

Summer 1956

South Carolina's Federal Justices and Judges

Thomas M. Stubbs

University of South Carolina

Follow this and additional works at: <https://scholarcommons.sc.edu/sclr>



Part of the [Law Commons](#)

Recommended Citation

Thomas M. Stubbs, *South Carolina's Federal Justices and Judges*, 8 S.C.L.R. 403. (1956).

This Article is brought to you by the Law Reviews and Journals at Scholar Commons. It has been accepted for inclusion in South Carolina Law Review by an authorized editor of Scholar Commons. For more information, please contact digres@mailbox.sc.edu.

SOUTH CAROLINA'S FEDERAL JUSTICES AND JUDGES

THOMAS M. STUBBS*

Introduction

The generous gift to the Law School in 1954 of a composite picture of South Carolina's Federal Justices and Judges, by the Honorable Charles Cecil Wyche, George Bell Timmerman and Ashton Hillard Williams, our present District Judges, has prompted the assembling of biographical sketches of these men. A likeness of Honorable Thomas Bee (1725-1812) is omitted from the picture because none could be found after diligent search.

Supreme Court Justices

JOHN RUTLEDGE (1739-1800)

John Rutledge was born in Charleston, South Carolina in 1739; educated in Charleston and later at the Middle Temple, where he was called to the English Bar in 1760, returning then to Charleston. In 1761, he was elected to the Commons House from Christ Church Parish, representing it in provincial bodies until the Revolution put him in the Governor's chair. He was a member of the 1st and 2nd Continental Congresses; was elected to the South Carolina Council of Safety in 1775; was on the committee to draft the South Carolina Constitution of 1776, and, when it was adopted, he was elected President. The following December he was re-elected for two years. In opposition to the proposed Constitution of 1778, he vetoed it and resigned. He was again elected Governor in January 1779. When Charleston was besieged by the British, the Assembly adjourned, not to meet for two years, but granting the Governor and Council broad powers to act in emergencies. Rutledge escaped before Charleston fell to the British, and after the disastrous Battle of Camden, he fled to North Carolina, encouraging resistance from that point. By August 1781 he returned to South Carolina. On January 29, 1782, he resigned as Governor and later took a seat in the South Carolina House as Representative for St. Andrew's Parish. He was elected as one of three South Carolina members to the Federal Convention of 1787. Soon thereafter he was appointed to the United States Supreme

*Associate Professor of Law, University of South Carolina.

Court as Senior Associate Justice. He accepted, but delayed taking his seat and later resigned to accept the office of Chief Justice of South Carolina to which he was elected February 1791. In 1795, President Washington appointed him Chief Justice of the United States Supreme Court to succeed John Jay, but Rutledge was much opposed to Jay's treaty, which stirred up political opposition and was never confirmed, although he held one term of court as Chief Justice. His health failed in 1792 and he retired to Charleston where he died in 1800.¹

WILLIAM JOHNSON (1771-1834)

William Johnson was born in Charleston, South Carolina in 1771. He was graduated from Princeton with honors in 1790; studied law under Charles Cotesworth Pinckney and was admitted to the bar in 1793. From 1794 to 1798, he was a member of the lower house of the Legislature, and in the last session was Speaker. He was a member of the South Carolina Court of Common Pleas, 1798-1804. In 1804, he was appointed by President Jefferson to the United States Supreme Court. A man of strong views, inclined to the Federalists, he became well known by his dissents, including those in *Ex parte Bollman and Swartwout*, (4 Cranch, 99) and *Fletcher v. Peck*, (6 Cranch, 142). Opposed to both nullification and secession, he removed from South Carolina to Pennsylvania in 1833, and died in 1834. Among his writings are *Sketches of the Life and Correspondence of Nathaniel Greene* (1822) and *Eulogy of Thomas Jefferson*, (1824).²

JAMES FRANCIS BYRNES (1879-)

