove wild, and like to kill myself; and then I was at the station when you came in, and I saw your sweet face and the kind look in your eyes, and it came in my heart that I'd speak to you if I died for it." She leaned eagerly forward, her hands nervously closing on the back of a chair. "I suppose your husband never told you of me; like enough he never knew me; but I'll never forget him as long as I live. When he was here before, there was a young man"—here a faint color came in the wan cheeks—"who was fond of me, and I thought the world of him, and my father was down on him, and the men that father was in with wanted to kill him; and Mr. Sinclair saved his life. He's gone away, and I've waited and waited for him to come back—and perhaps I'll never see him again. But oh! dear lady, I'll never forget what your husband did. He's a good man, and he deserves the love of a dear good woman like you, and if I dared I'd pray for you both, night and day."

She stopped suddenly and sank back in her seat, pale as before, and as if frightened by her own emotion. Mrs. Sinclair had listened with sympathy and increasing interest.

"My poor girl," she said, speaking tenderly (she had a lovely, soft voice) and with slightly heightened color, "I am delighted that you came to see me, and that my husband was able to help you. Tell me, can we not do more for you? I do not for one moment believe you can be happy with your present surroundings. Can we not assist you to leave them?"

The girl rose, sadly shaking her head. "I thank you for your words," she said. "I don't suppose I'll ever see you again, but I'll say, God bless you!"

She caught Mrs. Sinclair's hand, pressed it to her lips, and was gone.

Sinclair found his wife very thoughtful when he came home, and he listened with much interest to her story.

"Poor girl!" said he; "Foster is the man to help her. I wonder where he is? I must inquire about him."

The next day they proceeded on their way to San Francisco, and matters drifted on at Barker's much as before. Johnson had, after an absence of some months, come back and lived without molestation amid the shifting population. Now and then, too, some of the older residents fancied they recognized, under slouched sombreros, the faces of some of his former "crowd" about the "Ranchman's Home," as his gaudy saloon was called.

Late on the very evening on which this story opens, and they had been "making up" the Denver Express in the train-house on the Missouri, "Jim" Watkins, agent and telegrapher at Barker's, was sitting in his little office, communicating with the station rooms by the ticket window. Jim was a cool, silent, efficient man, and not much given to talk about such episodes in his past life as the "wiping out" by Indians of the construction party to which he belonged, and his own rescue by the scouts. He was smoking an old and favorite pipe, and talking with one of "the boys" whose head appeared at the wicket. On a seat in the station sat a woman in a black dress and veil, apparently waiting for a train.

"Got a heap of letters and telegrams there, ain't yer, Jim?" remarked the man at the window.

"Yes," replied Jim; "they're for Engineer Sinclair, to be delivered to him when he passes through here. He left on No. 17, to-night." The inquirer did not notice the sharp start of the woman near him.

"Is that good-lookin' wife of his'n a-comin' with him?" asked he.

"Yes, there's letters for her, too."

"Well, good-night, Jim. See yer later," and he went out. The woman suddenly rose and ran to the window.

"Mr. Watkins," cried she, "can I see you for a few moments where no one can interrupt us? It's a matter of life and death." She clutched the sill with her thin hands, and her voice trembled. Watkins recognized Sally Johnson in a moment. He unbolted a door, motioned her to enter, closed and again bolted it, and also closed the ticket window. Then he pointed to a chair, and the girl sat down and leaned eagerly forward.

"If they knew I was here," she said in a hoarse whisper, "my life wouldn't be safe five minutes. I was waiting to tell you a terrible story, and then I heard who was on the train due here tomorrow night. Mr. Watkins, don't, for God's sake, ask me how I found out, but I hope to die if I ain't telling you the living truth! They're going to wreck that train—No. 17—at Dead Man's Crossing, fifteen miles east, and rob the passengers and the express car. It's the worst gang in the country, *Perry's*. They're going to throw the train off the track, the passengers will be maimed and killed—and Mr. Sinclair and his wife on the cars! Oh! my God! Mr. Watkins, send them warning!"

