

CHAPTER 1

Paint Creek, West Virginia | June 1912

Paint Creek is one of hundreds of small rivers flowing through the Southern Appalachian Mountains as part of the greater Mississippi watershed. From the earliest times of native Americans, these creeks defined the passageways through the mountains. Paint Creek runs north 42 miles from its source at over 2,000 feet elevation in Raleigh County through Kanawha County to empty into the Kanawha River at an elevation of 600 feet. The Kanawha runs westward to empty into the Ohio River.

Like so many other counties of West Virginia, the economy of Kanawha County is dominated by coal mining. The mines are typically located in remote locations accessed by primitive roads and by the later 19th century with a broad network of rail tracks necessary to transport the coal.

Irish born Joseph Burke emigrated from Ireland to West Virginia with his family in 1883. In that year, Burke worked as a coal miner in County Lancashire not far from Liverpool, England. He was age thirty-four that year. Married with three children. His oldest son was sixteen and worked alongside him in the mine. A typical age for entering into adult manual labor. Burke's wife Maude and two youngest children remained in County Cork, Ireland.

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Coal mining is a dangerous and poorly paid occupation often generational. Joseph Burke became a miner the same as his father, working at a mine in Kanturk, County Cork. Maude taught school affording the family the ability to eke out a subsistence existence. Her youngest children aged nine and six at least benefited from receiving an education. Political circumstances had much to do with how Joseph and Maude Burke lived. Both were fervent Fenian radicals. The term Fenian derived from the Irish Gaelic term of mythological warriors. The name applied as a pejorative to members of a secret, outlawed mid-19th century movement known as the Irish Republican Brotherhood. The IRB sought to secure Ireland's independence from the British Empire that had exploited Ireland for hundreds of years.

Joseph and Maude Burke and their oldest son Liam all became active participants in the IRB. More than just political revolutionaries in the Irish cause of independence from Britain, they were willing to take violent action to bring that about. Both Joseph and Maude came from a family heritage of Irish rebellion. They knew each other because their fathers fought together in the Fenian Rising of 1867.

Joseph was eighteen at the time but did not directly participate in the brief fighting with his father in only a single day's confrontation in Cork City in March. Not much of a rebellion. Only twelve people were killed that day across all of Ireland. Poorly organized, the revolt proved a military failure as the Constabulary supported by British regulars easily defeated the rebels. It never materialized into widespread popular support of the Irish population. With the arrest of most of the Fenian leaders, the fervor of armed rebellion died away in favor of pursuing other means of asserting Irish rights.

However, Joseph Burke still retained the nationalistic fire for violent rebellion. He was one of many that came under the influence of hardened Irish nationalist Jeremiah O'Donovan Rossa.

After the failed Fenian Rising of 1867, the British sought to rid themselves of this troublesome rebel by exiling him to America. By the 1880s, a strong Irish nationalist movement already existed in America because of the earlier influx of Irish immigrants driven from the motherland because of the Great Potato

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Famine of the 1840s. With cooperation from Irish revolutionaries in America, the unrepentant rebel Rossa set out to organize a bombing campaign in Britain.

Local IRB members in County Cork conspiring with Rossa recruited Burke to find work in the Lancashire Coalfield mines in Northwest England outside of the port city of Liverpool. Joseph Burke possessed the skill in the use of dynamite and the political will to become a willing participant in Rossa's plan to raise havoc in Britain. The series of attacks that became known as the Fenian Dynamite Campaign was an exercise in terrorism. The strategy meant to intimidate the British public into pressuring those in government to make changes in policy by attacking soft targets rather than directly confronting British authority.

In 1881, Joseph Burke, with his son's assistance, began a series of bombings in the Liverpool area. In early May they set off an explosion at Chester Police Barracks south of Liverpool. A week later they repeated with a bombing of the Liverpool Police Barracks. Six weeks later they planted explosives aboard the steam and sail cargo vessel the *SS Malta* in port at Liverpool. They followed this two days later by attempting to sabotage the *SS Bavaria* also docked at Liverpool.