James Francis Byrnes was born in Charleston, South Carolina, May 2, 1879, son of James Francis and Elizabeth E. Byrnes; was educated in the public schools, and married Maude Busch, May 2, 1906. He was admitted to the bar in 1903, and was editor of the *Journal & Review* at Aiken, South Carolina, 1903-07. He was official Court Reporter of the Second Judicial Circuit of South Carolina, 1900-08; Solicitor of the Second Circuit South Carolina, 1908-10; and was a member of the 62nd to 68th Congresses (1911-25) from the Second South Carolina District. He was engaged in the practice of law in Spartanburg, South Carolina, 1925-31; was elected to the United States Senate for two terms (1931-43). He was ap-

1. D.A.B., Vol. XVI, p. 258.

2. D.A.B., Vol. X, p. 128.

pointed Justice of the United States Supreme Court by President Roosevelt in June 1941. He resigned from the Supreme Court, October 3, 1942, to accept appointment as Director of Economic Stabilization; was appointed Director of War Mobilization, May 27, 1943; and resigned 1943. He was named Secretary of State, July 1945 and served until 1947, when he resigned on January 20. He served as Governor of South Carolina, 1951-55. He is a Democrat and his home is Columbia, South Carolina.³

Judges, Fourth Circuit Court of Appeals

CHARLES HENRY SIMONTON (1829-1904)

Charles Henry Simonton was born in Charleston, South Carolina, in 1829. He was educated in the high school of Charleston; College of Charleston, and the South Carolina College (1846-49), from which he graduated with first honors. He studied law in Charleston and was admitted to the bar in 1851; served as a member of the House of Representatives from 1858-60. He entered the War Between the States as a Captain of the Washington Light Infantry and, in 1861, was acting Adjutant and Inspector General of the South Carolina Militia. He entered Confederate service in 1862 as a Major and was later advanced to Colonel. He saw active service and was captured in North Carolina in February 1865, and imprisoned until August 1865.

He was a member of the South Carolina Constitutional Convention of 1865; of the Legislature, 1865-66, and was elected Speaker of the House in December 1865. He served as Chairman of the State Democratic Convention in 1868. In the 1876 campaign, he was Chairman of the Executive Committee of Charleston County. Again, he served as a member of the House from 1877-86. He practiced law in Charleston, South Carolina with Theodore G. Barker, 1865-86. In 1886, he was appointed Judge of the United States District Court for South Carolina. He became Judge of the United States Circuit Court of Appeals, Fourth Circuit, in December 1893, where he served until his death in 1904. He compiled and published in 1857 with James Connor *A Digest of Equity Reports for State of South Carolina* (covering decisions from 1784 to 1856). His later work *Federal Courts, Their Organization, Jurisdiction and Procedure* was published in 1896.⁴

3. *Who's Who in America*, Vol. 27, p. 376.

4. D.A.B., Vol. XVII, p. 174.

CHARLES ALBERT WOODS (1852-1925)

Charles Albert Woods was born at Springfield, Darlington County, South Carolina, July 31, 1852. He received his A.B. from Wofford College in 1872. In 1873 he taught school, meanwhile studying law in the offices of Warley & Dargan. He was admitted to the South Carolina Bar in September 1873, and began the practice of law at Marion, South Carolina. In March 1875, he formed a partnership with Captain Henry McIver at Marion, South Carolina, which lasted for two years, and until Captain McIver was appointed a member of the Supreme Court of South Carolina. In 1888, he formed the firm of Woods & Wilcox. In 1902, he was offered but declined the presidency of the South Carolina College. The same year, he was elected president of the South Carolina Bar Association. In 1903, after thirty years of private practice he was named to the Supreme Court of South Carolina (upon the death of Justice Henry McIver), a position he filled until 1913. In 1903, he received an honorary L.L.D. from Wofford College; in 1910, he received the same degree from the University of South Carolina. He served as Trustee of both Winthrop and Wofford Colleges. In June 1913, he was appointed by President Wilson as a member of the United States Circuit Court of Appeals, Fourth Circuit, the choice being between Judge Woods and the Hon. John W. Davis. He served in this Court until the time of his death at Florence, South Carolina, June 21, 1925, and was presiding Justice of the Fourth Circuit at the time of his death. He is survived by his widow, the former Miss Catsie Spain.⁵

