

# Sunken Island

By Jack English

## Chapter One: Inheritance

Buick, Jack English's secretary, shouted from the reception area, "You got a new client."

English leaned toward his office door trying to see who it was; then asked. "Who is it and what do they want?"

"I don't know," Buick snapped. "Ask them."

A dark-haired beauty, with high, round cheekbones, and dark smoky eyes appeared at his door. She had short, jet-black hair, combed back above her ears. She wore a leather jacket over a red blouse and heavy khaki slacks. She was holding a motorcycle helmet in a gloved hand. A yellow lightning bolt split her red blouse. She looked like she just stepped out of a butch fashion magazine.

Jack English stood. "Hello," he extended his hand toward a chair in front of his desk. "My name is Jack. How may I help you?"

She laid her motorcycle helmet on his desk; took off her leather gloves and deposited them in the helmet. Then, she reached into her jacket and produced a letter. "My name is Blair Byrne and I have a... I guess you would call it an inheritance question."

"I don't usually handle estates, but I can refer you to someone if you like." She was the jazziest woman he had met in a long time, a woman on the edge, but on the edge of what? All the brain neurons that make a man a man began to fire, and he was afraid his body would follow his brain. If he took her on as a client, there couldn't be any canoodling. But if he didn't sign her as a client, she was likely to leave, and he might never see her again.

"Oh, sorry," she looked down. "I heard what you did for Sabina Pruitt."

Sabrina Pruitt was a gypsy whose investment banker husband died a month after they were married. There was more than a little trouble over

her husband's \$200 million estate including the fact that Sabrina was charged with murder.

He asked, "Do you know her? Do you know Mrs. Pruitt?"

Byrne said, "No, but it was in all over social media. Sorry to have bothered you." She stood and picked up her motorcycle helmet.

He did not want this dark-haired beauty to get away so he asked, "What is that paper in your hand?"

Byrne said, "It is a letter from an attorney in North Carolina, and I don't know whether it is good news or bad news."

English asked, "What does it say? Sit! Sit!" He motioned her back into her chair.

She leaned across the desk to hand him the letter, "The good news is I inherited an island off the coast of North Carolina. The bad news is that to claim it, I must pay \$280,000 in back taxes."

"What do you know about the island?"

"It is called "Sunken Island. I found its history on the web and printed it for you." She handed the printout to him.

Sunken Island is located about twelve miles due east of Wright's Beach, North Carolina at the southern tip of Tea Kettle Shoals. Much of its history is shrouded in mystery and misadventure. It rose out of the sea and returned to the sea three and a half centuries later.

Legend has it that a fleet of Spanish Galleons, heavily laden with gold and cannons, floundered on Tea Kettle Shoals during a hurricane sometime in the 1670s. That was an era when maps of the Carolina coastline were few and inaccurate. There were no lighthouses along the coastline to warn ships of danger.

According to legend, only the captain of one of the Galleons and a cabin boy survived the hurricane. They cobbled together a raft from the ships' debris and used it to get ashore. They landed somewhere near Wright's Beach.

Over time, sand accumulated around the sunken ships and an island rose out of the sea. By the time Wilmington, North Carolina was founded in 1739, the legend that the island grew

around sunken Spanish galleons was well established. The original name of the island was Sunken Galleon Island. By 1760, the name had been shortened to Sunken Island.

The first lighthouse was built on Sunken Island in 1795. It was a three-story wooden tower. In 1856, the wooden tower was replaced by a sixty-five-foot brick lighthouse.

During World War II, the U.S. Army commandeered the island for a coastal radar station. Dredges expanded the island to three square miles and cut a deep channel through the shoal to the island. They fortified the southern end of the island with a rock seawall to limit Gulf Stream erosion. They also raised the average height of the island to fifteen feet. A radar station was built on the lighthouse foundation.

At the opposite end of the island, a commandant's house was built and a barracks for the radar operators. Between the two, the Navy constructed a six-thousand-foot air strip. A squadron of anti-submarine planes was stationed there. Sunken island was an important part of the country's coastal defense.

The radar station was decommissioned in 1992 and by 2015 the island was considered surplus and sold to a private individual.