The explosives were discovered on both vessels before detonation. The failures caused Joseph Burke to conclude these ventures far too risky to endanger his son. If discovered, they could go to the gallows. Their terrorist exploits already made headlines in English newspapers. Scotland Yard came under intense pressure to identify and arrest the perpetrators. In response, Scotland Yard Special Branch was created as a special unit responsible for investigating matters of national security.

Burke and his son returned to County Cork in Ireland to resume coal mining around Kanturk. While remaining secretly involved with the Irish Republican Brotherhood, the organization curtailed engaging in the bombing campaign for over a year before resuming in early 1883. However, during the period of relative calm, Scotland Yard Special Branch relentlessly pursued efforts to identify those involved in the bombing conspiracy. Several arrests were made in Liverpool in March 1883. Two of these individuals came from County Cork, Ireland with the news published in the *Cork Examiner*. Burke was well acquainted with

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these individuals. Immediately, Burke and his family went into hiding with the help of the local IRB. Within weeks, the Royal Irish Constabulary raided the homes and businesses of individuals with associations of any of those individuals.

Joseph Burke knew it was only a matter of time before anyone connected with the Irish Republican Brotherhood in Cork was detained. That would lead to discovering he and his son had been in the Liverpool area when the bombings began in 1881. This left no choice but to leave Ireland.

With assistance from Jeremiah O'Donovan Rossa in America, the family of five caught passage to America, eventually making their way to the coalfields of southern West Virginia. Burke and his oldest son easily found employment as coal miners among the vast numbers of coal mines in this sector of the Appalachian Mountains. Outside the Irish conclaves of Boston and New York, West Virginia was sufficiently remote to disappear from scrutiny from British police and possible extradition.

The Burkes settled in the Paint Creek area south of the town of Pratt on the Kanawha River in West Virginia. Coal mining in America offered nothing better than the same difficult poverty existence but with more opportunities with its dozens of coal mines than in economically distressed Ireland. Mining coal was among the most dangerous and demanding work in the late 19th century so there was always available employment for those willing to engage in the demanding work for subsistence wages.

The Burkes' circumstances were substantively not much different than impoverished County Cork in Ireland. They were comparatively better off financially with two male wage earners and a second income from Maude Burke teaching the children of miners. Teaching also provided the means of educating the two younger children, Noreen and Alan. Perhaps providing them the opportunity to escape the generational cycle of poverty.

As with most coal mines in the rugged mountain terrain of West Virginia, miners and their families mostly lived in company provided housing and bought goods at company owned stores close to their place of work. The arrangement served to bind the workforce into a form of labor servitude in the remotely located coalfields. Mine operators also extracted additional profits by

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providing goods and services at uncompetitive prices. Even Maude Burke's meager teaching salary came from the mine operator but indirectly came from the miners by extracting a tuition fee for each child from the miner's wages. The practice discouraged the sacrifice necessary to earn an education and regrettably further promoted child labor.

Joseph and Maude Burke lived in relative peace outside of Mucklow in the Paint Creek region for the next ten years after immigrating from Ireland. It was in the 1890s that competing mining labor unions ultimately merged into the United Mine Workers of America. The injustices and the social structure of corporate feudalism struck responsive nerves for the radical militant Irish rebels Joseph and Maude Burke. Both saw the direct parallels of mine operator oppression of their workers to centuries of British oppression of the Irish population. Finding this new cause Joseph and Maude devoted themselves to union organizing. Passivity was not in their nature. Their backgrounds of militant resistance in the cause of social justice found a new voice in union organizing activities over the next twenty years.

By 1912, daughter Noreen followed her mother into teaching and married. Now thirty-eight, Noreen found her life disappointing. Choosing marriage instead of pursuing an education beyond her training at a teacher's normal school in Charleston proved a mistake. Fergus Hannigan was a miner and close friend of her brother Liam. Their marriage made ever escaping from West Virginia unlikely. Eventually discovering her inability to bear children profoundly changed their relationship.

