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What Lawyers Can Do Toward Winning the War—Letters from Gov. John J. Cornwell and Maj. Geo. S. Wallace

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CORRESPONDENCE

WHAT LAWYERS CAN DO TOWARD WINNING THE WAR

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
CHARLESTON

December 27, 1917.

To the WEST VIRGINIA LAW QUARTERLY:

You have asked me to indicate what I think West Virginia lawyers in particular, can and should do toward winning the war. I hesitate to make such suggestion because I have found West Virginia lawyers, with a very few exceptions, not only loyal and enthusiastic in support of the Government in this crisis, but quietly and effectively doing all they can to help, and their good judgment will point them to the things they can do efficiently and effectively in their respective communities better than I can hope to do.

However, General Crowder gave them a task of no small moment when he assigned them to aid the Registrants to fill up the Questionnaires and nobly have they responded. In not more than a dozen cases, reported to me thus far, has a lawyer of any standing failed or refused to aid, and often at considerable sacrifice. I regret to mention that there was even a single failure but this is a time when the slacker, lawyer, capitalist or laborer, should receive small consideration. The Questionnaire is a most important paper, important not alone to the Registrant because the information placed on it will determine his class, but vitally important to the Government as only in that way can a great army be created scientifically and without disarranging the economic and industrial conditions of the country.

The lawyers have always been leaders in public thought and moulders of public opinion and this is a time when their influence in that direction can be exerted for enormous benefit to the country and for humanity. There is still much educational work to be done. There will be other Liberty Loan, Red Cross and Y. M. C.

A. Campaigns and the lawyers should assume their part of these burdens and take their proper places in those Campaigns. Napoleon regarded what he termed the Morale of his army as being equally as necessary and valuable as heavy artillery and it should not be forgotten now that it is almost as important to preserve the Morale of the people at home as to keep up that of the soldiers and sailors. This war can be won only if those at home do their part. There must be team work, full and complete coordination of all our industries and cooperation of all our people. The lawyers can aid immensely in fixing that thought in the public mind and keeping it there.

Very truly yours,

JNO. J. CORNWELL,

Governor.

WAR DEPARTMENT
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON

December 21, 1917.

To the WEST VIRGINIA LAW QUARTERLY:

You have suggested that I write a letter to the Bar of our State through the WEST VIRGINIA LAW QUARTERLY. I hardly know how to proceed. I am proud to count myself a member of the Bar of our State which is rendering, and I believe will continue to render, such conspicuous service to the country in the present emergency. To enumerate the men unselfishly giving of their time and ability that the Selective Draft Law may become effective in our State would be but to publish a list or call the roll of our most representative men. In doing this they are not only living up to the best traditions of the Bar, but they are keeping abreast with the lawyers throughout the United States, and I can say without fear of successful contradiction that the lawyers of this Nation to-day are rendering greater service in the activities incident to the war than any other class of citizens. My own judgment is that the future will demand greater and broader activities of the Bar as a class for a successful prosecution of this war than of any body or association of our citizens not engaged in active service. Two things now stand out before me as of the greatest importance:

The selective draft has taken from our country the cream of its

manhood. Never before in our history has such a truly representative army gone to the colors and at a time when the citizen soldiery was so intimately associated with the business and economic life of the nation. Many of these men were taken into the service without opportunity (and even with opportunity, a lack of ability) to arrange their business and personal affairs. To be specific, many had contracted for homes and were paying for them on the installment plan; some had money borrowed which was secured by trust deeds upon real estate; and money borrowed from the banks is to-day the rule and not the exception. Some creditors are generous enough and patriotic enough to indulge the man who is required to serve as a soldier. The law makes the man a soldier but fails to provide protection to his civil rights while absent in the service of his country. The soldiers as a class have received and will receive the gratitude of their fellow-citizens; but the individual soldier, unless there is an active interest in his case, will suffer much. Therefore, is it not the duty of the lawyers as a class to solemnly resolve that the rights of a soldier in the service of his country shall not be prejudiced by any legal action taken because of his absence in the service? In a word, the lawyers must, by counseling and advising, help create a public sentiment that those insisting upon the letter of their bond from men drafted into the military service are not acting according to the highest standards of the "square deal" or in response to patriotism. A case that appeals to me strongly is that of a young man, employed by one of the big corporations, who had bought a home on the installment plan and was drawn in the first draft. He did not desire to escape military service, but military service positively precludes his paying the installments due on his home. Can a country win a war that will permit its soldiers who are willing to serve to be required to sacrifice the savings of years while rendering military service?

The larger and bigger problem that confronts this country is the question of a successful prosecution of the war. Right now Germany is making proposals for peace. An acceptance of proposals by the Allied Nations would be losing sight entirely of the underlying causes of the war, making useless the terrible sacrifices made by Belgium, France and England, and in truth it would leave Germany the victor, more arrogant than in the beginning of the war, and would necessitate fighting this war by our children.

No class of men have a clearer insight into the causes that led up to this war and the disastrous results of a premature peace than the lawyers. No class is as potent in moulding public opinion. Can it not be truthfully said that the largest duty facing our Bar as a class is to think clearly and see the stern task before us, and to set about to keep the country informed of the facts as they are and offset false doctrines that will be spread—in some instances by people of pro-German sympathies and in others by men well meaning but ill advised? Soldiers whom I meet returning from France bring no pessimism; but all return with a full realization of the grim task before them and a belief in ultimate victory. To achieve this victory, the fighting forces must be strengthened and supported by public sentiment at home. The lawyer can help and I am sure will help to maintain an undivided country at home and create a strong public sentiment demanding nothing short of a complete victory of the forces of Democracy and thus aid not only in winning the war but in maintaining this country as the home of Democracy and the true cradle of human rights.

Very truly yours,

GEORGE S. WALLACE,
Major, Judge Advocate, O. R. C.