In 2016, tropical storm Hermine struck near Cape Fear and caused substantial beach erosion. Tropical Storm Julia quickly followed with sustained winds and a ten-foot storm surge. The storm surge nearly carved the island in two. That was followed the same year by Hurricane Matthew. Sustained winds and high tides washed away the compacted fill the army used to raise the island. A channel was cut through cleaving Sunken Island in half.

Less than two years later, slow-moving Hurricane Florence sat over the area, dumping as much as 30 inches of rain. The Neuse, Cape Fear, and Lumber rivers overflowed, devastating infrastructure and displacing tens of thousands. Sunken Island finally slipped back beneath the waves when the last remnants of land eroded away.

No treasure from any Spanish Galleon was ever found, but from time-to-time sections of old wooden hulls or decks wash up on the sandbar that was once Sunken Island.

English read the printout. When he was done, he laid it on his desk and looked at her.

Blair Byrne asked, “What should I do, Mr. English?”

## **Chapter Two: Motorcycle Mama**

“I have a million questions,” English said. “But let me get a little background on you first. Do you live around here? Do you work? Who did you inherit the island from?”

“I live in Galloway. I teach at Stockton University. I inherited the island from my uncle.”

“What do you teach?”

“This semester I am teaching differential equations, vector analysis and advanced calculus.”

“So, you are a mathematician.”

“Ph.D. Rutgers.”

“I went to Rutgers in Camden,” English said. “My undergrad degree says I majored in history, but if I am honest, I majored in frat parties. After a tour in the army, I went back to Rutgers Camden and got my law degree. I was a more serious law student than history student.

She said, “I did my undergraduate work at Rutgers Camden and got my Ph.D. in New Brunswick.”

English said, “Impressive.” Then he pointed to the motorcycle helmet she laid on his desk. “Do you ride?”

She said, “It is a cheap way to get around.

“What kind of a bike to you have?”

Byrne said, “It’s a Honda Rebel. It is a lot cheaper than a car. Why? Are you interested in motorcycles?”

English said, “Just curious. It’s not what I would expect from a college professor.”

Byrne huffed a little, “I never do what is expected. And the motorcycle cuts against the academic nerd thing. Can we get back to the island?”

Jack English asked, “Who did you inherit this island from?”

“My long-lost uncle, Dylan Murphy. He was the black sheep of the family.”

“What do you mean?” English asked.

“He dropped out of college; moved to California; was a surf bum for a couple of years; then we lost track of him. The letter telling me that he left me an island was the first I have heard of him since I was twelve or thirteen.”

English asked, “Any reason he left this island to you?”

Byrne said, “I am not sure. Mom ran into one of his college buddies a couple of years ago. The buddy said Dylan married a woman from North Carolina who already had a daughter. I am surprised he did not leave the island to them.”

“Are they still alive?”

“I do not know. If they aren’t, I might be his only living relative. If you read further down in the letter, he also left me his electric train sets. It says in the footnote he had eleven of them, his library, boat, truck, and the contents of his house.”

“What about the house itself?”

“It is a rental. He doesn’t own it. There is a notice from the landlord that rent is due.”

“How much?”

Byrne said, “It is \$800 per month, and he is two months in arrears. Unless I pay the back rent in 30 days, he will dispose of the house contents so he can re-rent it. Any thoughts on what I should do?”

English said, “Even though your research indicates the island eroded away, I wouldn’t give it up until you look at it. Check county real estate records. Some rights might have attached to the property even though it is underwater.

“Like what?” Byrne asked.

English said, “This is a little out of my area of expertise, but rights to clamming, or lobstering might attach to the island. And have you ever heard of a fish farm?”

Byrne laid her forearm on English’s desk, “Sure.”

He continued, “Even if it is underwater, you might be able to sell it as a fish farm site.”

Byrne raised her head a little, “Do you think someone would pay more than \$280,000 for a fish farm?”

“I don’t know,” he said. “You should talk to somebody in the fishing community down there and see what they do.” English’s fingers flew over the keys of his computer. “Contact the North Carolina Division of Marine Fisheries, they should know what rights attach to offshore property. And I would not give up the island or the house contents without looking at them. Can you take time off?”

Byrne said, “It is summer, and I do not teach in the summer.”

“There you go,” he said. “Look over the assets and make a call that works for you.”