Alan Burke finished high school by making the three and a half-mile walk each way to Pratt every school day. In 1896 at the age of eighteen, he enlisted in the United States Marine Corps. Joining the Marine Corps was the best way to get as far away from the backward West Virginia mountains as possible and experience the world. He saw the Marines as an elite military organization. By his reading of American history, the Marines afforded a career with opportunities for experiencing foreign travel.

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By 1912, Alan Burke was in his seventeenth year of military service with the United States Marines. That service had taken him to many foreign places. Locations vital to American interests experiencing conflict. Those deployments afforded the opportunity to distinguish himself in repeated combat situations resulting in his promotion to master gunnery sergeant with several decorations for valor. Yet the inability to visit his family because of his almost continual foreign postings left a void in relations with his family. In those seventeen years, he only visited three times. Each time was difficult. The West Virginia coalfields now felt just as alien as his postings. He mostly missed his siblings. Having little appreciation for his parents' union militancy made interaction with them seem as if talking to strangers. Both were now in their early sixties and working hard yet energized by their activism to promote better conditions for coal miners. His father still went into the mines to dig for coal. Strong as a mule but noticeably slowed by advancing arthritis.

Alan's older brother Liam worked alongside his father digging coal for many years before becoming an organizer for the United Mine Workers union. Encouraged by his parents to escape the manual work of a miner, Liam Burke found a career with better prospects. Unfortunately, the demands of constant travel proved difficult to consider marriage and a family. As years passed, he never married. Liam Burke lived his life in the shadow of his parents. He travelled widely throughout the Kanawha River coal fields along Paint Creek and Cabin Creek organizing for the United Mine Workers.



Paint Creek and Cabin Creek comprised 96 coal mines employing 7,500 miners. Liam devoted most of his efforts to the unorganized Cabin Creek region to the west of Paint Creek. The 41 mines comprising the Paint Creek coalfield were all unionized by the UMW by 1912. The 55 mines on Cabin Creek were not unionized. Not just open shops, but where union miners were not hired. Joining the UMW made them become subject to immediate termination. Recruitment was a hard sell.

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Although the Paint Creek mines were unionized, miners received 2 ½¢ less per ton of coal extracted than other unionized mines in Southern West Virginia. In union negotiations, the UMW demanded compensation parity for Paint Creek miners with the other union miners of the region. They also demanded several fundamental work rule changes. Discontinuation of blacklisting of discharged workers, discontinuation of compulsory trading at company stores, and several measures to rectify mine operators cheating on tonnage weights. Miners were not paid by the hour but rather by tonnage produced and brought to the surface and weighed by company officials.

The increase of 2 ½¢ per ton would equate to costing mine operators 15¢ per miner per day. The mine operators refused. Although the UMW did not call a strike, all the miners along Paint Creek walked out on April 18, 1912. Collectively and with little debate, the miners of the Cabin Creek mines declared their own strike and joined the walkout of the miners of Paint Creek.

Unrest among coal miners had been escalating for years. Although striking meant inflicting economic hardship for miners already existing on close to a subsistence level, there existed overwhelming support for going out. Even with emotions running high, there was surprisingly little violence in the first month of the strike. With widespread support from miners across the region, the UMW wanted to take advantage of the solidarity to achieve gains peacefully.

Any such thoughts became dashed when on May 10, 1912, the mine operating companies collectively hired the Baldwin-Felts Detective Agency to break the strike.

Baldwin-Felts was a private security service company. It had its origin around the turn of the 20th century. Patterned after the Pinkerton Detective Agency, predominate in the field in the second half of the 19th century, Baldwin-Felts established in 1890 initially began providing security and investigative services to railroads in Southeastern United States. The firm became well known to the mine operators because of their armed security for payroll trains to the remotely located coalfields. It was to Baldwin-Felts that West Virginia mine operators turned to as labor unrest reached a tipping point with the widespread strike in the Paint Creek and Cabin Creek coalfields.

