In Memory of

Daniel Clovis Moomaw

September 10, 1886 - October 5, 1918
The Descendants of 80th Division Veterans organized in 2003 to perpetuate the memories of the military personnel who sacrificed so much for our freedom, and to continue to honor these Veterans at a time when they can no longer pay personal tribute to their fellow comrades.

On this Veterans Day 2005, we have come to Lee Chapel on the Campus of Washington and Lee University in Lexington, Virginia, to honor all Veterans, but in particular, one Veteran of the 80th Division, who gave his life in the woods of France in October 1918.

An alumnus of the University of Virginia as well as a graduate, Law Professor, and assistant coach at Washington and Lee, Daniel Clovis Moomaw had attended unofficial officers' training courses, so that when he entered the Army, he was commissioned a second lieutenant. As a conscientious objector, he could have avoided service, but, not having a family to support, he felt it incumbent upon him to enter the Armed Services of his Country.

In the affidavits which follow the program, you can read the testimony of his commanding officers that relate the bravery and dedication this man exhibited. These documents were the catalyst for the pursuit of the honors being paid to Lieutenant Moomaw, eighty-seven years after his fatal mission. Please note, too, that his military records indicate that he used the name Clovis, rather than Daniel. Copies of several other documents are included for your information.

Clovis Moomaw was the second member of his family to lose his life during the Great War. His second cousin, Louis Moomaw Layman, of Troutville, had also been educated at Washington and Lee, and following a forestry course at the University of Michigan, went to work in a logging camp in Canada. He joined the 1st Canadian Mounted Rifles at Saskatchewan in December 1914 and as a Corporal, Layman was killed in action in August 1916 at Ypres. We thank Pat Hickin for providing this information.

We are truly grateful to the staff of the University, and to President Beckley, for hosting the program in remembrance of their alumnus. A special thanks to Carole Porter, Assistant to the Dean of the School of Law, for her assistance in making all of the arrangements for the program. We appreciate the participation of so many of the staff of Washington and Lee University, and for their hospitality in providing a reception following the official recognition of these posthumous honors.

We thank the members of the 80th Division Veterans Association and personnel from the 80th (IT) Division for their contributions to these activities. A very special thank you to Moomaw family members for attending the memorial service, and particularly, we want to express our gratitude to Doug Mumma and Bob Moomaw for making initial contacts with the family for us, and for their extensive genealogical research that identified so many members of this extended family.

This service shall also be a remembrance for all of our military personnel. May God Bless America and we pray that He will watch over all of our Troops presently serving in harm's way.
VETERANS DAY TRIBUTE
to
DANIEL CLOVIS MOOMAW

Lee Chapel, Washington and Lee University
Lexington, Virginia
November 11, 2005
1600 hours

Presentation of Colors
7th Brigade, 80th Division (IT), Salem

Invocation
William C. Datz, Chaplain, Washington and Lee University

Remarks and Introduction of Staff
Harlan Beckley, Interim President, Washington and Lee University

Introduction of Moomaw Family and Invited Guests
Lee S. Anthony, Commander, Descendants of 80th Division Veterans

Reading - “In Flanders Fields”
Rebecca S. Mumma

Presentation to Washington and Lee University in Honor of Lieutenant Moomaw
Lee S. Anthony, Commander, and Bruce W. Smith, Historian, Descendants of 80th Division Veterans

Accepting for the University
John Jacobs, Archivist, Washington and Lee University

Guest Comments

Colors Retired

Reception follows in Morris House
To: Bureau of Awards, War Department, Washington, D. C.
From: Charles Sweeny, formerly Commander, First Battalion, 318th Infantry, Eightieth Division.

Subject: Recommendation for award of Distinguished Service Cross posthumously to First Lieutenant Clovis Moomaw, late First Battalion, 318th Infantry, Eightieth Division.

October 5th, 1918, the First Battalion, 318th Infantry, Eightieth Division had been attached for duty since the preceding September 26th to the General Commanding the Eighth Brigade, Fourth Division in line of battle on the right flank of the Eightieth Division. Early on the morning of this day, in compliance with orders from Brigade Headquarters, I ordered First Lieutenant Clovis Moomaw, First Battalion, 318th Infantry to report with his platoon for duty to Brigade Headquarters.

On arrival there he was instructed that his platoon was to be organized into liaison groups for service with the units of the front line and that as soon as he had completed this organization he would be at liberty to rejoin his battalion. At the same time he was informed that orders had just been issued for his battalion to advance and occupy the south west corner of the Bois de Faye where, as the result of a German counter-attack, liaison had been lost between the first line elements of the Fourth and Eightieth Divisions.

Once his liaisons organized, Lieutenant Moomaw would have been perfectly justified in rejoining his battalion in passing by Brigade Headquarters and then in comparative safety behind the lines. Instead of which from the front lines of the Fourth Division he decided to attempt
to reach his command in passing by the fought over zone of the Bois de Faye, realizing that any information he might obtain would be of the greatest value to his battalion commander. He reported to me at the southern edge of the Bois de Faye shortly after my arrival there. The information which he had gathered proved afterwards to be extremely accurate and of the greatest value.

Shortly afterwards he was killed by a shell.

The judgement, initiative and courage displayed by this officer on this occasion were of the highest order. Whether he went beyond his duty in reconnoitering the Bois de Faye instead of rejoining his battalion by the longer and safer route is a question left to the appreciation of each individual. As his immediate commanding officer, however, I feel that his conduct is worthy of all praise, a model and an inspiration for future officers and soldiers. It is not only a duty but an honor to recommend that the Distinguished Service Cross be awarded to him posthumously.

I had intended to make this recommendation at the time but in the press of events it slipped my memory. I hope that it will not be deemed too late to grant to his memory the reward it merits.

Charles Sweeny

Late Major Commanding

First Battalion, 318th Infantry.
Before me, a Notary Public, in and for said County and State, personally came Vincent R. Smith, of Lincoln Highway East, Greensburg, Pa., who, being duly sworn according to law, did depose and say as follows:

On October 5, 1918, I was a First Lieutenant of the 318th Infantry, 80th Division A. E. F. I was Automatic Arms Officer of the First Battalion and on said date was acting as a Liaison Officer between Major Charles Sweeney, Battalion Commander, and the various company commanders.