She stood upright, her face deadly pale, her hands clasped. Watkins walked deliberately to the railroad map which hung on the wall and scanned it. Then he resumed his seat, laid his pipe down, fixed his eyes on the girl's face, and began to question her. At the same time his right hand, with which he had held the pipe, found its way to the telegraph key. None but an expert could have distinguished any change in the *clicking* of the instrument, which had been almost incessant; but Watkins had "called" the head office on the Missouri. In two minutes the "sounder" rattled out "*All right! What is it?*"

Watkins went on with his questions, his eyes still fixed on the poor girl's face, and all the time his fingers, as it were, playing with the key. If he were imperturbable, so was *not* a man sitting at a receiving instrument nearly five hundred miles away. He had "taken" but a few words when he jumped from his chair and cried:

"Shut that door, and call the superintendent and be quick! Charley, brace up—lively—and come and write this out!" With his wonderful electric pen, the handle several hundreds of miles long, Watkins, unknown to his interlocutor, was printing in the Morse alphabet this startling message:

"Inform'n rec'd. Perry gang going to throw No. 17 off track near -xth mile-post, this division, about nine to-morrow (Thursday) night, kill passengers, and rob express and mail. Am alone here. No chance to verify story, but believe it to be on square. Better make arrangements from your end to block game. No Sheriff here now. Answer."

The superintendent, responding to the hasty summons, heard the message before the clerk had time to write it out. His lips were closely compressed as he put his own hand on the key and sent these laconic sentences: "*O. K. Keep perfectly dark. Will manage from this end.*"

Watkins, at Barker's, rose from his seat, opened the door a little way, saw that the station was empty, and then said to the girl, brusquely, but kindly:

"Sally, you've done the square thing, and saved that train. I'll take care that you don't suffer and that you get well paid. Now come home with me, and my wife will look out for you."

"Oh! no," cried the girl, shrinking back, "I must run away. You're mighty kind, but I daren't go with you." Detecting a shade of doubt in his eye, she added: "Don't be afeared; I'll die before they'll know I've given them away to you!" and she disappeared in the darkness.

At the other end of the wire, the superintendent had quietly impressed secrecy on his operator and clerk, ordered his fast mare harnessed, and gone to his private office.

"Read that!" said he to his secretary. "It was about time for some trouble of this kind, and now I'm going to let Uncle Sam take care of his mails. If I don't get to the reservation before the General's turned in, I shall have to wake him up. Wait for me, please."

The gray mare made the six miles to the military reservation in just half an hour. The General was smoking his last cigar, and was alert in an instant; and before the superintendent had finished the jorum of "hot Scotch" hospitably tendered, the orders had gone by wire to the commanding officer at Fort ———, some distance east of Barker's, and been duly acknowledged.

Returning to the station, the superintendent remarked to the waiting secretary:

"The General's all right. Of course we can't tell that this is not a sell; but if those Perry hounds mean business they'll get all the fight they want—and if they've got any souls—which I doubt—may the Lord have mercy on them!"

He prepared several despatches, two of which were as follows:

Mr. Henry Sinclair: "On No. 17, Pawnee Junction: This telegram your authority to take charge of train on which you are, and demand obedience of all officials and trainmen on road. Please do so, and act in accordance with information wired station agent at Pawnee Junction."

To the Station Agent: "Reported Perry gang will try wreck and rob No. 17 near -xth mile-post, Denver Division, about nine Thursday night. Troops will await train at Fort ——. Car ordered ready for them. Keep everything secret, and act in accordance with orders of Mr. Sinclair."

"It's worth about ten thousand dollars," sententiously remarked he, "that Sinclair's on that train. He's got both sand and brains. Goodnight," and he went to bed and slept the sleep of the just.