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Both Pinkerton and Baldwin-Felts also provided investigative and even quasi-law enforcement functions to federal and state government agencies. During the early decades of the 20th century, criminal elements used geographic boundaries as a means of thwarting law enforcement. Most law enforcement at the time was administered by county-level agencies, making escape across jurisdictions a widespread criminal tactic. Private security agencies had no such restrictions. They also had fewer constraints than official law enforcement in the manner with which they dealt with suspected felons.

With declining demand for their services by the railroads, Baldwin-Felts turned their efforts to providing security for mining companies. Typical of the time, public law enforcement in labor disputes involving large numbers of workers fell to the mine operators. The scope of such disturbances went far beyond the resources to maintain public order by local law enforcement, or even by state-level law enforcement. However, the mine operators used Baldwin-Felts to go beyond providing security for company property. Not bound by enforcing the law, this private army of well-armed men practiced in violent confrontation could use their services for other means of coercing the workforce. Eviction from company-owned housing, harassment, and protecting strikebreaking replacement labor from intimidation by striking miners.

Baldwin-Felts detectives carried an array of weapons that went beyond mere defensive protection. Their basic weapon was a Smith & Weston Model 3 .44 caliber revolver. A massive six-round weapon 12 inches long and weighing 2.9 pounds. Many were also armed with a large clip-point knife such as a Bowie knife that might be up to 20 inches in length and weighing 2 pounds. At their disposal was a typical compliment of Winchester Model 1886 lever-action .45 caliber repeating rifles and Colt 10-gauge shotguns. As the need may arise, they also had access machine guns.

The company headquarters of most of West Virginia's mining operations were located outside the state. Each mine was one of any number of profit-producing assets spanning the region. There existed no attachment between management and the

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workforce other than profits. Even during this advanced time of the industrial revolution, labor was considered as a necessary cost of doing business. Often an expendable commodity, easily replaced. In coal mining, even more so. Labor represented only modest capital investment compared to other great industrial enterprises such as making steel, railroad lines and rolling stock, or industrial textile looms. Its product was a natural resource, not subject to higher levels of worker skills as for manufactured products.

Forced into adding a substantial non-value-added expense in armed security, the mine operators proactively made use of this necessary resource in the coalfields that had only minimal official law enforcement. West Virginia was largely lawless territory. Except for remote coal mining communities, sparsely populated. What little official law enforcement existed was often in the pocket of the coal mining companies. Baldwin-Felts had experience in suppressing strikes by armed force with typically no governmental interference. As a detective agency, Baldwin-Felts was also well practiced in gathering intelligence on the miners and the UMW union. The hired security also prevented union organizers from entering company grounds and guarded strike-breaking replacement miners arriving by train. Observing no operational boundaries, Baldwin-Felts attacked union organizers and other troublemakers indiscriminately.

The most disturbing use of Baldwin-Felts was the evictions of miner families from company-owned housing. Not only did the miners lose income but forcing families from their homes provided an insidious means of intimidating a rebellious workforce.

Within a couple of weeks, Baldwin-Felts had a force of more than 300 heavily armed agents employed as mine guards in Paint Creek and Cabin Creek. The Burkes lived in company housing provided by the Paint Creek Mine since it opened in Mucklow in 1902. Early in the morning of May 21, two dozen Baldwin-Felts agents converged on the rough cabins housing miners' families. Conducted like a military operation, a handful of Baldwin-Felts agents entered a house forcing the occupants out at gun point. An array of additional agents stood outside in strategic positions to prevent interference from the miners. Many

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of these agents were armed with rifles and shotguns. Beyond evicting the occupants, the agents systematically began removing all household goods. Outside, several agents wielded axes to destroy furniture and household goods.

