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The Daily Short Story

THE CLAIMANT

He Had Recourse To A Brute For A Witness

By Louise B. Cummings

THERE is in man a faculty for development that the lower animals do not possess.

An illustration of the diversity between men and animals occurred during the eighteenth century in the case of a young Irishman who emigrated to America and later returned to his native country. Arthur Donovan was a younger son of the Earl of Strongford. Young Donovan was devoted to hunting, and, since there was a fine pack of hounds on the estate, he occupied himself largely with the sport. Neither of his two older brothers cared for it, so that the dogs came to look upon Arthur as their master, and he never went among

them that they did not show the greatest affection for him.

Arthur was not only beloved by his dogs, but by every one who knew him. He was a fine, manly fellow, while his older brothers were disposed to lead a dissolute city life. The heir to the title and estates spent most of his time in London, while the second was an officer in the aristocratic English regiments. Arthur, having only the remotest chance to inherit the title, became restive and did what a great many younger sons of British noblemen did in those days—he emigrated to America.

Arthur Donovan was but eighteen years when he left Ireland for America. The last goodbye he spoke was to the dogs. Going out to the kennels, he called to them, and they gathered about him, barking their joy, supposing that they were going for

a hunt. There was one dog, Hector, of which Arthur had made an especial pet. He was very young, but Arthur had found him capable of being trained far easier than the other hunters. Hector loved his master, and his master loved Hector. When it came to bidding farewell to this dog Arthur's eyes became wet, and, breaking away from his pet and waving adieu to the pack, he returned to the house, where a conveyance was waiting to take him to Belfast, from which point he was to sail for Virginia.

Arthur reached America not long before the breaking out of the Revolutionary war. In civil strifes the side youngsters take is liable to be decided by circumstances. Perhaps young Donovan was influenced by a hereditary antagonism to England, but the immediate cause of his advocating the American cause was meeting with John Paul Jones, who became famous as a naval commander. Jones was as much Scotch as Donovan was Irish. Donovan joined the future conqueror of the Serapis and was with him during that famous battle, receiving a wound in the face which left a scar which largely changed his expression.

At the end of the war Donovan had been in America ten years. Between eighteen and twenty-eight there is always a considerable change in a man's appearance, but in this case there was much more than usual. When Arthur left Ireland his face was smooth. Now it was covered with a beard, which he wore partly to hide the scar he had received in battle. Then he had a thick head of hair, which was now thin, and he had inherited a family predisposition to become gray early. As soon as hostilities ceased, with some prize money he had received he bought a tobacco plantation in Virginia, and, settling down on it, there was every prospect of his living the life of an American southern planter.

When Arthur joined Paul Jones he wrote his family in Ireland of the

fact, and his father ordered that his name should never be mentioned by any of the family. Eight years passed without a word between him and them. The oldest son died of dissipation, and the next younger brother, who had been sent with his regiment to America, was killed at the siege of Yorktown, which occurred near the end of the year. Neither of these men was married.

This left Arthur Donovan Earl of Strongford by right, but there was a barrier between him and the title which would be difficult to pass. In the first place, a cousin, Herbert Donovan, a keen and unscrupulous lawyer, was next of kin and, with Arthur out of the way, would possess the title and entailed estates. Secondly, Arthur, having had no communication with his family for years, would likely have difficulty in proving his identity. Thirdly, in endeavoring to establish his claim against

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his cousin his having fought England, especially with the so-called pirate, Paul Jones, would prejudice every one against him.

When the Earl of Strongford died Herbert Donovan laid claim to the inheritance, taking the ground that Arthur was dead. To prove this he sent an agent to America with instructions to find a record of the death of some one bearing the name of Donovan and manufacture evidence that the deceased was the youngest son of the Earl of Strongford. This was not difficult. There were plenty of Donovans in America, and a record was found of an Arthur Donovan who had been killed at the battle of Trenton. Ireland was much farther from America in those days than now, and to make up a case proving this man was a son of the Earl of Strongford was not the task it would be to-day.