III

The sun never shone more brightly and the air was never more clear and bracing than when Sinclair helped his wife off the train at Pawnee Junction. The station-master's face fell as he saw the lady, but he saluted the engineer with as easy an air as he could assume, and watched for an opportunity to speak to him alone. Sinclair read the despatches with an unmoved countenance, and after a few minutes' reflection simply said: "All right. Be sure to keep the matter perfectly quiet." At breakfast he was *distract*—so much so that his wife asked him what was the matter. Taking her aside, he at once showed her the telegrams.

"You see my duty," he said. "My only thought is about you, my dear child. Will you stay here?"

She simply replied, looking into his face without a tremor:

"My place is with you." Then the conductor called "All aboard," and the train once more started.

Sinclair asked Foster to join him in the smoking compartment and tell him the promised story, which the latter did. His rescue at Barker's, he frankly and gratefully said, *had* been the turning point in his life. In brief, he had "sworn off" from gambling and drinking, had found honest employment, and was doing well.

"I've two things to do now, Major," he added; "first, I must show my gratitude to you; and next"—he hesitated a little—"I want to find that poor girl that I left behind at Barker's. She was engaged to marry me, and when I came to think of it, and what a life I'd have made her lead, I hadn't the heart till now to look for her; but, seeing I'm on the right track, I'm going to find her, and get her to come with me. Her father's an—old scoundrel, but that ain't her fault, and I ain't going to marry *him*."

"Foster," quietly asked Sinclair, "do you know the Perry gang?"

The man's brow darkened.

"Know them?" said he. "I know them much too well. Perry is as ungodly a cutthroat as ever killed an emigrant in cold blood, and he's got in his gang nearly all those hounds that tried to hang me. Why do you ask, Major?"

Sinclair handed him the despatches. "You are the only man on the train to whom I have shown them," said he.

Foster read them slowly, his eyes lighting up as he did so. "Looks as if it was true," said he.

"Let me see! Fort ———. Yes, that's the —th infantry. Two of their boys were killed at Sidney last summer by some of the same gang, and the regiment's sworn vengeance. Major, if this story's on the square, that crowd's goose is cooked, and *don't you forget it!* I say, you must give me a hand in."

"Foster," said Sinclair, "I am going to put responsibility on your shoulders. I have no doubt that, if we be attacked, the soldiers will dispose of the gang; but I must take all possible precautions for the safety of the passengers. We must not alarm them. They can be made to think that the troops are going on a scout, and only a certain number of resolute men need be told of what we expect. Can you, late this afternoon, go through the cars, and pick them out? I will then put you in charge of the passenger cars, and you can post your men on the platforms to act in case of need. My place will be ahead."

"Major, you can depend on me," was Foster's reply. "I'll go through the train and have my eye on some boys of the right sort, and that's got their shooting-irons with them."

Through the hours of that day on rolled the train, still over the crisp buffalo grass, across the well-worn buffalo trails, past the prairie-dog villages. The passengers chatted, dozed, played cards, read, all unconscious, with the exception of three, of the coming conflict between the good and the evil forces bearing on their fate; of the fell preparations making for their disaster; of the grim preparations making to avert such disaster; of all of which the little wires alongside of them had been talking back and forth. Watkins had telegraphed that he still saw no reason to doubt the good faith of his warning, and Sinclair had reported his receipt of authority and his acceptance thereof. Meanwhile, also, there had been set in motion a measure of that power to which appeal is so reluctantly made in time of peace.

At Fort ———, a lonely post on the plains, the orders had that morning been issued for twenty men under Lieutenant Halsey to parade at 4 p. m., with overcoats, two days' rations, and ball cartridges; also for Assistant Surgeon Kesler to report for duty with the party. Orders as to destination were communicated direct to the lieutenant from the post commander, and on the minute the little column moved, taking the road to the station. The regiment from which it came had been in active service among the Indians on the frontier for a long time, and the officers and men were tried and seasoned fighters. Lieutenant Halsey had been well known at the West Point balls as the "leader of the german." From the last of these balls he had gone straight to the field, and three years had given him an enviable reputation for *sang-froid* and determined bravery. He looked every inch the soldier as he walked along the trail, his cloak thrown back and his sword tucked under his arm. The doctor, who carried a Modoc bullet in some inaccessible part of his scarred body, growled good-naturedly at the need of walking, and the men, enveloped in their army-blue overcoats, marched easily by fours. Reaching the station, the lieutenant called the agent aside, and with him inspected, on a siding, a long platform car on which benches had been placed and secured. Then he took his seat in the station and quietly waited, occasionally twisting his long blond mustache. The doctor took a cigar with the agent, and the men walked about or sat on the edge of the platform. One of them, who obtained a surreptitious glance at his silent commander, told his companions that there was trouble ahead for somebody.

