

Reconstruction-era judge

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■ Thomas Jefferson Mackey presided during wave of Ku Klux Klan activity.

■ *First of two parts.*

In 1872, during the Reconstruction era, Thomas Jefferson Mackey was elected judge of the Sixth Circuit, which included York, Chester and Lancaster counties.



Nearby history

LOUISE
PETTUS

was a first cousin of Thomas Mackey. Mackey wrote the introduction to Sims' autobiography, "The Story of My Life," signing it only "T.J.M."

Mackey, born June 23, 1830, left an apprenticeship to a cannon-maker in Charleston to enlist in the Palmetto Regiment in the War with Mexico on Dec. 14, 1846. His official record describes him as 5 feet 6, fair complexion, light eyes, sandy hair and occupation when enlisted, mechanic. He acquired a permanent limp in the Battle of Churubusco, several medals and a scholarship to the Citadel.

He went on to study law at Harvard and became inspector general of surveys under President Buchanan. In the Civil War, Mackey was a captain of engineers in the Confederate Army.

When the Civil War was over, Mackey, unlike most South Carolinians, supported the Reconstruction Acts and joined the Republican Party. Whether Mackey was sincere or an opportunist is certainly debatable. Mackey, as a Confederate veteran, had lost the right to vote, but still was elected and soon became the private secretary of the Republican governor, Robert Scott.

Mackey came to the bench in the midst of a great deal of Ku Klux Klan activity and the arrests of numerous white men whose convictions had sent a number of the community leaders to prison. There were federal troops stationed in York, Chester and Lancaster.

Mackey always contended that the federal intervention that

resulted in the Ku Klux Klan trials was unnecessary and would never have occurred "if the right judge had been on the bench."

Mackey's first case was one in which some York County white men were charged with conspiracy and riot after seizing the guns of a company of black militia backed by the U.S. government.

The white men were convicted, which was consistent with the actions of the previous judge of the circuit court. However, Mackey also intimated that such cases were really local affairs that should not involve the federal government. Mackey then stopped any further prosecution — to the astonishment of both the radical Republican legislators who had voted him in and the Democrats awaiting trial.

The 1876 Red Shirt campaign of Wade Hampton was an attempt by the Democrats to take control of the state government from the Republicans and to rid the state of occupation by federal troops. Mackey quietly passed the word that he supported Hampton. Mackey was joined by a number of other native white Republicans.

It was no accident that York County, where perhaps more Ku Klux Klan violence had occurred than in any other S.C. county, was also the first county to aggressively support Hampton. Mackey, a Republican who maintained his ties to the national Republican party, is thought to have brought together York County Republicans and Democrats to allow the Republicans to keep a number of local offices in exchange for their support of Hampton.

Hampton's kickoff to a statewide campaign came in the small town of Clover on Oct. 13, 1876. There was a torchlight procession for Samuel Tilden, Democrat, for president of the United States and Hampton for governor of South Carolina. About 300 white men and 100 black Democrats followed a band borrowed from Yorkville.

Later in the campaign, Mackey announced his open support of Hampton by riding on an ox and wearing a red shirt in an Edgefield parade. Mackey's attire must have been a dramatic sight, for he was known as a dapper dresser who invariably wore a silk top hat and a black frock coat.

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