Judges, United States District Court

WILLIAM DRAYTON (1732-1790)

William Drayton was born at "Magnolia Plantation" (now Magnolia Gardens), Ashley River, Charleston, South Carolina, in 1732; the son of William Drayton and Elizabeth, daughter of Lt. Governor William Bull. In 1750, he was admitted to the Middle Temple; and in June, 1755, was called to the English Bar. He returned home in 1756 and began the practice of law; and was elected Justice of Peace for Berkeley County. He removed to East Florida after 1763, where he was appointed Chief Justice of the Province of Florida. He served until 1776, at which time he became politically embroiled and was suspended. He went to England and aired his

5. Memorial to Judge Woods, published 1925, by C.C.A., 4th Circuit.

grievances, was successful and restored to office on September 4, 1776, without loss of pay. He then had an altercation with British Governor Tonyn, and was again suspended in December 1777. Returning to South Carolina by 1780, he became, after the Revolution, Judge of the Admiralty Court, Associate Justice of the State Supreme Court, and, in the fall of 1789, was appointed first Judge of the United States Court for the District of South Carolina, at which he served until his death six months later.⁶

THOMAS BEE (1725-1812)

Thomas Bee was born in Charleston, South Carolina, in 1725; was educated in Charleston, and later at Oxford University, England, where he studied law. He was admitted to the Bar in Charleston, South Carolina, January 27, 1761, and practiced there. He was also engaged in planting; was a member of the Commons House, Province of South Carolina, for St. Paul's, 1762-64, for St. Peter's in 1765, and for St. Andrew's from 1772-76. He was Justice of Peace in 1775; delegate to the First and Second Provincial Congresses in 1775 and 1776; member of the State House of Representatives in 1776, 1779 and 1782, serving as Speaker 1777-79. He took an active part in the Revolution and was a member of the Council of Safety 1775-76. He served as Law Judge and also as a member of the State Legislative Council 1776-78; as Lt. Governor of South Carolina in 1779 and 1780; and as a member of the Continental Congress 1780-82. He was appointed Judge of the United States Court for the District of South Carolina by President Washington on June 14, 1780; published reports of the District Court of South Carolina in 1810; died in Pendleton, South Carolina, February 18, 1812; and his interment was in Woodstock Cemetery, Goose Creek, South Carolina.⁷

JOHN DRAYTON (1766-1822)

John Drayton was born at Drayton Hall, near Charleston, South Carolina, the eldest child of William Henry Drayton and Dorothy Golightly. In 1778, he attended Nassau Grammar School, Princeton, New Jersey; and entered College of New Jersey as a freshman in 1779, but did not remain, being sent to England to complete his education (probably to the Middle Temple). He returned to Charleston and began the practice of law. From 1792-98, he was in the

6. D.A.B., Vol. V, p. 447.

7. Data supplied by Hon. Cecil Wyche.

House of Representatives, most of the time. In 1798, he was elected Lt. Governor and served in the capacity of Governor from the time of the death of Edward Rutledge (1800). He was elected Governor in his own right for two years, and was a moving spirit in legislation leading to the establishment of the South Carolina College in 1801. Early meetings of trustees of the South Carolina College were held in his Charleston home. He was chosen Chairman of its Board until December 1802. South Carolina College conferred its first honorary degree of LL.D. on him at its first commencement in December 1807. He served in the State Senate 1805-08; was again elected Governor for two years. In 1812, he was appointed Judge of the United States Court for the District of South Carolina by President Madison and held this post until his death in Charleston in 1822. His first published work (1794) *Letters Written During a Tour Through Northern and Eastern States of America* contained contrasts between Boston and South Carolina schools. It was followed by *A View of South Carolina, as Respects Her Material and Civil Concerns* (1802) and *Memoirs of American Revolution* (2 vols.) (1821).⁸