The position taken by Herbert Donovan was well fortified before Arthur heard of the great changes that had occurred since he left home. The occasion of his hearing of it at all was that the case became known to a Dublin attorney, O'Rourke, who knew the Strongfords, especially Herbert, and through a desire for gain, as well as a sense of justice, concluded to find Arthur, if alive, and notify him that his inheritance was about to pass to another. He, too, sent an agent to America in the matter of the Strongford title and estates.

Arthur was riding over the broad acres of his tobacco plantation when a man accosted him and handed him a letter from O'Rourke, notifying him of the death of his father and brother and saying his cousin had laid claim to the title and estate. Arthur at once put his affairs in America in a position to go to Ireland and took the next vessel that sailed from Philadelphia. Arriving in Dublin, he went straight to O'Rourke, who he had known before leaving home, and introduced himself as Arthur Donovan. He received his first setback in the fact that the attorney recognized nothing in his appearance of the youth he had seen more than ten years before. He asked Arthur what proof he had of his identity, and Arthur was obliged to confess that the life he had led as a sailor during the American war had resulted in the destruction of every paper he had possessed connecting him with the family.

O'Rourke was disheartened. He had spent some money in sending an agent to America, which it now appeared he was likely to lose. He was very doubtful about his client being the real Arthur Donovan. But Arthur, who had learned in his experience with the colonists how to put up a good fight, persevered and succeeded by narrating events which had happened in his family with

which O'Rourke was conversant in putting sufficient confidence in the attorney to induce him to undertake his case, though Arthur was obliged to send to America for means to pay the costs.

When Herbert Donovan saw the claimant to the Strongford title he felt quite comforted. He had seen his cousin frequently in years gone by and now saw not the slightest resemblance between this man and Arthur Donovan. He had taken possession of the late earl's residence and ransacked the house, searching for any papers or likeness that might aid in establishing Arthur's claim. He had found some letters and a miniature painting on ivory made when Arthur was sixteen years of age. He had destroyed the letters and kept the portrait till he could discover whether it would aid his own case or his cousin's.

Death and change had played havoc with the Strongford household. Lady Strongford had died before Arthur left home. Most of the servants had gone elsewhere, and of those who remained many pronounced him an impostor, the rest being in doubt. Michael Monahan, the keeper of the hounds, was still there, though but two or three dogs were left of the pack, since no member of the family had hunted since his departure. Michael when he saw Arthur was in doubt whether he was the man he had known as a youth or an impostor. Asking Arthur for his hat, he put the lining up to his nostrils and drew a long breath.

"Ah, Mr. Arthur," he exclaimed, "you're the rare hunter that went to Ameriky! I know you by the fine perfume of you."

Arthur at once communicated the fact to his attorney as important proof. But O'Rourke saw nothing in it, and if there had been he said it could not be utilized in court. If Michael had not seen Arthur since his return to Ireland and would pick him out by his personal odor among a number of men it would go far toward establishing his claim. Was there any one else who had not seen him who would recognize him by this odor, which was very like musk and agreeable rather than unpleasant?

Unfortunately not a person could be found who had ever detected this personal odor. Arthur worked hard to get other evidence, but for every bit he got in his favor his cousin secured one against him. His counsel took the matter up for trial with misgivings, but hoped for the best. Michael Monahan made an excellent witness, and O'Rourke told Arthur that if he could get anything in the same line to reinforce it he believed that he could win the case for him.

Arthur asked Michael if any of the dogs he left behind when he went away were still living. Michael thought awhile, then replied that

there was one left, old Hector, but he was half blind. After a conference between O'Rourke and Arthur it was decided to bring Hector into court as a last hope.

The scene when the old hunter was led up to Donovan was long remembered in those parts. Hector cast a glance at his master and looked away. Donovan drew nearer the dog till he was within a few inches of the animal's nose. Then Hector began to sniff, nosing about as though trying to remember something. Then he gave a low moan, which he kept repeating.

"Hec!" said Donovan.

Hector started, whined and raised himself till his forepaws rested against Donovan.

It was now evident that the dog remembered his former master, laying his head against Donovan's breast and crooning like an old woman over a newly found child.

The case was won. What it is difficult to describe in words was easy for the jury to interpret. Donovan won and soon after took possession of the title and estate. The most valued creature on the premises was old Hector, which died at the advanced age of thirteen.

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