Blair Byrne planted both elbows on English’s desk and locked her fingers together. “I don’t suppose there is any way you could... well look at the island with me.”

“Me?” English said, “I don’t know anything about real estate, or fishing rights, let alone islands.”

“Oh,” Byrne looked down at the floor. “I was hoping... I mean Brenda said you were the kind of guy who makes things happen.”

“Brenda?” English asked.

“Brenda O’Rourke,” Byrne said, “Weymouth Forge Labs.”

“I know who Brenda is. How do you know her?”

“We worked on some charities together, homeless veterans and some others. She said you might be willing to... you know take a hands-on approach. She said other lawyers are...”

“You can stop right there,” English held up his hand. “I know what she thinks of lawyers. How long do you think it would take to check out your island?”

“I thought we might fly down Monday and meet with my uncle’s lawyer and see whether there is anything worth saving in the house.

Tuesday we could look at the island and fly back Tuesday night or Wednesday morning.”

Jack English felt the pull of this lean, edgy woman on his soul. Her dark hair, peaches and cream complexion and well... everything about her told him he could not let her walk out of his office never to be seen again. On the other hand, the law is a business. He had bills to pay, rent to pay, and his secretary, Buick, insisted on being paid.

He asked, “Are you sure that is what you want? If I bill hourly, like I did Brenda, three days is going to get very expensive on a professor’s salary. If you have a Ph.D. in math, you should be plenty smart enough to check everything yourself.”

Byrne glanced at the floor, then at English, “Theoretically, yes. I should be able to make the call myself. But... I have a bad feeling about this.”

“Why?” English leaned back in his chair.

Blair Byrne spread her hands, “A long-lost uncle? A mysterious island? A Spanish galleon? A sudden death? It sounds like something out of a gothic novel.”

English leaned forward, “What do you mean, a sudden death?”

“If Uncle Dylan died of cancer, heart failure, or even old age, the letter from his lawyer would say so. The letter did not mention his cause of death, so I am worried that something is up. Also, when I read the letter, the little hairs on the back of my neck stood up.”

English tilted his head, “That is not very scientific.”

“I know,” she said.

“Suppose I charge 10% of the first \$100,000 of your estate and 5% of everything over \$100,000. That way, if his estate is not worth much you do not pay much. But if we find those electric trains are collector’s items or he had some first editions, then I make a little more.”

Byrne raised an eyebrow and the slightest hint of a smile appeared at the corner of her mouth. “Okay, sounds fair.”

Jack English thought to himself, *Blair Byrne was shaping up to be one of the most intriguing women he had met in a long time. She was a lanky, lean, motorcycle mama, with a brain the size of a planet.* He thought, *Take the trip. Tell her there is nothing there and that he cannot represent*

*her; farm her inheritance questions out to some other lawyer, and then when she was no longer a client, wine and dine her.*

### **Chapter Three: I Love the South**

Two days later, Jack English and Blair Byrne arrived in Wilmington, North Carolina. It was 8:00 a.m. when they landed. The airport terminal was small, English figured he could walk from one end to the other in about three minutes. He turned to Byrne and said, “I love the South.”

“Why she asked?”

“It has such personality,” he pointed to the coffee bar. One man was nursing a breakfast beer, the man sitting next to him was knocking back a Bloody Mary. Then English pointed to a couple of signs that said, “DO NOT bring your gun through airport security.” He said, “I guess people are so used to packing heat, they forget they have a gun on them.”

Byrne looked at him and frowned.

English said, “Guns are part of Southern culture. My uncle Leon used to keep two or three shotguns leaned up behind the guest bedroom door.”

“Isn’t that dangerous?” she asked.

English said, “He kept the shells on top of the dresser, so his kids couldn’t reach them.”

She asked, “I mean isn’t dangerous that so many people have guns?”

English glanced at her as they made their way to the rental car counter. “People down here respect guns. If they have an argument, they settle it with fists not guns. Also, people are a lot more careful of what they do or say when they know the other person might be packing heat.”

It was summer and summers in North Carolina can be brutally hot. Yes, everyone has air conditioning but going from the terminal to the rental car lot, finding the right car, a car that had been baking in the sun all day, and crawling inside was uncomfortable to the point of torture. He started the car; set the air-conditioning to max and turned on the radio. There were four presets to Gospel stations. *You would never find that in the North*, he thought.