"That's just the way the leftenant looked, boys," said he, "when we was laying for them Apaches that raided Jones's Ranch and killed the women and little children."

In a short time the officer looked at his watch, formed his men, and directed them to take their places on the seats of the car. They had hardly done so when the whistle of the approaching train was heard. When it came up, the conductor, who had his instructions from Sinclair, had the engine detached and backed on the siding for the soldiers' car, which thus came between it and the foremost baggage car when the train was again made up. As arranged, it was announced that the troops were to be taken a certain distance to join a scouting party, and the curiosity of the passengers was but slightly excited. The

soldiers sat quietly in their seats, their repeating rifles held between their knees, and the officer in front. Sinclair joined the latter, and had a few words with him as the train moved on. A little later, when the stars were shining brightly overhead, they passed into the express car, and sent for the conductor and other trainmen, and for Foster. In a few words Sinclair explained the position of affairs. His statement was received with perfect coolness, and the men only asked what they were to do.

"I hope, boys," said Sinclair, "that we are going to put this gang to-night where they will make no more trouble. Lieutenant Halsey will bear the brunt of the fight, and it only remains for you to stand by the interests committed to your care. Mr. Express Agent, what help do you want?" The person addressed, a good-natured giant, girded with a cartridge belt, smiled as he replied:

"Well, sir, I'm wearing a watch which the company gave me for standing off the James gang in Missouri for half an hour, when we hadn't the ghost of a soldier about. I'll take the contract, and welcome, to hold *this* fort alone."

"Very well," said Sinclair. "Foster, what progress have you made?"

"Major, I've got ten or fifteen as good men as ever drew a bead, and just red-hot for a fight."

"That will do very well. Conductor, give the trainmen the rifles from the baggage car and let them act under Mr. Foster. Now, boys, I am sure you will do your duty. That is all."

From the next station Sinclair telegraphed "All ready" to the superintendent, who was pacing his office in much suspense. Then he said a few words to his brave but anxious wife, and walked to the rear platform. On it were several armed men, who bade him good-evening, and asked "when the fun was going to begin." Walking through the train, he found each platform similarly occupied, and Foster going from one to the other. The latter whispered as he passed him:

"Major, I found Arizona Joe, the scout, in the smokin' car, and he's on the front platform. That lets me out, and although I know as well as you that there ain't any danger about that rear sleeper where the madam is, I ain't a-going to be far off from her." Sinclair shook him by the hand; then he looked at his watch. It was half-past eight. He passed through the baggage and express cars, finding in the latter the agent sitting behind his safe, on which lay two large revolvers. On the platform car he found the soldiers and their commander sitting silent and unconcerned as before. When Sinclair reached the latter and nodded, he rose and faced the men, and his fine voice was clearly heard above the rattle of the train.

"Company, 'tention!" The soldiers straightened themselves in a second.

"With ball cartridge, *load!*" It was done with the precision of a machine. Then the lieutenant spoke, in the same clear, crisp, tones that the troops had heard in more than one fierce battle.

"Men," said he, "in a few minutes the Perry gang, which you will remember, are going to try to run this train off the track, wound and kill the passengers, and rob the cars and the United States mail. It is our business to prevent them. Sergeant Wilson" (a gray-bearded non-commissioned officer stood up and saluted), "I am going on the engine. See that my orders are repeated. Now, men, aim low, and don't waste any shots." He and Sinclair climbed over the tender and spoke to the engine-driver.

