



## Hon. Clyde Henry Hamilton

February 8, 1934 - September 2, 2020

Clyde Henry Hamilton, Senior United States Circuit Judge for the United States Court of Appeals for the Fourth Circuit, died peacefully at home in Columbia, South Carolina, surrounded by his loved ones on September 2, 2020. He was 86.

Judge Hamilton was born in Edgefield, South Carolina, on February 8, 1934, the son of Edwina Odom and Clyde Henry Hamilton, Sr. He attended Edgefield Public Schools, and following graduation from Edgefield High School, he entered Wofford College in the fall of 1952.

Judge Hamilton graduated from Wofford in 1956 with a Bachelor of Science degree in chemistry. Working his way through school, he performed various jobs at Wofford, his favorite being the enviable job of “bell ringer,” who was responsible for ringing the school’s 700-pound bell to signal the beginning and ending of classes. He was a member of Delta Phi Alpha (the National Honorary German Fraternity) and was Secretary and President of the Sigma Alpha Epsilon fraternity. Friendships forged during his years at Wofford lasted more than 65 years.

Upon graduation, Judge Hamilton was commissioned a Second Lieutenant in the United States Army Reserve. Not long after starting as a research chemist with DuPont at the Savannah River Plant, he was called to active duty. After graduating from the United States Army Security Agency School at Fort Devens, Massachusetts, he was assigned to Headquarters, United States Army Security Agency at Arlington Hall, Virginia. His security inspections at cryptography centers were located at the White House, Camp David, and President Eisenhower’s farm in Gettysburg, Pennsylvania.

As a member of the Congressional Command and Operations Group, in 1959, he toured military facilities in Alaska, Japan, South Korea (including the DMZ), Okinawa, Taiwan, Matsu, Iwo Jima, and Hawaii. Attaining the rank of Captain, he was Honorably Discharged from the Reserves in 1962.

Judge Hamilton enrolled in the evening division at The George Washington University Law School in February 1958. While there, he served on the board of editors of the Law Review. He worked as a research assistant in the United States Senate Library and as a member of the editorial staff of the Cumulative Index of Congressional Committee Hearings. Graduating with honors in 1961, he returned to Edgefield and entered the practice of law with J.R. Folk.

In May 1963, Judge Hamilton moved to Spartanburg and joined the law firm of Means, Evins and Browne. He practiced law in Spartanburg for almost 20 years. In addition to an active law practice, he participated in local civic, education, professional, political, and religious activities, serving as: President of the Spartanburg Arts Council; a member of the Spartanburg Rotary Club; President of the Board of Trustees and a Sustaining Trustee of the Spartanburg Day School; a member of Converse College's Steering Committee; a Trustee of the Board of Trustees of the Spartanburg Methodist College; a member of the Board of Directors of the Spartanburg Chapter of The American Red Cross; a member of the Board of Directors and general counsel of Synamloy Corporation; a member of the South Carolina Supreme Court's Board of Commissioners of Grievances and Discipline; a delegate to the Spartanburg County, Fourth Congregational District and State Republican Conventions; a Trustee of Trinity United Methodist Church of Spartanburg; and a member of the Board of Governors of the Piedmont Club.

Judge Hamilton's distinguished judicial career began with his appointment by President Ronald Reagan as a United States District Judge for the District of South Carolina. Following his Senate confirmation, he served on the district court from January 8, 1982, until July 21, 1991. Upon his nomination by President George H. Bush and a second Senate confirmation, he joined the United States Court of Appeals for the Fourth Circuit on July 22, 1991. After taking Senior Status on November 30, 1999, he continued to sit with the Fourth Circuit on a regular basis, and on occasion, sat with the Eighth and Ninth Circuits.