Google maps guided them from the airport to Wright’s Beach. It took about an hour.

Blair Byrne dressed for the hot weather, wearing a short sleeve, khaki safari shirt over khaki cargo pants. That was OK with Jack English. The shorts showed off her long legs. And the safari shirt showed off her guns. She had clearly been working out and her biceps showed it. English thought, *A tall, buff, brainiac, wow!* He could hardly wait until he handed the case off to someone else so he could ask her to dinner, maybe go dancing cheek to cheek, and take her on moonlight strolls along the boardwalk and..." He daydreamed about wrestling with her taught, naked body under the sheets when Byrne's voice abruptly brought him back to reality.

"What?" English asked.

She said, "We're here, the Theodore Wright Hotel. The brochure says there is parking in the rear."

The Theodore Wright Hotel was a four-story brick building built during the 1920s. Fifteen-foot-high arched windows marched across the front of the building. The entrance was guarded by an eight-foot high, heavy brass door. A skylight above the door assured the lobby got plenty of sun. Palmetto trees punctuated the sidewalk every twenty feet giving the place a real southern feel.

English parked in the rear and entered the lobby via a hallway that had a wide, elegant marble stair on one side and a pair of elevators on the other.

One end of the lobby was commanded by a marble front desk. There were a dozen comfy leather chairs in the middle of the lobby. A fifteen-foot-high glass wall commanded the other end of the lobby. English could see dining room tables beyond the glass.

English pointed to the dining room, "After we check in, do you want to grab something to eat?"

She said, "Maybe after we see the lawyer."

They checked in and were assigned rooms on opposite ends of the fourth floor. There was only one room with a balcony, and he let her have it.

They did not unpack; they just left their things in the rooms and returned to the lobby.

English stepped up to a clerk, “We have an appointment with Cyrus Burke. Do you know where his office is?”

The clerk asked, “Do you know where the courthouse is?”

English said, “No.”

The clerk said “Go out the front and turn right. The courthouse is four blocks down. Mr. Burke’s office is halfway between here and the courthouse.” The clerk shuffled some papers and said, “Parking is miserable at that end of town. You might be better off walking.”

Byrne said, “I hear it gets hot in these parts. Wouldn’t we be better off driving?”

The clerk did not look up; he continued to shuffle papers, “You can try, but you might not be able to park within three or four blocks of Burke’s office. It’s all reserved, permit only parking.” He looked up, “You don’t want to get towed, do you?”

English tapped Byrne with the back of his hand. “Let’s walk. After sitting in the plane and in the car, I need to stretch my legs.”

“OK,” Byrne said, “I hope you can keep up with me.”

## **Chapter Four: Cyrus Burke**

As they walked, Jack English soaked up Wright’s Beach’s small town southern charm. He daydreamed about what it would be like to leave the hustle and bustle of Atlantic City for someplace more laid back.

Blair Byrne tapped his arm, “We are here.” She held a letter in the direction of a weathered brass plaque on an old brick building. The plaque said, “Cyrus Burke, Attorney at Law.”

English held the heavy wooden door open for her, “After you.”

The office was old, with real wood everywhere. A secretary’s desk sat in a small lobby area, but there was no secretary behind it.

English called out, “Mr. Burke?” He proceeded past the secretary’s desk into a library. Bookcases against all four walls were crammed with law books. English recognized most of them. A large old wooden table sat in the middle of the room. Six wooden chairs surrounded the table.

“Mr. Burke?” English called again.

“Back here,” a frail, elderly voice called.

Jack English led Blair Byrne to an office at the rear of the building. A grey-haired gentleman with a receding hairline sat behind a desk that was far too large for the room. The man must have been eighty.

“I’m Burke,” he said. “What do you need?”

English said, “We are here about the Dylan Murphy estate,” He and Byrne sat in chairs opposite Burke’s desk without being invited.

“Oh, that,” Burke picked up a file folder from the floor and laid it on his desk. “I got your email.”

Blair Byrne said, “Thank you for seeing us. Did you know my uncle well?”

Burke said, “I only met him twice. One time, he asked whether a landowner has a right to anything found on their land. The second time I drew up this will,” Burke poked the file with his finger.