That on the morning of October 5, 1918, orders were received by Major Sweeney for the First Battalion to take the Bois de Paye, a position on the top of a hill immediately in front of the position we were then in, and about one mile distant. The territory lying between our then position and the Bois de Paye was open and being subjected to enfilade machine gun fire from two sides, direct fire from the front with trench mortars and machine guns and by heavy shelling from our right rear, a turn in the Meuse River making this possible. Our attempt to enter the woods was hazardous and our successful arrival there was very questionable. I was directed to keep Battalion Headquarters and the various company commanders in constant contact.

First Lieutenant Clovis Moomaw of "P" Company, 318th Infantry, and his platoon, was dispatched to the 8th Brigade of the Fourth Division, which was on our right. The platoon was to act as liaison between the said 8th Brigade of the Fourth Division and our Battalion.

Lt. Moomaw delivered his platoon to the 8th Brigade of the Fourth Division and was there advised that he was not personally needed. Lt. Moomaw, knowing the orders of the First Battalion of the 318th Infantry, immediately headed for the Bois de Paye in order to make a personal reconnaissance of the same before the Battalion arrived. Lt. Moomaw attempted to acquire this information even though he knew that the Bois de Paye was held by the enemy, but also knowing that the information that he could acquire would be of great benefit to his own advancing battalion.

I, with a few runners, arrived at Bois de Paye in advance of the battalion and saw Moomaw in advance of me, entering the woods. At about the same time, our own barrage came down upon us. The bombardment of trench mortars and heavy artillery from the enemy was terrific. I saw a large H. E. explode at the edge of the woods at the point where I had seen Moomaw enter. At the explosion, the lower half of a man's body was seen to fly in the air, approximately 30 or 40 feet. By reason of the terrific shelling, the troops were practically demoralized. The shelling and machine gun fire continued the remainder of the day and at night we received orders to withdraw.

It was discovered that night that Moomaw was missing and he was continued to be carried as missing on our roster. After the Armistice, a search of the vicinity disclosed that the body that had been blown to pieces at the edge of the woods, was that of Clovis Moomaw.

Captain Clinton D. Winant, whose whereabouts are now unknown, was, on October 5, 1918, commander of "P" Company and Clovis Moomaw's Commanding Officer. Captain Winant immediately recommended to Major Sweeney a D. S. O. for Lt. Moomaw. Major Sweeney endorsed the idea but stated that the recommendation should not be made until we actually learned whether or not Moomaw was living or dead.
On November 4, 1918, Clinton D. Winant was wounded and I was placed in command of "D" Company and later was promoted to Captain and remained in command of the same company. I frequently discussed with Sweeney the D. S. O. for Moomaw. Sweeney repeatedly announced his intention of so doing but thought the recommendation should not be made until it was definitely known whether Moomaw were living or dead.

In May of 1919, when the 318th Infantry was at Rest, Dr. Ben C. Moomaw, of Roanoke, Virginia, a brother of Clovis Moomaw, was there in search of information of Clovis Moomaw. He met Captain James S. Douglas of "B" Company, 318th Infantry and myself. We went over the maps with him and showed him the point where we thought Clovis Moomaw had been hit. He went directly to the point and found the remains, which were positively identified by a wrist watch and by the decedent's teeth. Major Charles Sweeney, in the meantime, had been transferred from the division. Consequently, the formal recommendation for the award of a D. S. O. to Clovis Moomaw was never made.

I can state positively that had Lt. Clovis Moomaw not been carried as missing in action, a recommendation would have been made at the time for an award of the D. S. O. His initiative, his complete lack of thought as to his personal safety, his entry alone into the Bois de Faye, with the knowledge that it was infested with the enemy, subjecting himself to enfilade fire from two sides, and a terrific bombardment of H. E.'s, and trench mortars, in order to facilitate the entry of his battalion into the said woods, displayed the most outstanding courage I have ever seen in any man.

With the greatest enthusiasm, I again recommend that a posthumous award of the Distinguished Service Cross be made to Lieutenant Clovis Moomaw.

VINCENT R. SMITH, EX-CAPTAIN OF "B" COMPANY, 318TH INFANTRY, 80TH DIVISION,

Sworn to and subscribed before me
this 3rd day of March, 1935.

NOTARY PUBLIC.

MY COMMISSION EXPIRES: FEBRUARY 19, 1939.
AFFIDAVIT

On the morning of October 5, 1918, pursuant to orders, First Lieutenant Clovis Moomaw was directed to report with his platoon to headquarters of the 8th Brigade, 4th Division, for temporary duty. The 8th Brigade, 4th Division, was then in the line on the right of the 30th Division.

Upon arrival at 8th Brigade headquarters, Lieutenant Moomaw was told that his entire platoon would be used as runners but that he would not personally be needed and could remain in the company in the 1st Battalion, 318th Infantry.

Lieutenant Moomaw was familiar with the orders of the 1st Battalion, 318th Infantry, for that day and knew that the Battalion was to advance upon the Bois de Paye, and, in an attempt to obtain information that would be of benefit to this advance, and knowing that the Bois de Paye was at that time occupied by enemy troops, Lieutenant Moomaw decided upon a personal reconnaissance of the woods before rejoining his own battalion. He could have rejoined his battalion by going back through territory occupied by friendly troops, however, he chose the more dangerous route and succeeded in penetrating the woods for some distance. While attempting to report to the battalion commander at the southern edge of the woods, he was so badly wounded by shell fire that it was with the greatest difficulty that his remains were identified.

Recommendation for posthumous award would have been made at that time but for the pressure of events. After the Armistice, Lieutenant Moomaw was carried as "missing in action" for many months and this fact again delayed a recommendation that would undoubtedly have been made at the time had the real facts been known. The courage, initiative, and judgment displayed by Lieutenant Moomaw on this occasion was of the highest order and what he was attempting to do involved the greatest danger and had he been successful would have reacted greatly to the benefit of the service.

