

## South Carolina's Story Outrage Over Execution



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The most prominent American to be executed during the Revolutionary War for treason against the British was Issac Hayne. Hayne's execution caused much consternation among the Americans and turned him into a celebrated hero.

A furor followed Hayne's death. Gen. Nathaniel Greene, the American commander in the South, threatened retaliation. After the Americans were victorious at Yorktown, the Continental Congress debated whether to do as the British and execute their most important British prisoner, Lord Corwallis. The controversy was even carried into the British House of Lords where a duel almost took place between an angry Duke of Richmond and some of the men responsible for the execution.

It was a sad end to the life of a man who was a prosperous plantation owner when the Revolutionary War began. Born on September 23, 1745, he had married Elizabeth Hutson on July 18, 1765.

Home for the Haynes and their seven children was Hayne Hill, a 900-acre estate located about four miles from Jacksonborough. Haynes was well-educated, a noted horse breeder, and owner of a great deal of property which included two additional plantations and more than 6,000 acres in upcountry South Carolina.

When war broke out in 1776, Hayne, a captain in the militia, went to Charlestown; however, he returned before the capture of Charlestown in 1780. After Charleston fell, Sir Henry Clinton, the British commander, threatened to confiscate the property of all those who resisted royal authority and protection to those who supported the British.

Clinton issued a proclamation declaring "as rebels all who would not take an oath of allegiance to the king." Haynes signed the agreement to "act as a British subject as long as the British controlled the area."

But in 1781, a series of reversals struck the British. The success of Greene, the patriot commander in the South, and of militia leaders such as Marion, Sumter, and Pickens left the British in control of little territory in South Carolina.

With the almost total expulsion of the British from South Carolina territory, Hayne now felt that his obligation to the oath had ended, so he joined the South Carolina militia as a colonel. In July of 1781, however, Hayne was captured.

Justice was swift. Brought before a court of inquiry, Hayne was sentenced to be executed. The condemned man's attorney, John Colcock, vigorously challenged the right of the British to pass such a sentence for two reasons: Hayne had not been proven guilty and only a spy could be sentenced without a trial.

The lawyer's arguments were dismissed by the British authorities. Now desperate by the way the war was going, they wanted to instill fear in the Patriots by making an example of Hayne.

Many of Charleston's leading citizens pleaded with the authorities in Hayne's belief. Petitions were even circulated by two prominent loyalists, Alexander Wright and Robert William Powell. But to no avail.

Accounts of the day indicated that Haynes faced his end bravely. One contemporary said that "He (Hayne) was afterwards asked whether he wished to say anything, to which he answered, 'I will only take leave of my friends and be ready!' He then affectionately shook hands with three gentlemen - remanded his children to their care - gave the sign for the cart to move."

On August 8, 1781, the Royal Gazette carried a dry announcement of

**Hayne's execution:** "Issac Hayne, who since capitulation had taken protection and acknowledged himself a subject of His Majesty's Government, having not withstanding been taken in arms, and at the head of a Rebel Regiment of Militia, was therefore on Saturday morning last executed as a traitor."

Soon, there were American cries for revenge. Nathaniel Greene issued a proclamation in which he stated his "intention to make reprisals for all such inhuman insults as often as they take place." He did not, however, want any retaliation for Hayne's execution to lead to "an eye-for-an-eye" blood bath and a disregard for the laws.

An exchange of prisoners, which had been worked out, was stopped, with each side holding hostages in case of retaliation by the other. After their victory at Eutaw Springs, however, the Patriots took enough prisoners to ensure that none from their side would be executed.

After the Revolutionary War and with time, Issac Hayne became a patriot and martyr to Americans. But in 1905 Hayne's great-great grandson Franklin B. Hayne noted, "If Issac Hayne had been executed in Boston instead of Charleston, a monument would have been created to him quite as the Bunker Hill monument... in South Carolina no one even knows where he is buried."