Blair Byrne asked “What did he mean, found something? What did he expect to find?”

Cyrus Burke tugged his bow tie, “Your uncle said it wasn’t important, by which he meant it was too important to tell me. Are you familiar with the legend of Sunken Galleon Island?”

Byrne said, “I read about it on the web.”

“And?” Burke asked.

Byrne said, “Sounds like a ghost story, or something to bring in the tourists.”

Burke said, “Could be. Could be.”

English asked, “What did you tell Mr. Murphy about found property?”

Burke tugged his bow tie again, “Generally, a landowner is entitled to anything they find on their land with a few exceptions. For example, if someone else has clear title to the property. If a person finds loot hidden by a bank robber on their land, the money still belongs to the bank. The other main exception is if someone else owns the mineral rights. A year later, Mr. Murphy came back and asked that I write his will. I didn’t put his question about found property and ownership of the island together until after he died.”

“Once I was notified of his death, I started looking for you, Ms. Byrne. Frankly, I was surprised that he left everything to you. Mr.

Murphy's wife passed some years ago. His adopted stepdaughter, Blanche Murphy, lives here in town. As soon as I put a notice in the local paper that I was going to probate the will, she appeared and said that she expected to get everything. She was angry and upset when she found that everything was going to you, Ms. Byrne. She said you were probably a pole-dancer he met somewhere. I assured her that you were not a pole-dancer.

English asked, "May I ask how you identified my... Ms. Byrne?"

"Sure. I did a google search and found an article she wrote for *The Journal of Differential Equations*. It said she worked at Stockton University. From there, finding her was easy."

English asked, "Do you know whether the daughter is going to contest the will?"

Cyrus Burke touched his bow tie like he wanted to make sure it was straight. "She fumed and fussed and said it just was not right. I would not be surprised if she contests the will, but as far as I know, she has not commenced litigation. Frankly, I do not know what she could use as the basis of a challenge.

Burke continued, "Have you decided what you want to do about the island, and everything else? If you decline the assets, they will go to the stepdaughter, Blanche. Did you decide whether you are going to pay back rent on the house?"

"I have a check for back rent," Byrne slid it across Burke's desk. "It will give me a chance to look over the contents while I decide what to do with them."

Cyrus Burke slid a key ring across the desk to Byrne. "The keys to your uncle's house, truck and boat are on there. I am not sure what the other keys are for."

English asked, "Do you have Mr. Murphy's death certificate?"

"Why do you want it?" Burke asked.

English said, "Call it professional curiosity."

"What?" Burke asked, "Are you a detective?"

"No," English said, "I am just a simple country lawyer from New Jersey."

"Do you much work for the mob?" Burke asked.

“Not exclusively,” English smiled.

Burke handed English the death certificate.

English read it. “The certificate says he died from a blow to the head. Was there an inquest?”

“Yes,” Burke said. “I suppose you want to see the coroner’s report too.”

“If you have it,” English said.

Burke handed English a thin bound document.

English read it, then looked off to the side as if thinking.

Blair Byrne asked, “What does it say?”

English said, “The coroner thinks it was an accident. Death by misadventure is the technical term.”

“OK,” Byrne asked, “How did they come to that conclusion?”

English tapped the report with the back of his hand, “As near as they can figure, your uncle was alone on his boat in Mott’s Channel, which is right behind his house, when something came loose and hit him in the head.”

A worried look crossed Blair Byrne’s face. “Did they say what the something was or how it came lose?”

Cyrus Burke tugged his bow tie again. It was a tell that he was not sure of his ground, “Boats are dangerous. There are all kinds of rigging and hatches and loose tools that can bop you on the head.”

English asked, “Was there a police investigation?”

Burke shrugged, “I assume so.”

English held the coroner’s report in Burke’s direction. “This is just the coroner’s finding. Where is the rest of the file, the investigator’s notes, autopsy and so forth?”

Cyrus Burke flicked the back of his hand in English’s direction, “You would have to ask the coroner for that.”

English looked at Byrne. “Before you make any decisions, let’s get the coroner’s file and see what happened to your uncle.”

Burke said, “The coroner’s office is one block away,” He pointed. “Go out the front door and turn right.”