For this great service I now recommend that a posthumous award of the Distinguished Service Cross be made to Lieutenant Clovis Moomaw.

[Signature]
James S. Douglas, Jr.,
Formerly Captain E. Company,
318th Infantry,
Second in Command, 1st Battalion,
318th Infantry,
30th Division.

STATE OF OHIO,
FRANKLIN COUNTY, SS:

Personally appeared before me E. G. Shively, 16 East Broad Street, Columbus, Ohio, who declared that he was a First Lieutenant in the 318th Infantry on October 5, 1918, was Adjutant of the 1st Battalion on said date, was in the southern edge of the Bois de Paye with Major Charles Sweany, Battalion Commander, on said date, was later present at the spot where Lieutenant Moomaw's body was found, which place was well advanced in the Bois de Paye, between the territory occupied by the 4th Division and the 30th Division, has read the above affidavit of James S. Douglas, Jr., formerly Captain, 318th Infantry, and Second in Command of the 1st Battalion, 318th Infantry, on October 5, 1918, and knows the facts stated by Captain Douglas in the above affidavit to be substantially true.

E. G. Shively.

Sworn to before me and subscribed in my presence this 15th day of February, 1928.

Notary Public.
Dear Bruce:

Thank you ever so much for the kind and special invitation you and Cecilia have extended to me for the Veterans Day ceremony that will be held in the Lee Chapel at Washington & Lee University in two weeks to honor Lt. Daniel Clovis Moomaw, US Army. I greatly appreciate it.

Unfortunately, I will be unable to attend the ceremony due to a schedule conflict. But my thoughts will be with you and your group on that day. It is personally very gratifying to know that the copies of documents which we made for you a few years ago from our Earl C. Shively Collection have been helpful to your cause and have contributed to this Veterans Day honor and recognition by his home institution. May you have the best of luck in your continuing quest for a higher level of award from our government for the service and sacrifice Lt. Moomaw gave for his country nearly nine decades ago. Please call upon us again if we can be of further assistance to you.

Sincerely,

George W. Bain
Head, Robert E. and Jean R. Malin Center for Archives & Special Collections
The heroism of Lt. Clovis Moomaw was noted in the book *Over the Top with the 80th* by a Buck Private, authored by Rush S. Young, Company B, 316th Infantry and copyrighted in 1933.

OVER THE TOP WITH THE 80TH

PREFACE

I wish to state that no pretense is made to literary merit -- or even to correct language and syntax.

The following is a chronicle of daily happenings, and of notes made at the various points.

I have tried to present the incidents, as we who lived through them, saw them; and I crave the indulgence of my readers, in all errors and imperfections which may be found.

Rush S. Young
Co. "B" 316th Infantry
One thousand yards to the rear could be seen the fields swarming with human beings. We did not know we were being backed up in our attempt to take the woods by Brigade, Division, and Corps. We were pushing ahead of the "Gray Squirrels" and getting machine-gun fire from Bois-de-Ogons on our left flank.

A very amusing thing happened on the advance into Bois-de-Ogons. It was a French tank attack, wherein the tanks were supported by a platoon of Infantry from Company "I" of the 318th Infantry. This platoon was in Command of Lieutenant Robert a Higgins. Lieutenant E. C. Shively of Company "A" was in the rear at the time, however Shively knew of this impending tank advance and Higgins' support so had gone to a nearby hill to watch them. Everything went in apple pie order for about fifteen minutes. At that time one of the French tanks became disabled by a German shell. The Frenchmen who were clad in rather grimy uniforms, climbed out of the tank on the opposite side to the "I" Company platoon and started back toward the rear and toward the Infantry supporting the attack. Higgins and his platoon did not see them get out of the tank and when they started back toward the Infantry thought they were Germans. Higgins, who, as you know, was quite athletic, began throwing hand grenades at this tank crew. His aims were most accurate. He kept these Frenchmen jumping from one shell hole to another for about five minutes. Fortunately, none of them were seriously injured.

Suddenly Higgins wakened up to the fact that they were not Germans but members of the disabled tank crew and ceased their activities. The Frenchmen were quite angry at being thus assaulted by their Allied friends, however, they did not stop to vent any spleen on Higgins and his men but kept on going through Higgins' platoon to the rear. When they passed Lieutenant Shively on the hill in the rear of Higgins they were saying most everything uncomplimentary about the American soldier. They had had the scare of their lives. Higgins was later on the champion 89th Division football team. For the past several years he has been Captain and All-American end at Penn State University.

Another amusing incident that stands out during the activity on the front was when the chaplain that was attached to our Regiment "hit the dirt", (dived for cover) when a mule close-by suddenly brayed. The bray was not at all unlike the approach of a trench mortar shell - at the same time this did not release the humor of the incident.

The barrage of Stokes Mortars and French 75's was lifting, we had to make the woods. As we reached the crest of the hill, it was one solid sea of shell craters, not one foot of land remained that had not been torn up by the big shells. Machine guns were popping in every direction. Off we went for the woods as fast as we could go. Whiz-Bang, Whiz-Bang, Crash! Crash! and a big shell burst in front of
me just at the edge of the woods, scattering chunks of human flesh all over the ground. On a limb of a tree about ten feet high, hung a man's leg with the shoe and wrap leggins still on it. Poor Soldier! Who could he be? It will probably never be known. When all the Companies check up, he will be reported missing in action. All Companies check up on their men when relieved, but First Lieutenant Clovis Moomaw could not be accounted for. Meanwhile, the War Department at Washington had notified his people that he was wounded, condition undetermined another letter they stated killed in action and still another not accounted for. His brother in Washington tried to get the War Department to send him to France, they refused. He joined the American Red Cross, went to France, got a month's leave of absence, and went to the Headquarters of the 80th Division for information. No one seemed to know, then he went to the Captain of each Company of the 1st Battalion, still he found out nothing until he got to Captain Douglas of Company "B". He stated he knew nothing about Lieutenant Moomaw, except: "I saw a man blown to atoms just at the edge of the woods on the evening of October 5, that man was never accounted for and it might have been him. If you care to investigate this I will furnish you with maps as to the location, and furnish a Sergeant that is familiar with the territory. At this place you will find the one shell hole much larger than the rest, and that is it."

