

## No Business Community Was Site of Guerrilla Skirmish

South Fork Country, Samuel D. Perry

*(NOTE – This is one of many versions of the 1863 skirmish)*

“In the summer of 1864, thirty Confederate guerrillas, part of Champ Ferguson’s band, rode into the No Business valley from the direction of Monticello. They had with them a prisoner, a man named Dolen, whom they had taken captive at Bell Farm, across the state line, in Kentucky. They had come to No Business to kill Absalem Slaven and Anderson Smith, two pro-Union community leaders.



Figure 1 - Miller Home Place at No Business - This photo has been printed and reprinted many times over the last 50 years, but continues to appeal to a wide audience. Among those pictured here are, from left: Mike Hasler, Mrs. Hasler and Granny Margaret Miller. The little girl on left of porch is Lizzie Beth Miller. Outside the porch are France Miller, Victory Miller, John Miller, Reason Miller, Will J. Miller, Andy Watson and James Trammell.

“With pistols drawn, the raiders approached the Burk log house. Without knocking, they kicked open the front door. The elderly Burks, terror-stricken, were huddled nervously in a far corner of the sitting room.... At sundown, the raiders bedded down for the night... While the guerrillas slept, the woods and pathways surrounding the Burk home came alive with other men. These were members of the Home Guard, loyal Union men who organized themselves into a civilian militia to defend local communities from Confederate aggression... The Home Guard had seen the guerrillas riding through the valley... and intent on spending the night at the Burk house, the Guard concluded that the time had come to rid the Confederacy of thirty unsavory characters....

“The Home Guard was led by Hutt Burk, a relative of the captive Burks.

“Hutt Burk deployed his men in front of the house and cautioned them against firing into the chinked walls for fear of hitting the Burks accidentally. He instructed the men to fire only

through the open windows and doorway, trusting that his relatives would hug the floor and avoid being shot.

“At Hutt’s command, the Guard’s first volley slammed through the front door and cut off a bed post, inches from the Burk’s heads. The guerrillas leaped to their feet with a yell in time to receive the full impact of a second volley. Many of the Confederates fell where they stood. Others fumbled in the darkness for pistols and carbines... Some dashed out the open doorway and attempted to flee into the forest.

“At one point in the fight, one of the Confederates yelled out, ‘Stop shooting. I’m Hutt Burk.’

“The Guard ceased fire and the real Hutt Burk called for the guerrilla to come out. When a figure appeared at the door, Hutt shot him through the chest.

“At length, the firing stopped. A hush fell over the carnage. Not a sound came from the house. The Guard was preparing to charge the house when, without warning, another figure appeared at the doorway.

“Who’s there?”, yelled Hutt Burke.

“I’m Dyad Burk, replied the shadowy figure, calling out the name of Hutt Burk’s younger brother.

“Suspecting another ruse, Hutt raised his musket and shot the man.

“When no more movement could be detected within the house, the Guard moved cautiously. In the doorway, where they had fallen from Hutt Burk’s shots, lay two bodies. One of them was a stranger. The other dead man was Hutt’s younger brother, Dyad. He had, somehow, entered the house from the rear and, seeing that the fight was finished, had attempted to inform his comrades.... the Home Guard found the Burk couple still alive. Their wounds were minor. Dolen, the prisoner from Bell Farm, was dead.

“At dawn, a common grave was dug for the dead guerrillas and Dolen.... a stone’s throw from the Burk house.

“One of the Confederates was found, a few days after the fight, hiding in a ravine near the Burk house. He was taken in and cared for and later turned over the Federal authorities.”