THOMAS LEE (1769-1839)

Thomas Lee was born in Charleston, South Carolina, in 1769. He served as Captain of the South Carolina Militia during the Revolution and was exiled to St. Augustine, Florida, by the British in 1780. He studied law under J. J. Pringle, and was admitted to the bar about 1790. In 1791, he became Associate Justice of the Court of Sessions and Common Pleas; a few months later, he was elected Solicitor for the Southern Circuit. In 1796, he served as Cashier of the Lower House; and in 1798, 1800, 1802 as its clerk. He resigned as associate judge in 1804 and was soon elected Comptroller-General, to which office he was repeatedly elected. He served as President of the Bank of South Carolina in 1817. In 1823, he was appointed Federal District Judge for South Carolina and held both offices until his death in 1839. A Jeffersonian Republican, he was not a strict party man, and showed lack of sympathy for nullification. He was the grandfather of Lt. General Stephen D. Lee, C. S. A.⁹

ROBERT BUDD GILCHRIST (1796-1856)

Robert Budd Gilchrist was born in Charleston, South Carolina, September 28, 1796; attended preparatory school at Morristown,

8. D.A.B., Vol. V, p. 444.

9. D.A.B., Vol. XI, p. 131.

New Jersey, to enter Columbia College, New York. He did not finish that college, but transferred to South Carolina College, where he received his A.B. in 1814 and his A.M. in 1817. He studied law in the office of K. L. Simons, of Charleston and was admitted to the South Carolina Bar in January 1818. He was Captain of the Washington Light Infantry, 1826. In July 1831, during the nullification controversy, he was appointed United States Attorney for South Carolina by President Andrew Jackson, a position he filled until 1839. On the death of Judge Thomas Lee that year, he was appointed United States District Judge by President Van Buren. For seventeen years he served in that capacity, dying in office May 1, 1856.¹⁰

A. GORDON McGRATH (1813-1893)

Andrew Gordon McGrath was born on February 8, 1813, at Charleston, South Carolina; attended Bishop England School, South Carolina College, 1827-31, studied law under J. L. Petigru in Charleston, and later at Harvard Law School. He was admitted to the South Carolina Bar in 1835; and served two legislative sessions, 1840-42, for St. Michael's and St. Phillip's Parishes. He was appointed United States Judge for South Carolina in 1856 by President Pierce. With the election of Lincoln in 1860, he became an ardent secessionist and resigned from the Bench. He served as delegate to the Secession Convention in December, 1860 and was named to head the Department of State of Governor Pickens' War Cabinet. He was appointed Confederate States Judge by President Jefferson Davis, and served until 1864. He was elected Governor of South Carolina in 1864; was captured on the fall of the Confederacy and imprisoned until December 1865. He practiced law in Charleston after the War and died in 1893 in his 81st year.¹¹

GEORGE S. BRYAN (1809-1905)

George S. Bryan was born in Charleston, South Carolina on May 22, 1809; attended Bishop England School, Charleston, and, later, attended school at Nazareth, Pennsylvania; studied law in Charleston with Thomas S. Grimke, and there practiced his profession. With Legare and Petigru, he was strongly opposed to both nullification and secession. At the end of the War in April 1866, he was appointed United States Judge for the District of South Carolina,

10. O'Neal, *Bench and Bar of South Carolina*, Vol. I, p. 206.

11. U. R. Brooks, *S. C. Bench and Bar*, pp. 328-37.

thus having to deal with the serious problems of the reconstruction period. Among his most famous decisions were those in which he granted writs of *habeas corpus* to persons arrested under orders of General Daniel E. Sickles, Military Commander [a view in which he was upheld by the United States Supreme Court in *Ex parte Milligan* (4 Wall. 2, 1866)] and a later one in which he held unconstitutional the "test oath", for readmission of South Carolina lawyers to the bar, which required all to take an oath that they had not served in the armed forces of the Confederacy, and which, if upheld, would have disbarred the vast majority of South Carolina lawyers. [A view in which he was also upheld by the United States Supreme Court in *Ex parte Garland* (4 Wall., 333) 1867].