At his first Senate confirmation hearings in 1981, the soon-to-be-confirmed Judge Hamilton testified that a "judicial decision should be confined to the issues of the case or controversy susceptible to judicial determination as presented by the adversaries with a personal and direct connection and stake in the outcome of the controversy." For his entire tenure on the district and appellate benches, whether the case involved controversial issues like voting rights, the admission of women to The Citadel, the availability of abortion to women in South Carolina, or the death penalty, he never wavered from this closely-held belief. Said one of his former law clerks, "Judge Hamilton never sought to take a case where it didn't need to go and always hewed closely to the facts and the law."

Judge Hamilton's judicial legacy is best expressed through a letter sent to him over 20 years ago by his colleague and good friend on the Fourth Circuit, Judge J. Dickson Phillips, who wrote, "I do want to say one thing that I wouldn't want to have left unsaid were a later opportunity to do so cut off by life's transience. It is that during a troublesome time of increasing philosophical polarization of this traditionally fine court you have provided the most constant example of true independence of judgement. I hope-and do believe-that it has been a valuable example that will over the long haul bear fruit."

Judge Hamilton was honored to have received the Alumni Distinguished Service Award from Wofford in 1991 and the Order of the Palmetto in 1999.

Outside the rigors of life on the federal bench, family and friendships were an immeasurably important part of Judge Hamilton's life. He took countless trips with his wife, Carol, his life-long friends, and with his sons and their families. While these excursions-whether to Alaska, Europe, Pacific Islands, etc.-were always fun and rewarding, his favorite destination was always close to home-one of many fishing ponds in and around Edgefield.

Judge Hamilton is survived by his beloved wife, Carol Cheever Hamilton; his sons, John Clyde Hamilton and his wife, Cheryl of Winston Salem, and James William and his wife, Elizabeth of Spartanburg. He was "Gramps" to his four cherished grandchildren, Ryon Lewis and his wife, Erin, William Henry and his wife, Rebecca, Mary Cameron, and James Kenan and his fiancé, Molly Milner; and to his three beautiful great-granddaughters, Rivers, Annie and Edie. He is also survived by his first wife, Mary Elizabeth Spillers Hamilton; his sister, Helen H. Ralston and her four children, their spouses, and families; and numerous cousins.

Judge Hamilton was privileged to work with exceptional law clerks during his years on the federal bench. On behalf of The Judge and his family, special recognition, gratitude, and admiration is extended to his long-tenured, loyal, and dedicated staff: his secretary, Paula Harris, and his career law clerks, John Meyers and Robin Reid Tidwell. The family expresses heartfelt gratitude to Sheila Frye and her staff of Home Health Care, and to Christine, Carol and Sue of hospice, for all the care and kindness shown to Judge Hamilton during the past few months.

Due to the current COVID-19 restrictions, the family will hold a private graveside service in Edgefield.

In lieu of flowers, please consider a memorial to Eastminster Presbyterian Church, 3200 Trenholm Road, Columbia, SC 29204, Harvest Hope Food Bank, 2220 Shop Road, Columbia, SC 29201 or a charity that is special to you.

Shives Funeral Home, Trenholm Road Chapel, is assisting the family.

# Comments

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“ Prayers and My Deepest Condolences to the Hamilton Family My Pops..The Late Arthur Speaks, spoke of Judge Hamilton in such high regards. They were “Buds”. The Honorable Judge Hamilton graced our family when he spoke so highly of My Pops and their Friendship during my Pops’ Funeral service in 2011. “Weeping May endure for a night..but joy comes in the morning”  
Regretfully Submitted by The Speaks Family..Tanya, Tim, Terry & Lucius

**Tanya D. Speaks** - September 07, 2020 at 07:15 PM

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“ Carol:  
I’m so sorry that I can’t join you to celebrate Judge Hamilton’s life. He touched and shaped so many people, and was definitely a vital part of setting the course of my career and my life. He taught me to strive for perfection in everything you do, and led not by words, but by example. Though he won’t be physically here to continue to guide us, you can take comfort in knowing that he will continue to live on in those of us he shaped along the way. May his memory be a blessing!

**Robert Bernstein** - September 03, 2020 at 07:00 PM