At this time, which was the early spring of 1919, the 318th Infantry was billeted in Asnieres-en-Montagne, the 15th American Training Area. Mr. Moomaw and the Sergeant started out on their journey to look for the remains of his brother with about 265 kilometers to travel.

*Extreme south edge of Bois de Faye, showing part of the German billets just inside the woods. At the left is where we were on outpost duty on night of October 5, 1918*
About a week later he returned, having discovered his brother's dismembered body. He identified his brother by the wrist watch still on the bones of his hand. At this time he had been killed almost six months. Thus, the error was corrected. First Lieutenant Clovis Moomaw, Company "D", killed in action.

Just inside the woods I found Captain Douglas, Lieutenants Myers, Sheehan, and Hort studying their maps and compasses. I waited in the woods for the rest of the Platoon. Only three of my squad showed up, Corporal Satterwhite, Privates Getz and Ethridge. Mitchell was killed, and McKamey was badly wounded. The Platoon commanders were trying to get the squads together and to get organized before advancing. "Where are all my men?" each was saying. They were all killed or wounded. As luck would have it, Company "B" had not lost an officer in all the fighting so far, but the company had only about 175 men left out of 250.
A Tribute to Lieutenant Clovis Moomaw

As the Historian for the Descendants of 80th Division Veterans, and even prior to the founding of our organization, I have researched any and all data about 80th Division units, particularly those who served during World War I.

In August 2002, I was attempting to find information on Earl Shively, Captain of the 318th Infantry. The Internet provided information on the Earl Shively Collection, in the Archives of Ohio University. The University Website listed items contained in Box 4, Folder 2, which included four affidavits supporting the award of a Distinguished Service Cross for Lt. Moomaw. Lt. Colonel Sweeney, Captain James Douglas, Captain Vincent Smith and Captain Earl Shively had initiated these documents in 1936.

We were already aware of the story of Lt. Moomaw, as it appeared as part of Over the Top with the 80th by Push Young, Company B, 318th Infantry. Young described the battle for the Ogons Woods, and Moomaw’s part in it, so I requested copies of those affidavits, to learn the disposition of them.

George Bain, Head of the Archives and Special Collections of Alden Library, at Ohio University, provided copies of the affidavits and stated, “what are in our collection are carbon copies of the originals, and the stamps of the Notary Public(s), and the various signatures are faint and did not reproduce on the copies”.

My first reaction was to attempt to locate a family member, to learn if any of them had ever pursued the recognition that the commanding officers had recommended. At that time, only very distant cousins, some of whom were in poor health, could be found. These folks had neither the desire nor the means to delve into what has become a very lengthy process. They did, however, give their permission for me to pursue the medals issue. After the Descendants organized, it became an organizational effort.

We had correspondence with the Archivist of Washington and Lee, John Jacobs; however undertaking a pursuit of medals was out of his line of duties, and he indicated he would have to take that up with the University regents.

It is now three years later, and after considerable frustration, effort, and a buying file, we have come to pay the honors to Lt. Moomaw that the Army has failed to do. Any attempt to access files through National Archives and Records Administration failed because we were not next of kin. Our next effort was made through The Honorable John Warner, Senator of Virginia. He and Lt. Moomaw were fellow alumni of Washington and Lee, and we suggested that the Senator would be the most influential person to follow through with an inquiry about the affidavits. Because we were not his constituents, he forwarded the packet to the Honorable Rick Santorum, Senator of Pennsylvania.

Senator Santorum’s aide made contact with NARA, only to be bombarded with additional forms, some of which were completed at least three times. After waiting for months for a response, the Senator’s aide was completely disturbed to learn that her original inquiries had been filed and the case closed. When she asked why, she was informed that they didn’t know it was a Senatorial request.

By that time, it was early 2005, and our Commander, Lee S. Anthony, Ph.D., a Salem physicist, hand carried the entire file to Senator Warner’s office again. Several months later, Dr. Anthony received a response from Lt. Colonel William H. Johnson, Chief of the Military Awards Branch.

The Army Decorations Board determined that the degree of action and service rendered did not meet the strict criteria for the DSC, and therefore the award of that medal was disapproved. They did allow that Lt. Moomaw was entitled to a Purple Heart and Victory Medal, but the Army could not issue them — they provided vendors’ names from whom we might purchase them. Our response to Lt. Colonel Johnson was that we also had doubts that the actions of Lt. Moomaw had risen to the level of a DSC; however, a lesser award of Silver Star certainly was within the realm of possibility. I have read documentation supporting the 619 awards made to 80th Division Veterans of World War I, and the wording in the affidavits, while not rising to the level of DSC, most certainly supports the award of a Silver Star. Our packet to Lt. Colonel Johnson also included supporting documents to indicate that exceptions were made in the case of twelve veterans of the 80th Division who had been recommended for DSC, and when the records were located in 1923, the DSC was denied for eleven of them, but instead these men received Silver Star awards. At the time, the Secretary of War requested a review of the documents, and the lesser awards were made. We argued that the Purple Heart and Victory Medal were entitlements; however, no one from the Army has responded.

Since we have not had the courtesy of a reply, we have opted to purchase the Purple Heart and Victory Medal, with battle clasps, to present to the University in honor of Lt. Moomaw. This gentleman, a conscientious objector, did not have to leave his post here to go to war, yet he felt the need to defend his country. His actions saved many of his men, at the ultimate sacrifice of his own life. Lt. Moomaw was also entitled to wear the battle clasps for Artois-Picardy (Defensive Sector), the Somme Offensive – a clasp we were unable to locate; the St. Mihiel Offensive and the Meuse Argonne Offensive. Three clasps are attached to his Victory Medal.

The copies of the documents attesting to his actions reflect the intentions of his commanders to pay honors through the Army. We present the shadow box in his honor, to his Alma Mater, with the hope that we can all remember Lt. Moomaw and his fellow comrades.