"How are the air-brakes working?" asked Sinclair.

"First-rate."

"Then, if you slowed down now, you could stop the train in a third of her length, couldn't you?"

"Easy, if you don't mind being shaken up a bit."

"That is good. How is the country about the —xth mile-post?"

"Dead level, and smooth."

"Good again. Now, Lieutenant Halsey, this is a splendid head-light, and we can see a long way with my night glass. I will have a——"

"—2d mile-pole just past," interrupted the engine-driver.

"Only one more to pass, then, before we ought to strike them. Now, lieutenant, I undertake to stop the train within a very short distance of the gang. They will be on both sides of the track, no doubt; and the ground, as you hear, is quite level. You will best know what to do."

The officer stepped back. "Sergeant," called he, "do you hear me plainly?"

"Yes, sir."

"Have the men fix bayonets. When the train stops, and I wave my sword, let half jump off each side, run up quickly, and form line abreast of the engine—not ahead."

"Jack," said Sinclair to the engine-driver, "is your hand steady?" The man held it up with a smile. "Good. Now stand by your throttle and your air-brake. Lieutenant, better warn the men to hold on tight, and tell the sergeant to pass the word to the boys on the platforms, or they will be knocked off by the sudden stop. Now for a look ahead!" and he brought the binocular to his eyes.

The great parabolic head-light illuminated the track a long way in advance, all behind it being of course in darkness. Suddenly Sinclair cried out:

"The fools have a light there, as I am a living man; and there is a little red one near us. What can that be? All ready, Jack! By heaven! they have taken up two rails. Now *hold on, all!* Stop her!"

The engine-driver shut his throttle-valve with a jerk. Then, holding hard by it, he sharply turned a brass handle. There was a fearful jolt—a grating—and the train's way was checked. The lieutenant, standing sidewise, had drawn his sword. He waved it, and almost before he could get off the engine the soldiers were up and forming, still in shadow, while the bright light was thrown on a body of men ahead.

"Surrender, or you are dead men!" roared the officer. Curses and several shots were the reply. Then came the orders, quick and sharp:

"Forward! Close up! Double-quick! Halt! Fire!"... It was speedily over. Left on the car with the men, the old sergeant had said:

"Boys, you hear. It's that —— Perry gang. Now, don't forget Larry and Charley that they murdered last year," and there had come from the soldiers a sort of fierce, subdued *growl*. The volley was followed by a bayonet charge, and it required all the officer's authority to save the lives even of those who "threw up their hands." Large as the gang was (outnumbering the troops), well armed and desperate as they were, every one was dead, wounded, or a prisoner when the men who guarded the train platforms ran up. The surgeon, with professional coolness, walked up to the robbers, his instrument case under his arm.

"Not much for me to do here, Lieutenant," said he. "That practice for Creedmoor is telling on the shooting. Good thing for the gang, too. Bullets are better than rope, and a Colorado jury will give them plenty of that."

Sinclair had sent a man to tell his wife that all was over. Then he ordered a fire lighted, and the rails relaid. The flames lit a strange scene as the passengers flocked up. The lieutenant posted men to keep them back.

"Is there a telegraph station not far ahead, Sinclair?" asked he. "Yes? All right." He drew a small pad from his pocket, and wrote a despatch to the post commander.

"Be good enough to send that for me," said he, "and leave orders at Barker's for the night express eastward to stop for us, and bring a posse to take care of the wounded and prisoners. And now, my dear Sinclair, I suggest that you get the passengers into the cars, and go on as soon as those rails are spiked. When they realize the situation, some of them will feel precious ugly, and you know we can't have any lynching."

Sinclair glanced at the rails and gave the word at once to the conductor and brakemen, who began vociferating, "All aboard!" Just then Foster appeared, an expression of intense satisfaction showing clearly on his face, in the firelight.