Joseph Burke and his son Liam could only look on with simmering hatred. For Joseph Burke now sixty-three, the old fire of taking violent retribution against his oppressors reignited. This act of being evicted while unable to fight back was the last straw. When news spread of Baldwin-Felts flooding into Paint Creek by train, the old revolutionary Joseph directed Liam, Fergus Hannigan, and a group of likeminded miners to hide firearms in strategic locations outside of company land. He rationalized that if they kept weapons close at hand, they would be cut down piecemeal in a firefight by better armed Baldwin-Felts agents. Tactically it seemed wiser to keep their arms secure and available to act collectively at the appropriate time. For Joseph Burke that time had now arrived.

Maude and Noreen gathered what goods they could salvage while Joseph commandeered a wagon to assist them and fellow families in relocating off company land. Among the chaos, Noreen's husband Fergus Hannigan arrived as the evictions were in its final stages. As an organizer for the UMW, he learned of the eviction attack on the miner's housing and returned to Mucklow by train immediately. He brought news that the Union was setting up a tent camp a mile and a half north in a place called Holly Grove to provide shelter for displaced mining families.

Fortunately, it was springtime with modest temperatures, however, the rains made adjusting to already dismal circumstances further demoralizing. Joseph Burke wasted little time before planning an armed response to the outrage. Courageous throughout his violent background, Joseph Burke was also reckless.

The Burkes hid a cache of weapons and ammunition in a well-hidden cave. Packed in a box, the weapons were wrapped in oiled butcher paper to prevent corrosion. Other miners hid their arms in similar fashion.

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Immediately following eviction, the miners retrieved their concealed weapons enroute to Holly Grove. They would now keep firearms at the ready in their tent community, Joseph Burke organized a defensive perimeter with outlying pickets manned around the clock to warn of any incursion by armed Baldwin-Felts guards. The evictions were a de facto declaration of war by the mine operators.

It had been two months since the eviction of miner families from their homes in Mucklow. The strike continued with no progress with the mine operators refusing to negotiate with the UMW union. Hostilities escalated as wholesale evictions commenced throughout the Kanawha Coalfield provoking violent responses from the ousted miners. Sniping at the hated Baldwin-Felts mine guards and random acts of sabotage to mine assets became regular occurrences. In retaliation and to invoke terror, Baldwin-Felts agents freely moved outside of company-owned land to harass miners with unprovoked beatings and destruction of miner's property. The sheriff of Kanawha County did nothing to curtail the excesses committed by Baldwin-Felts. William Baldwin and Thomas Felts soon became the two most feared and hated men in the mountains.

Although a good many of the striking miners did not belong to the Union, there was no other means for negotiation. Restless to do something, Joseph Burke assembled a group of more than thirty of the most militant miners one evening in late July. They gathered at some distance from the tent encampment to avoid being overheard.

Standing on a large rock, Joseph Burke addressed the miners. "This strike is now three months old. The mine operators have hired an army of thugs. Driven us from our homes. Destroyed our property. Now they are taking away our livelihood by hiring scabs. We live no better than slaves. Time has come to take up arms. Been listening to that old woman Mother Jones. She's preaching that it's time to fight back."

One miner yelled out, "Damn little good she's accomplished. That march to the state capitol with thousands of miners didn't do jack shit. Fuckin' Governor's on the side of the mining companies."

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“Right you are about that,” Burke replied. “An old woman and demonstrations only show the mine companies how weak we are. Time to show ‘em we can bite back sharply. Stop the flow of strikebreaking scabs coming in. Time for us to draw real blood.”

“What you have in mind?” another miner yelled.

“Begin a campaign of organized attacks on the trains bringing in the scabs. Scare the shit out of anyone thinking they can come here and take our jobs. First of all, we need to send a strong message. Attack these Baldwin-Felts hired guns. Kill a few of the fuckers. Let them know we have arms and are ready to use them. They have set up camp on the north end of the creek to fortify both the Paint Creek and Scranton Mines.

“I chose you blokes because I believe you have the sand to show these fuckers they have a real fight on their hands. I want to hit the Baldwin-Felts camp at daylight tomorrow morning. My son Liam has scouted the camp. Gather around and let me show you how we go about this.”