Judge Bryan was a member of the Board of Trustees founding Charleston's modern public school system and for many years was trustee of the College of Charleston. He was one of the founders of the Charleston Art Association and a member of the Charleston Club (Literary). As Judge Bryan was a warm admirer of the poet Timrod, Paul H. Hayne's Edition of Timrod's poems is dedicated to him.

In September 1886, Judge Bryan retired from the United States District Court. He died September 1905 at his summer home at Flat Rock, North Carolina, in his 97th year and is interred at St. Michael's in Charleston.¹²

WILLIAM HIRAM BRAWLEY (1841-1916)

William Hiram Brawley was born in Chester, South Carolina in 1841. He was educated in the local schools and in the South Carolina College, from which he graduated. He was a Confederate soldier before he was 20 years of age, serving with the Sixth South Carolina Volunteers in the attack on Fort Sumter. While fighting in Virginia he lost his left arm in the Battle of Seven Pines, May 1862. Later, he ran the blockade to England, where he continued his studies in law and literature. He returned to South Carolina in November, 1865 and was admitted to the bar in 1866. After serving as Solicitor of the Sixth Circuit in 1868, he moved to Charleston in 1874 and there practiced the law. Elected to the Legislature in 1882, he served continuously until 1890, when he was elected a Member of Congress where he served from 1890-94. In February 1894, he was appointed District Judge for South Carolina by President Cleveland

¹² *Charleston Year Book*, 1895, pp. 376-85; *Brooks, S. C. Bench and Bar*, pp. 327, *et seq.*

and served until he resigned in 1911. He died in Charleston in 1916.¹³

HENRY AUGUSTUS MIDDLETON SMITH (1853-1924)

Henry Augustus Middleton Smith was born in Charleston, South Carolina in 1853. He graduated from the College of Charleston in 1872. After studying law in the office of McCrary & Sons he was admitted to the South Carolina Bar in 1874. For 34 years, from 1877 to 1911, he was one of the leading attorneys in Charleston. A consistent Democrat, he was none-the-less appointed in 1911 by President Taft to be United States District Judge for the Eastern District of South Carolina, in which capacity he served until 1923. He was a prolific writer of local and social history of South Carolina, dealing primarily with its early settlers and families. (See *South Carolina Historical and Geneological Magazine* from 1900-1928, also *Charleston Year Books* for this period.)¹⁴

JOSEPH TRAVIS JOHNSON (1858-1919)

Joseph Travis Johnson was born at Brewerton, Laurens County, South Carolina, February 28, 1858, the son of Benjamin and Mary Johnson. He attended Erskine College, receiving his A.B. in 1879. He received the degree of LL.D. in 1917. He was admitted to the South Carolina Bar in 1883, and practiced at Spartanburg, South Carolina. In 1890, he was married to Sarah Anderson of Laurens, South Carolina. He was a member of the 56th-63rd Congresses (1901-15) for the Fourth South Carolina District; was re-elected to the 64th Congress (1915-17), but resigned April 19, 1915 to become United States District Judge for the Western District of South Carolina, upon appointment by President Wilson, in which capacity he served until his death on May 8, 1919.¹⁵

HENRY HITT WATKINS (1866-1947)

Henry Hitt Watkins was born in Laurens, South Carolina, in 1866. He was educated at Furman University, from which he received a M.A. degree in 1883, and an LL.D. in 1922. He also received from Erskine College the degree of LL.D. in 1932. He studied law with Wells & Owen in Greenville and with Murray & Murray in

13. D.A.B., Vol. II, p. 609; Brooks, *S. C. Bench and Bar*, p. 351.

14. D.A.B., Vol. XVII, p. 276.

15. *Who's Who in America*, 1918-19, p. 1457; Garlington, *Men of the Times*, p. 228.