Historian,
Descendants of 80th Division Veterans
April 7, 2005

Lee S. Anthony, Ph.D., Chairman
Descendents of the 80th Division Veterans
5346 Peter's Creek Rd.
Roanoke, VA 24019-3885

Dear Dr. Anthony:

The purpose of this letter is to provide you further information concerning a recommendation to award the Distinguished Service Cross to Mr. Clovis Moomaw.

The award recommendation was forwarded to the Army Decorations Board for consideration. The board determined that the degree of action and service rendered did not meet the strict criteria for the proposed award. Based on the board's recommendation, the Commanding General, United States Army Human Resources Command, on behalf of the Secretary of the Army, disapproved award of the Distinguished Service Cross.

Additionally, the late Mr. Moomaw would have been entitled to posthumous awards of the Purple Heart and World War I Victory Medal (Meuse-Argonne Bar). The Purple Heart was not awarded during World War I; however, in 1932 the War Department authorized retroactive issuance of this decoration to World War I veterans who received wounds or injuries as the direct result of enemy action.

Although we cannot issue any medals to you, military decorations are available for purchase from private vendors who are certified by the Army's Institute of Heraldry. We are enclosing a listing of certified manufacturers of military decorations should you desire to purchase the medals.

Thank you for your interest in the Army's Awards Program.

Sincerely,

[Signature]
William H. Johnson
Lieutenant Colonel, U.S. Army
Chief, Military Awards Branch

Enclosure
July 26, 2005

Dear Sir:

As a follow on to our letter of April 25, 2005, enclosed please find photos of the items we intend to present to Washington and Lee University, Lexington, Virginia, in memory of Lieutenant Moomaw. The University has a memorial in place for their former student and professor, and as has been our intention all along, the University memorial was to be the recipient of any awards that might have been bestowed.

These photos show the completed shadow box, including a Purple Heart and Victory Medal; a framed display of the several affidavits which were submitted for consideration for a DSC; and on the reverse of the framed display, we have included your letter to Dr. Anthony – the Army's only response to our request.

No date has been established for the presentation of these items to the University: if you would like to be included in this service, or to know the date, please contact us.

As we have explained in the past, the Descendants of 80th Division Veterans acted as advocates for the elderly relatives of Lieutenant Moomaw. None of them believed they could endure the lengthy process of obtaining recognition for their own, but gave us their full blessings to proceed on their behalf. It is now more than three years since we first initiated correspondence in this matter.

We would have been extremely grateful had you been able to have the Secretary of Defense review the additional documents we forwarded; not having had any response, we followed your advice to purchase the Purple Heart and Victory Medals. We still believe that a review of the precedents set for award of a Silver Star, would have resulted in a positive issue in this case.

Incidentally, per authority of G.O. #75, G.H.Q., A.E.F., dated 2 May 1919, men serving during the appropriate time frames – July 3 - August 18, 1918; September 12-16, 1918; and September 26 - November 6, 1918 – were entitled to three battle stars, for the Somme Offensive, the St. Mihiel Offensive (Corps Reserve) and the Meuse Argonne Offensive. This information was not provided until the men were at sea on the way home, and many never knew about it. Even the Battle Monuments Commission does not have this information correct.

Yours truly,

Bruce W. Smith
U.S. Department of the Army  
Office of the Assistant Secretary  
(Manpower and Reserve Affairs)  
The Pentagon  
Room 2E468  
Washington, DC  20310

RE:  Lt. Daniel Clovis Moomaw, Company D, 318th Infantry Regiment, 80th Division, A.E.F.  
Application for Distinguished Service Cross

Gentlemen:

During the past three years, acting as advocates for the distant, elderly relatives of Lieutenant Moomaw, we have made contacts with various organizations, attempting to obtain the awards to which the man was entitled. Documents found in the archives of Ohio University in 2002, dated to 1938, when former commanders realized that no action had previously been taken to recognize the heroism of this World War I soldier.

While we have not included copies of all correspondence in the matter, in this packet, please find the following items that we respectfully request be re-reviewed for positive action:

- Item A - Copy of a page from the book, Over the Top with the 80th, by Rush Young. This gives details of the incident in which Lt. Moomaw lost his life.
- Items B - E - Copies of the affidavits recommending a DSC, dated 1938. George Bain, archivist for Ohio University assures us that papers in the files there were carbon copies of original documents. The signatures and notary seals were extremely faint on the copies and did not reproduce, when Mr. Bain forwarded them to us. These affidavits were submitted by Lt. Moomaw’s former commanders, Major Charles Sweeney, 1st Lt. Vincent Smith, Captain James S. Douglas, Jr. and 1st Lt. Earl G. Shively. The affidavits were among the collection of papers of Mr. Shively, housed at the University.
- Item F - Copy of the document received from Lt. Colonel William Johnson of the Military Awards Branch.
- Item G - Copies of a document for recommendations for DSC for twelve persons and subsequent actions taken.

In initial inquiries, we asked if action had been taken previously on the affidavits (Items B - E) written on behalf of Lt. Moomaw, and there was never a response to this question. Having reviewed copies of the 619 other awards presented to 80th Division veterans, I didn’t really believe that the words of the affidavits supported a DSC, but do believe they rise to the level of a Silver Star Citation.
In our most recent submission of materials for review, we cited a precedent established in March 1923, (Item G), in which documents recommending the awards of DSC for 80th Division personnel had been located, but had not been acted upon. These documents were forwarded to the appropriate office for review at that time and were denied because actions did not rise to the appropriate level for DSC. However, the then Secretary of War directed that these same documents be reviewed for award of the Silver Star, the lesser, but still prestigious, award.

Eleven men were awarded the Silver Star, and we recently had the pleasure of assisting the daughter of one of these men receive her father's medal posthumously.

Although we had submitted this information with regard to precedence, Lt. Colonel William Johnson made no mention of it in his response of April 7, 2005 (Item F). In a follow-up to Lt. Col. Johnson on July 26, 2005 (Item H), we again requested a review of this particular precedence. There has been no further communication from his Office.

Since Lt. Moomaw was killed in the line of duty, he became entitled to a Purple Heart. While it was not re-created until 1932, nevertheless, the medal should have been provided, had application been made. The Review Board agreed that he was entitled to a Purple Heart, but the Army would not award one. Instead, a listing of vendors was provided whereby we might purchase one. This is not satisfactory.