"Major," said he, "I didn't use to take much stock in special Providence, or things being ordered; but I'm darned if I don't believe in them from this day. I was bound to stay where you put me, but I was uneasy, and wild to be in the scrimmage; and, if I had been there, I wouldn't have taken notice of a little red light that wasn't much behind the rear platform when we stopped. When I saw there was no danger there I ran back, and what do you think I found? There was a woman in a dead faint, and just clutching a lantern that she had tied up in a red scarf, poor little thing! And, Major, it was Sally! It was the little girl that loved me out at Barker's, and has loved me and waited for me ever since! And when she came to, and knew me, she was so glad she 'most fainted away again; and she let on as it was her that gave away the job. And I took her into the sleeper, and the madam, God bless her!—she knew Sally before and was good to her—she took care of her and is cheering her up. And now, Major, I'm going to take her straight to Denver, and send for a parson, and get her married to me, and she'll brace up, sure pop."

The whistle sounded, and the train started. From the window of the "sleeper" Sinclair and his wife took their last look at the weird scene. The lieutenant, standing at the side of the track, wrapped in his cloak, caught a glimpse of Mrs. Sinclair's pretty face, and returned her bow. Then, as the car passed out of sight, he tugged at his mustache and hummed:

*"Why, boys, why,
Should we be melancholy, boys
Whose business 'tis to die?"*

In less than an hour, telegrams having in the meantime been sent in both directions, the train ran alongside the platform at Barker's; and Watkins, imperturbable as usual, met Sinclair, and gave him his letters.

"Perry gang wiped out, I hear, Major," said he. "Good thing for the country. That's a lesson the 'toughs' in these parts won't forget for a long time. Plucky girl that give 'em away, wasn't she? Hope she's all right."

"She is all right," said Sinclair with a smile.

"Glad of that. By the way, that father of her'n passed in his checks to-night. He'd got one warning from the Vigilantes, and yesterday they found out he was in with this gang, and they was a-going for him; but when the telegram come, he put a pistol to his head and saved them all trouble. Good riddance to everybody, I say. The sheriff's here now, and is going east on the next train to get them fellows. He's got a big posse together, and I wouldn't wonder if they was hard to hold in, after the 'boys in blue' is gone."

In a few minutes the train was off, and its living freight—the just and the unjust, the reformed and the rescued, the happy and the anxious. With many of the passengers the episode of the night was already a thing of the past. Sinclair sat by the side of his wife, to whose cheeks the color had all come back; and Sally Johnson lay in her berth, faint still, but able to give an occasional smile to Foster. In the station on the Missouri the reporters were gathered about the happy superintendent, smoking his cigars, and filling their note-books with items. In Denver, their brethren would gladly have done the same, but Watkins failed to gratify them. He was a man of few words. When the train had gone, and a friend remarked: "Hope they'll get through all right, now," he simply said: "Yes, likely. Two shots don't most always go in the same hole." Then he went to the telegraph instrument. In a few minutes he could have told a story as wild as a Norse *saga*, but what he said, when Denver had responded, was only—"No. 17, fifty-five minutes late!"

*** END OF THIS PROJECT GUTENBERG EBOOK THE DENVER EXPRESS ***

***** This file should be named 23180-h.htm or 23180-h.zip *****
This and all associated files of various formats will be found in:
<http://www.gutenberg.org/2/3/1/8/23180/>

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 MERCHANTABILITY OR FITNESS FOR ANY PURPOSE.

1.F.5. Some states do not allow disclaimers of certain implied warranties or the exclusion or limitation of certain types of damages. If any disclaimer or limitation set forth in this agreement violates the law of the state applicable to this agreement, the agreement shall be interpreted to make the maximum disclaimer or limitation permitted by the applicable state law. The invalidity or unenforceability of any provision of this agreement shall not void the remaining provisions.

1.F.6. INDEMNITY - You agree to indemnify and hold the Foundation, the trademark owner, any agent or employee of the Foundation, anyone providing copies of Project Gutenberg-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.pgla.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.