Anderson, and took a summer law course at the University of Virginia. He was admitted to the South Carolina Bar in 1892 and practiced at Anderson, South Carolina. He served as Quartermaster-general on Governor Heyward's staff, 1903-07; as Captain of Company C, 1st South Carolina Regiment, U. S. V., 1898. From 1902-06, he was Chairman of the Anderson County Democratic Committee; member of the State Democratic Executive Committee, 1906-10; and United States District Judge, Western District of South Carolina (appointed by President Woodrow Wilson) from July 1919 until his retirement in 1937. Judge Watkins was President of the Board of Trustees of Anderson College, 1911-27, and a Trustee of Furman University. He died in 1947.¹⁶

ERNEST FORD COCHRAN (1865-1934)

Ernest Ford Cochran was born at Anderson, South Carolina, September 12, 1865, son of John Robert and Grace Greenwood (Arnold) Cochran. He graduated from the University of Virginia in 1888, receiving the degree of LL.B.; was admitted to the South Carolina Bar in 1889, and began the practice of law at Anderson, South Carolina. He served as United States Commissioner 1889-91; Assistant United States Attorney, District of South Carolina, 1891-92; 1898-1905; as City Attorney for Anderson, 1898-1900; and as United States Attorney, 1906-14. In 1909 he married Mary Virginia Lewis of Kansas City, Missouri. Judge Cochran was United States Attorney for the Western District of South Carolina, 1921-23, when he resigned and was appointed by President Coolidge to the position of United States District Judge for the Eastern District of South Carolina, November 24, 1923, a capacity in which he served until his death on March 4, 1934.¹⁷

JOHN LYLES GLENN (1892-1938)

John Lyles Glenn was born at Chester, South Carolina on April 2, 1892. He received his A.B. at Wofford College, in Spartanburg, South Carolina in 1912. He served with the Hoover Commission on Belgian and French Relief, 1914-16. Later in World War I he served with American ambulances attached to the French Army, then as Second Lieutenant of Infantry. He was in time advanced to rank of Captain and received the *Croix de Guerre* with palm. He

16. *Who's Who in South Carolina*, p. 504; *Who's Who in America*, 1946-47, p. 2486.

17. *Who's Who in America*, 1932-33, p. 549.

obtained his A.B. Jurisprudence, Exeter College, Oxford (Rhodes Scholar) in 1917. In 1918 he married Sarah Terrell, was admitted to the South Carolina Bar in 1919, and began practice at Chester. He was a member of the South Carolina House of Representatives 1920-23; prosecuting attorney, Sixth South Carolina Circuit 1923-29; and was appointed by President Herbert Hoover as United States District Judge for both Eastern and Western Districts of South Carolina in 1929, a position in which he served until his death in 1938.¹⁸

FRANK KERCHNER MYERS (1874-1940)

Frank Kerchner Myers was born at Wilmington, North Carolina, March 7, 1874, son of Charles D. and Lossie (deRosset) Myers. He graduated from Cape Fear Academy, Wilmington, North Carolina in 1889; served with Atlantic Coast Line Railway Company (Audit and Maintenance Department), 1890-94; was admitted to the South Carolina Bar, 1896; and was law clerk and court reporter, 1896-1908. He married Roberta Atkinson Smith of Raleigh, North Carolina in 1897; was Master in Equity, Charleston County, South Carolina, 1908-34; and was named United States District Judge for Eastern District of South Carolina by President Franklin D. Roosevelt in 1934, a capacity in which he served until his death on August 2, 1940. Judge Myers was a member of the South Carolina and Charleston Bar Associations.¹⁹

CHARLES CECIL WYCHE (1885-)