A Purple Heart is an entitlement, and we would appreciate receiving one that might be included in the presentation to Washington and Lee, his Alma Mater, where a small memorial has been established in his honor. The University, in Lexington, Virginia, is anticipating the presentation of the additional honors, as are the distant relatives of Lt. Moomaw looking forward to such a ceremony. Members of the 80th Division (IT), as well as members of the 80th Division Veterans Association and our group, the Descendants of 80th Division Veterans, will participate in paying tribute to him. Lt. Moomaw’s religious beliefs would have precluded his military service, but he believed he should do something for his Country. He made the ultimate sacrifice. Please help us remember this forgotten man.

Respectfully submitted,

Bruce W. Smith
Mr. Bruce W. Smith  
c/o Descendants of the 80th Division Veterans  
P.O. Box 206  
Fayetteville, Pennsylvania 17222  

Dear Mr. Smith:

This is in response to your letter of September 8, 2005, to the Office of the Assistant Secretary of the Army (Manpower and Reserve Affairs), concerning your desire to have the late Lieutenant Clovis Moomaw’s recommendation for the Distinguished Service Cross reviewed for consideration of an award of the Silver Star.

As mentioned in our previous letter of April 7, 2005, to the Honorable John Warner, United States Senator, the award recommendation was forwarded to the Army Decorations Board for consideration. The Board determined that the degree of action and service rendered did not meet the strict criteria for the proposed award. Based on the Board’s recommendation, the Commanding General, United States Army Human Resources Command, on behalf of the Secretary of the Army, disapproved award of the Distinguished Service Cross.

The criteria for award of the Distinguished Service Cross are made available to each appointed member of the Army Decorations Board for use during their deliberations. Each recommendation is given a thorough and detailed examination and assessment prior to the Board forwarding its recommendation. Members of the Board carefully examine all documented evidence in light of the award criteria. The Army Decorations Board considers all recommendations for approval, upgrade to a higher award, downgrade to lesser award, and disapproval based on the documentation submitted for consideration. In the case of Lieutenant Moomaw, the Board had the option of recommending him for award of the Silver Star; however, they recommended disapproval without downgrading to a lesser award.

In this regard, Department of Defense policy allows for reconsideration of an award recommendation only if there is substantive, new evidence presented that was not previously considered by the Army Decorations Board. Regrettably, a thorough review of the documentation enclosed with your inquiry revealed no new or substantial evidence to support a request for reconsideration by the Board.
If you feel that the decision by the Army Decorations Board was unfair or unjust, you have the right to appeal to the Army Board for Correction of Military Records. The Board is the highest authority for adjudicating these matters. To apply, a DD Form 149 (Request for Correction of Military Records) must be completed and submitted. For your convenience, an application is enclosed. The Board's mailing address is: Army Board for Correction of Military Records, Support Division, St. Louis, ATTN: SFMR-RBR-SL, 9700 Page Avenue, St. Louis, MO 63132-5200.

Please understand that informing you of this course of action does not necessarily mean that the application will be favorably considered. The Board will adjudicate each case on its merit, and the burden of proof remains with the applicant.

As mentioned in our previous letter of February 1, 2005, to Senator Warner, we noted in Dr. Anthony's letter that he is not an eligible next of kin and that Lieutenant Moomaw's distant relatives are uninterested in obtaining his medals. Approved posthumous awards can only be issued to primary next-of-kin starting with the spouse, eldest child, father or mother, eldest brother or sister, or eldest grandchild. The regulatory policy governing the military awards program is very explicit with regard to next of kin eligibility for issuance of awards and decorations. Each year the Department of the Army receives numerous requests which cannot be supported because they are not from the primary next of kin. It is the Army's position that it is neither economically feasible nor possible to provide military decorations to family members, other than immediate next of kin, spanning numerous wars over indefinite periods of time. Regrettably, it would be inappropriate for me to make an exception in this case because of the many other similar cases that have also been denied.

However, if Washington & Lee University wishes to purchase, at cost, a set of the decorations that Lieutenant Moomaw earned during his service, it may do so by making an official request to this office for a display medal set.

Upon approval by The Adjutant General of the Army, samples of Army decorations (display sets) may be furnished, at cost price, to museums, libraries, and to national headquarters of historical, numismatic, and military societies; and to institutions of such public nature as will assure an opportunity for the public to view the exhibits under circumstances beneficial to the Army.

Additionally, all decorations, service medals, and ribbons (except for the Medal of Honor) can be purchased from private vendors who have been issued a certificate of authority by the Army's Institute of Heraldry. We are enclosing is a list of certified manufacturers.
If Washington & Lee University wishes to procure these medals through the Army, please ask them to submit their request to this office for processing and staffing to The Adjutant General for decision.

Thank you for your interest in the Army's Awards Program. We appreciate your support of our veterans, and the men and women serving in America's Army today.

Sincerely,

William H. Johnson
Lieutenant Colonel, U.S. Army
Chief, Military Awards Branch

Enclosures
Daniel Clovis Moomaw (1886-1918)

Clovis Moomaw is a Washington and Lee hero, though this status has little to do with his work as a law professor. Born in Roanoke, Virginia in 1886, Moomaw received both B.A. and M.A. degrees from the University of Virginia. He attended the Washington and Lee School of Law from 1910 to 1912 earning an LL.B. degree. When Professor Abram Staples died in September 1913, Moomaw helped conduct classes through the fall term. Moomaw was named acting professor for the remainder of the year. The following year he was elected an associate professor of law, a position he held until 1917.

But it is Moomaw's exploits before and after his tenure as a law professor for which he is revered. A very popular student, he was captain of the W&L football team and hero of the 1910 game against North Carolina. He was president of Junior Law Class, vice-president of the Athletic Association, and a member of the Cotillion Club, Pi Kappa Alpha, and of the Sigma Ribbon Societies. After graduation from law school, Moomaw stayed on as an assistant football coach.

