



---

Volume 60 | Issue 2

Article 5

---

February 1958

## President's Page

Hawthorne D. Battle  
*West Virginia State Bar Association*

Follow this and additional works at: <https://researchrepository.wvu.edu/wvlr>

---

### Recommended Citation

Hawthorne D. Battle, *President's Page*, 60 W. Va. L. Rev. (1958).  
Available at: <https://researchrepository.wvu.edu/wvlr/vol60/iss2/5>

This The West Virginia Bar Association is brought to you for free and open access by the WVU College of Law at The Research Repository @ WVU. It has been accepted for inclusion in West Virginia Law Review by an authorized editor of The Research Repository @ WVU. For more information, please contact [ian.harmon@mail.wvu.edu](mailto:ian.harmon@mail.wvu.edu).

## THE WEST VIRGINIA BAR ASSOCIATION

### PRESIDENT'S PAGE

For many years the members of the Bar of this state have been acutely aware of the deficiencies in our judicial system. We are often criticized by the public because of the expense and delay incident to litigation. On numerous occasions in the past the Bar has with little success made strenuous efforts to improve the situation. Now, as never before, we have the opportunity thrust upon us to accomplish a great deal to ameliorate this condition.

Our 1957 Legislature, in Senate Concurrent Resolution No. 5, provided for the establishment of a West Virginia Commission on Constitutional Revision. The preamble to that resolution is especially applicable to Article VIII of our Constitution entitled "Judicial Department":

"WHEREAS, The present West Virginia Constitution was adopted in one thousand eight hundred seventy-two under social, economic and political conditions differing greatly from those now existing; and

"WHEREAS, Since its adoption our Constitution has undergone no substantial revision, and has been amended in relatively few particulars; and

"WHEREAS, Many of the original provisions have through passage of time become obsolete; and

"WHEREAS, It is generally recognized that a fundamental charter of government adopted by the people so long ago must of necessity be in need of modernization by substantial amendment or by extensive or complete revision if it is to serve adequately the demands of present day society for the most effective and responsible administration of governmental affairs; and

"WHEREAS, It will require detailed and thorough study to determine the extent of the changes that are needed to adapt our Constitution to modern conditions, and to determine the most practicable method of bringing about such of these changes as may be capable of achievement at the present time; therefore, be it . . . ."

The Commission has been established. Former governor Homer A. Holt, one of the finest lawyers in the state, is the chairman. He has assured this Association that the Commission would welcome our assistance in respect to the revision of Article VIII. We have appointed a committee composed of eminent lawyers to assist

PRESIDENT'S PAGE

181

the Commission: Chairman, Mr. Harry Scherr, Jr.; Vice Chairman, Mr. Stanley C. Higgins, Jr.; and Messrs. Kemble White, E. Glenn Robinson, George G. Bailey, James P. Robinson, and Zane Grey Staker. This committee will be a real working committee and the members of our profession throughout the state are urged to convey their ideas and suggestions to the chairman or any committee member.

Certainly never before in my time have we had such an opportunity, such a challenge. Let's all put our shoulders to the wheel and get this job done in a manner which will serve the ends of justice and will create a system of which we, and those who come after us, may be proud. All too long have the lawyers of our state, the eminent members of our judiciary, and the public at large suffered from an archaic judicial system. *Now* it is our responsibility, *our duty*, to do something about it.

Hawthorne D. Battle.