BAS 091 The Carroll Connection Welcome to Butte, America’s Story. I’m your host, Dick Gibson.

The Burke and Balaklava claims were tiny little triangles on the northeastern flank of the Butte hill – no more than six acres or so, but prime real estate in terms of the subsurface, especially if one could use the apex law to advantage.

Pioneer miner James Tuohy established Butte’s Black Hawk, Pilot, and Burke and Balaklava mines in the 1880s. When he died in 1893, attended by Rev. Cyril Pauwelyn of St. Patrick’s church, he left the mining properties to St Joseph's Orphanage of Helena, the Ecclesiastical Province of Oregon, and the Burke and Balaklava went to the Roman Catholic diocese of Montana.

By 1907, with Bishop John Patrick Carroll ready to establish a Catholic educational institution in Helena, the Burke and Balaklava was sold for the tidy sum of $400,000. Or at least $275,000 – there were various law suits and it isn’t perfectly clear how much the diocese ended up with, but it was enough to finance the construction of St. Charles Hall, the start of Carroll College. The cornerstone was laid by President William Howard Taft in 1909.

The war of the copper kings was largely over by 1907, with Augustus Heinze selling out and pretty much gone from Butte. But there were still plenty of little companies serving as thorns in the side of the growing Amalgamated (Anaconda) company, in fact more than 25 companies in 1916. The Butte-Balaklava Company’s tiny plots nonetheless supported a mine shaft that reached 1600 feet deep by the 1910s. It was just northeast of the Modoc and north of the Leonard, within the Berkeley Pit today, but in 1908 various railroads used by Amalgamated crossed the Balaklava Company’s acreage, so they sued the rich giant corporation.

They appear to have won some settlement in that law suit, but within two years, the Amalgamated was bringing its big guns to bear, essentially though not overtly using the apex law that Heinze had used so well against them. The law said that if an ore vein reached the surface within a claim, that claim owner had rights to the vein in the subsurface, wherever it went, even under other claimants’ surface land. Much of the war of the copper kings was fought in the courts with plaintiffs and defendants each trying to prove the continuity of veins below ground. The Amalgamated-Butte Balaklava case was settled by a division of the ore body, centered on the Jessie vein.

“Anaconda-Butte-Balaklava-North-Butte-Tuolomne-Amalgamated-French-Apex. Hyphens and hysterics! Are we to witness another apex war in Butte?” was the way the New York based Copper, Curb, and Mining Outlook news reported the 1910 clash, and they were clearly opposed to the Amalgamated, which they characterized as ousting Heinze “like a fallen angel.” Angel or not, Heinze was pretty much out of the picture and within four years was dead at age 44 of cirrhosis of the liver.

The small companies held on, and the Butte-Balaklava company was acquired by Silver Butte Mines Corporation in 1920 – but it’s unlikely they did much if anything in the post-war depression present in Butte at that time. The mine eventually came into the ownership of the Anaconda Company, but its lasting heritage is Carroll College.

As writer Edwin Dobb has said, "Like Concord, Gettysburg, and Wounded Knee, Butte is one of the places America came from." Join us next time for more of Butte, America’s Story.