Charles Cecil Wyche was born in Prosperity, South Carolina on July 7, 1885, son of Cyril Thomas and Carrie (Sease) Wyche. He graduated from The Citadel, Charleston, South Carolina, with a B.S. in 1906, the degree of LL.D. being conferred on him in 1952; and was a student at Georgetown University, 1908-09. He married Evelyn Crawford, March 12, 1916, and they have one daughter, Evelyn C. He was admitted to the South Carolina Bar in 1909, and was in practice in Spartanburg, South Carolina. He was a member of the South Carolina House of Representatives 1913-14; City Attorney, Spartanburg, South Carolina, 1919-22; County Attorney, Spartanburg County, 1919-33; United States Attorney, Western District of South Carolina, 1933-37. He was appointed United

18. *Who's Who in America*, 1936-37, p. 992; *Who's Who in South Carolina*, p. 179.

19. *Who's Who in America*, 1938-39, p. 1836; *Who's Who in South Carolina*,

States District Judge, Western District of South Carolina by Franklin D. Roosevelt in 1937. Before that time he had served as Circuit Judge of the Court of Common Pleas by special appointment, 1924; Court of General Sessions, 1924; Associate Justice Supreme Court of South Carolina, by special appointment, 1929. He served in World War I, (with A.E.F. and Army of Occupation) advancing from First Lieutenant to Major of Infantry. He is a member of American, South Carolina (Pres. 1931-32), and Spartanburg County Bar Associations, American Law Institute, Phi Alpha Delta Law Fraternity. He is a Democrat, Presbyterian, Mason, Elk, and Red Man.²⁰

ALVA MOORE LUMPKIN (1886-1941)

Alva Moore Lumpkin was born at Milledgeville, Georgia, November 13, 1886. He attended Columbia High School; served as assistant secretary of the Senate 1906-08; attended the University of South Carolina, receiving his LL.B. in 1908, at which time he was admitted to the South Carolina Bar. He was a member of the General Assembly of South Carolina, 1911-15. In 1912 he was married to Mary Sumter Thomas of Columbia. He served as Special Asst. Attorney General of South Carolina, 1918-20; was a member of the South Carolina Pardons Board, 1922-23; Acting Associate Justice, Supreme Court of South Carolina, 1926 and 1934. He was a member of the Conciliation Commission for Advancement of Peace between United States and Uruguay. He was a member of the South Carolina Bar Association (President, 1934), and of the Association of the Bar of the City of New York; partner in law firm of Thomas, Lumpkin and Cain until 1939, when he was appointed by President Roosevelt as United States Judge for Eastern and Western Districts of South Carolina, from which he resigned July 21, 1941. He died August 1, 1941.²¹

JULIUS WATIES WARING (1880-)

Julius Waties Waring was born in Charleston, South Carolina, on July 27, 1880, the son of Edward Perry and Thomasine (Waties) Waring. He attended the College of Charleston, A.B. 1909, LL.D. 1945. He married Elizabeth Avery Hoffman in 1945. He practiced law continuously in Charleston for years, and during 1914-21 was Assistant United States Attorney; was a member of the firm of

20. *Who's Who in America*, Vol. 28, p. 2938; *Ib.* Vol. 29, p. 2855.

21. Data supplied by Alva M. Lumpkin, Jr., Esq., of the Columbia Bar.

Waring & Brockington, 1920-42; Counsel for the City of Charleston, 1933-42; and was appointed by President Franklin Roosevelt United States District Judge Eastern District of South Carolina, 1942, from which he retired in 1952.