The United States entered World War I during Moomaw's time as a law professor. Washington and Lee established an unofficial officer's training corps. Though intended for students, several of the younger professors participated. As a member of the Church of the Brethren, Moomaw could have avoided military service as a conscientious objector but he decided to actively join in the war effort. After completing U.S. Army Officers' Training School, he went to France as a second lieutenant. On September 29, 1918, early in the Argonne offensive, Lt. Moomaw was struck by a bullet and killed.

In Lexington the local chapter of the Knights Templar is named after Moonaw. At W&L an annual football award was established in his honor.
Dedication

LIEUTENANT CLOVIS MOOMAW, killed in battle October 5, 1918. This simple inscription on the monument of any American soldier at once excites our pride and admiration. To the mere passer by it is an impersonal tribute to courage and patriotism. The date fixes the great world war as the scene of action, into which America was forced to enter simply for the sake of humanity. But the name, Clovis Moomaw, identified to his loved ones a devoted son, who honored his father and mother, an affectionate brother who stuck close to his loved ones and a loyal and sincere friend, without guile and without reproach. These are sacred precincts into which we may not enter. Washington and Lee pays her tribute to his virtues as a man, as an American citizen, faithful and efficient in the discharge of the duties that devolved upon him, and who esteemed virtue as its own reward and patriotism as dearer than life itself. It was these virtues which made his life worth the living and his example worthy of imitation. The proclamation of war found him a full professor in the Law Department, enjoying the entire confidence of his associates, and the affection and admiration of his students. He was happy and contented in his work, and was beyond the age of the draft. His work was so successful that the University could ill afford to lose his services, and when it became known that he was about to resign and volunteer for service in the army, trustees and friends of the University besought him to change his mind, but there was always the same unanswerable response: "I have no one dependent upon me for support, and I feel that it is my duty to go." So he entered the training camp, was commissioned first lieutenant and sailed to France. In the army his devotion to duty, his courage and his manly bearing inspired the confidence of his superiors and greatly endeared him to his followers. This sense of duty was the impelling motive of his life and the guide of his conduct. It led him from a bed of ease to a field of hardship, from a home of comfort to a camp of privation, from a place of safety to the battlefield, and to death. His love of country, his sense of obligation to it, was greater than his love of life. His Alma Mater delights to honor his memory, and places his name among that galaxy of her sons who have offered up their lives in the faithful discharge of duty, and to his memory we affectionately dedicate this volume.

From the Dedication, The Calyx, 1920

A note on Clovis Moomaw's date of death:

W&L law professor Charles V. Laughlin, who wrote a biography of Clovis Moomaw for, Legal Education in Virginia, 1779-1979 (University Press of Virginia, 1982) recorded the date of Moomaw's death as September 29, 1918. This date appears to have been confirmed by Professor Laughlin in an interview with the last person to have seen Moomaw alive, a fellow soldier who was an attorney in Roanoke when Laughlin interviewed him. That date is confirmed by alumni records of the University of Virginia. The October 5, 1918 date of death contained in the Dedication to The Calyx (1920) is consistent with the "Roll of Honor" in The Virginia Magazine of History and Biography, vol. XXVII, Nos. 3 & 4, which was in turn based on the Adjutant General's report, although the editor of the "Roll of Honor" concedes that it probably contains errors.

On the following pages you can find the text of an article written in the Alumni Magazine, November 1979, detailing the various plaques found in Lee Chapel. Special thanks to the School of Law for researching and providing a copy of these documents for inclusion in the memorial.
by Rupert N. Latture, '15
Special Assistant to the President

On the Walls
And in the Foyer
of Lee Chapel

Visitors Know Something
About Lee and Maybe Jackson,
But What Are the Stories
Behind All Those Tablets?

Thousands of visitors pass through Lee Chapel on the Washington and Lee campus each year. Eager school children arrive in their yellow buses. Older sightseers come in chartered buses, campers, and other assorted types of vehicles, and in quite a variety of wearing apparel. Some of the visitors are well informed about General Lee and General Jackson. They understand the saying that "The heart of the South beats in Lexington." Others ask which side of the war General Lee was on, or what was the size of General Lee's shoes, or how many miles General Lee rode on Traveller during the war.

Many of the visitors take an interest in the plaques on the walls of the Chapel. They read the inscriptions and ask questions about them. People are surprised at the number of plaques that record the drowning of students in North River, now called the Maury River. The earliest death recorded on the Chapel walls was that of William Clarence Lynch of Leesburg, Va. He was in his senior year at the College and lost his life in an effort to rescue a fellow student. This tragic accident occurred on Christmas Day, 1878, when Lynch and other students were skating on the river.

A large brass plaque states that Livingston Waddell Houston of Lexington,
Henry Hall of Mobile, Ala., died on Dec. 12, 1902, of typhoid fever. His fraternity brothers erected a plaque in his memory, paying tribute to him as athlete, student, and Christian gentleman.

A plaque of interest is the one which says that James Markham Marshall Ambler of Fauquier County, Va., died on the banks of the Lena River in Siberia in October 1880. Dr. Ambler was Assistant Surgeon General of the U.S. Navy and perished of starvation and exposure as he returned from a scientific expedition with Captain DeLong's company from the steamer Jeanette. (There is a monument to the memory of these men at the United States Naval Academy at Annapolis.)

Probably the first Washington and Lee alumnus to die in World War I was Kiffin Yates Rockwell of Asheville, N.C. He attended the University during the session 1912-13. He was killed in aerial combat over Alsace on Sept. 23, 1918. He was a member of the Lafayette Escadrille of the French Army. The tablet to his memory was placed in Lee Chapel by members of the Sigma Phi Epsilon Fraternity.

The Sigma Society placed a tablet in memory of Clovis Moomaw of Roanoke, Va., a 1912 graduate, who was killed in action in the Meuse-Argonne battle on Oct. 5, 1918. He had served for three years as professor of law at Washington and Lee.

On the same tablet it is recorded that John Arthur Lingle of Paoli, Ind., a law graduate of 1915, died in the service. He was a captain of artillery and died of pneumonia in the American Hospital in Liverpool, England on Oct. 21, 1918.