Joseph Burke was energized for the first time in years. Subconsciously, perhaps feeling his age and mortality, inflicting violence on the enemy played into his fierce nature.



As daylight broke the following morning in late July, Burke’s well-armed miners positioned themselves in the tangled underbrush on a rise within rifle range of Baldwin-Felts sentries. The miners watched as the Baldwin-Felts agents lit campfires in their tent encampment at the outer perimeter of the Paint Creek Mine. Soon there was the smell of coffee brewing and bacon sizzling in frying pans.

Liam was a crack marksman. His first shot would signal the attack. The miners would then rush toward the tents coming down the hills attacking from both flanks. There were six large tents. Liam appeared to have had done a good job of reconnoitering the battlefield a few nights previous. Estimated possibly a dozen Baldwin-Felts agents. However, it was a dark overcast night with only a half-moon. Liam failed to miss one critical de-

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tail. High up on the right hillside overlooking the encampment, Baldwin-Felts constructed a machine gun emplacement with breastworks of railroad ties. Even in the morning light, it remained concealed behind carefully placed shrubbery, appearing as only another sentry outpost. By its location, potentially a sniper position.

The attack plan called for Liam to kill a sentry posted further out on the right side then scale the hillside under covering fire to remove any threat of a sniper on the high ground.

Liam took out that advance sentry with a shot to the head signaling the start of the attack. All the miners began pouring rifle fire into the camp.

Taking the lead, Liam and his brother-in-law Fergus Hannigan begin scampering up the hillside to remove the sniper threat. Joseph directed several miners with rifles to train fire on the Baldwin-Felts concealed position.

Because of the angle of the hill's elevation, the miners' shots went over the heads of the two-man machine gun team. Using the U.S. Army's standard Hotchkiss machine gun firing .30-06 caliber ammunition at a rate of over 400 rounds per minute, one Baldwin-Felts agent fired the weapon while a second man loaded 30-round feeder strips for an almost continuous rate of fire.

First to be cut down by the withering fire was Liam Burke leading the attack. Following closely behind him, his father, brother-in-law, and three other miners all fell victim to the machine gun. Wounded, some tried to escape back down the hillside only to be repeatedly hit.

The miners' attack lasted no more than fifteen minutes before they withdrew carrying their dead and wounded. The battle left twelve miners dead, four others wounded, and four Baldwin-Felts agents dead.

Joseph Burke, Liam Burke, and Fergus Hannigan were among the dead as the surviving miners struggled for hours to carry the casualties back to the Holly Grove tent encampment.

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Strong-willed Maude Burke aided by her daughter Noreen, stoically attended the burying of Joseph and Liam Burke and

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Noreen's husband Fergus Hannigan. Maude had lived a life of rebellion alongside her husband all her life. His dangerous acts of rebellion imbued her with a fatalism of the possibility of his sudden violent death. Her daughter did not share the militant activism of her parents. In silence, she resented her father for leading her brother and husband in the ill-conceived attack that took their lives.

It was Noreen Burke that kept in regular correspondence with her younger brother Alan serving in the U.S. Marine Corps. They were kindred spirits sharing a hatred for the oppression of working-class life in the coal mines but realizing that violent conflict could not remedy the social injustice. They sustained each other while growing up in the depressive environment of the coalfields of West Virginia.

Alan Burke was currently serving with a contingent of U.S. Marines in Nicaragua. It was weeks after the incident at Mucklow and burying their dead that his mother and sister made their way to Pratt and Noreen wired her brother. The telegram to Marine headquarters was eventually relayed to the *USS Annapolis* anchored off the coast of Nicaragua then delayed further before reaching him. *Family disaster beloved brother. Father, Liam, and Fergus killed by mine guards. Mother and I relocated to Pratt. Plans uncertain. Reach me through UMW District 17 headquarters Charleston. Mother is bearing up stoically. Noreen.*

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