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## In Memoriam: Charles Cecil Wyche

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Charles Cecil Wyche, who served as United States District Judge in South Carolina for almost three decades, was a descendant of English and German ancestors who settled throughout the Piedmont and mountainous areas of the Southeastern part of our country.

His father, Cyril Thomas Wyche, was a physician who, having studied in Baltimore and New York, settled in the Newberry County community of Frog Level where he met and married Miss Carrie Sease. Charles Cecil Wyche, on July 2, 1885, was born in this rural community. In later years he liked to recount that upon his arrival, Frog Level's name was changed to the more dignified and hopeful name of Prosperity. His father, Dr. Wyche, a community leader with a growing family, concentrated on the improvement of the public school system which had come into being in South Carolina during Reconstruction. The Prosperity High School was established through the efforts of Dr. Wyche, and here the four Wyche children obtained the fundamentals in the educational process.

Upon his graduation from Prosperity's school, Cecil Wyche won a competitive scholarship to The Citadel, and he displayed the self-reliance inherited from his forebears as shown by his accomplishments in oratory and military training. After receiving his B.S. degree in 1906, he began the study of law in the offices of his uncle, Thomas S. Sease, later a distinguished State circuit judge, and Frank B. Gary, Sr. When the latter received an interim appointment to the United States Senate in 1908, young Wyche became his private secretary in Washington where he continued the study of law at night at Georgetown University. In 1909, upon his return to South Carolina, he was admitted to the bar. The young lawyer was first associated with former Governor John Gary Evans in the practice of law in Spartanburg, and in 1915 he became associated with Miller C. Foster of Spartanburg. His legal career was interrupted in May of 1917 when he accepted a commission as a first lieutenant in the Army. He served with the infantry throughout World War I, and he declined an appointment with the Judge Advocate General's Department in order to remain with a line unit. In the summer of 1918 he was promoted to major and served with the American Expeditionary Forces in France and the Army of Occupation in Germany.

After his discharge in 1919, Cecil Wyche returned to Spartanburg, and his partners in the practice of law included the late

Sam J. Nicholls, the Honorable James F. Byrnes and the Honorable Donald S. Russell, who has succeeded to Judge Wyche's place on the United States District Court in South Carolina. The same self-reliance and aggressiveness shown in his early life inured to the benefit of clients whose cases he handled. Cecil Wyche was city attorney for Spartanburg from 1919 to 1922 and county attorney for Spartanburg County from 1919 to 1933. From 1933 to 1937 he was United States District Attorney.

In 1937 President Franklin D. Roosevelt appointed Cecil Wyche to the federal bench. His self-reliance was quickly shown in the orderly, efficient, and expeditious handling of the court's work. Judge Wyche gained a fine reputation as a presiding judge, and was frequently called upon to sit in United States District Courts in such places as Newark, New Jersey, Philadelphia, Washington, Puerto Rico and in the various states of this circuit. He also sat with the United States Court of Appeals on many occasions.

In the forays and contests of the courtroom he was most at home; his quick intellect, his instant recall of intricate legal points, his unfailing humor and his humanity were applied to the work of the courtroom. His decisions—whether written or oral—were clear, succinct and to the point. No one ever had any doubts about his rulings.

One of his paramount interests on the bench was the administration of the Federal Probation Law, and he addressed the Judicial Conference of the Fourth Circuit Court of Appeals on that subject at Asheville in 1946. Although he occasionally appeared to be gruff and even impatient on the bench, the humanity of Judge Wyche was often displayed in his solicitude for a criminal or his concern for a young offender.

A story is told that a well known bootlegger appeared before Judge Wyche on one occasion for sentencing.

The bootlegger, who had lost a leg in an accident resulting from a chase, arose for sentencing, and Judge Wyche asked:

"Campbell, where do you want me to send you this time? I can put you in a cold climate up in Chillicothe, Ohio, or a windy climate out at Fort Leavenworth, Kansas, or a balmy place such as Tallahassee, Florida. It's up to you, Campbell, where do you want to go?"

The bootlegger hobbled closer to the bench on his peg leg, held on to the bar in front of the bench and said plaintively: "Sheriff, I ain't in no condition to travel."

Judge Wyche promptly put Campbell on probation.

In 1916 he married Miss Evelyn Crawford of Old Fort, North Carolina. He is survived by a daughter, Evelyn Crawford Wyche Camp, two granddaughters, a brother, C. Granville Wyche of the Greenville bar, and a sister, Caro Wyche Forbes of Philadelphia. His wife died in 1963.

On September 17, 1966, Judge Wyche died in Spartanburg where he had made his home for 60 years. The members of the bench and bar—including the chief judge of the Fourth Circuit Court of Appeals and his former law partners, Governor Byrnes and Judge Russell—gathered on a rainy and cool September afternoon to pay a final tribute to Charles Cecil Wyche.

This circuit has lost one of its most illustrious judges; the state of South Carolina has lost an outstanding citizen; the bar has lost one who never forgot his years as a trial lawyer; and his family and friends have lost one whose loyalty never wavered. His life was in the great tradition of the self-reliant pioneers who settled the Piedmont; he nourished himself on the traits of his forebears and carried on in their ways.

AUGUSTUS T. GRAYDON

Delivered before the Judicial Conference  
of the Fourth Circuit Court of Appeals  
The Greenbrier, White Sulphur Springs, West Virginia  
June 30, 1967.