In 1947 and 1948 Judge Waring wrote a series of decisions which opened to Negroes the South Carolina Democratic primary. He was the dissenting member of a three-judge Federal Court which upheld public school segregation in South Carolina. This was one of several decisions reversed in 1954 by the United States Supreme Court in ruling against public school segregation.²²

GEORGE BELL TIMMERMAN (1881-)

George Bell Timmerman was born in Edgefield County, South Carolina, March 28, 1881, the son of Washington Hodges and Henrietta Maria Wolfe (Bell) Timmerman. He graduated from Patrick Military Institute in 1900; received his LL.B. from South Carolina College (now University of South Carolina) in 1902. He married Mary Vandiver Sullivan on November 22, 1906. He was in the general practice of law, 1902-42, and was appointed United States District Judge for the Eastern and Western Districts of South Carolina by President Franklin D. Roosevelt in 1942. He served as Captain in the South Carolina Militia, in the capacity of an aide on Brigade Staff, 1905; was Solicitor 5th Judicial Circuit, 1905-08; for 11th Judicial Circuit, 1908-20; Member House of Representatives, 1923-24; Member State Highway Commission, 1931-39, Chairman, 1936-39; Chairman of Lexington County Democratic Committee, 1914-15. He served as Democratic State Executive Committeeman, 1930-32, 1938-42; and as President Democratic State Convention, 1932. He was Chairman Ridge District Boy Scouts of America, 1940-42; Vice-President Central Council, 1942-44; Chairman Batesburg-Leesville Park Commission, 1941-46; and Trustee University of South Carolina, 1941-47. He is a member of the American, South Carolina Bar Associations; Phi Kappa Sigma, ODK, etc.²³

ASHTON HILLIARD WILLIAMS (1891-)

Ashton Hilliard Williams was born at Lake City, South Carolina, August 15, 1891. In 1908-09 he attended Furman University, and in 1909-12 the University of South Carolina, from which he re-

²² *Who's Who in America*, 1952-53, p. 2531; *The State*, Columbia, S. C., Nov. 6, 1954.

²³ *Who's Who in America*, Vol. 27, p. 2431.

ceived his A.B. in 1912. From 1912-15 he attended Georgetown University, receiving his LL.B. in 1915. He served as First Lieutenant, Field Artillery, in World War I; in 1921-22 he served in the South Carolina House of Representatives; from 1923-26 he was a member of the South Carolina Senate. In 1930 he was an unsuccessful candidate for Governor of South Carolina; in 1932 he ran for the United States Senate, but was defeated. From 1933-36 he was Chairman, Agricultural Conciliation Board of South Carolina; from 1948-50, Democratic National Committeeman of South Carolina. During the years 1915-52 he practiced law, first in Lake City, then Florence, then again in Lake City, South Carolina. On July 3, 1952 he was appointed United States District Judge for the Eastern District of South Carolina by President Truman.²⁴

Conclusion

It will be observed from the above that twenty-two of the twenty-four judges named were native South Carolinians. Judge Myers was a North Carolinian, while Judge Lumpkin was a Georgian. Of the native South Carolinians, including all three Supreme Court Justices, thirteen were natives of Charleston and the immediate vicinity. Judge Brawley, while a native of Chester County, had practiced law in Charleston for twenty years prior to his appointment by President Cleveland.

Of the ten District Judges who were appointed since 1915, seven were natives of counties in the state other than Charleston — principally the Piedmont — while Judges Myers and Lumpkin were natives of other states, and South Carolinians by adoption. Judge Waring only of these ten judges was a Charlestonian. This is to some extent accounted for by the establishment of the Western District of South Carolina. Only twice has South Carolina been represented on the United States Circuit Court of Appeals for the Fourth Circuit, during the long years since its establishment, and in those instances by the Honorables Charles Henry Simonton of Charleston, and Charles Albert Woods of Marion.

It is hoped that bringing together for the first time of biographical sketches of South Carolina's twenty-four Justices and Judges of the Federal Courts will prove both useful and convenient. No original research was involved in the foregoing account, as practically all of it has been heretofore published, but in scattered volumes.

²⁴ Data furnished by Hon. Ernest L. Allen, Clerk, U. S. District Court, Charleston, S. C. See also *Who's Who in America*, 1956-57, p. 2786.