Robert McCutchan Morrison was an alumnus of distinction. A plaque in his memory was placed in 1926 by his friends and admirers near the steps on the right leading to the platform. He was born near Lexington and graduated from Washington and Lee in 1887. He spent his life as a Presbyterian missionary in the Belgian Congo. He attained international prominence for his courageous action in exposing the atrocities suffered by the natives who were compelled by their Belgian overlords to bring in ivory and rubber. Dr. Morrison was prosecuted for his action, but was finally acquitted and vindicated. Also, he wrote the first grammar and dictionary in the Baluba dialect and translated passages of Scripture into the native tongue. He died on March 14, 1918, and was buried at Luebo, Congo.

On the back wall of the Chapel is a marker to the memory of three members of the Campbell family, men who had rendered long and valued service to Washington and Lee University. John Lyle Campbell was professor of chemistry and geology from 1851 to 1886. His son, also John Lyle Campbell, served as treasurer of the University from 1877 to 1913. Another son, Henry Donald Campbell, was professor of geology and dean of the
On the Walls Of Lee Chapel

University from 1906 to 1934. Dr. Campbell, the father, made a successful plea to Captain DuPont to spare Washington Hall during Hunter's raid on Lexington. (The buildings of Virginia Military Institute were destroyed by fire.) The basis of Dr. Campbell's plea was the fact that a skillfully carved likeness of George Washington stood on top of Washington Hall, the main college building.

A plaque of much significance commemorates the address given in the

Chapel on Jan. 19, 1907, by Charles Francis Adams on the centennial of General Lee's birth. Adams was a distinguished historian and an honored member of the well-known Adams family of Massachusetts. He had been an officer in the Union Army and thus had fought against General Lee in the war. The tablet was erected by Southerners in appreciation of the speaker's friendship for the South and for the high tribute he paid to the life and character of General Lee. This address and the plaque indicate the growing spirit of reconciliation between the North and the South.

On the wall at the end of the front bench on the left is a small tablet with this wording: "This marks the place where General Lee sat during daily Chapel worship while he was President of Washington College."

Facing visitors as they enter Lee Chapel is a large tablet which is headed: "Liberty Hall Volunteers Stonewall Brigade C.S.A. 1861-1865."

There were 76 names on the original roll. Of that number, 13 were killed, 26 were wounded, 8 died in the service.

A small metal plaque states that the iron gates in front of the recumbent statue were presented to the Chapel on Jan. 19, 1929 by Henry Evans Litchford of Raleigh, N.C.

A large slate-colored tablet was erected in 1913 by the Colonial Dames of America in honor of Robert Alexander and John Brown, D.D., principals of Augusta Academy and of William Graham, principal of Augusta Academy and first Rector of Liberty Hall Academy. Included in this recognition are the names of 22 members of the first Board of Trustees of the Academy.

The school for Personnel Services of the United States Army presented a

marker to Washington and Lee to commemorate the occupation of the University's facilities from Dec. 6, 1942, through Jan. 31, 1946. As many as 1,200 representatives at a time from the Army, Navy and Marine Corps came to the Washington and Lee campus for short periods of training as directors of recreation, entertainment and orientation of the military personnel all over the world.

is a plaque recognizing a grant of $370,000 from the Ford Motor Company Fund which provided for the complete restoration of Lee Chapel. The gift was made in recognition of the ideals and noble principles exemplified in the life of Robert E. Lee. The Chapel was built in 1867 under the supervision of General Lee who served as President of Washington College from 1865 to 1870.
CLOVIS MOOMAW AWARD

Donor: Lawrence Witten, Class of 1910

Purpose: In memory of Clovis Moomaw, Class of 1912

Recipient: For outstanding spirit with those added qualities of leadership and sportsmanship that best represent the ideals of football at Washington and Lee University

2004 – Patrick Neuman
2003 – Lee Walker
2002 – Jay Thomas
2001 – Jeff Powell
2000 – Jayson Lipsey
1999 – Bill McGettigan
1998 – Brad Baker
1997 – John Thrall
1996 – Chris Watson
1995 – James Urban
1994 – Robert Phillips
1993 – Derek Boggs
1992 – Joshua Levinson
1991 – Frederick Rennecker IV
1990 – Michael Badger
1989 – Christopher Smythe
1988 – Julian Phillips
1987 – Christopher Coffland
1986 – Robert Wilson, Jr.
1984 – Daniel Jayne
1983 – Robert Jenevein
1982 – Stephen Corbeille
1981 – John McKee
1980 – John McKee

1979 – Scott Smith
1978 – George Berry
1977 – Mark Duncan
1976 – Larry Banks
1975 – Mark Duncan
1974 – Rick Kulp
1973 – Bob Brand
1972 – Don Eavenson
1971 – Jim Farrar
1970 – Stephen Hannon
1969 – Thomas McJunkin
1968 – Douglass Gossman
1967 – Phillip Thompson
1966 – Frank Griffin III
1965 – John Anthony
1964 – Hal Chase III
1963 – William Ogilvie
1962 – Thomas Keese, Jr.
1961 – Stephen Suttle
1960 – Courtney Mauzy, Jr.
1959 – William Dick
1958 – Edward Dinkle III
1957 – Fayette Crutcher, Jr.
1956 – Isaac Smith, Jr.
1955 – Earl Gillespie
I watched the flag pass by one day.
It fluttered in the breeze.
A young Marine saluted it,
And then he stood at ease.
I looked at him in uniform
So young, so tall, so proud,
With hair cut square and eyes alert
He'd stand out in any crowd.
I thought how many men like him
Had fallen through the years.
How many died on foreign soil?
How many mothers' tears?
How many pilots' planes shot down?
How many died at sea?
How many foxholes were soldiers' graves?
No, freedom isn't free.

I heard the sound of taps one night,
When everything was still
I listened to the bugler play
And felt a sudden chill.
I wondered just how many times
That taps had meant "Amen,"
When a flag had draped a coffin
Of a brother or a friend.
I thought of all the children,
Of the mothers and the wives,
Of fathers, sons and husbands
With interrupted lives.
I thought about a graveyard
At the bottom of the sea
Of unmarked graves in Arlington.
No, freedom isn't free.