

# MINGO MINER KILLED IN VIGILANTE RAID

## Another Wounded and 47 Taken From Lick Creek Tent Colony to Jail.

### STATE TROOPER INJURED

## Strikers Had Repelled Force Sent After Men Who Had Fired on Motorists.

WILLIAMSON, W. Va., June 14.—One man was killed, two others were wounded and forty-seven residents of the Lick Creek tent colony of striking miners near Williamson are held in the county jail as the result of a battle late today at Lick Creek between authorities and the colonists, according to State police headquarters.

Alex Breedlove, said to have lived in the colony, is dead, while State Trooper James A. Bowles was wounded in the shoulder, and Martin Justice, in charge of the colony, received wounds in the cheek and leg. Justice was brought in tonight by Citizen State Police.

Reports today to Governor Morgan's office at Charleston stated that two men had been killed and another wounded.

The fight started after Adj. Gen. Davis, commanding Mingo County under the Governor's proclamation of martial law, had returned to Lick Creek with reinforcements of citizen State troopers to arrest about two score of the idle miners, his forces, under Sheriff Pinson and Captain J. R. Brookus of the State police, having been fired on from the tent colony earlier in the day.

Adj. Gen. Davis divided his forces in approaching Lick Creek, and Trooper Bowles, in charge of a party of citizen State police, encountered several men near the colony. Orders from Bowles to throw up their hands brought shots, it was said, resulting in Breedlove's death and the wounding of Bowles.

Adj. Gen. Davis said last night that he would go to Lick Creek today to make arrests for the shooting there yesterday, when a motor party was fired on. Reinforced, he succeeded in reaching Lick Creek and taking into custody nearly fifty men.

The shots fired yesterday were aimed at George Welch, Superintendent of the White Star Mining Company, who was accompanied by Mrs. Welch and Mr. and Mrs. Cline.

This is the second attempt, apparently emanating from the same tent colony, to kill a mine Superintendent. In the latter part of May Superintendent Charles A. Tully of the McCarr-Kentucky Collieries was fired on from the same spot. He was not injured, but the man who was driving his car was wounded.

The Lick Creek tent colony has been maintained by the United Mine Workers for striking miners and their families ever since the miners were evicted from the operative owned houses. It has been deemed one of the chief trouble breeders in the Mingo strike feud zone. Soon after the declaration of martial law in the county by Governor Morgan and the formation of a vigilantes organization by citizens there was talk of abolishing the colony.

### Special to The New York Times.

CHARLESTON, June 14.—Reports of the battle and arrest at the Lick Creek tent colony reached here today soon after announcement had been made that the Supreme Court had declared Governor Morgan's proclamation of martial law in Mingo County to be illegal, and that its terms could not be enforced without military occupation. Governor Morgan declined tonight to say what steps he contemplated. Since martial law is ineffective without military occupation, it is probable that steps will be taken to recognize the National Guard, disbanded several months ago.

The Supreme Court's decision was rendered in habeas corpus proceedings brought by A. D. Lavinder, an organizer of the United Mine Workers, who was arrested and jailed on a charge of violating martial law.

"There can be no martial law without military occupation," said Judge Poffenbarger in the court's verbal decision, "Military rule is incident to occupation and the provisions of the Governor's proclamation cannot be legally enforced."